



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



English

The National Veld and Forest Fire Amendment Bill [B 24—2021]

The National Veld and Forest Fire Amendment Bill [B 24—2021]

The Portfolio Committee on Environment, Forestry and Fisheries is inviting input from the public on the National Veld and Forest Fire Amendment Bill [B 24—2021]. The National Assembly (NA) acting in terms of section 59 (1) of the Constitution, seeks to facilitate public involvement in the legislative and other processes of the Assembly and its committees; public hearings being one of the platforms.

Why the National Veld and Forest Fire Amendment Bill?

The Department of Forestry, Fisheries and the Environment amongst others is responsible for implementing legislation that remains responsive and relevant in the field of integrated veldfire management and prevention. Responsive legislation will ensure that there is no vacuum that hinders sustainable forest management and threatens food security by wildfires, veld and forest fires that happen in mountainous areas, open fields and forests.

This mandate is limited to fire in the open air and excludes fires in buildings and houses. Uncontrolled fires contribute to economic, social, food, plantation and environmental degradation in South Africa. Veld fires threaten and undermine the government's agenda of ensuring and improving food security in the country and result in job losses, displacement of people, habitat and biodiversity loss. Such threats have compelled the Department to amend the current National Veld and Forest Fire Act, 101 of 1998, which is currently before the Portfolio Committee on Environment, Forestry and Fisheries of the Parliament of South Africa.

What is the main objective of the Bill?

The main objective of the Bill, is to improve the administration of the Act, deal with a number of important technical enhancements and align the legislation with the post-1996 Constitutional framework. Accordingly, the Bill seeks to:



amend and insert certain definitions;



provide for the facilitation of the formation of fire protection associations by a municipality or a traditional council;



compel a municipality, state-owned enterprise, public entity, or other organs of the state that own land to join the fire protection associations;



extend the powers of entry, search, seizure, and arrest to peace officers and traditional leaders;



amend the title of the Act to the National Veld Fire Act; and



provide for connected matters.





The National Veld and Forest Fire Amendment Bill [B 24—2021]

What is the purpose of the Bill?

The National Veld and Forest Fire Amendment Bill [B 24-2021] seeks to amend the National Veld and Forest Fire Act. The Act has been amended twice before. The current amendment is the third since its inception.

The Department of Environment, Forestry and Fisheries has identified certain challenges with key provisions of the Act and has since introduced the following amendments.





The National Veld and Forest Fire Amendment Bill [B 24—2021]

The Act: Gaps/Challenges

There is currently no definition of “communal land” in the Principal Act.

There is currently no definition of “fire in the open air” in the Principal Act.

Section 4 of the Act, provides for the registration of fire protection associations.

Section 10 of the Act, provides for communication of fire danger ratings.

Section 26 of the Act, deals with the implementation of Chapter 8 of the Act.

Section 3 of the Act, deals with the formation of fire protection associations.

The Bill: Proposed amendments

To align the Act with other relevant legislation (Communal Land Rights Act No. 11 of 2004).

Open-air fire means mountainous, open field fires and forests.

State-owned enterprises, public entities, organs of state and municipalities should join registered fire protection associations.

To empower the Minister to set conditions for the exemption of landowners when a warning has been issued that no person may light, use or maintain a fire in the open air in the region where the fire danger is rated as high.

Proposes the inclusion of peace officers and traditional leaders to implement the Act under certain conditions.

Municipalities and traditional leaders in communal lands to facilitate the formation of fire protection associations as the Minister sees the need for a fire protection association.

Why is it important to participate?

Public participation is a democratic process that ensures law-makers listen to the voices of the people when they are making laws.

Who must participate and how?

All interested and affected parties, individuals and organised formations i.e. environmental activists, firefighters, forestry companies (for example paper manufacturers), traditional authorities, labour/worker federations and affiliated unions, farmers, civil rights organisations and academic institutions, to mention a few, are invited to participate by making oral submissions to the Portfolio Committee on Environment, Forestry and Fisheries. The Committee will be conducting public hearings throughout the country.



What happens after you have submitted your inputs to the Committee?

The committee will consider all public inputs on the amendments of the principal Act for the National Assembly (NA) to pass the Bill. The Bill will then be referred to the National Council of Provinces (NCOP) for further deliberation and concurrence. Thereafter, the Bill will be sent to the President for assent and signing into law.

For further information about submissions, upcoming public hearings and requests for free copies of the Bill, contact:

Secretary of the Portfolio Committee on Environment, Forestry and Fisheries, Ms Tyhileka Madubela on:

Cell phone : 083 709 8401

Email : tmadubela@parliament.gov.za

Did You Know ?



-  Parliament is the national law-making body of South Africa.
-  Parliament comprises two Houses, namely the National Assembly (NA) and the National Council of Provinces (NCOP).
-  Bills are mainly introduced to Parliament by the Minister of the specific government department.
-  Parliament is obliged by the Constitution to obtain views of the people before passing any bill.
-  For the bill to be passed into law, the President needs to sign it (assent to it).

Submission guideline

ENGLISH

Head your submission with the full title of the topic or Bill.

Date:	
Topic or Bill:	
Name of Committee:	

State whom the submission is from

First and Surname	
State whether you have been nominated to represent an organisation	
Name of organisation (if nominated to represent an organisation)	
Your position in the organisation	
Aims of the organisation	
How many people belong to the organization?	

Provide contact details (Include a contact address, daytime telephone number and ID number. If for private reasons you do not wish these details to be made public, state this in your covering letter and leave it off the submission itself)

Postal Address:	
Street Address:	
Province:	
Tel No:	
Cell No:	
E-Mail:	

State whether you wish to appear before the Committee

Yes		No	
-----	--	----	--

Do you wish others to appear with you before the committee?

If yes, please provide their full name(s) and surname(s) and their role(s)

Name(s) and Surname(s)	Role(s)

State your concerns on the Bill or topic. Please support your views by examples.

--

Provide recommendations/suggestions.

--

Sum up or list the main points of your recommendations.

--

Who else supports you?

Name(s) and Surname(s)	Role

Please take note that the information you are submitting will be processed as set out above and that by submitting this information, you consent to the processing of this information as required by the Protection of Personal Information Act No. 4 of 2013.