REGISTERING AN FPA

Form 1: Application for registration of an FPA Part 1

- Purpose of Form 1:
  - The purpose is for DWAF to ensure that, broadly speaking, the FPA has the support of owners and its boundaries make sense, before it goes on to complete Form 2 which entails a lot of work.

Approval of Form 1

- DWAF will approve Form 1 if:
  - the FPA’s name is unique within its metropole or district
  - no owner has been deliberately excluded from discussions about setting up the FPA
  - the boundaries are:
    - suitable with regard to the requirements for veldfire management in the area
    - allow owners to organise effectively
    - have been chosen in the interests of the population as a whole within the metropole or district.
  - no other FPA exists or is planned within the area
  - the chief fire officer (CFO) approves (if one or more exist)
  - the DWAF regional representative recommends that owners proceed.

Form 1 responsibilities

- DWAF Fire Advisers will:
  - distribute Form 1 and guidelines
  - advise on completion of Form 1
  - evaluate Form 1 and make recommendation to DWAF Head Office.

- DWAF Head Office will:
  - review Form 1
  - if approved, enter the name of the proposed FPA onto a database
  - advise Fire Adviser that the FPA can proceed.

Form 2: Application to register an FPA and its Fire Protection Officer Part 2

- Purpose of Form 2:
  - Form 2 is designed to give the Minister enough information to decide whether to register the FPA.

- Form 2 requires the FPA to:
  - draft its constitution
  - nominate its FPO
  - set out the business plan, which includes the veldfire management strategy
  - decide on the rules of the FPA.

Approval of application for registration

- The Minister will register the FPA if it is capable and representative.

- In order to determine the capability of the candidate FPA, the Minister will consider the contents of the business plan to see:
  - the degree to which the veldfire management strategy addresses the veldfire risk in the FPA’s area
  - the fitness of the rules
  - the resources available to the FPA including support from an umbrella FPA
  - evidence of co-operation between the FPA and the CFO
  - evidence of support by the municipality for the FPA
  - the ability of the FPO
  - any other relevant information.

- In order to determine the representivity of the FPA, the Minister will consider:
  - the proportion of the area of the FPA represented by owners in support
any objections made to the FPA’s establishment
any evidence of the exclusion of an owner or category of owner
any evidence that vulnerable owners or assets have been unreasonably excluded
any other relevant information.

Process for registration
- If the Minister refuses to register the FPA:
  - he or she must state in writing within a reasonable time the reasons and steps that can be taken to rectify any shortcomings.
- If the Minister decides to register without conditions, DWAF will:
  - enter the FPA in a register
  - issue a registration certificate and number.
- If the Minister decides that the FPA does not qualify for registration until it has fulfilled certain conditions, DWAF must:
  - inform the FPA in writing of the conditions to be fulfilled
  - once the conditions are fulfilled, enter the FPA into a register and issue a registration certificate and number.
- If the Minister decides that the FPA qualifies for registration but must fulfill certain conditions after registration, DWAF must:
  - enter the FPA into the register and issue a registration certificate and number
  - inform the FPA of the conditions and the time period within which it must fulfil them.
- If the FPA fails to fulfil the conditions, it must be deregistered after being given a reasonable opportunity to remedy its failure.

Form 2 responsibilities
- The DWAF Fire Adviser will:
  - advise the FPA initiator to proceed
  - advise on and assist where necessary with completion of Form 2, including constitution, rules and business plan
  - evaluate Form 2 and recommend to HO.
- DWAF HO will:
  - review Form 2 and formulate proposed conditions if any
  - approve registration
  - register the FPA
  - notify FPA and Fire Adviser of registration.

After registration
- If FPA boundaries change – submit Form 3.
- If Executive Committee changes – submit Form 4.
- If a new FPO is appointed – submit Form 5.
- Financial year of FPAs - 1 April to 31 March
- Annual reports by 30 June every year.

Deregistration of an FPA
- Criteria by which Minister will judge whether to deregister an FPA may include whether the FPA has:
  - dissolved itself
  - failed to deliver an annual report for two successive years
  - is unable to execute its duties required by section 5 of the Act.
- Regulations set out process by which deregistration will happen. DWAF will:
  - inform the FPA in writing of its deregistration
  - record the deregistration in the register of FPAs
  - withdraw the FPA’s registration certificate and number.