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No. 12582

KANTOOR VAN DIE STAATSPRESIDENT

No. 1458.

4 Julie 1990

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 83 van 1990: Wysigingswet op Brandweerdienste,
1990.

STATE PRESIDENT'S OFFICE

No. 1458.

4 July 1990

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 83 of 1990: Fire Brigade Services Amendment Act,
1990.

Wet No. 83, 1990

WYSIGINGSWET OP BRANDWEERDIENSTE, 1990

ALGEMENE VERDUIDELIKENDE NOTA:

I Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Brandweerdienste, 1987, ten einde sekere omskrywings in te voeg, te wysig of te vervang; die werkzaamhede van die Brandweerraad verder te reël; die instelling, instandhouding en aanwending van dienste van plaaslike owerhede verder te reël; die aanwending van aangewese dienste verder te reël; voorsiening te maak vir die aanstelling van 'n waarnemende brandweerhoof; voorsiening te maak vir die instelling van 'n brandweerreservemag; voorsiening te maak vir die instelling en toekenning van dekorasies, medaljes en dienssertifikate; die Administrateur te magtig om 'n sekere kategorie van persone aan te wys; die Minister in staat te stel om 'n bedrag uitbestee in die hantering van dringende gevalle te verhaal; die uitvaardiging van regulasies verder te reël; en 'n brandweerhoof te magtig om nie slegs aan die eienaar nie maar ook aan die gevoldagtigde van 'n eienaar 'n skriftelike opdrag uit te reik; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Junie 1990.)

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:

Wysiging van artikel 1 van Wet 99 van 1987

1. Artikel 1 van die Wet op Brandweerdienste, 1987 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die omskrywing van "materiaal" deur die volgende omskrywing te vervang:

"materiaal" water of enige ander stof wat deur 'n diens **[by die bestryding of blus van 'n brand]** by die verrigting van sy werkzaamhede verbruik word;"

(b) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

"Minister" die Minister van **[Staatkundige Ontwikkeling en Beplanning] Beplanning en Proviniale Sake;"**

(c) deur paragrawe (c) en (d) van die omskrywing van "plaaslike owerheid" 15 deur die volgende paragrawe te vervang:

"(c) 'n plaaslike owerheid soos omskryf in artikel 1 van die Wet op Swart Plaaslike Owerhede, 1982 (Wet No. 102 van 1982); **[of]**"

(d) 'n plaaslike bestuursligaam ingestel uit hoofde van die bepalings van artikel 30 (2) (a) van die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927);

(e) 'n plaaslike raad ingestel kragtens artikel 2 van die Wet op Plaaslike Rade (Volksraad), 1987 (Wet No. 94 van 1987); of

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FIRE BRIGADE SERVICES AMENDMENT ACT, 1990

Act No. 83, 1990

GENERAL EXPLANATORY NOTE:

- []** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.
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ACT

To amend the Fire Brigade Services Act, 1987, so as to insert, amend or replace certain definitions; to further regulate the functions of the Fire Brigade Board; to further regulate the establishment, maintenance and employment of services of local authorities; to further regulate the employment of designated services; to make provision for the appointment of an acting chief fire officer; to make provision for the institution of a fire brigade reserve force; to make provision for the institution and awarding of decorations, medals and service certificates; to authorize the Administrator to designate a certain category of persons; to enable the Minister to recover an amount spent in the handling of urgent cases; to further regulate the making of regulations; and to authorize a chief fire officer to issue a written instruction not only to the owner but also to the authorized agent of an owner; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 21 June 1990.)*

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 99 of 1987

1. Section 1 of the Fire Brigade Services Act, 1987 (hereinafter referred to as the principal Act), is hereby amended—
- (a) by the substitution for paragraphs (c) and (d) of the definition of “local authority” of the following paragraphs:
- (c) a local authority as defined in section 1 of the Black Local Authorities Act, 1982 (Act No. 102 of 1982); **[or]**
- (d) a local government body established by virtue of the provisions of section 30 (2) (a) of the Black Administration Act, 1927 (Act No. 38 of 1927);
- (e) a local council established under section 2 of the Local Councils Act (House of Assembly), 1987 (Act No. 94 of 1987); or
- (f) an institution or body declared by the Minister, by notice in the *Gazette*, to be a local government for the purposes of this Act: Provided that the Minister may only declare an institution or body to be a local government if such institution or body was established by an Act of Parliament and if it, in terms of or by virtue of that Act, exercises powers and performs duties which, in the opinion of the Minister, may be exercised or performed by an institution, body or board contemplated in section 84 (1) (f) of the Provincial Government Act, 1961, or in paragraphs (a) to (e) of this definition;”; and
- (b) by the substitution for the definition of “material” of the following definition:

Wet No. 83, 1990

WYSIGINGSWET OP BRANDWEERDIENSTE, 1990

- (f) 'n instelling of liggaam deur die Minister by kennisgewing in die Staatskoerant tot 'n plaaslike owerheid vir die doeleindes van hierdie Wet verklaar: Met dien verstande dat die Minister slegs 'n instelling of liggaam tot 'n plaaslike owerheid kan verklaar indien sodanige instelling of liggaam by 'n Wet van die Parlement ingestel is en indien dit, ingevolge of uit hoofde van daardie Wet, bevoegdhede uitoefen en pligte verrig wat, na die oordeel van die Minister, uitgeoefen of verrig kan word deur 'n instelling, liggaam of raad beoog in artikel 84 (1) (f) van die Wet op Provinciale Bestuur, 1961, of in paragrawe (a) tot (e) van hierdie omskrywing;"; en
- (d) deur na die omskrywing van "Raad" die volgende omskrywing in te voeg: "'selfregerende gebied' 'n selfregerende gebied soos omskryf in artikel 38 van die Grondwet van die Nasionale State, 1971 (Wet No. 21 van 1971);".

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Wysiging van artikel 2 van Wet 99 van 1987

2. Artikel 2 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (4) deur die volgende subartikel te vervang:
- "(4) Die administratiewe werk wat voortspruit uit die verrigting van die werksaamhede van die Raad word verrig deur beampies **[vir die doel deur die Hoof: Staatkundige Ontwikkelingsdiens aangewys]** van werknemers van die Departement van Beplanning en Provinciale Sake.";
- (b) deur na subartikel (5) die volgende subartikel in te voeg:
- "(5A) Die Raad kan op versoek van die regering van 'n ander staat of die regering van 'n selfregerende gebied, die betrokke regering, of verteenwoordigers van die betrokke regering, van advies dien aangaande enige aangeleentheid wat binne die werksaamhede van die Raad val.>"; en
- (c) deur die volgende subartikel by te voeg:
- "(8) Die Minister wys 'n beampie in die staatsdiens aan om as sekretaris van die Raad op te tree.".

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Wysiging van artikel 3 van Wet 99 van 1987

3. Artikel 3 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

- "(3) 'n Diens beoog in hierdie artikel word binne **[sy]** die gebied van die betrokke plaaslike owerheid aangewend, tensy **[hy]** sodanige plaaslike owerheid versoek word, of ingevolge 'n ooreenkoms beoog in artikel 12 verplig is, om die diens buite **[sy]** die gebied **[aangewend te word]** aan te wend."

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Wysiging van artikel 4 van Wet 99 van 1987

4. Artikel 4 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

- "(4) 'n Aangewese diens word binne die gebied **of gebiede, hetsy aangrensend of nie,** wat vir hom deur die Minister na oorleg met die Raad afgebaken is, aangewend, tensy **[hy]** die betrokke beherende gesag versoek word, of ingevolge 'n ooreenkoms beoog in artikel 12 verplig is, om die diens buite daardie gebied **of gebiede, na gelang van die geval, [aangewend te word]** aan te wend.".

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Wysiging van artikel 5 van Wet 99 van 1987

5. Artikel 5 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:

- "(3) Wanneer 'n brandweerhoof om die een of ander rede nie sy amspsigte kan verrig nie, stel die beherende gesag 'n lid van die diens as waarnemende brandweerhoof aan om die pligte en werksaamhede van die brandweerhoof te verrig."

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FIRE BRIGADE SERVICES AMENDMENT ACT, 1990

Act No. 83, 1990

- “material” means water or any other substance consumed by a service [in fighting or extinguishing a fire] in the performance of its functions;”;
- (c) by the substitution for the definition of “Minister” of the following definition:
- 5 “Minister” means the Minister of [Constitutional Development and Planning] Planning and Provincial Affairs;”;
- (d) by the insertion after the definition of “prescribe” of the following definition:
- 10 “self-governing territory” means a self-governing territory as defined in section 38 of the National States Constitution Act, 1971 (Act No. 21 of 1971);”.

Amendment of section 2 of Act 99 of 1987

2. Section 2 of the principal Act is hereby amended—
- (a) by the substitution for subsection (4) of the following subsection:
- 15 “(4) The administrative work arising from the performance of the functions of the Board under this Act shall be performed by officers [designated by the Chief: Constitutional Development Services for that purpose] or employees of the Department of Planning and Provincial Affairs.”;
- (b) by the insertion after subsection (5) of the following subsection:
- 20 “(5A) The Board may at the request of the government of another state or the government of a self-governing territory advise such government, or the representatives of such government, concerning any matter which falls within the functions of the Board.”; and
- 25 (c) by the addition of the following subsection:
- “(8) The Minister shall designate an officer in the public service to act as secretary of the Board.”.

Amendment of section 3 of Act 99 of 1987

3. Section 3 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:
- 30 “(3) A service contemplated in this section shall be employed inside [its] the area of the local authority concerned, unless [it] such local authority is requested, or in terms of an agreement contemplated in section 12 obliged, to [be employed] employ the service outside [its] the area.”.

35 Amendment of section 4 of Act 99 of 1987

4. Section 4 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:
- 40 “(4) A designated service shall be employed inside the area or areas, whether adjacent or not, demarcated for it by the Minister after consultation with the Board, unless [it] the controlling authority concerned is requested, or is obliged in terms of an agreement contemplated in section 12, to [be employed] employ the service outside that area or areas, as the case may be.”.

Amendment of section 5 of Act 99 of 1987

5. Section 5 of the principal Act is hereby amended by the addition of the following subsection:
- 45 “(3) Whenever a chief fire officer is for any reason unable to perform his duties of office, the controlling authority shall appoint a member of the service as acting chief fire officer to perform the duties and functions of the chief fire officer.”.

Wet No. 83, 1990**WYSIGINGSWET OP BRANDWEERDIENSTE, 1990****Invoeging van artikels 6A en 6B in Wet 99 van 1987**

6. Die volgende artikels word hierby in die Hoofwet na artikel 6 ingevoeg:

“Brandweerreserwemag

6A. (1) 'n Beherende gesag kan 'n brandweerreserwemag vir sy regssgebied instel.

(2) 'n Brandweerhoof kan, op die voorgeskrewe voorwaardes, 'n persoon wat daarom aansoek doen, as 'n lid van 'n brandweerreserwemag aanstel.

(3) 'n Lid van 'n brandweerreserwemag is 'n tydelike lid van die diens en verrig die werksaamhede wat die brandweerhoof, of 'n lid van die diens wat namens die brandweerhoof optree, aan hom opdra: Met dien verstande dat 'n lid van 'n brandweerreserwemag, sover moontlik, slegs aangewend kan word vir die verrigting van daardie werksaamhede waarvoor hy, na oordeel van die brandweerhoof, voldoende opleiding ontvang het.

(4) 'n Brandweerhoof kan te eniger tyd 'n lid van 'n brandweerreserwemag ontslaan.

(5) 'n Lid van 'n brandweerreserwemag beskik oor dieselfde bevoegdhede as 'n lid van die diens en word, by die verrigting van sy werksaamhede, as 'n lid van die diens beskou.

Dekorasies, medaljes en sertifikate

6B. (1) Die Staatspresident kan onderworpe aan die vereistes wat hy dienstig ag dekorasies en medaljes en, ten opsigte van sodanige dekorasies en medaljes, balke, gespes en linte instel, wat deur die Minister of iemand deur die Minister aangewys, toegeken kan word aan 'n lid van 'n diens, met inbegrip van 'n brandweerhoof, ten opsigte van sy diens as sodanige lid of brandweerhoof, na gelang van die geval, of aan iemand anders ten opsigte van uitsonderlike diens ingevolge hierdie Wet gelewer.

(2) Die Minister kan onderworpe aan die vereistes wat hy dienstig ag dienssertifikate instel, wat deur die Administrateur of iemand deur die Administrateur aangewys, toegeken kan word aan 'n lid van 'n diens, met inbegrip van 'n brandweerhoof, ten opsigte van sy diens as sodanige lid of brandweerhoof, na gelang van die geval, of aan iemand anders ten opsigte van uitsonderlike diens ingevolge hierdie Wet gelewer.”.

Wysiging van artikel 8 van Wet 99 van 1987

7. Artikel 8 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

“(a) enige pad of straat sluit;”.

Wysiging van artikel 11 van Wet 99 van 1987

8. Artikel 11 van die Hoofwet word hierby gewysig deur in subartikel (3) die uitdrukking “Provinsiale Sekretaris”, waar dit ook al voorkom, deur die uitdrukking “Direkteur-generaal” te vervang.

Wysiging van artikel 13 van Wet 99 van 1987

9. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang:

“Minister kan persone magtig

13. Die Minister kan, na oorleg met die Raad, by kennisgewing in die *Staatskoerant* verklaar dat 'n kategorie van persone in diens van die Staat of 'n beherende gesag **[uit hoofde van hulle ampte]** vir die doel deur die **Administrateur aangewys** die voorgeskrewe werksaamhede kan verrig ten einde te verseker dat die oogmerke van hierdie Wet bereik word.”.

FIRE BRIGADE SERVICES AMENDMENT ACT, 1990

Act No. 83, 1990

Insertion of sections 6A and 6B in Act 99 of 1987

6. The following sections are hereby inserted in the principal Act after section 6:

"Fire brigade reserve force"

6A. (1) A controlling authority may establish a fire brigade reserve force for its area of jurisdiction.

(2) A chief fire officer may, on the prescribed conditions, appoint a person who applies therefor, as a member of a fire brigade reserve force.

(3) A member of a fire brigade reserve force shall be a temporary member of the service and shall perform the functions entrusted to him by the chief fire officer, or a member of the service acting on behalf of the chief fire officer: Provided that a member of a fire brigade reserve force may, as far as possible, only be employed for the performance of those functions for which he, in the opinion of the chief fire officer, has received adequate training.

(4) A chief fire officer may at any time discharge a member of a fire brigade reserve force.

(5) A member of a fire brigade reserve force shall have the same powers as a member of the service and shall, in the performance of his functions, be regarded as a member of the service.

Decorations, medals and certificates

6B. (1) The State President may, subject to such requirements as he may deem fit, institute decorations and medals and, in respect of such decorations and medals, bars, clasps and ribbons, which may be awarded by the Minister or any person designated by the Minister to any member of a service, including a chief fire officer, in respect of his service as such a member or chief fire officer, as the case may be, or to any other person in respect of exceptional service rendered in terms of this Act.

(2) The Minister may, subject to such requirements as he may deem fit, institute service certificates, which may be awarded by the Administrator or any person designated by the Administrator, to any member of a service, including a chief fire officer, in respect of his service as such a member or chief fire officer, as the case may be, or to any other person in respect of exceptional service rendered in terms of this Act.”.

Amendment of section 8 of Act 99 of 1987

35 7. Section 8 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) close any road or street;”.

Amendment of section 11 of Act 99 of 1987

40 8. Section 11 of the principal Act is hereby amended by the substitution in subsection (3) for the expression “Provincial Secretary”, wherever it occurs, of the expression “Director-General”.

Amendment of section 13 of Act 99 of 1987

9. The following section is hereby substituted for section 13 of the principal Act:

"Minister may authorize persons"

45 13. The Minister may, after consultation with the Board, by notice in the *Gazette* declare that a category of persons in the service of the State or a controlling authority designated for the purpose by the Administrator may [by virtue of their offices] perform the prescribed functions in order to ensure that the objects of this Act are achieved.”.

Wysiging van artikel 14 van Wet 99 van 1987**10. Artikel 14 van die Hoofwet word hierby gewysig—**

- (a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

“Ondanks andersluidende bepalings van die een of ander wet kan die Minister of **[sy gevollmagtigte]** iemand deur hom aangewys, in enige geval waar dringende optrede na sy mening in die openbare belang nodig is—”; en

- (b) deur die volgende subartikel by te voeg:

“(3) Waar bystand ingevolge hierdie artikel aan ’n beherende gesag of ’n ander persoon verleen is, of waar optrede ingevolge hierdie artikel deur ’n beherende gesag of ’n ander persoon, genoodsaak is, kan die Minister enige bedrag wat ingevolge subartikel (2) uitbestee is, op sodanige beherende gesag of persoon verhaal.”.

Wysiging van artikel 15 van Wet 99 van 1987

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11. Artikel 15 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (e) van subartikel (1) deur die volgende paragraaf te vervang:

“(e) betreffende die gebruik, vervaardiging, opberging of vervoer van ploffstowwe, vuurwerke, petroleum of enige ander **[ontvlambare]** 20 vlambare of brandbare stof **[of]**, gas of enige ander gevaaarlike stof;”;

- (b) deur in subartikel (1) die volgende paragraaf na paragraaf (f) in te voeg:

“(fa) betreffende die beheer oor en registrasie van die brandweerhoof en lede van ’n diens;”;

- (c) deur na subartikel (2) die volgende subartikel in te voeg:

“(2A) Verskillende regulasies kan kragtens subartikel (1) ten opsigte van verskillende gebiede of verskillende kategorieë persone gemaak word.”;

- (d) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Die Minister kan na oorleg met die Raad ’n gebruikskode uitgereik 30 kragtens artikel 18 van die Wet op Standaarde, 1982 (Wet No. 30 van 1982), of enige gedeelte van daardie kode, by wyse van ’n blote verwysing na besonderhede waardeur dit geïdentifiseer kan word, by die regulasies inlyf, en daarna word die gebruikskode of die betrokke gedeelte daarvan, vir sover dit nie met hierdie Wet strydig is nie geag deel van die regulasies 35 te wees;”; en

- (e) deur paragraaf (a) van subartikel (4) deur die volgende paragraaf te vervang:

“(a) ’n Regulasie beoog in hierdie artikel word nie uitgevaardig nie alvorens die voorgestelde regulasie in die Staatskoerant gepubliseer is 40 tesame met ’n kennisgewing waarby belanghebbendes versoek word om binne die daarin vermelde tydperk enige kommentaar, vertoe of besware wat hulle daarteen mag hê skriftelik by die **[Minister]** sekretaris bedoel in artikel 2 (8) in te dien en daardie tydperk verstryk het.”.

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Vervanging van artikel 16 van Wet 99 van 1987**12. Artikel 16 van die Hoofwet word hierby deur die volgende artikel vervang:****“Verordeninge en regulasies**

16. (1) ’n Plaaslike owerheid kan, na oorleg met die Raad, en behoudens enige wetsbepalings wat op die plaaslike owerheid van toepassing is met betrekking tot die afkondiging van verordeninge of regulasies, na gelang van die geval, verordeninge of regulasies, na gelang van die geval, wat nie met die een of ander wet strydig is nie vir sy regssgebied uitvaardig betreffende enige aangeleentheid wat hy nodig of dienstig ag ten einde sy diens effektief aan te wend.

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FIRE BRIGADE SERVICES AMENDMENT ACT, 1990

Act No. 83, 1990

Amendment of section 14 of Act 99 of 1987

10. Section 14 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“Notwithstanding anything to the contrary contained in any other law, the Minister or [his deputy] anybody designated by him may, in any case where in his opinion urgent action is necessary in the public interest —”; and

- (b) by the addition of the following subsection:

“(3) Where assistance has been rendered in terms of this section to a controlling authority or any other person, or where any action in terms of this section by a controlling authority or any other person has been necessitated, the Minister may recover any amount spent in terms of subsection (2) from such controlling authority or person.”

15 Amendment of section 15 of Act 99 of 1987

11. Section 15 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (e) of subsection (1) of the following paragraph:

“(e) regarding the use, manufacture, storage or transportation of explosives, fireworks, petroleum or any other [inflammable] flammable or combustible substance [or], gas or any other dangerous substance;”;

- (b) by the insertion in subsection (1) after paragraph (f) of the following paragraph:

“(fA) regarding the control over and registration of the chief fire officer and members of a service;”;

- (c) by the insertion after subsection (2) of the following subsection:

“(2A) Different regulations may be made under subsection (1) in respect of different areas or different categories of persons.”;

- (d) by the substitution for subsection (3) of the following subsection:

“(3) The Minister may after consultation with the Board incorporate in the regulations any code of practice issued under section 18 of the Standards Act, 1982 (Act No. 30 of 1982), or any part of that code, by means of a mere reference to particulars by which it can be identified, and thereafter the code of practice or the part thereof concerned shall in so far as it is not repugnant to this Act be deemed to be part of the regulations.”; and

- (e) by the substitution for paragraph (a) of subsection (4) of the following paragraph:

“(a) A regulation contemplated in this section shall not be made before the proposed regulation has been published in the *Gazette* together with a notice calling upon interested persons to lodge any comments, representations or objections they may have against it in writing to the [Minister] secretary referred to in section 2(8) within the period mentioned therein and that period has expired.”.

45 Substitution of section 16 of Act 99 of 1987

12. The following section is hereby substituted for section 16 of the principal Act:

“By-laws and regulations

16. (1) A local authority may, after consultation with the Board, and subject to the provisions of any law applicable to the local authority in relation to the promulgation of by-laws or regulations, as the case may be, make by-laws or regulations, as the case may be, which are not contrary to any law, for its area of jurisdiction regarding any matter which it may deem necessary or expedient in order to employ its service effectively.

Wet No. 83, 1990**WYSIGINGSWET OP BRANDWEERDIENSTE, 1990**

(2) Die Administrateur kan na oorleg met die Raad verordeninge of regulasies, na gelang van die geval, wat nie met die een of ander wet strydig is nie uitvaardig betreffende enige aangeleentheid bedoel in subartikel (1), en sodanige verordeninge of regulasies is van toepassing in die regssgebied van elke plaaslike owerheid in die betrokke provinsie vir sover dit toepaslik is en nie met die verordeninge of regulasies, na gelang van die geval, van die betrokke plaaslike owerheid onbestaanbaar is nie.

(3) 'n Verordening of regulasie beoog in subartikel (1) of (2) kan ten opsigte van 'n oortreding daarvan of versuim om daaraan te voldoen 'n straf bepaal van 'n boete van hoogstens R5 000 of van gevangenisstraf vir 10 'n tydperk van hoogstens ses maande.".

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Wysiging van artikel 18 van Wet 99 van 1987

13. Artikel 18 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

"(2) Indien die brandweerhoof bevind dat sodanige bepalings nie nagekom word nie, kan hy aan die eienaar van daardie perseel, of sy gevolemagtigde, 'n skriftelike opdrag uitrek om binne die daarin vermelde tydperk aan die betrokke bepalings te voldoen.".

Wysiging van artikel 19 van Wet 99 van 1987

14. Artikel 19 van die Hoofwet word hierby gewysig deur paragraaf (a) van 20 subartikel (1) deur die volgende paragraaf te vervang:

"(a) enige bevoegdheid aan hom verleen by of kragtens hierdie Wet, die regulasies beoog in artikel 15 of die verordeninge of regulasies beoog in artikel 16, uitgesonderd die bevoegdheid bedoel in hierdie artikel, aan 'n lid van die betrokke diens deleger; en".

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Kort titel en inwerkingtreding

15. (1) Hierdie Wet heet die Wysigingswet op Brandweerdienste, 1990.

(2) Artikel 9 van hierdie Wet word geag op 30 Junie 1989 in werking te getree het.

FIRE BRIGADE SERVICES AMENDMENT ACT, 1990**Act No. 83, 1990**

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(2) The Administrator may after consultation with the Board make by-laws or regulations, as the case may be, which are not contrary to any law, regarding any matter referred to in subsection (1), and such by-laws or regulations shall apply in the area of jurisdiction of every local authority in the province concerned in so far as they are applicable and not inconsistent with the by-laws or regulations, as the case may be, of the local authority concerned.

(3) A by-law or regulation contemplated in subsection (1) or (2) may in respect of a contravention thereof or failure to comply therewith provide for a punishment of a fine not exceeding R5 000 or of imprisonment for a period not exceeding six months.”.

Amendment of section 18 of Act 99 of 1987

13. Section 18 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

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“(2) If the chief fire officer finds that such provisions are not being complied with, he may issue to the owner of those premises, or his authorized agent, a written instruction to comply with the provisions in question within the period mentioned therein.”.

Amendment of section 19 of Act 99 of 1987

20 14. Section 19 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

25 “(a) delegate any power granted to him by or under this Act, the regulations contemplated in section 15 or the by-laws or regulations contemplated in section 16, excluding the power referred to in this section, to a member of the service concerned; and”.

Short title and commencement

15. (1) This Act shall be called the Fire Brigade Services Amendment Act, 1990.

(2) Section 9 of this Act shall be deemed to have come into operation on 30 June 1989.

