



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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N\$2.00

WINDHOEK - 16 March 2007

No. 3806

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### Government Notice

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#### MINISTRY OF REGIONAL AND LOCAL GOVERNMENT, HOUSING AND RURAL DEVELOPMENT

No. 55

2007

#### PROPOSED REGULATIONS MADE UNDER THE LOCAL AUTHORITIES FIRE BRIGADE SERVICES ACT, 2006 (ACT NO. 5 OF 2006)

The Minister responsible for local government matters -

- (a) makes under section 19 read with section 24 of the Local Authorities Fire Brigade Services Act, 2006 (Act No. 5 of 2006), the proposed regulations set out in the Schedule; and
- (b) invites any interested person to lodge, within 30 days from the date of publication of this notice, any written comments, representations or objections which they may have against the proposed regulations referred to in paragraph (a) and to submit such comments, representations or objections to the Permanent Secretary: Ministry of Regional and Local Government, Housing and Rural Development, Private Bag 13289, Windhoek.

**J. PANDENI**  
**MINISTER RESPONSIBLE FOR**  
**LOCAL GOVERNMENT MATTERS**

Windhoek, 22 February 2007

## SCHEDULE

### Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act bears that meaning and unless the context otherwise indicates -

“the Act” means the Local Authorities Fire Brigade Services Act, 2006 (Act No. 5 of 2006);

“reservist” means a person appointed under section 5 of the Act as a member of the reserve force;

“SANS 10090: 2003 (Edition 3)” means the South African National Standard 10090: 2003 (Edition 3), as published by the Standards South Africa, a division of SABS; and

“uniform” includes any equipment and protective clothing issued to a reservist as contemplated in terms of regulation 6.

### Standards and requirements in relation to establishment and maintenance of service

2. The Standards and requirements contained in SANS 10090: 2003 (Edition 3) apply with regard to -

- (a) fire protection by a local authority;
- (b) the organization of a service by a local authority;
- (c) the training of members of a service, including a chief fire officer;
- (d) the qualification and experience of chief fire officers and other members of a service;
- (e) fire alarms;
- (f) fire prevention;
- (g) pre-fire planning and risk visits;
- (h) occupational health and safety;
- (i) water supply; and
- (j) the equipment and material of a service.

### Appointment of reservists

3. (1) A person who wishes to be appointed as a reservist must -

- (a) complete and submit to the chief fire officer concerned -
  - (i) an application for appointment as a member of the fire brigade reserve force in the form set out in Annexure A;
  - (ii) a certificate of commitment in the form set out in Annexure B;

- (iii) if a minor, a certificate of permission signed by his or her parent or guardian in the form set out in Annexure D; and
  - (iv) if applicable, a certificate of approval to be appointed as a reservist signed by his or her employer in the form set out in Annexure E; and
- (b) be 16 years of age or older, but not older than 60 years of age.
- (2) The chief fire officer must, when considering a person for appointment as a reservist, have regard to -
- (a) the applicant's mental and physical capability in performing the service duties in general or any or all of the functions of the service; and
  - (b) the applicant's character.
- (3) Where an applicant has complied with the requirements set out in subregulation (1) and where in the opinion of the chief fire officer such applicant is mentally and physically capable of performing such duties or functions and is of good character, the chief fire officer must, upon appointment of such applicant as a reservist, complete the declaration set out in Annexure C.

#### **Retirement and resignation by reservist**

4. (1) A reservist must retire from the reserve force when he or she attains the age of 60 years.
- (2) A reservist may at any time prior to attaining the age of 60 years resign from the reserve force, but must provide the chief fire officer concerned with one month written notice of his or her intention to resign.

#### **Training**

5. A reservist must undergo training which, in the opinion of the chief fire officer concerned, is adequate for the purposes of performing the duties expected from a reservist.

#### **Uniform**

6. A reservist must, when performing any function of a reservist or while on duty as a reservist, wear the appropriate uniform and the insignia issued to him or her upon appointment as a reservist.

#### **Call-up of reservist**

7. (1) A chief fire officer or any member of the service concerned to whom this power is delegated under section 23(1) of the Act, may at any time call upon a reservist to report at a place on the date and time specified in the call-up instructions.
- (2) A call-up instruction referred to in subregulation (1) may be conveyed verbally or in writing and such instructions must be subject to the directions of the chief fire officer.

**Performance of duties**

**8.** A reservist must perform at least 160 hours of duty per year with regard to the duties for which he or she has, in the opinion of the chief fire officer, received adequate training.

**Register**

**9.** A chief fire officer must maintain a register in such form as he or she considers appropriate into which is recorded the times and dates during which a reservist has performed the duties contemplated in regulation 8.

**Offences and penalties**

**10.** A reservist who fails to comply with a call-up instruction in terms of regulation 7 commits an offence and is liable upon conviction to a fine not exceeding N\$500-00 or to imprisonment for a period not exceeding one month or to both such fine and such imprisonment.

**ANNEXURE A**

**APPLICATION FOR APPOINTMENT AS MEMBER OF FIRE BRIGADE RESERVE FORCE**

**(regulation 3(1)(a)(i))**

1. Full name and surname: .....
2. Gender: .....
3. Age: .....
4. Identity or passport number: .....
5. Full residential address: .....
6. Full work address (if applicable): .....
7. Phone number: .....(h) .....(w)  
Cell number: ..... Fax: .....  
E-mail address: .....
8. Are you (Please tick the appropriate box) -

- |  |     |    |
|--|-----|----|
| (a) a member of the Namibian Police Force?                       | YES | NO |
| (b) a member of the Reserve Police Force ?                       | YES | NO |
| (c) a member of the Prisons and Correctional Services?           | YES | NO |
| (d) a member of the Namibian Defence Force?                      | YES | NO |
| (e) an employee of the Namibia Central Intelligence Service?     | YES | NO |
| (f) a full time civilian employee of the Namibian Defence Force? | YES | NO |
| (g) a member of any Civil Defence organization?                  | YES | NO |

If you have indicated YES to either (a) or (b), have you been recruited with a view to the performance of guard duties at key and vulnerable points?

YES	NO
-----	----

.....  
**Signature of applicant**

.....  
**Date**

**ANNEXURE B****CERTIFICATE OF COMMITMENT****(regulation 3(1)(a)(ii))**

I, the undersigned, solemnly and sincerely commit myself herewith, as long as I am a member of the Fire Brigade Reserve Force of the local authority of .....

.....  
to render the service referred to in my application above to the best of my ability and without fear or contradiction, and to undergo training in connection therewith, in terms of the Local Authorities Fire Brigade Services Act, 2006 (Act No. 5 of 2006), and the Regulations promulgated in terms thereof.

I am satisfied with the disability insurance that the local authority has taken out on my behalf.

.....  
**Signature of applicant**

.....  
**Date**

**ANNEXURE C****CERTIFICATE OF DECLARATION****(regulation 3(3))**

I acknowledge that the applicant undertook and signed the certificate of commitment before me on ..... in the manner as set out in Annexure B of the regulations made under the Local Authorities Fire Brigade Services Act, 2006 (Act No. 5 of 2006). The applicant has further acknowledged that he or she knows and understands the contents thereof.

I have further taken into account the character and the mental and physical abilities of the applicant and approve / disapprove the application submitted to me.

.....  
**Chief file offer**

.....  
**Date**

**ANNEXURE D****CERTIFICATE OF PERMISSION BY PARENT OR GUARDIAN  
OF MINOR APPLICANT****(regulation 3(1)(a)(iii))**

I, the undersigned, being the parent/ lawful guardian of .....

.....

agree to the certificate of commitment as contained in Annexure B of the regulations  
made under the Local Authorities Fire Brigade Services Act, 2006 (Act No. 5 of 2006).

.....  
**Signature of parent / lawful guardian**

.....  
**Date**

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