

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 fulfil 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.