

**NOTICE 1689 OF 2005**  
**DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT**

**THE DISASTER MANAGEMENT REGULATIONS: DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002)**

The Minister of Provincial and Local Government intends publishing the Disaster Management Regulations: Disaster Management Act No. 57 of 2002. The draft Regulations is hereby published in terms of section 59 of the Disaster Management Act, 2002 (Act No. 57 of 2002).

Interested persons and institutions may submit written representations or comments on the draft Regulations by no later than 30 September 2005.

- (a) by posting it to the following address:

Mr G Kilian  
The Department of Provincial and Local Government  
Private Bag X **804**  
**PRETORIA**  
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**OR**

- (b) by delivering it at the following address

Mr G Kilian  
87 Hamilton Street  
Office No. G **06B** Ground Floor  
Corner Hamilton And Proes Streets  
**ARCADIA**  
Tel: (012) **334-0708 / 0667**

The Minister of Provincial and Local Government has in terms of section 59 of the Disaster Management Act, 2002 (Act No. 57 of 2002) made the regulations in the shedule.

## **SCHEDULE**

### **ARRANGEMENT OF REGULATIONS**

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### CHAPTER 1 INTERPRETATION

**1. Definitions** In these regulations the definitions have the same meaning as in the Disaster Management Act, 2002 (Act No. 57 of 2002), unless the context indicates otherwise-

**“the Act”** means the Disaster Management Act, 2002 (Act No. 57 of 2002);

**“district municipality”** means a municipality that has municipal executive and legislative authority in an area that includes more than one municipality and which is described in section 155(1) of the Constitution as a category C municipality;

**“emblem”** means a distinctive badge that depicts the corporate identity of disaster management;

**“essential goods and services”** means those products; items; expertise or manufacturers; that are considered of importance or are indispensable when responding to a disaster;

**“hazard”** means threats to life, well being, material goods or the environment;

**“head of the centre”** means the person appointed in terms of either section 10(national level)’ section 31 (provincial level); or section 45 (municipal level) of the Act;

**“metropolitan municipality”** means a municipality that has exclusive executive and legislative authority in its area and which is described in section 155(1) of the Constitution as a category A municipality;

**“misconduct”** means behaviour that is not conforming to prevailing standards;

**“municipality”** means a local municipality within a district municipality; a district municipality or a metropolitan municipality, as applicable to the relevant municipality;

**“municipal disaster management centre”** means a facility created at district municipal level to ensure that the requirements of the Act can be implemented and monitored;

**“ownership”** means an agreement by a role player to identified primary roles in the event of a disaster occurring;

**“primary role”** means that function for which a specific identified role player is best equipped and qualified to perform;

**“role player”** means an individual or group in society that can contribute meaningfully to the implementation of disaster management;

**“secondary role”** means an additional function that is performed by an identified role player in support of a primary role player;

**“service” or “service provider”** means a municipal cluster, department or division within a municipality that has agreed to accommodate volunteers;

**“specialist personal equipment”** means any privately owned equipment that is used to prevent or limit a disaster and includes two way radios, rescue equipment and off road vehicles;

**“volunteer”** means a person who performs or gives his services of his or her free will or a person who renders aid, performs a service or assumes an obligation voluntary, without any guarantee of (financial) reward;

**“volunteer unit”** means a unit established for volunteers in terms of chapter 7 of the Act;

**“vulnerability assessment”** means determining the degree to which an individual, family, community or region is at risk of experiencing misfortune following extreme events.

CHAPTER 2  
ESTABLISHMENT OF A VOLUNTEER UNIT

**2. Establishment of a disaster management volunteer unit (1)** A metropolitan or district municipality that has decided on establishing a disaster management volunteer unit must ensure that the following has been considered:

- (a) That a needs analysis has been undertaken, involving identified role players, namely municipal departments, relevant non governmental organisations and relevant ward and community structures; in order to determine the size, categories and purpose of the unit, subject to regulation 4 of these regulations.
- (b) That the needs analysis referred to in sub-regulation (a) be annually re-assessed. Should the re-assessment indicate a need to reduce the number of volunteers, such reductions will only take place when a volunteer requests a transfer in terms of regulation 17, or membership is terminated in terms of regulation 18 of these regulations.

(2) The members of the unit shall be persons who have been appointed by the head of the centre of the metropolitan or district municipality after agreement has been reached with the relevant role players, referred to in sub-regulation 2 (1) (a), and who have complied with the requirements of regulation 3 of these regulations.

**3. Membership (1)** A person shall be appointed as a member:

- a) if that person-
  - i) applies on the form prescribed in annexure A,
  - ii) resides within the area of jurisdiction of the relevant municipality;
  - iii) is of good character and is physically and mentally capable of rendering service;
  - iv) has reached the age of 16 years;
  - v) has agreed on the said form to render a service and to undergo training in connection with the service;
  - vi) has submitted a health questionnaire in accordance with annexure B in respect of the general state of his or her health to the head of the centre; and
  - vii) has been accepted by the relevant service or group to which the volunteer wishes to be allocated.