

TOOL 27: DETERMINATION FOR THE ADMISSION OF GUILT FINES

NATIONAL VELD AND FOREST FIRE ACT NO. 101 OF 1998

SEC.	DESCRIPTION OF OFFENCE	CAT. OF OFFENCE	PENALTY ON FIRST CONVICTION	AMOUNT
25(5)	* An owner, occupier or person in control of land on which a fire occur fails to take reasonable steps to <ul style="list-style-type: none"> • extinguish the fire • confine it to that land • prevent it from causing damage to property on adjoining land 	1	Fine Imprisonment up to 2 years Both	R2 500.00 For serious damages NO A.G.
25(2)(a)	* A person leaves a fire which she/he lit, used or maintained in the open air unattended, before the fire is extinguished.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(2)(b)	* A person lights, uses or maintains a fire in the open air, with or without the permission of the owner, which spreads and causes injury or damage.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(2)(c)	* A person throws, puts down or drops a burning match or other burning material or material which is capable of spontaneous combustion or self ignition, and by doing so, makes a fire which spreads and causes injury or damage.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(2)(d)(i)	* A person lights, uses or maintains fire in a road reserve other than in a fireplace which has been designated by a competent authority.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(2)(d)(ii)	* A person lights, uses or maintains a fire in a road for a purpose other than to burn a firebreak.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(2)(e)	* A person smokes where, by notice, smoking is prohibited.	2	Fine Imprisonment up to 1 year Both	R1 500.00
25(3)(a) r.w. Section 12 (1)	* An owner on whose land a veldfire may start or burn or spread fails to prepare and maintain a firebreak on his or her side of the boundary with adjoining land.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(3)(a) r.w. Section 14	* An owner whose land coincides with the boundary of the Republic and whose land is subject to a risk of veldfire fails to prepare and maintain a firebreak as close as possible to the border.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(3)(b) r.w. Section 12(2)(b)	* An owner who cannot reach agreement with his or her neighbour for a date on which both can burn their firebreaks, fails to give the owner of adjoining land, and the FPA if there is one, 14 days written notice of the day on which he or she intends to burn the firebreaks.	2	Fine Imprisonment up to 1 year Both	R2 500.00
25(3)(c) r.w. Section 12(4)(a)	* An owner burns a firebreak when the FPA has objected.	2	Fine Imprisonment up to 1 year Both	R2 500.00

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25(3)(d) r.w. Section 12(5)	<p>* An owner fails to inform the owners of adjoining land and the FPA if there is one:</p> <ul style="list-style-type: none"> that burning a firebreak cannot be done on the agreed days or if no agreement was reached, on the days he or she has not given notice for, of the additional days on which he or she now intends to burn. 	2	<p>Fine</p> <p>Imprisonment up to 1 year</p> <p>Both</p>	R2 500.00
25(4)(a) r.w. Section 17(1)	<p>* An owner on whose land a veldfire may start or burn or spread fails to meet the standards of readiness for fire fighting:</p> <ul style="list-style-type: none"> by not having the equipment, protective clothing and trained personnel for extinguishing fires, either that are prescribed, or reasonably required in the circumstances; by not ensuring that in their absence, a responsible person will be present on or near their land who if there is a fire will extinguish it or assist in doing so; alert the owners of adjoining land and the FPA if there is one. 	2	<p>Fine</p> <p>Imprisonment up to 1 year</p> <p>Both</p>	R2 500.00
25(4)(b) r.w. Section 18(1) (a)	<p>* A person who has reason to believe that a fire on his or her land, or the land of an adjoining owner may endanger life, property of the environment, fails to notify</p> <ul style="list-style-type: none"> the Fire Protection Officer, or failing him or her, any member of the executive committee of the FPA if one exists for the area, and the owners of adjoining land. 	2	<p>Fine</p> <p>Imprisonment up to 1 year</p> <p>Both</p>	R2 500.00
25(4)(c) r.w. Section 18 (3)(a)	<p>* A person refuses to assist a Fire Protection Officer who is taking over control of the fighting of a fire from any person who has been doing so up until his or her arrival.</p>	2	<p>Fine</p> <p>Imprisonment up to 1 year</p> <p>Both</p>	R1 500.00
25(4)(c) F.W. Section 18(3) (b) or 18(4) (b)	<p>* A person refuses to assist a Fire Protection Officer when ordered to do so on the basis that he or she is apparently not younger than 16 years and not older than 60.</p>	2	<p>Fine</p> <p>Imprisonment up to 1 year</p> <p>Both</p>	R1 500.00
25(4)(d) r.w. Section 18(2); (3) and (4)	<p>* A person hinders or obstructs:</p> <ul style="list-style-type: none"> any person fighting a fire that may endanger life, property or the environment on any land; a Fire Protection Officer who takes over control of fighting a fire; a Forest Officer who has taken over the control of fighting a fire in the absence of a Fire Protection Officer. 	2	<p>Fine</p> <p>Imprisonment up to 1 year</p> <p>Both</p>	R2 500.00
25(6)(a)(b)	<p>* A person interferes with or prevents a Fire Protection Officer, a Forest Officer, a Police Officer or an officer appointed under Fire Brigade Services Act from:</p> <ul style="list-style-type: none"> entering and searching land or premises where she/he believes an offence is being or has been committed; seizing any vehicle, tool, weapon, animal or other thing which she/he believes is being or was used in the commission of an offence; arresting any person who she/he believes has committed a first or second category offence, or a third category offence if she/he believes that the person will fail to appear in answer to a summons. 	3	<p>Fine</p> <p>Community service up to 6 months</p> <p>Both</p>	R1 000.00