

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 7909

11 September 2026

NATIONAL VELD AND FOREST FIRE ACT, 1998 (ACT NO. 101 OF 1998)

GUIDELINES FOR PUBLICATION OF THE FIRE DANGER RATING SYSTEM FOR GENERAL INFORMATION, AND FOR APPLICATIONS FOR EXEMPTION FROM THE PROHIBITION TO LIGHT, USE OR MAINTAIN A FIRE IN THE OPEN AIR IN A REGION WHERE A FIRE DANGER IS HIGH OR EXTREME

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby in terms of sections 9(1) and 10(2)(a), read together with section 21(1) of the National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998), give notice of my intention to make Guidelines for exemption from the prohibition to light, use or maintain a fire in the open air in a region where a fire danger is high or extreme, as set out in the Schedule hereto.

Members of the public are invited to submit, within thirty (30) days from the date of publication of this Notice in the *Government Gazette*, or in a national newspaper, whichever date comes last, written representations to the following addresses:

By post to: The Director General: Forestry, Fisheries and the Environment
Attention: Mr Lwando Paraffin
Assistant Director: Veldfires
Private Bag X447
PRETORIA
0001

By hand at: Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia,
0083

By email: lparaffin@dfre.gov.za

Any enquiries in connection with this Notice can be directed to Mr Lwando Paraffin at (067) 419 9857 or lparaffin@dfre.gov.za

The Department of Forestry, Fisheries and the Environment complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto will be included in the comments and response report which may be made available to the public. If a commenting party has any objection to his or her name, or the name of the represented company/organization, being made

publicly available in any comments and responses report, such objection should be highlighted as part of the comments submitted.

Comments received after the closing date may not be considered.



WILLEM ABRAHAM STEPHANUS AUCAMP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

1. Introduction

The National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998) (the Act), obliges the Minister to set up and maintain a National Fire Danger Rating System (NFDRS). The NFDRS is used to provide a measure of the relative seriousness of burning conditions and threat of fire by providing a measure of the likelihood of a fire starting and spreading. It processes and evaluates factors influencing fire danger systematically and represent them in the form of fire danger indices.

The NFDRS has five official colours to rate the level and categories of the likelihood of fires occurring in each area as shown in tables 1 and 2 below.

Table 1: NFDRS Colour Codes and Fire Danger Index

COLOUR CODES	FIRE DANGER INDEX	FIRE DANGER	RATING
BLUE	0-20	Low	Insignificant
GREEN	21-45	Moderate	Low
YELLOW	46-60	Dangerous	Medium
ORANGE	61-75	Very dangerous	High
RED	76-100	Extremely dangerous	Extremely

Table 2: Recommended actions at the various alert stages NFDRS.

INDICATIVE COLOUR	BLUE	GREEN	YELLOW	ORANGE	RED
DANGER RATING	Insignificant	Low	Moderate	High	Extreme
FIRE PREVENTION AND PREPAREDNESS MEASURES	No precaution is needed	Fires including prescribed burns may be lit, used or maintained in the open air on the condition that persons making fires take reasonable precautions against the fires' spreading.	No fires may be allowed in the open air except those that are authorised by the Fire Protection Officer where a Fire Protection Association exists, or elsewhere, the Chief Fire Officer of the local fire service, or fires in designated fireplaces.	No fires may be allowed in the open air, unless exempted in writing by the Minister.	No fires may be allowed under any circumstances in the open air and Fire Protection Associations and Municipal Disaster Management Centres must invoke contingency fire emergency and disaster management plans including extraordinary readiness and response plans. All operations likely to ignite fires halted. Householders placed on alert.
APPLICATION OF THE ACT			Above precautionary measure to be prescribed and made applicable nationally on days rated moderate.	Section 10(1)(b) of the Act applies: no person may light, use or maintain a fire in the open air in the region where the fire danger is high or extreme, unless the Minister, on good cause shown, exempts in writing, a landowner or group of landowners from the said warning, subject to any conditions that the Minister may impose.	Section 10(1)(b) of the Act applies: no person may light, use or maintain a fire in the open air in the region where the fire danger is high or extreme, unless the Minister, on good cause shown, exempts in writing, a landowner or group of landowners from the said warning, subject to any conditions that the Minister may impose.
RELATIONSHIP WITH DISASTER MANAGEMENT				Section 49 of the Disaster Management Act, 2002 (Act No. 57 of 2002) applies: The threat of disastrous wildfires exists at municipal level under these conditions. Municipal Disaster Management Centres must invoke contingency plans and inform National and Provincial Disaster Management Centres.	Section 49 of the Disaster Management Act, 2002 (Act No.57 of 2002) applies: The threat of disastrous wildfires at provincial level exists under these conditions. Municipal Disaster Management Centres must invoke contingency plans and inform National and Provincial Disaster Management Centres.
FIRE BEHAVIOUR	Fires are not likely to ignite. If they do, they are likely to go out	Fires likely to ignite readily but spread slowly.	Fires ignite readily and spread rapidly, burning in the surface layers below	Fires ignited readily and spread very rapidly, with local crowning and short-range spotting. Flame lengths	Conflagrations are likely in plantation forests, stands of alien invasive trees and shrubs, sugar cane plantations, and

INDICATIVE COLOUR	BLUE	GREEN	YELLOW	ORANGE	RED
	without suppression action. There is little flaming combustion. Flame lengths in grassland and plantation forest litter lower than 0.5 m and rates of forward spread less than 0.15 kilometres per hour.	Flame lengths in grassland and plantation forest litter lower than 1.0 m and rates of forward spread less than 0.3 kilometres per hour.	trees. Flame lengths in grasslands and plantation forests between 1 and 2m, and rates of forward spread between 0.3 and 1.5 kilometres per hour.	between 2 and 5 m, and rates of forward spread between 1.5 and 2.0 kilometres per hour.	fynbos. Long range fire spotting is likely in these fuel types. Rates of forward spread of head fires can exceed 4.0 kilometres per hour and flame lengths will be in the order of 5 – 15 m or more.
FIRE SUPPRESSION DIFFICULTY	Direct attack feasible: one or a few field crew with basic firefighting tools easily suppresses any fire that may occur.	Direct attack feasible: fires safely approached on foot. Suppression is readily achieved by direct manual attack methods.	Direct attack constrained: fires not safe to approach on foot for more than very short periods. Best forms of control should combine water tankers and back burning from fire control lines.	Direct attack not feasible: fires cannot be approached at all and back burning, combined with aerial support are the only effective means to combat fires. Equipment such as water tankers should concentrate efforts on the protection of houses.	Any form of fire control is likely to be precluded until the weather changes. Back burning dangerous and best avoided.

2. Exemption in terms of section 10(2)(a) of the Act

Section 10(1)(b) of the Act states that when the fire danger is rated as high in any region, the Minister must publish a warning at the earliest possible opportunity in all the main languages used in that region.

Sections 10(2)(a) further states that when the Minister has published a warning in terms of subsection (1) (b), no person may light, use or maintain a fire in the open air in the region where the fire danger is high or extreme, unless the Minister, on good cause shown, exempts in writing, a landowner or group of landowners from the said warning, subject to any conditions that the Minister may impose.

This Guideline outlines the process to be followed when applying for exemption in terms of section 10(2)(a) of the Act.

3. Applications for exemption

Any landowner(s) may apply in writing to the Minister for exemption from the prohibition in terms of section 10(2)(a) of the Act. The Application Form is available on the Departmental website and at Regional Offices.

An application in terms of subsection (1) must be accompanied by —

- (a) an explanation of the reasons for the application; and
- (b) any applicable supporting documents.

The application must be submitted to the relevant regional office of the Department.

4. Consideration of application for exemption

(1) The Minister may request an applicant to furnish additional information where such information is necessary for the purposes of informing the Minister's decision.

(2) If the rights or interests of other parties are likely to be adversely affected by the proposed exemption, the Minister may, before deciding the application, request the applicant to—

- (a) bring the application to the attention of relevant organs of state, interested persons and the public by conducting a participation process indicated by the Minister, and
- (b) submit any comments received from following such process to the Minister.

5. Decisions on applications for exemption

- (1) Section 10(b) of the Act states that the Minister must, before granting any exemption, consult the Fire Protection Association of the area, if any, and the Fire Protection Officer.
- (2) The Minister may —
 - (a) grant the exemption, with conditions; or
 - (b) refuse to grant the exemption.
- (3) If an application is granted, the Minister must issue a written exemption notice to the applicant stating—
 - (a) the name, address and telephone number of the person or organ of state to whom the exemption is granted;
 - (b) the location where the exemption applies;
 - (c) the conditions subject to which the exemption is granted, and
 - (d) the period for which exemption is granted.

6. Suspension and withdrawal of exemptions

- (1) The Minister may on good grounds shown, suspend or withdraw an exemption or amend the exemption, or any part thereof.
- (2) Before suspending or withdrawing an exemption, the Minister must give the person to whom the exemption was granted an opportunity to comment, in writing, on the reasons for the suspension, withdrawal.

7. Minimum requirements

- (1) The following minimum conditions, where applicable, will be considered before the Minister will consider an exemption.
 - (a) All necessary firebreaks have been prepared and are clear of flammable material capable of carrying a fire across the firebreak. This includes a strip between the outer and inner firebreaks, where double firebreaks have been provided.
 - (b) The landowner must satisfy him/herself that all firefighting equipment (including vehicles and radio communication) is serviceable and that all firefighters are equipped with PPE that is in a good, serviceable condition.
 - (c) Sufficient water resources, and trained personnel must be available and present on the day of burning.

- (d) The name and contact numbers of a qualified and capable person to oversee the fire must be made available.
- (e) The person in charge is responsible for planning, ensuring that all related safety precautions and procedures have been given due consideration and have been put in place, and for the actual execution of the burn. These may be delegated as a whole or in part to others, as agreed between landowner and responsible person.
- (f) In the event that the landowner or the person(s) responsible for the implementation of the burn is not satisfied with any aspect relating to safety and risk and feels that the burn may not proceed, he/she may call it off and postpone the burn. In such an event, neighbouring landowners should be informed.
- (g) All neighboring landowners must be notified of the intention to burn, at least 24 hours before the burn, as well as on the morning of the burn. Should it be decided to postpone the burn, the people already notified must be informed of this decision.
- (h) Supervision must always be kept until fire is completely extinguished. All neighboring landowners must be notified when the fire has been completely extinguished.

8. The application process.

- (1) The landowner or group of landowners must apply to the Minister as per the attached Application Form marked **Annexure A**, which can either be obtained from a Department regional office or online on the Departmental website.
- (2) The Minister reserves the right to:
 - (i) Conduct in loco inspection before or after the burn.
 - (ii) Consult with the Fire Protection Association of the area; and/or
 - (iii) The Chief Fire Officer of the local authority.

9. Repeal of Notice

The South African National Fire Danger Rating System Notice published in Government Gazette No. 37014 of Government Notice R.1099, on 15 November 2013, is hereby repealed, and replaced by this Notice.

Annexure A**Application Form**

APPLICATION FOR EXEMPTION FROM THE PROHIBITION TO LIGHT, USE OR MAINTAIN A FIRE IN THE OPEN AIR IN A REGION WHERE A FIRE DANGER IS HIGH OR EXTREME, IN TERMS OF SECTION 10(2)(b) OF THE NATIONAL VELD AND FOREST FIRE ACT, 1998 (ACT NO. 101 OF 1998)

SECTION A: Signing of document

The following member(s) of the as set out in the list below have signed this Section A and understand what is stated in the document as a whole.

No.	Farm name	Member name	Signed
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

SECTION B: REASONS FOR THE EXEMPTION APPLICATION

The member(s) is applying for exemption because:

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SECTION C: UNDERSTANDING THE PURPOSE OF THE EXEMPTION APPLICATION

C1: As a signing member of this document, I understand that under the National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998):

- a) Section 10(1)(b) states that when the fire danger is rated as high in any region, the Minister must publish a warning at the earliest possible opportunity in all the main languages used in that region.
- b) Sections 10(2)(a) further states that when the Minister has published a warning in terms of subsection (1) (b), no person may light, use or maintain a fire in the open air in the region where the fire danger is high or extreme, unless the Minister, on good cause shown, exempts in writing, a landowner or group of landowners from the said warning, subject to any conditions that the Minister may impose.
- c) Section 10(b) states that the Minister must, before granting any exemption, consult the Fire Protection Association of the area, if any, and the Fire Protection Officer.

C2: As a signing member of this document, I also understand that:

- a) When receiving exemption from the Minister, it does not exempt me from the responsibility as landowner/user to prevent a fire from starting or spreading from or over my farm/property.
- b) The exemption does not transfer my responsibility on to any neighbour, the Fire Protection Association, local or national authority to prevent a fire from starting or spreading from or over my farm/property.
- c) If the exemption is granted, I undertake to adhere to the conditions imposed by the Minister.

C3: As a signing member of this document, I also agree to the following clauses:

- a) The Department, nor the Delegated Official of the Department is not liable for any damage or loss caused by the purported exercise of any power in terms of this Act.
- b) It is my duty to inform any third party that may be affected by this application and the outcome thereof.

C4: Signatures

As Chairman/ Delegated person of the with the Executive Committee, I hereby **recommend / do not recommend** this application for exemption for the said member/s listed and signed under Section A

Signed _____ by (full names): _____ as Chairman/

Delegated person at _____ on this day the _____

As a Regional Deputy Director: Forest Resource Protection, I **support / do not support** this application for exemption as set out in this document by the group landowners/users listed in Section A and signed under Section C.

Comments:

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Signed _____ by (Full Names): _____

As an appointed official of the Department of Forestry, Fisheries and the Environment At

_____ on this day of the _____

**APPLICATION FOR EXEMPTION FROM THE PROHIBITION TO LIGHT, USE OR MAINTAIN A FIRE
IN THE OPEN AIR IN A REGION WHERE A FIRE DANGER IS HIGH OR EXTREME, IN TERMS OF
SECTION 10(2)(b) OF THE NATIONAL VELD AND FOREST FIRE ACT, 1998 (ACT NO. 101 OF 1998)**

As a Director: Forest Resource Protection, I **recommend / do not recommend** this application for exemption as set out in this document by the group landowners/users listed in Section A and signed under Section C.

Comments:

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Signed _____ by (Full Names): _____

As an appointed official of the Department of Forestry, Fisheries and the Environment At

_____ on this day of the _____

As a Chief Director: Forestry Policy Management, I **Approve / Approve with amendments/ do not Approve** this application for exemption as set out in this document by the group landowners/users listed in Section A and signed under Section C.

Comments:

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Signed _____ by (Full Names): _____

As a delegated official of the Department of Forestry, Fisheries and the Environment At

_____ on this day of the _____