

Namibia

Local Authorities Fire Brigade Services Act, 2006

General Regulations, 2010

Government Notice 177 of 2010

Legislation as at 15 November 2017

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Republic of Namibia
Annotated Statutes

Local Authorities Fire Brigade Services Act, 2006

General Regulations, 2010

Government Notice 177 of 2010

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1. Definitions

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-

“**Part I municipality**” means a municipality specified in the second column of Part I of Schedule 1 to the Local Authorities Act, 1992 (Act [No. 23 of 1992](#));

“**Part II municipality**” means a municipality specified in the second column of Part II of Schedule 1 to the Local Authorities Act, 1992 (Act [No. 23 of 1992](#));

“**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;

“**the Act**” means the Local Authorities Fire Brigade Services Act, 2006 (Act [No. 5 of 2006](#)); and

“**uniform**” includes any equipment and protective clothing issued to a reservist as contemplated in terms of regulation [12](#).

2. Standards and requirements in relation to establishment and maintenance of service

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) fire alarms;
- (e) fire prevention;
- (f) pre-fire planning and risk visits;
- (g) occupational health and safety;
- (h) water supply; and
- (i) the equipment and material of a service.

3. Appointment of reservists

- (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 lawful 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.

4. Appointment of chief fire officer

- (1) A person who wishes to be appointed as chief fire officer in charge of a Part I municipality service must be in possession of-
 - (a) an advanced diploma in fire brigade services or such equivalent qualification and 15 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 20 years fire related experience at senior management level.
- (2) A person who wishes to be appointed as chief fire officer in charge of a Part II municipality service must be in possession of-
 - (a) a diploma in fire brigade services or such equivalent qualification and 10 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 12 years fire related experience at senior management level.

- (3) A person who wishes to be appointed as chief fire officer in charge of a town council service must be in possession of-
 - (a) a Fire Officer certificate or such equivalent qualification and 7 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 10 years fire related experience at senior management level.
- (4) A person who wishes to be appointed as chief fire officer in charge of a village council service must be in possession of-
 - (a) a Fire Fighter II certificate or such equivalent qualification and 5 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 7 years fire related experience at senior management level.
- (5) A person who wishes to be appointed as chief fire officer in charge of a settlement area service must be in possession of-
 - (a) a Fire Fighter I certificate or such equivalent qualification and 3 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 5 years fire related experience at senior management level.

5. Other appointments to a Part I municipality service

- (1) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a deputy chief fire officer be in possession of-
 - (a) an advanced diploma in fire brigade services or such equivalent qualification and 10 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 15 years fire related experience at senior management level.
- (2) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a divisional officer be in possession of-
 - (a) a diploma in fire brigade services or such equivalent qualification and 9 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 14 years fire related experience at senior management level.
- (3) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a senior station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 8 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 13 years fire related experience at senior management level.
- (4) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 7 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate of such equivalent qualification and 12 years fire related experience at senior management level.

- (5) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a principal officer be in possession of-
 - (a) a Fire Officer I certificate or such equivalent qualification and 5 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 10 years fire related experience at senior management level.
- (6) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a sub-officer be in possession of-
 - (a) a Fire Fighter II certificate or such equivalent qualification and 3 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 8 years fire related experience at senior management level.
- (7) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a fire fighter be in possession of-
 - (a) a Fire Fighter I certificate or such equivalent qualification and 1 year fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 6 years fire related experience at senior management level.
- (8) A person who wishes to be appointed as a member of the service of a Part I municipality must in the case of a learner fireman be in possession of a Grade 12 certificate, which certificate includes subjects of mathematics, biology and science having a total of 25 points, or such equivalent qualification.

6. Other appointments to a Part II municipality service

- (1) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a divisional officer be in possession of-
 - (a) a diploma in fire brigade services or such equivalent qualification and 9 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 14 years fire related experience at senior management level.
- (2) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a senior station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 8 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 13 years fire related experience at senior management level.
- (3) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 7 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate of such equivalent qualification and 12 years fire related experience at senior management level.

- (4) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a principal officer be in possession of-
 - (a) a Fire Officer I certificate or such equivalent qualification and 5 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 10 years fire related experience at senior management level.
- (5) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a sub-officer be in possession of-
 - (a) a Fire Fighter II certificate or such equivalent qualification and 3 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 8 years fire related experience at senior management level.
- (6) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a fire fighter be in possession of-
 - (a) a Fire Fighter I certificate or such equivalent qualification and 1 year fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 6 years fire related experience at senior management level.
- (7) A person who wishes to be appointed as a member of the service of a Part II municipality must in the case of a learner fireman be in possession of a Grade 12 certificate, which certificate includes subjects of mathematics, biology and science having a total of 25 points, or such equivalent qualification.

7. Other appointments to a town council service

- (1) A person who wishes to be appointed as a member of the service of a town council must in the case of a senior station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 8 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 13 years fire related experience at senior management level.
- (2) A person who wishes to be appointed as a member of the service of a town council must in the case of a station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 7 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate of such equivalent qualification and 12 years fire related experience at senior management level.
- (3) A person who wishes to be appointed as a member of the service of a town council must in the case of a principal officer be in possession of-
 - (a) a Fire Officer I certificate or such equivalent qualification and 5 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 10 years fire related experience at senior management level.

- (4) A person who wishes to be appointed as a member of the service of a town council must in the case of a sub-officer be in possession of-
 - (a) a Fire Fighter II certificate or such equivalent qualification and 3 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 8 years fire related experience at senior management level.
- (5) A person who wishes to be appointed as a member of the service of a town council must in the case of a fire fighter be in possession of-
 - (a) a Fire Fighter I certificate or such equivalent qualification and 1 year fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 6 years fire related experience at senior management level.
- (6) A person who wishes to be appointed as a member of the service of a town council must in the case of a learner fireman be in possession of a Grade 12 certificate, which certificate includes subjects of mathematics, biology and science having a total of 25 points, or such equivalent qualification.

8. Other appointments to a village council service

- (1) A person who wishes to be appointed as a member of the service of a village council must in the case of a station officer be in possession of-
 - (a) a Fire Officer II certificate or such equivalent qualification and 7 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate of such equivalent qualification and 12 years fire related experience at senior management level.
- (2) A person who wishes to be appointed as a member of the service of a village council must in the case of a principal officer be in possession of-
 - (a) a Fire Officer I certificate or such equivalent qualification and 5 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 10 years fire related experience at senior management level.
- (3) A person who wishes to be appointed as a member of the service of a village council must in the case of a sub-officer be in possession of-
 - (a) a Fire Fighter II certificate or such equivalent qualification and 3 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 8 years fire related experience at senior management level.
- (4) A person who wishes to be appointed as a member of the service of a village council must in the case of a fire fighter be in possession of-
 - (a) a Fire Fighter I certificate or such equivalent qualification and 1 year fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 6 years fire related experience at senior management level.
- (5) A person who wishes to be appointed as a member of the service of a village council must in the case of a learner fireman be in possession of a Grade 12 certificate, which certificate includes

subjects of mathematics, biology and science having a total of 25 points, or such equivalent qualification.

9. Other appointments to a settlement area service

- (1) A person who wishes to be appointed as a member of the service of a settlement area must in the case of a principal officer be in possession of-
 - (a) a Fire Officer I certificate or such equivalent qualification and 5 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 10 years fire related experience at senior management level.
- (2) A person who wishes to be appointed as a member of the service of a settlement area must in the case of a sub-officer be in possession of-
 - (a) a Fire Fighter II certificate or such equivalent qualification and 3 years fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 8 years fire related experience at senior management level.
- (3) A person who wishes to be appointed as a member of the service of a settlement area must in the case of a fire fighter be in possession of-
 - (a) a Fire Fighter I certificate or such equivalent qualification and 1 year fire related experience at senior management level; or
 - (b) a Grade 12 certificate or such equivalent qualification and 6 years fire related experience at senior management level.
- (4) A person who wishes to be appointed as a member of the service of a settlement area must in the case of a learner fireman be in possession of a Grade 12 certificate, which certificate includes subjects of mathematics, biology and science having a total of 25 points, or such equivalent qualification.

10. Meaning of equivalent qualification

For the purposes of regulations [4](#), [5](#), [6](#), [7](#), [8](#) and [9](#), reference to “such equivalent qualification” means any formal recognition of the achievement of proficiency in, and meeting the standards set for, any particular subject or subjects or course or qualification which, in the opinion of the local authority concerned, provides the holder thereof with the necessary competencies required to fulfill the duties of the appointment applied for.

11. Retirement and resignation by reservist

- (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.
- (3) Subject to regulation [3\(2\)\(a\)](#), a chief fire officer may, with the consent of the reservist concerned, retain on an annual basis, as a member of the reserve force, a reservist who has attained the age of 60 years.

12. Training

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.

13. Uniform

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.

14. Call-up of reservist

- (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.

15. Performance of duties

A chief fire officer of the local authority must determine the number of hours of duty per year which a reservist must perform with regard to the duties for which he or she has, in the opinion of that chief fire officer, received adequate training.

16. Register

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 [14](#).

17. Offences and penalties

A reservist who fails to comply with a call-up instruction in terms of regulation [14](#) 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))**

[Editorial note: The form has not been reproduced.]

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

[Editorial note: The form has not been reproduced.]

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

[Editorial note: The form has not been reproduced.]

ANNEXURE D

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

[Editorial note: The form has not been reproduced.]

ANNEXURE E

CERTIFICATE OF APPROVAL BY EMPLOYER (Regulation 3(1)(a)(iv))

[Editorial note: The form has not been reproduced.]