



File 1/4/5

DETERMINATIONS FOR ADMISSION OF GUILT FINES

NATIONAL VELD AND FOREST FIRE ACT 101 OF 1998

ARTICLE	DESCRIPTION	FINE or PENALTY
25 (1)	Any person who lights, uses or maintains a fire in the open air in contravention of section 10 (2), is guilty of a first category offence.	Issue a J534 and open a docket
25 (2) (a)	Any person who, in the open air leaves unattended a fire which he or she lit, used or maintained before that fire is extinguished, is guilty of a second category offence.	R2 500.00 or issue a J534 and open a docket
25 (2) (b)	Any person who, in the open air lights, uses or maintains a fire, whether with or without permission of the owner, which spreads and causes injury or damages, is guilty of a second category offence	R2 500.00
25 (2) (c)	Any person who, throws, puts down or drops a burning match or other burning material or any material capable of spontaneous combustion or self-ignition and, by doing so, makes a fire which spreads and causes injury or damage, is guilty of a second category offence.	R2 500.00
25 (2) (d) (i)	Any person who, in the open air lights, uses or maintains a fire in a road reserve other than in a fireplace which has been designated by a competent authority, is guilty of a second category offence.	R2 500.00
25 (2) (d) (ii)	Any person who, in the open air lights, uses or maintains a fire in a road reserved for a purpose of other than the burning of a firebreak in terms of section 12 to 16, is guilty of a second category offence	R2 500.00
25 (2) (e)	Any person who in the open air smokes where smoking is by notice prohibited is guilty of a second category offence.	R2 500.00
25 (3) (a)	Any person who fails to prepare a firebreak when obliged to do so in terms of section 12 (1) or 14 is guilty of a second category offence.	R2 500.00
25 (3) (b)	Any person who fails to give notice of intention to burn a firebreak in terms of section 12 (2) (b), is guilty of a	R2 500.00

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ARTICLE	DESCRIPTION	FINE or PENALTY
25 (3) (c)	Any person who burns a firebreak when a fire protection association has objected in terms of section 12 (4) (a), is guilty of a second category offence.	R2 500.00
25 (3) (d)	Any person who fails to inform adjoining owners of the matters referred to in section 12 (5), is guilty of a second category offence.	R2 500.00
25 (4) (a)	Any person who fails to meet the standards of readiness for the fire fighting referred to in section 17 (1), is guilty of a second category offence.	R2 500.00
5 (4) (b)	Any person who fails to notify the persons referred to in section 18 (1) (a), is guilty of a second category offence.	R2 500.00
25 (4) (c)	Any person who refuses to assist a fire protection officer or a forest officer in terms of section 18 (3) (b) or 18 (4) (b), is guilty of a second category offence.	R2 500.00
25 (4) (d)	Any person who hinders or obstructs any person referred to in section 18 (2) or any fire protection officer referred to in section 19 (3) or any forest officer referred to in section 18 (4), is guilty of a second category offence.	R1 500.00
25 (5)	Any owner, occupier or person in control of land on which a fire occurs who fails to take reasonable steps to extinguish the fire or to confine it to that land or to prevent it from causing damage to property on adjoining land, is guilty of a first category offence.	R2 500.00 or issue a J534 for major damage and open a docket
25 (6) (a)	Any person who prevents a fire protection officer, forest officer, police officer, traffic officer or an officer appointed in terms of section 5 or 6 of the Fire Brigade Services Act, 1987 (Act no 99 of 1987), from acting in terms of section 27, 28 or 29 is guilty of a third category offence.	R1 500.00
25 (6) (b)	Any person who in any way interferes with him or her in the performance of his or her duties in terms of section 27, 28 or 29 is guilty of a third category offence.	R1 500.00



3.

CERTIFICATE IN TERMS OF SECTION 57 (5) (a) OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT 51 OF 1977)

1. The Cluster Head Mr David Dlamafa Ngoberi Chief Magistrate Nelspruit, in consultation with the Sub-Cluster Heads for the Mpumalanga Administrative Region had made the following determinations supra as admission of guilt fines to be stipulated in respect of a summon or written notice in terms of Section 57 (5) (a) of the criminal procedure Act, 1977 (Act 51 of 1977) with effect from 01 April 2010 subject to section 57 (4) of the criminal procedure Act, 1977.
2. The determinations for the admission of guilt fines stipulated supra shall have force and effect within the Mpumalanga Administrative Region.


D D NGOBERI
CHIEF MAGISTRATE
MPUMALANGA

