

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO
DISASTER MANAGEMENT
AMENDMENT BILL**

[B 10B—2015]

*(As amended by the Select Committee on Cooperative Governance and
Traditional Affairs (National Council of Provinces))*

[B 10C—2015]

ISBN 978-1-4850-0000-0

No. of copies printed.....800

AMENDMENTS AGREED TO

DISASTER MANAGEMENT AMENDMENT BILL [B 10B—2015]

CLAUSE 2

1. On page 4, in line 22, to omit “and.”.
2. On page 4, after line 22, to insert:
 - (b) by the deletion in paragraph (e) of subsection (1) of the word “and” at the end of subparagraph (xii), the insertion of the word “and” at the end of subparagraph (xiii) and the addition to that paragraph of the following subparagraph:

“(xiv) representatives of national umbrella organisations for women, children, the elderly and people with disabilities;”; and
3. On page 4, in line 23, to omit “(b)” and to substitute “(c)”.

NEW CLAUSE

1. That the following be a new Clause:

Insertion of section 31A in Act 57 of 2002

12. The following section is hereby inserted in the principal Act after section 31:

“Staff of provincial disaster management centre

31A. The staff of a provincial disaster management centre consists of—

- (a) the head of the provincial disaster management centre; and
- (b) suitably qualified persons, designated by the Head of the department within which the provincial disaster management centre is established.”.

CLAUSE 12

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 37 of Act 57 of 2002

- 13.** Section 37 of the principal Act is hereby amended—
- (a) by the substitution for subparagraph (v) of paragraph (e) of subsection (1) of the following subparagraph:

- “(v) a traditional [leaders] leader recommended by the Provincial House of Traditional Leaders established by the Premier of a province in terms of section 212 of the Constitution of the Republic of South Africa, 1996; and
- (b) by the insertion of the word “and” at the of subparagraph (xi) of paragraph (e) of subsection (1) and the addition to that paragraph of the following subparagraph:
 “(xii) representatives of provincial umbrella organisations for women, children, the elderly and people with disabilities;”.

CLAUSE 13

1. On page 7, in line 33, to omit “13.” and to substitute “14.”.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 39 of Act 57 of 2002

15. Section 39 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) Each province must—
- (a) conduct a disaster risk assessment for its provincial area;
 - (b) identify and map risks, areas, ecosystems, communities and households that are exposed or vulnerable to physical and human-induced threats;
 - (c) prepare a disaster management plan for the province as a whole, setting out—
 - (i) the way in which the concept and principles of disaster management are to be applied in its provincial area, including expected climate change impacts and risks for the province;
 - (ii) its role and responsibilities in terms of the national and provincial disaster management framework;
 - (iii) its role and responsibilities regarding emergency response and post-disaster recovery and rehabilitation;
 - (iv) its capacity to fulfil its role and responsibilities;
 - (v) particulars of its disaster management strategies;
 - (vi) contingency strategies and emergency procedures in the event of a disaster, including measures to finance these strategies; and
 - (vii) specific measures taken to address the needs of women, children, the elderly and persons with disabilities during the disaster management process;
 - (d) co-ordinate and align the implementation of its plan with those of other organs of state and institutional role-players;
 - (e) provide measures and indicate how it will invest in disaster risk reduction and climate change adaptation, including ecosystem and community-based adaptation approaches;
 - (f) develop early warning mechanisms and procedures for risks identified in the provincial area; and
 - (g) regularly review and update its plan.”.

CLAUSE 14

1. On page 8, in line 5, to omit “14.” and to substitute “16.”.

NEW CLAUSE

1. That the following be a new Clause:

Insertion of section 45A in Act 57 of 2002

17. The following section is hereby inserted in the principal Act after section 45:

“Staff of municipal disaster management centre

45A. The staff of a municipal disaster management centre consists of—

- (a) the head of the municipal disaster management centre; and
- (b) suitably qualified persons appointed in the administration of the municipality.”.

CLAUSE 15

1. On page 8, in line 17, to omit “15.” and to substitute “18.”.

CLAUSE 16

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 51 of Act 57 of 2002

19. Section 51 of the principal Act is hereby amended—

- (a) by the substitution for subparagraph (iv) of paragraph (d) of subsection (1) of the following subparagraph:

“(v) one traditional [leaders] leader elected from the traditional council or traditional councils in a municipality recognised by the Premier of a province in terms of section 212 of the Constitution of the Republic of South Africa, 1996; and

- (b) by the insertion of the word “and” at the of subparagraph (xi) of paragraph (e) of subsection (1) and the addition to that paragraph of the following subparagraph:

“(xii) representatives of local umbrella organisations for women, children, the elderly and people with disabilities;”.

CLAUSE 17

1. On page 8, in line 28, to omit “17.” and to substitute “20.”.

CLAUSE 18

1. On page 9, in line 23, to omit “18.” and to substitute “21.”.
2. On page 9, in line 50, to omit “and”.
3. On page 9, in line 51, to omit “plan.” to insert “plan; and”.

4. On page 9, after line 51, to insert:

(h) through appropriate mechanisms, processes and procedures established in terms of Chapter 4 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), consult the local community on the preparation or amendment of its plan.

CLAUSE 19

1. On page 9, in line 53, to omit “**19.**” and to substitute “**22.**”.

CLAUSE 20

1. On page 10, in line 10, to omit “**20.**” and to substitute “**23.**”.

CLAUSE 21

1. On page 10, in line 22, to omit “**21.**” and to substitute “**24.**”.