

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 7911

11 September 2026

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

NATIONAL VELDFIRE APPEAL REGULATIONS, 2026

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby give notice of my intention to make Regulations pertaining to the processing, consideration of, and decisions on appeals, in terms of section 32A, read together with sections 20(a) and (f) and 21(1) of the National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998), 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:

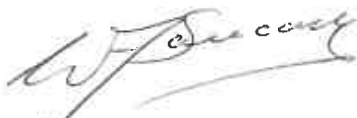
By post to: The Director General: Forestry, Fisheries and the Environment
Attention: Lwando Paraffin
Assistant Director: Veldfires
Private Bag X447
PRETORIA
0001

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

Comments received after the closing date may not be considered.



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

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CHAPTER 1

INTERPRETATION AND PURPOSE

1. Interpretation

- (1) In this Schedule any word or expression to which a meaning has been assigned in the Act, will bear that same meaning, and unless the context indicates otherwise —
- (a) **“appeal administrator”** means the holder of an office in the Department, who administers an appeal on behalf of the appeal authority;
 - (b) **“appeal authority”** means the Minister as contemplated in section 32A of the Act, or a person delegated the power to decide an appeal;
 - (c) **“appellant”** means any person or organ of state who is entitled to submit an appeal in terms of section 32A of the Act and includes an applicant;
 - (d) **“applicant”** means a person to whom a decision contemplated in section 32A of the Act, has been issued;
 - (e) **“independent”** in relation to an expert or person appointed as a member of an advisory appeal panel, means —
 - (i) that such a person has no business, financial, personal or other interest in the appeal in respect of which that person is appointed in terms of these Regulations other than fair remuneration for work performed in connection with that appeal; or
 - (ii) that there are no circumstances that may compromise the objectivity of that person in performing such work.;
 - (f) **“the Act”** means the National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998).
- (2) When a period of days must be reckoned in terms of the Regulations, the period must be reckoned as from the start of the day following that particular day to the end of the last day of the period, but if the last day of the period falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday, Sunday or public holiday, and the period between 15 December to 5 January must be excluded from the reckoning of days.

- (3) Where a prescribed timeframe is affected by one or more public holidays, the timeframe must be extended by the number of public holiday days falling within that timeframe.

2. Purpose of Regulations

- (1) The purpose of these Regulations is to regulate the procedure contemplated in section 32A of the Act relating to the submission, processing, consideration of, and decisions on appeals in respect of the Act.

CHAPTER 2

ADMINISTRATION AND PROCESSING OF APPEALS

3. Application of Regulations

- (1) These Regulations are applicable to an appeal against a decision taken in terms of the Act that is subject to an appeal to the appeal authority in terms of section 32A of the Act.

4. Submitting an appeal

- (1) An appellant must submit an appeal—
- (a) within 20 calendar days from the date of the decision;
 - (b) to the appeal administrator and to the competent authority; and
 - (c) to the applicant, where the appellant is not the applicant.
- (2) An appeal submitted in terms of sub-regulation (1) must—
- (a) be in writing;
 - (b) be in the form obtainable from the relevant website of the appeal authority; and
 - (c) include the supporting documentation referred to in the appeal.
- (3) An applicant must—
- (a) notify, and make a copy of the appeal available to affected parties and affected organs of state, within 5 calendar days of the expiry of the 20-day period in sub-regulation (1); and

- (b) submit proof of the notification contemplated in paragraph (a) to the appeal administrator within 5 calendar days of sending the last notification.

5. Responding statement

- (1) The applicant, where applicable, and any other person contemplated in regulation 4 may, within 20 calendar days from the date of receipt of the appeal, submit, in the form obtainable from the website of the relevant appeal administrator, a statement responding to an appeal, to the appeal administrator and to the appellant.

6. Additional information

- (1) The appeal administrator may, at any time request additional information from any person or affected organ of state for purposes of the appeal.

7. Decision on appeal

- (1) The appeal authority must decide an appeal, and notify the appellant, applicant, and, where applicable, and affected organs of state of the decision within 50 calendar days of the expiry of the time period in regulation 5.
- (2) An appeal decision must contain written reasons for the decision.

**CHAPTER 3
GENERAL PROVISIONS**

8. Processing of appeal

- (1) The appeal administrator must acknowledge receipt of an appeal and responding statement within 5 working days after receiving either.
- (2) The appeal administrator must notify—

- (a) the appellant;
- (b) the applicant, where the appellant is not the applicant; and
- (c) any party who submitted a responding statement,
within 5 working days of the appointment of an advisory appeal panel or expert
in terms of regulation 11.

9. Extension of timeframes

- (1) The Appeal Administrator may extend or condone a failure by a person to comply with the timeframes in regulations 4(1) and 5.

10. Complex appeals

- (1) Despite regulation 7(1), the appeal authority may decide an appeal within—
 - (a) 70 calendar days of the expiry of the period in regulation 5; or
 - (b) 50 calendar days of the appeal administrator receiving the appeal panel or expert's recommendations, where an appeal is complex.
- (2) An appeal is complex where it requires—
 - (a) the appointment of an advisory appeal panel or an expert to assist the appeal authority to decide an appeal;
 - (b) the appeal administrator to undertake a site inspection to properly advise the appeal authority; or
 - (c) more than one appeal administrator to process the appeal due to the volume of its documents or the technical nature of its subject-matter.

11. Advisory appeal panel

- (1) If the appeal authority decides to appoint an advisory appeal panel or expert to consider and advise the appeal authority on an appeal, the appeal administrator must provide the appeal panel or expert with a written instruction within 10 calendar days of being appointed concerning the issues which the advisory appeal panel or expert must advise on.

- (2) The advisory appeal panel or expert must, within 10 calendar days of receiving instructions, submit its written recommendations to the appeal administrator.
- (3) A member of the advisory appeal panel or an expert must—
 - (a) be independent; and
 - (b) have suitable qualifications and experience in relation to the matters that must be considered in the appeal.
- (4) A person may not be appointed as a member of an advisory appeal panel or an expert if that person—
 - (a) was involved in any way in the making of the decision being appealed;
 - (b) or any spouse, partner or close family member of that person has a personal or private interest in the outcome of the appeal;
 - (c) is an unrehabilitated insolvent;
 - (d) has, because of improper conduct, been removed from an office of trust; or
 - (e) has been declared by a court to be mentally ill or disordered.
- (5) The chairperson of the advisory appeal panel must ensure that any dissenting opinion by a member of the panel is recorded in the written report of the panel.

12. Delivery of documents

- (1) A person may deliver documents in terms of these Regulations by—
 - (a) electronic mail; or
 - (b) delivering a hard copy by hand where that person does not hold an electronic mail account.

13. Short title and commencement

- (1) These Regulations are called the National Veldfire Appeal Regulations, 2026 and take effect on the date of publication for implementation in the *Government Gazette*.