

Disaster Management

David Madurai

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BACK TO BASICS : SERVING OUR COMMUNITIES BETTER



cooperative governance

Department
Cooperative Governance
REPUBLIC OF SOUTH AFRICA



Premise

South Africa faces increasing levels of disaster risk. It is exposed to a wide range of weather hazards, including drought, cyclones and severe storms that can trigger widespread hardship and devastation.

Climate change is altering the face of disaster risk, not only through increased weather related risks and sea-level and temperature rises, but also through increases in societal vulnerabilities, for example, from stresses on water availability, agriculture and ecosystems.

Introduction

- ❑ In line with international trends and our national objectives of efficient and effective management of our nation's resources, SA's disaster management policy and legislation underscores the importance of preventing human, economic and property losses, and avoiding environmental degradation.
- ❑ Preparedness measures for more efficient rescue operations will always remain necessary, but there is common agreement that much greater attention should be directed to the introduction of preventive strategies aimed at saving lives and protecting assets before they are lost.



Overview of Disaster Management Legislation



The Constitution

- ❑ The primary responsibility for disaster management in South Africa rests with the government.
- ❑ In terms of section 41(l)(b) of the Constitution of the Republic of South Africa, all spheres of government are required to “secure the well-being of the people of the Republic”.
- ❑ Disaster management is listed as a functional area in Part A of Schedule 4 of the Constitution, meaning that both the national and provincial spheres of government are competent to develop and execute laws within this area and have powers and responsibilities in relation to disaster management.
- ❑ Disaster management has also been ‘assigned’ to local government through the promulgation of the Disaster Management Act, 2002 (Act no 57 of 2002).

Disaster Management Act, 2002 (Act no 57 of 2002)

- ❑ The Disaster Management Act 57 of 2002 (as amended) is the primary legislation dealing with DM in the country.
- ❑ This Act provides for an integrated & coordinated disaster management policy that focuses on:
 - Preventing or reducing the risk of disasters (Prevention);
 - Mitigating the severity of disasters (Mitigation);
 - Emergency preparedness;
 - Rapid & effective response to disasters, &
 - Post-disaster recovery and rehabilitation
- ❑ The Act also makes provision for the establishment and functioning of DM Centres across all spheres of government, disaster management volunteers; and matters incidental thereto.

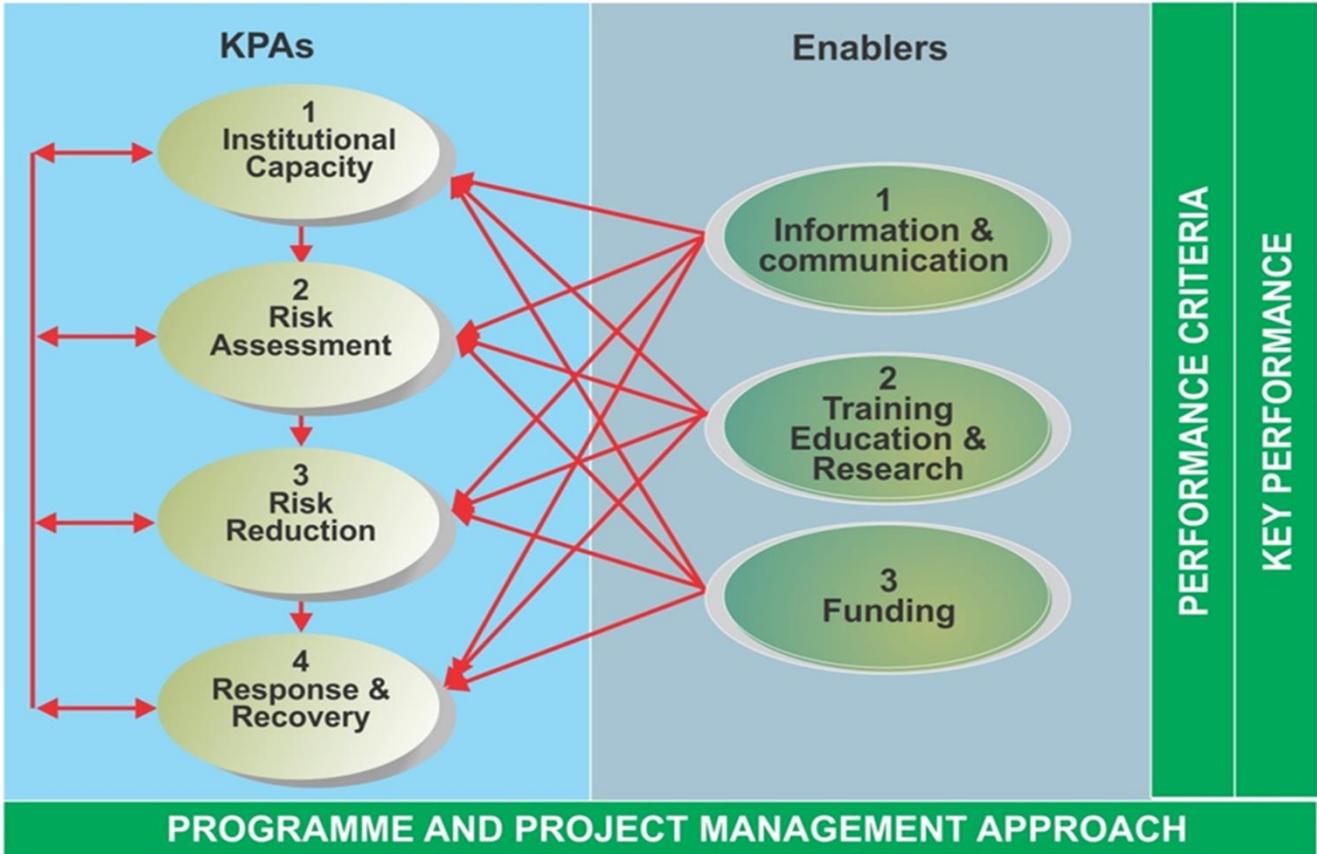
Subordinate legislation

A Policy Framework for Disaster Risk Management in SA (GN 654 dated 29 April 2005)

The Act recognises the wide-ranging opportunities in SA to avoid and reduce disaster losses through the concerted energies and efforts of all spheres of government, civil society and the private sector. However, it also acknowledges **the crucial need for uniformity in the approach taken by such a diversity of role players and partners.**

The National Disaster Management Framework (NDMF) is the **legal instrument specified by the Act to address such needs for consistency across multiple interest groups**, by providing ‘a coherent, transparent and inclusive policy on disaster management appropriate for the Republic as a whole’ (section 7(1)).

Disaster Management Policy Framework (Government Gazette no 27534, 29 April 2005)



Regulations

59. Regulations.

(1) The Minister may make regulations not inconsistent with this Act—

(a) concerning any matter that—

(i) may or must be prescribed in terms of a provision of this Act; (e.g. *Volunteer Regulations*) or

(ii) is necessary to prescribe for the effective carrying out of the objects of this Act;

(b) providing for the payment, out of moneys appropriated by Parliament for this purpose, of compensation to any person, or the dependants of any person, whose death, bodily injury or disablement results from any event occurring in the course of the performance of any function entrusted to such person in terms of this Act;

(c) concerning the focus areas of the national disaster management education, training and research frameworks; and

(d) concerning the declaration and classification of disasters.

Institutional Structures and Intergovernmental Arrangements



Disaster Management in SA

- ❑ Disaster management in SA consists of a labyrinth of cross-cutting facets that requires the participation of a host of sectors and disciplines not only from within the spheres of government (national, provincial and local) but involving the private sector, civil society, Non-Governmental Organisations (NGOs), Community-Based Organizations (CBOs), research institutions and institutions of higher learning, to name but a few.
- ❑ The **cornerstone of successful and effective disaster management is the integration and coordination of all these role-players and their activities into a holistic system aimed at disaster risk reduction**

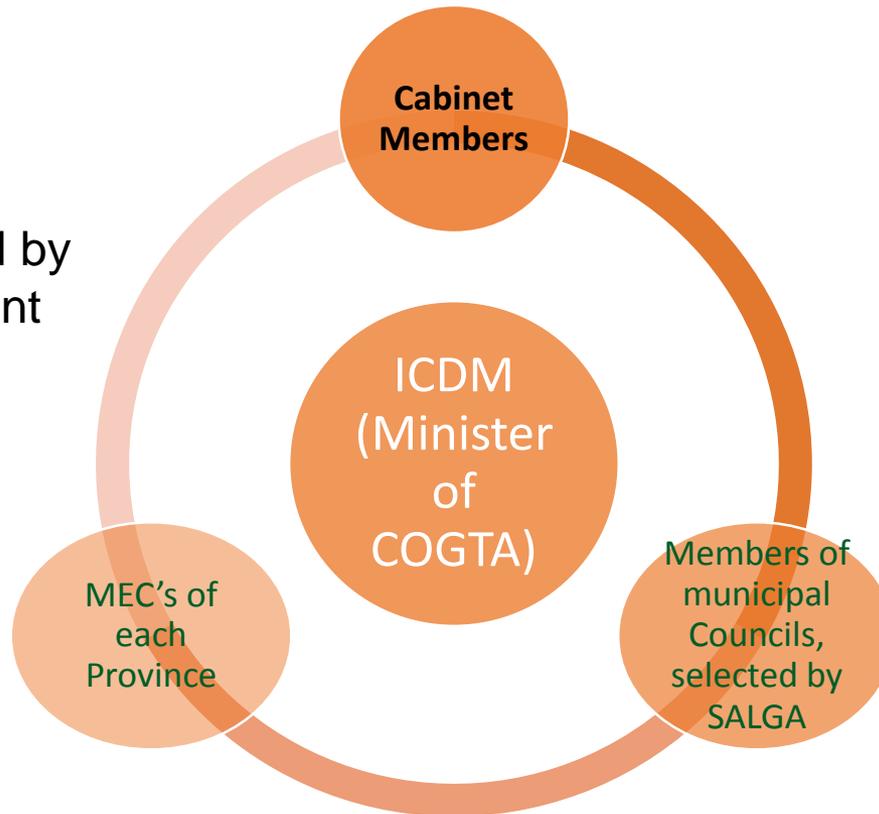
(Van Niekerk, 2006:96).

Coordination of Disaster Management

- ❑ The National Disaster Management Centre (NDMC) is established as a Presidential assigned function to a Cabinet Member. This function is coordinated through the implementation of the Disaster Management Act, 2002 (Act no 57 of 2002) as amended, as well as the accompanying Disaster Management Framework, 2005 across the three spheres of government. The NDMC also administers fire legislation (Fire Brigade Services Act, 1987)
- ❑ The objective of the National Centre is to promote an integrated and coordinated system of disaster management, with special emphasis on prevention and mitigation. by national, provincial and municipal organs of state, statutory functionaries, other role-players involved in disaster management and communities. (section 9)
- ❑ In addition to the National Centre, a disaster management centre must be established in every Province and in every District & Metropolitan Municipality, to coordinate disaster management in its sphere of responsibility (sec 8,29 & 43)
- ❑ Staff of the various Centres consist of the Head of the Centre and suitably qualified persons (sections 31A and 45A)

Intergovernmental Committee on Disaster Management (section 4)

Political Structure:
Established by the President



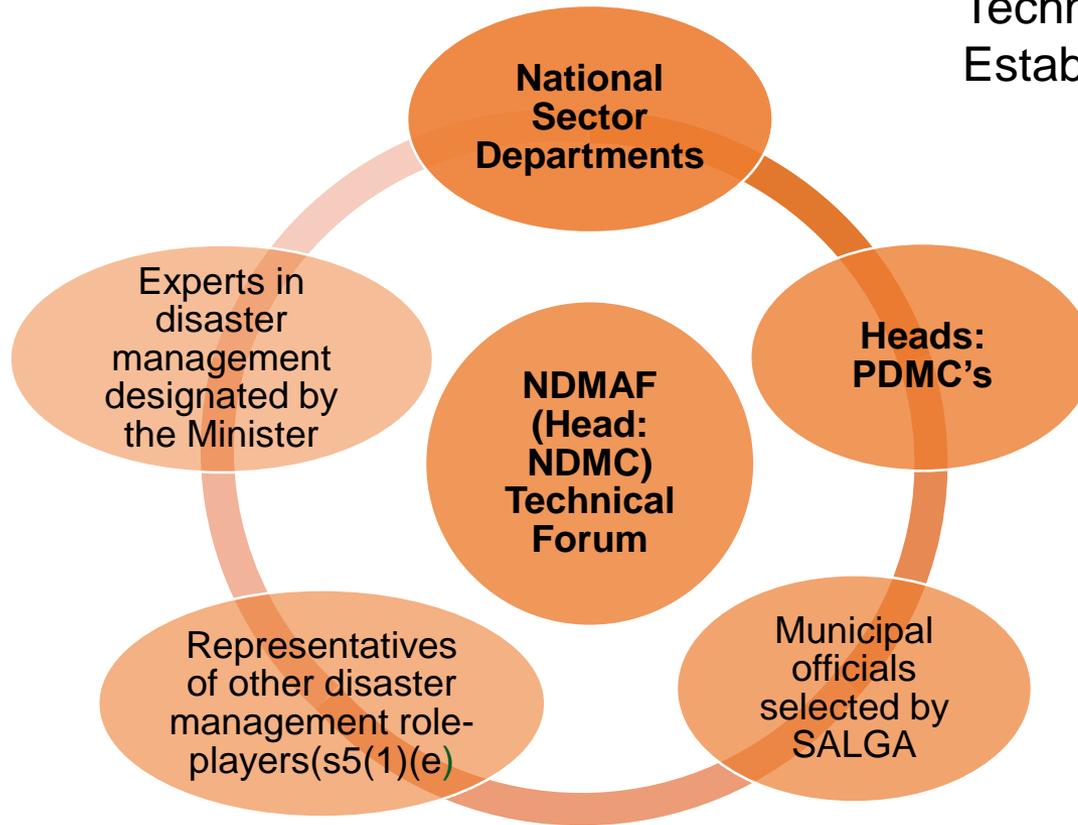
Intergovernmental Structures: Disaster Management legislation

Intergovernmental Committee on Disaster Management (ICDM)

- The DMA provides for the establishment of the ICDM.
- The ICDM must be established by the President and include representatives from all three spheres of government and is chaired by the Cabinet member designated by the President to administer the Act. The ICDM must advise and make recommendations to Cabinet on issues of disaster management.
- This structure needs to be established formally through a President's Minute.

National Disaster Management Advisory Forum (section 5)

Technical Forum:
Established by Minister



The National Disaster Management Centre

The National Disaster Management Centre (NDMC) is responsible for the administration & implementation of two pieces of legislation, i.e. the Disaster Management Act (DM Act), Act 57 of 2002 & the Fire Brigade Services Act (FBSA), 1987. (Act no 99 of 1987)

Disaster Management Centres

- ❑ DM Centres must be established in each sphere of government (sections 8,29, 43)
- ❑ The executive leadership in the respective spheres of government, must appoint a Head of the Centre (sections 10 (Minister), 31(MEC), 45 (Municipal Council))
- ❑ Staff of a Centre consists of the Head and suitably qualified persons (Sections 13, 31A, 45A)
- ❑ *A Local Municipality must establish capacity for the development and coordination of **a disaster management plan and the implementation of a disaster management function for the municipality** which forms part of the disaster management plan as approved by the relevant municipal disaster management centre (section 43(3)) & Municipal Systems Act, 2000
- ❑ *A Local Municipality may establish a Centre in consultation with the District Municipality, subject to a SLA (section 43(4))

Powers & Duties of the Disaster Management Centres (sections 15, 30, 44)

- Specialise in disaster management issues
- Monitor compliance of organs of state and statutory functionaries
- Monitor progress with post-disaster recovery & rehabilitation
- Repository of and conduit for, disaster information
- Advisory and consultative body on disaster issues
- Make recommendations regarding DM funding
- Make recommendations on legislation affecting DM
- Promote the recruitment, training and participation of volunteers in DM
- Promote disaster management capacity building, training and education throughout the republic, including in schools.
- Promote research into all aspects of disaster management
- Must liaise and coordinate its activities with other relevant DM Centres
- LDM District Family - Council, Administration or Centre – do this ?*

Disaster Management Guidelines

Guidelines issued on:

- Conducting a Risk Assessment Part 1: Hazard Analysis, Identification and prioritisation.
- Minimum Infrastructural Requirements for Disaster Centres
- Development and Structure of a Disaster Management Plan



Importance of Implementation

Whilst legislative frameworks are important, effective implementation remains the paramount challenge. Disaster risk is not a theoretical or abstract concept and must be addressed through practical and targeted measures across the spheres of government (local, provincial , national).

It simply means that we need to optimise the implementation of the legislation and take appropriate measures to ensure that the risks associated with hazards such as drought, fires, floods, etc which are negatively affecting our communities, are reduced

Application of the Principles: Fire Services

- Risk Assessment (HxV/C) leads to understanding of the fire risk in the municipality
- Understanding of fire risks leads to the development of the fire management strategy.
- Strategy incorporates four dimensions of risk management, (Avoidance, Reduction, Sharing, Acceptance)
- E.g. Fire detector programme in most vulnerable communities (raise early alarm to save life)
- E.g. CERT

Conclusion

Some key systemic bias towards disaster management we need to overcome:

- **Myopia** - Our focus is often too narrow
- **Amnesia** – We forget about disasters' impacts
- **Optimism** – We believe / hope it won't happen to us
- **Inertia** – We do every thing in our power to maintain the Status Quo
- **Simplification** – We look for easy solutions
- **Overconfidence** – We believe we can handle anything
- **Transference** – We shift the responsibility and blame elsewhere
- **Aimlessness** – We continue to float

Conclusion



Thank You!

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