

Examination of the South African Fire Legislative Framework

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Abstract : The article aims to make a case for a legislative framework for the fire sector in South Africa. Robust legislative framework is essential for empowering those with obligatory mandate within the sector. This article contributes to the body of knowledge in the field of policy reviews particularly with regards to the legal framework. It has been observed overtime that the scholarly contributions in this field are limited. Document analysis was the methodology selected for the investigation of the various legal frameworks existing in the country. It has been established that indeed the national legislation on the fire industry does not exist in South Africa. From the documents analysed, it was revealed that the sector is dominated by cartels who are exploiting the new entrants to the market particularly SMEs. It is evident that these cartels are monopolising the system as they have long been operating in the system turning it into self-owned entities. Commitment to addressing the challenges faced by fire services and creating a framework for the evolving role that fire brigade services are expected to execute in building safer and sustainable communities is vital. Legislation for the fire sector ought to be concluded with immediate effect. The outdated national fire legislation has necessitated the monopolisation and manipulation of the system by dominating organisations which cause a painful discrimination and exploitation of smaller service providers to enter the market for trading in that occupation. The barrier to entry bears long term negative effects on national priority areas such as employment creation, poverty, and others. This monopolisation and marginalisation practices by cartels in the sector calls for urgent attention by government because if left attended, it will leave a lot of people particularly women and youth being disadvantaged and frustrated. The downcast syndrome exercised within the fire sector has wreaked havoc and is devastating. This is caused by cartels that have been within the sector for some time, who know the strengths and weaknesses of processes, shortcuts, advantages and consequences of various actions. These people take advantage of new entrants to the sector who in turn find it difficult to manoeuvre, find the market dissonant and end up giving up their good ideas and intentions. There are many pieces of legislation which are industry specific such as housing, forestry, agriculture, health, security, environmental which are used to regulate systems within the institutions involved. Other regulations exist as bi-laws for guiding the management within the municipalities.

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