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DEPARTMENT OF CO-OPERATIVE GOVERNANCE

NO. 5252 **4 October 2024**

DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002)

CLASSIFICATION OF A PROVINCIAL DISASTER IN TERMS OF SECTION 23 OF THE DISASTER MANAGEMENT ACT (ACT NO. 57 OF 2002): IMPACT OF DAM WALLS FAILURE

I, Dr Bongani Elias Sithole, in my capacity as the Head of the National Disaster Management Centre, after having deliberations with various organs of state and the Western Cape Provincial Disaster Management Centre, and after assessing the magnitude and severity of the impact in the Swartland Municipality from the Dam Walls Failing on 08 August 2024, resulting in damage to property, infrastructure and the environment, as well as the disruption of basic services, and after having considered the information received from the Western Cape Provincial Disaster Management Centre and other organs of state, I hereby give notice that on 30 September 2024, in terms of Section 23(1)(b) of the Disaster Management Act, 2002 (Act No. 57 of 2002) (the Act), I classified this occurrence as a Provincial Disaster.

Emanating from the classification of this occurrence as a Provincial Disaster, in terms of section 40 read with section 23 of the Act, the primary responsibility to coordinate and manage this disaster in terms of existing legislation and contingency arrangements is designated to the Provincial Executive.

I hereby, in terms of Section 15(2)(*aA*) of the Act, read with section 23(8) of the Act, call upon organs of state to further strengthen support to existing structures to implement their contingency arrangements and ensure that measures are put in place to enable the Provincial Executive to effectively deal with the effects of this disaster.

I hereby also, in terms of Section 22(a) of the Act read with Sections 39(1)(c) and 39(2)(k) of the Act, recommend that the Provincial Executive develop and implement a multisectoral relief and rehabilitation plan to deal with the effects of the disaster that may also serve as the basis for the National Centre to –

(i) in terms of Section 23(3) of the Act, evaluate if the potential magnitude and severity of the disaster is greater or lesser than the initial assessment, upon which determination the National Centre may reclassify the disaster; and

(ii) in terms of section 21(a)(ii) of the Act, monitor the response initiatives by the respective organs of state, the private sector, non-governmental organisations and communities.

Furthermore, all affected organs of state must prepare and submit reports to the National Centre, as outlined in section 24(4) - (8) of the Act.

The revocation of the classification is set out in the schedule hereto.

Elias Sithole

Dr Bongani Elias Sithole

Head: National Disaster Management Centre

Date: 30/09/2024

Schedule

The Provincial Executive dealt with the Provincial disaster in terms of existing legislation and contingency arrangements without declaring a Provincial state of disaster in terms of section 41(1) of the Act.	The classification is revoked by the Head: National Disaster Management Centre when the occurrence can no longer be regarded as a disaster in terms of the Act upon reassessment by the NDMC.
The Provincial Executive dealt with the Provincial disaster in terms of existing legislation and contingency arrangements as augmented by regulations and / or directions following the declaration of a Provincial state of disaster in terms of section 41(2).	The classification of a Provincial disaster is automatically revoked when the Provincial state of disaster is terminated or lapses in terms of section 41(5) of the Act.

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