



SMOKE ALARMS – IT'S THE LAW

Fact Sheet 11B pg 1 – Community Risk Management. Prepared 30/03/2006

FACT

Research shows that in 2005 over a quarter of NSW households (27.3%) did not have a smoke alarm installed.

(Source: NSW Department of Health Promotion HOIST)

From 1 May 2006, all NSW residents must have at least one working smoke alarm installed on each level of their home. This includes owner occupied, rental properties, relocatable homes or any other residential building where people sleep.

Smoke alarms are already mandatory for all new buildings and in some instances when buildings are being renovated. Smoke alarms are life-saving devices that provide benefits for occupants. They detect smoke well before any sleeping occupant would and provide **critical seconds** to implement actions to **save life and property**. Smoke alarms are designed to detect fire smoke and emit a loud and distinctive sound to alert occupants of potential danger.

What is the new legislation and when does it commence?

The Building Legislation Amendment (Smoke Alarms) Act 2005 and the Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006 commence in NSW on 1 May 2006.

What does the legislation address?

The Legislation refers to residential accommodation across NSW and requires:

- the installation of one or more smoke alarms in buildings in which persons sleep,
- smoke alarms installed in such buildings must be operational, and
- persons do not remove or interfere with the operation of smoke alarms installed in such buildings.

What happens if I don't comply with the legislation?

A person who does not comply with the legislation is guilty of an offence (**maximum penalty \$550**). A six month moratorium is in place that provides a window of time for owners to install smoke alarms without penalty. The NSWFB strongly recommends owners install smoke alarms as soon as possible.

Is my building affected?

Residential accommodation

- ✓ detached houses, terrace houses, town houses, villa units (Class 1a buildings)
- ✓ apartments, home units, flats (Class 2 buildings)
- ✓ caretakers flats, single residences above shops (Class 4 parts of buildings)
- ✓ relocatable homes, eg manufactured homes and moveable dwellings, but not tents, campervans, caravans or the like

Shared accommodation

- ✓ small boarding houses, guest houses, hostels; backpackers accommodation; bed and breakfast accommodation (Class 1b buildings)
- ✓ large boarding houses, guest houses, hostels, backpacker accommodation; residential parts of hotels, motels, schools, health care buildings, detention centres; certain residential accommodation for the aged, children and people with disabilities (Class 3 buildings)
- ✓ hospitals and nursing homes (Class 9a health care buildings)

If you answered yes to any of the above then the new laws apply to you and you must have a minimum of one working smoke alarm on each level of your home. Visit www.fire.nsw.gov.au for more information.

NSW FIRE BRIGADES



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Fact Sheet 11B pg 2 – Community Risk Management. Prepared 30/03/2006

FACT

144 DEATHS occurred in house fires across NSW between 2000 and June 2005. Based on NSWFB Fire Investigation and Research Unit case study research, one third to a half of those fatalities may have been prevented if the homes had working smoke alarms and had a practised home escape plan.

(Source: NSWFB Fire and Investigation and Research Unit)

From 1 May 2006, all NSW residents must have at least one working smoke alarm installed on each level of their home. This includes owner occupied, rental properties, relocatable homes or any other residential building where people sleep.

I already have working smoke alarms in my home. Do I need to install new ones?

Some owners of private dwellings may have already installed smoke alarms that are not AS 3786 compliant. These alarms are considered acceptable, but only if they were installed prior to 1 May 2006 and only until they cease to function or are removed. This acceptance is conditional upon those smoke alarms being installed in locations that comply with the new Regulation. If they are not installed in the right locations they may have to be moved or additional alarms may have to be installed as set out in the new Regulation.

Any alarms installed after 1 May 2006 must comply with AS3786.

What type of smoke alarm do I need?

There are several types of smoke alarms available. To meet the legislation you must have at least one working smoke alarm within your home from May 1 2006. The *Environmental Planning and Assessment Amendment (Smoke Alarms) Regulation 2006* requires that you purchase a smoke alarm that has been tested as compliant with Australian Standards (AS3786) and is marked as:

- ✓ Approved to AS3786
- ✓ Accredited to AS3786, or
- ✓ SSL (Scientific Services Laboratory) listed. Scientific Services Laboratory (SSL) is part of the Australian Government Analytical Laboratories.

Note: Alarms installed prior to 1 May 2006 that do not meet AS3786 are deemed to comply with the legislation.

What does the legislation mean for landlords and tenants?

The Department of Fair Trading is currently defining the responsibilities of landlords and tenants and these will be detailed accurately in the 'Residential Tenancies Act' shortly. It is expected however that:

Landlords are responsible for supplying the smoke alarm(s) and for their installation. They will also be required to install a new battery for each smoke alarm at the commencement of each new tenancy.

Tenants are responsible for the maintenance of smoke alarms. This includes testing and cleaning as required and for the installation of replacement batteries after commencement of occupancy.

Remember, a working smoke alarm that is supported by a practised home fire escape plan can greatly reduce the fire and injury risk to you and your family.

FOR MORE INFORMATION ON FIRE SAFETY VISIT www.fire.nsw.gov.au

OR CONTACT YOUR LOCAL FIRE STATION

IN AN EMERGENCY CALL 000