



Fact Sheet 1

Smoke Alarm Legislation

Installation of smoke alarms in all Territory premises is now law

What do new smoke alarm laws in the Northern Territory require?

From 01 November 2011 owners of residential premises, moveable dwellings, caravans and temporary accommodation including safari-style tents must ensure approved smoke alarms¹ are installed in those premises or dwellings in accordance with the requirements of regulation 13B.

If you are renting, selling or hiring any of the above premises, you must install approved smoke alarms in accordance with requirements of AS3786 (Smoke Alarms) prior to the transfer of the property, or the commencement of the lease or hire agreement. When establishing a new lease on rental property, a landlord must ensure that approved smoke alarms are installed; however, the responsibility for maintaining the smoke alarms in working order will be that of the tenant.

¹Approved smoke alarm means: a photo-electric smoke alarm that
(a) complies with AS3786 (Smoke alarms); and
(b) is wired or is a sealed 10 year lithium battery unit

What do I need to do?

If your home was built before 1 July 1997, and you don't already have smoke alarms installed, you will need to buy and install smoke alarms in accordance with Australian Standards 3786. If your home was built after 1997, it should have 240 volt (hard wired) smoke alarms installed at the time it was built. This is a requirement under the Building Code of Australia (BCA). If you have done major renovations to your home since 1997 it should have included the installation of 240 volt (hard wired) smoke alarms.

Do I have to change my existing ionisation smoke alarms?

If on commencement of this regulation one or more ionisation smoke alarms have been installed in the residential premises or moveable dwelling in accordance with the relevant requirements of the Building Code then the necessity to install an approved smoke alarm does not apply UNTIL the earliest of the following –

- an ionisation smoke alarm installed in the premises or dwelling ceases to function – the day of cessation;
- the owner enters into a contract to sell the premises or dwelling – the day before the date of settlement of the contract;
- the owner agrees to enter into a tenancy agreement, or renew or extend a tenancy agreement, in relation to the premises – the day before the tenancy agreement or renewal or extension takes effect;
- the owner agrees to enter into a hire agreement, or renew or extend a hire agreement, in relation to the dwelling – the day before the hire agreement or renewal or extension takes effect.

Does installation of compulsory smoke alarms have any effect on domestic household insurance?

The Insurance Council of Australia advises that it is a matter for individual insurance companies to determine what attitude they will take in the event of a fire claim where no smoke alarm had been fitted, in contravention of the mandatory smoke alarm requirement. Persons who are concerned about this should check with their insurer.

Is it compulsory to install smoke alarms in mobile homes and caravan/motor homes in the Northern Territory?

It is a requirement that the owner of residential premises or a moveable dwelling must ensure approved smoke alarms are installed in the premises or dwelling.

A moveable dwelling is defined as –

- a. a manufactured home; or
- b. a caravan; or
- c. a permanently sited tent that –
 - i. has a permanent floor structure; and
 - ii. is used or offered for use for residential purposes.

Further, the definition of a caravan includes a habitable structure designed to be towed or carried by a motor vehicle, and therefore covers tray top and towable camper trailers.

Whilst mobile homes and motor homes are not strictly included in the definitions under legislation, the NTFRS strongly recommends the installation of smoke alarms in these vehicles.



Fact Sheet 2

Where must smoke alarms be installed?

Smoke alarms must be installed in the following premises/dwellings

Residential premises means:

(a) Class 1a - a single dwelling being-

- (i) a detached house; or
- (ii) one of a group of two or more attached dwellings, each being a building, separated by a *fire-resisting* wall, including a row house, terrace house, town house or villa unit; or

Class 1b -

- (i) Approved/ licensed boarding house, guest house, hostel or the like-
 - (A) with a total area of all floors not exceeding 300m², measured over the enclosing walls of the Class 1b; and
 - (B) in which not more than 12 persons would ordinarily reside; or
- (ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation

which are not located above or below another dwelling or another Class of building other than a private garage; or

(b) a Class 2 - a building containing 2 or more dwelling units (e.g. flats, apartments); or

(c) a Class 3 - a residential building, other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including –

- (i) a boarding house, guest house, hostel, lodging house or backpackers accommodation; or
- (ii) a residential part of a hotel or motel, school accommodation for the aged, disabled or children; or residential part of a health care building or detention centre; or

(d) a Class 4 part of a building – a dwelling unit that is a part of a commercial use (e.g. a caretakers or managers flat).

Moveable dwelling means	Defined as:
(a) a manufactured home ; or	A structure that: <ul style="list-style-type: none"> (a) has the character of a dwelling house; and (b) is designed to be able to be moved from one place to another; and includes an annex attached to the structure.
(b) a caravan ; or	A habitable structure designed to be towed or carried by a motor vehicle (whether or not the structure has wheels), and includes an annex attached to the structure. This would include motor homes, demountables, transportables and other structures used for accommodation purposes.
(c) a permanently sited tent	A tent that: <ul style="list-style-type: none"> (a) has a permanent floor structure; and (b) is used or offered for use for residential purposes

Installation

Residential premises smoke alarms must be installed in accordance with the following:

NOTE: Smoke alarms must be interconnected where there is more than one alarm (See Diagram b, c & d)

Location of Smoke Alarms - Class 1a buildings (see Diagram a & b)

Smoke alarms must be installed in a Class 1a building on or near the ceiling in-

- (a) any storey containing bedrooms-
 - (i) between each part of the dwelling containing bedrooms and the remainder of the dwelling; and
 - (ii) where bedrooms are served by a hallway, in that hallway; and
- (b) any other storey not containing bedrooms

Diagram a – Class 1a building where all bedrooms are grouped together and served by a hallway

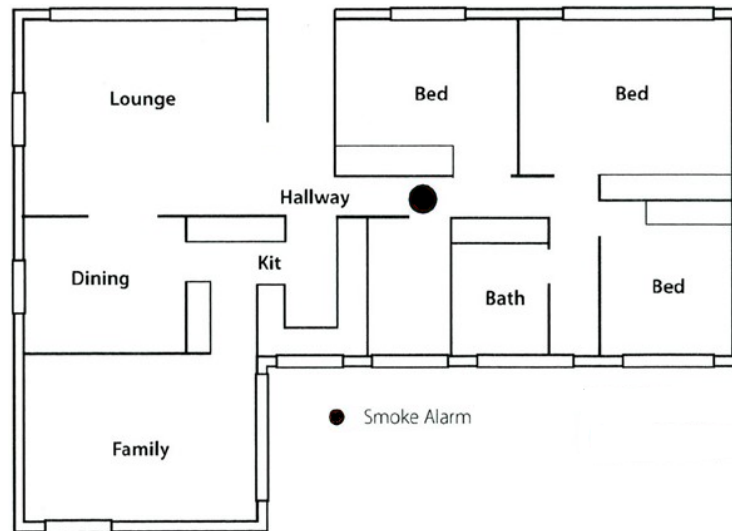
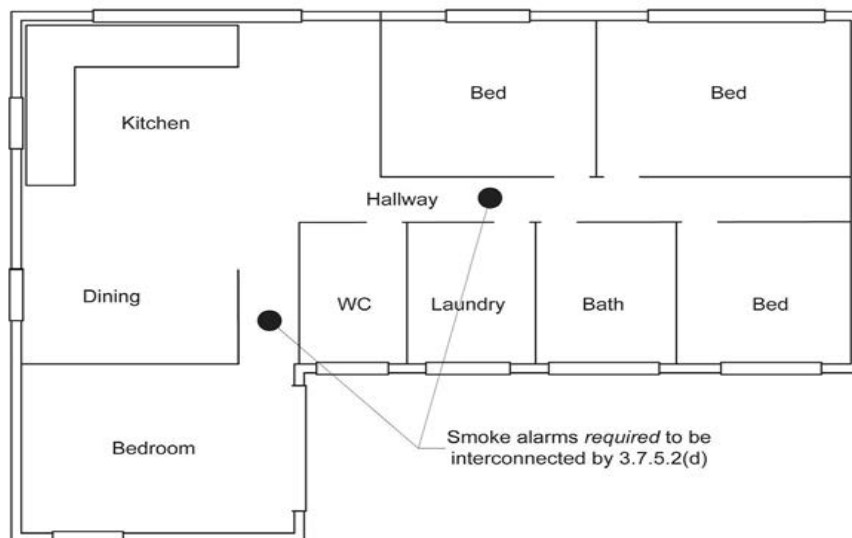


Diagram b – Class 1a building where bedrooms are located in separate areas



Location of Smoke Alarms - Class 1b buildings (see Diagram c & d)

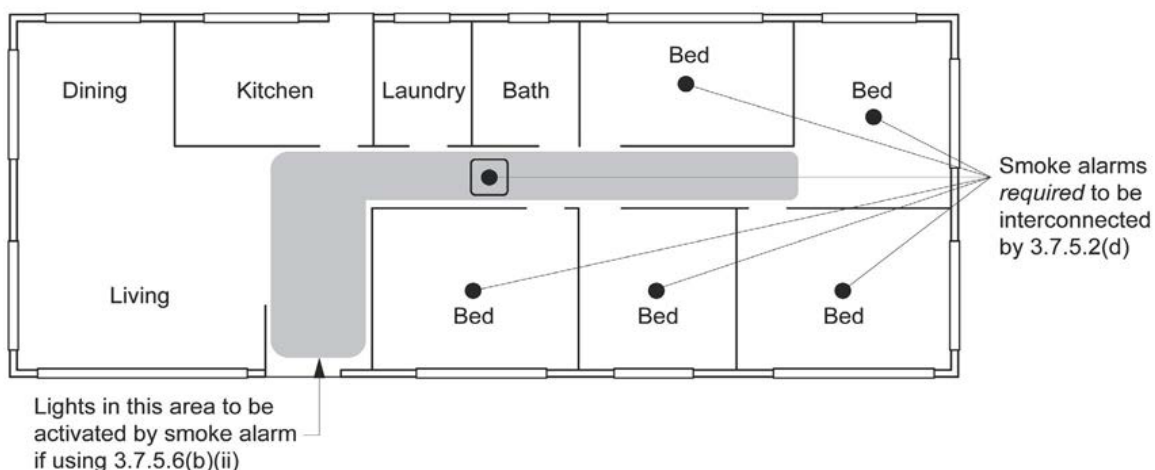
In a Class 1b building, smoke alarms must be installed on or near the ceiling –

- (a) in every bedroom; and
- (b) in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building; and
- (c) on each other storey.

NOTE: Class 1b buildings require a system of lighting be installed to assist evacuation of occupants in the event of a fire, and-

- (a) be activated by the smoke alarm(s)
- (b) consist of-
 - (i) a light incorporated within the smoke alarm; or
 - (ii) the light located in the corridor, hallway or area served by the smoke alarm

Diagram c – Class 1b building where multiple rooms are served by a hallway



Caravan

For a caravan, one smoke alarm must be installed on the ceiling of the caravan.

Manufactured home

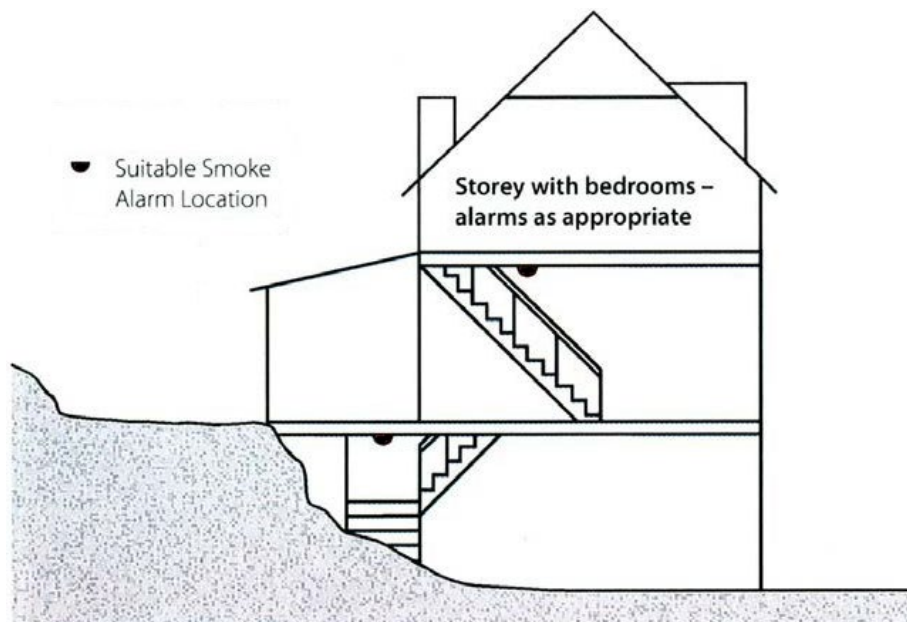
Smoke alarms must be installed on or near the ceiling –

- (a) in every corridor or hallway associated with a bedroom; or
- (b) if there is no corridor or hallway associated with a bedroom – between the part of the dwelling containing the bedroom and the remainder of the dwelling.

Multilevel homes and properties (see Diagram d)

Smoke alarms to be installed in each bedroom, in corridors and hallways that lead to exits and the living area. If you are installing smoke alarms in a multilevel home or property you should have an additional alarm in the stairway between each level.

Diagram d – Multilevel homes and properties



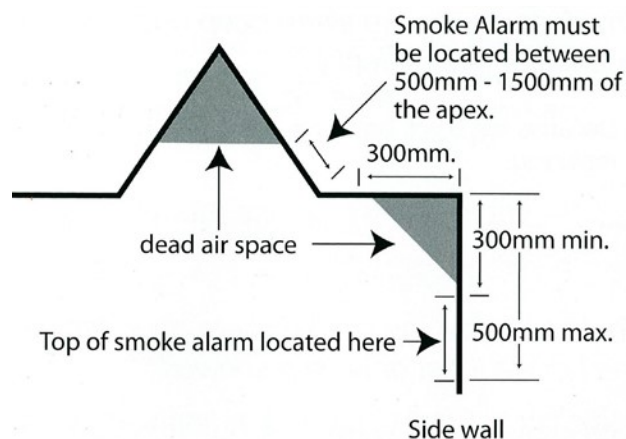
Smoke alarms should be installed on or near the ceiling, with special care taken to avoid installation in the following areas –

- ☞ the apex of cathedral ceilings
- ☞ the corner junction of walls and ceilings
- ☞ between exposed beams, where there may be a dead air space
- ☞ not within 400mm of ceiling fan blades

If it is not practical to install the smoke alarm on the ceiling, then it may be installed on the wall between 300mm to 500mm below the ceiling.

For cathedral ceilings, between 500mm and 1500mm from the apex to the top of the alarm.

If it is not practicable for a smoke alarm to be installed at the location required under this regulation, the smoke alarm may be installed at another location that will provide a warning to occupants of the residential premises or moveable dwelling, for example a smoke alarm that is regularly activated by steam from a bathroom or smoke or fumes from a kitchen may be moved to another appropriate location.





Fact Sheet 3

Maintenance of smoke alarms

Maintenance requirements

Maintenance in residential premises, moveable dwellings and manufactured homes used by owner (Regulation 13C)

- (1) This regulation applies to:
 - a) residential premises that are occupied for residential purposes by the owner of the premises; and
 - b) a moveable dwelling that is occupied for residential purposes, or used for sleeping, by the owner of the dwelling.

- (2) The owner of the residential premises, moveable dwelling or manufactured home must do the following:
 - a) test each smoke alarm in the premises or dwelling, in accordance with regulation 13E, at intervals of not more than 12 months; *Fire and Emergency Amendment (Smoke Alarm) Regulations 2011 8*
 - b) immediately replace a smoke alarm that does not function when tested;
 - c) immediately replace a stand-by battery in a 240v hard wired smoke alarm in the premises or dwelling, in accordance with the manufacturer's instructions, if:
 - (i) the battery is spent; or
 - (ii) the owner is aware the battery is almost spent;
 - d) clean each smoke alarm in the premises or dwelling in accordance with the manufacturer's instructions at intervals of not more than 12 months.

Note for paragraph (c)

A smoke alarm may emit a warning signal (for example, a beeping sound) when its battery is almost spent.

Note for paragraph (d)

The manufacturer's instructions may require that the smoke alarm be cleaned with a vacuum cleaner to remove dust and other materials that may hinder its performance.



Fact Sheet 5

Testing of smoke alarms

Testing of smoke alarms

Testing (Regulation 13E)

There is nothing more frightening than being caught inside a burning house. It's a situation no-one wants to have to face, but fire services fight thousands of fires in buildings every year. Sadly, not everyone gets out safely. To escape a house fire, early warning is vital, that's why you need a smoke alarm.

- Smoke alarms are **mandatory** in all new homes, and also in all existing homes in the NT, NSW, Victoria, Queensland and South Australia.
- There are **two types** of smoke alarms - photoelectric and ionisation. If you're unsure which type you have, look on the base. A radiation symbol means it's an ionisation model.
- **Photoelectric smoke alarms** are the best for detecting smouldering fires - installing at least one of these type is mandatory in the Northern Territory.

A smoke alarm must be tested in the following way:

- (a) for an alarm that can be tested by pressing a button or other device to indicate whether the alarm is capable of detecting smoke – by pressing the button or other device;
- (b) otherwise – by testing the alarm in the way stated in the manufacturer's instructions.

It is good practice to clean your smoke alarm when testing it.





Fact Sheet 6

Agents acting for owners

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Agent may act for owner (Regulation 13F)

An agent is any person who acts on the owner's behalf, this may be a contractor, property manager or real estate agent.

1. A requirement imposed on an owner to comply with this Part in relation to a smoke alarm at residential premises or a moveable dwelling may be complied with for the owner by the owner's agent.
2. However, if the residential premises or moveable dwelling is subject to a tenancy agreement or hire agreement, the tenant or hirer cannot be the owner's agent for complying with this Part.

All agents are encouraged to advise owners of the requirements of this legislation and recommend the installation of photo-electric smoke alarms as soon as practicable.