



Fact Sheet

Smoke Alarm Legislation since 1 November 2011

Fire and Emergency Regulations require the owners of residential premises or moveable dwellings ensure approved smoke alarms are installed in the premises or dwelling.

Most homes already have working smoke alarms. However, if your home was built before 1 July 1997 and you don't already have smoke alarms installed, you now need to install a **photoelectric smoke alarm** – this can be **240 volt hard wired by an electrician OR a 10 year sealed lithium battery type** that can be manually installed according to the manufacturer's instructions.

If your home was built or has undergone major renovations after 1 July 1997, it should already have 240 volt (hard wired) smoke alarms installed as a requirement under the National Construction Code (NCC) - Building Code of Australia (BCA). However, since 1 May 2014, for new and renovated buildings, the Code states at Part 3.7.2 section 3.7.2.2 *Smoke alarms must be - (subsection (d)) interconnected where there is more than one alarm.*

Residential properties that are owner occupied and have hard wired (240 volt) ionisation smoke alarms already installed only need to replace them with compatible mains powered approved **photoelectric alarms** when the ionisation smoke alarm ceases to function. Home owners may choose to replace their alarms sooner but this is not a legal requirement.

Where residential property owners are renewing a tenancy or selling a property or dwelling, approved photoelectric smoke alarms must be installed by the owner prior to the occupancy of the tenant or completion of the sale transaction.

In the case of a leased property, once the landlord installs approved smoke alarms, it is then the tenants' responsibility to maintain those alarms in good working order.

So just to clarify: All residential premises or moveable dwellings should now have approved photoelectric smoke alarms installed, however, premises that currently have working ionisation smoke alarms installed do not have to change to a photoelectric smoke alarm until one of the following occurs -

- ✦ the ionisation smoke alarm ceases to function – the day of cessation;
- ✦ the owner enters into a contract to sell the premises or dwelling – the day before contract settlement;
- ✦ 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.