

Residential Smoke Alarms Fact Sheet

With the introduction of the *Building Regulations 2012* it is unlawful to hire out dwellings that do not have smoke alarms fitted in accordance with the *Building Regulations*

These regulations, as per the National Construction Codes, apply to the following types of buildings

- BCA Class 1a (Houses, villas, duplexes, town houses)
- BCA Class 1b (Any guest house, boarding house or hostel where people reside. Floor area limited to less than 300m²)
- BCA Class 2 (Any building containing 2 or more *sole-occupancy* units each being a separate dwelling)
- BCA Class 3 (A residential building, other than a building of Class 1 or 2, which is a place of long term or transit living for a number of unrelated persons)
- BCA Class 4 (Caretaker dwelling or similar)

Buying / Selling

It is the seller's responsibility to ensure that HARD WIRED smoke alarms are installed in the property by a licensed electrical contractor prior to any transfer of ownership (*Reg. 56*)

Rental Properties

Prior to the commencement of a new lease the landlord must ensure that HARD WIRED smoke alarms are installed by a licensed electrical contractor. Since 1st October 2011, new regulations require landlords of all rentals and hire properties to have smoke alarms fitted (*Reg.58*)

Effective 1 October 2011 all rental properties must be fitted with hard wired smoke alarms (Reg. 61)

Battery Powered Smoke Alarms (Building Regulations 2012 – Reg. 61 & 62)

Where the construction of the dwelling does not permit a space to conceal the wiring and there is no other suitable location or where mains power supply is not available, smoke alarms powered by a 10 year battery that is not removable are permitted.

Application must be made to the City of Melville to review and approve the installation of non hard wired battery powered smoke alarms.

NOTE – ANY SMOKE ALARM MUST COMPLY TO AS3786

The owner of a dwelling must not make available a dwelling for lease unless the dwelling has smoke alarms installed with the requirements of Regulation 60(2)

Failure to comply will attract a penalty of \$5000 on a successful prosecution.

Additionally, penalties apply and infringements with a penalty of \$750 apply for non-compliance to Regulation 56, 58 & 59 of the Building Regulations 2012.

For further information: www.buildingcommission.wa.gov.au