



Fact Sheet 2

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.

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.

¹ **approved 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

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.

Regulation 13B - Installation

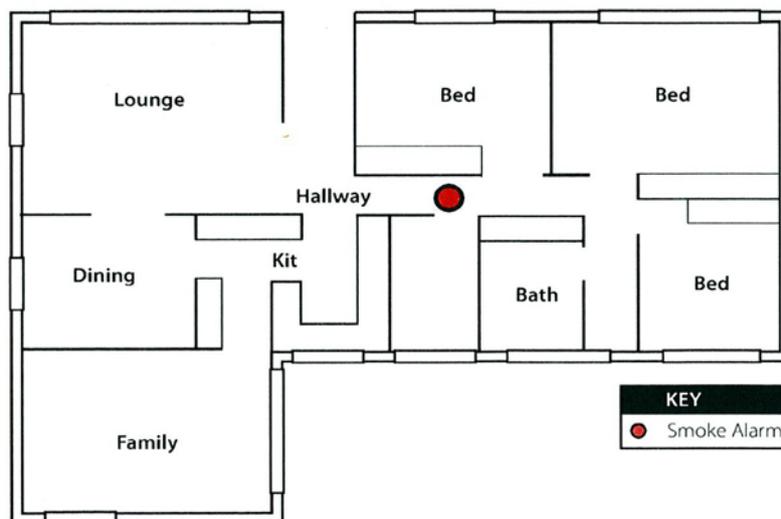
For residential premises, smoke alarms must be installed in accordance with the following:

Class 1a and Class 2 buildings

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 (see Fig. 3 for multilevel)

Figure 1 – Class 1a and Class 2 buildings

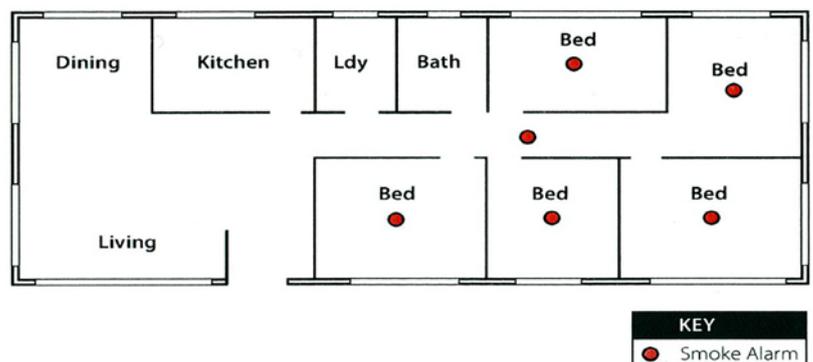


Class 1b building

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. (see Fig. 3 for multilevel)

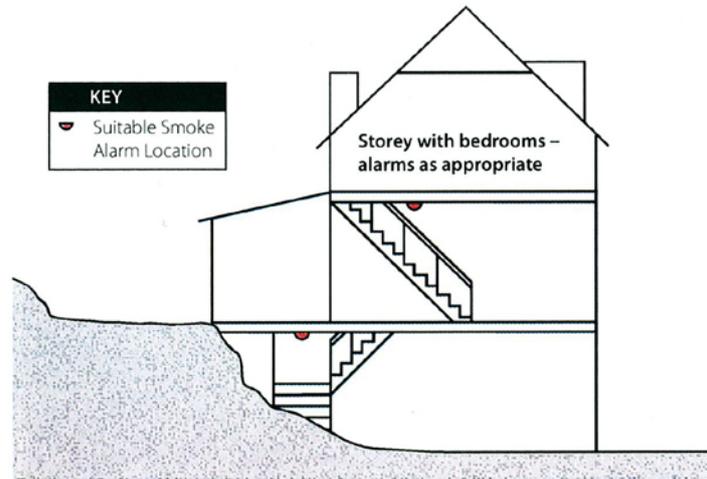
Figure 2 – Class 1b buildings



Multilevel homes and properties

Smoke alarms should 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. Often people sleep with their bedroom doors closed at night and only a smoke alarm installed in that room will detect a fire fast enough to get out safely.

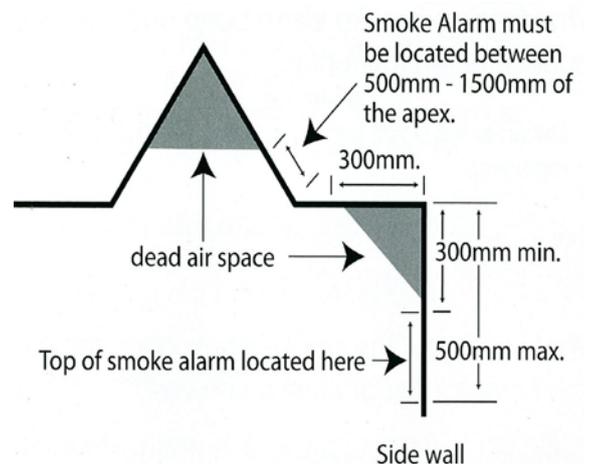
Figure 3 – Multilevel homes and properties



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

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.



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

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.

Regulation 13D and 13C - Maintenance requirements

Smoke alarms in residential premises or moveable dwellings must be tested at intervals of not more than 12 months. Any smoke alarm that does not function when tested must be replaced immediately; any stand-by battery that is spent or almost spent must be replaced immediately.

Each smoke alarm in the premises or dwelling must be cleaned in accordance with the manufacturer's instructions at intervals of not more than 12 months.