

# SMOKE ALARM SAFETY AND TESTING

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What you need to know?



# BRG

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# Queensland Smoke Alarm Legislation – Overview

Property owners must be mindful that smoke alarm maintenance involves adherence to two sets of regulations: Federal requirements and state-based requirements.

Queensland property owners must comply with state smoke alarm legislation within the specified timeline:

## After

Jan 2017

All **new dwellings** or substantially **renovated** properties

## From

Jan 2022

All dwellings sold or leased (rental properties); all Government owned housing

## By

Jan 2027

All domestic dwellings (**including owner-occupied properties**)

# What Landlords and Property Managers need to know

## Maintenance Responsibilities

In Queensland, landlords and their property managers bear continuous maintenance responsibilities pertaining to smoke alarms. These obligations include:

Ensuring smoke alarms are regularly tested and cleaned within 30 days before each tenancy change or renewal.

Proactively replacing smoke alarms before their expiry date to ensure their continued effectiveness.

Promptly replacing the batteries in smoke alarms as needed to guarantee optimal functionality.

## General Smoke Alarm Responsibilities

Starting on 1 January 2022, landlords and property owners must adhere to the following general smoke alarm responsibilities for rental properties:

Smoke alarms must comply with the appropriate Australian Standard.

Smoke alarms must be interconnected to ensure effective communication and early warning in case of fire.

Installation of smoke alarms is required in every bedroom, as well as other critical areas within the property.

## The full obligations

Smoke alarms must:

- be Australian Standard 3786-2014;
- be photoelectric and not also contain an ionisation sensor;
- be hardwired or powered by a non-removable 10-year battery;
- operate when tested; and
- be interconnected with every other smoke alarm in the dwelling so all activate together.

Smoke alarms must be installed on each storey:

- in each bedroom;
- in hallways which connect bedrooms and the rest of the dwelling;
- if there is no hallway, between the bedrooms and other parts of the storey;
- if there are no bedrooms on a storey, in the most likely path of travel to exit the dwelling; and
- not within the prescribed exclusion zones – e.g. smoke alarms must be installed certain distances away from a corner of a ceiling and a wall, light fittings, air-conditioning vents, and ceiling fans.

# What Home Sellers and Sales Agents Need to Know

## Seller Obligations

In Queensland, when selling a property, the seller has an obligation to disclose to the buyer whether the property complies with relevant legislation. This includes confirming whether compliant smoke alarms are installed. Consequently, properties being sold must meet the new requirements before the contract of sale is signed.

## What happens if you fail to comply?

Failure to comply with the disclosure requirements in Queensland can lead to consequences for the seller. Specifically, if the seller does not meet the obligations, the buyer is entitled to an adjustment at settlement, which amounts to 0.15% of the purchase price. To claim this adjustment, the buyer must submit a written request before the settlement takes place.

## Smoke Alarm Requirements

Starting on 1 January 2022, properties being sold must adhere to specific smoke alarm requirements. These include compliance with the appropriate Australian Standard, interconnectedness of the smoke alarms, and installation in every bedroom, as well as other critical areas of the property.

## The full obligations

Smoke alarms must:

- be Australian Standard 3786-2014;
- be photoelectric and not also contain an ionisation sensor;
- be hardwired or powered by a non-removable 10-year battery;
- operate when tested; and
- be interconnected with every other smoke alarm in the dwelling so all activate together.

Smoke alarms must be installed on each storey:

- in each bedroom;
- in hallways which connect bedrooms and the rest of the dwelling;
- if there is no hallway, between the bedrooms and other parts of the storey;
- if there are no bedrooms on a storey, in the most likely path of travel to exit the dwelling; and
- not within the prescribed exclusion zones – e.g. smoke alarms must be installed certain distances away from a corner of a ceiling and a wall, light fittings, air-conditioning vents, and ceiling fans.

# What Owner Occupiers Need to Know

## Seller Obligations

As a best practice for ensuring the safety of occupants within the property, homeowners should conduct regular testing and cleaning of their smoke alarms. Any smoke alarms found to be non-operational during testing or those that are over 10 years old must be replaced. The replacement alarms must be photoelectric and meet the AS 3786-2014 standard. If the previous alarm was hardwired, it should be replaced with a new hardwired alarm.

## Current smoke alarm requirements

At present, owner-occupied properties must have a minimum installation of smoke alarms on each storey and between the section of the property containing bedrooms and the rest of the property.

## New smoke alarm requirements - by January 2027

Starting from 1 January 2027, owner-occupiers will be required to meet the same rigorous standards applicable to rental properties and properties being sold. It is crucial to be aware that if you are significantly renovating your property, you must meet these requirements immediately.

Smoke alarms within the home must comply with the appropriate Australian Standard, be interconnected, and installed in every bedroom, along with other essential areas of the property.



## The full obligations

Smoke alarms must:

- be Australian Standard 3786-2014;
- be photoelectric and not also contain an ionisation sensor;
- be hardwired or powered by a non-removable 10-year battery;
- operate when tested; and
- be interconnected with every other smoke alarm in the dwelling so all activate together.

Smoke alarms must be installed on each storey:

- in each bedroom;
- in hallways which connect bedrooms and the rest of the dwelling;
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