



SMOKE ALARM LEGISLATION

Legislation requiring the installation of smoke alarms in all domestic dwellings, including rental properties, came into effect on 1 July 2007. The legislation also details the ongoing smoke alarm maintenance obligations of lessors and tenants.

In summary, the legislation requires that:

- smoke alarms complying with Australian Standard 3786-1993 be installed in houses and units (Class 1a and 2 buildings under the Building Code of Australia) by 1 July 2007. Smoke alarms are readily available from major hardware stores and retailers;
- smoke alarms are located outside sleeping areas and one on each level of the dwelling. These location requirements are the same as those that apply for homes built since July 1997. This means that if you live in a property built since July 1997 the property should already have the correct type and number of smoke alarms installed;
- lessors install alarms and replace them before the end of their service life (smoke alarms are required to have a recommended service life of at least 10 years under normal conditions of use);
- lessors test and clean smoke alarms and replace batteries where they are spent, within 30 days before the start of a tenancy (including the renewal of an existing tenancy);
- tenants test and clean smoke alarms at least once every 12 months during a tenancy and replace spent batteries during the tenancy;
- landlords have a right of entry to install smoke alarms under the Residential Tenancies and Rooming Accommodation Act 2008 - Section 192; and
- information about the smoke alarm maintenance obligations of lessors and tenants is contained in a “rental rules” document that a lessor is legally required to give to a tenant when the tenancy agreement is given to the tenant for signing or the day the tenant occupies the premises, whichever first occurs.

The Queensland Fire and Rescue Service position is that all residential accommodation be fitted with photoelectric smoke alarms.

Further information on smoke alarms is available on other Queensland Fire and Rescue Service Information Sheets.

Failure to comply with legislative requirements can result in prosecution.

For more information regarding landlord and tenant responsibilities, visit www.fire.qld.gov.au and download the “[Wake up to photoelectric smoke alarms](#)”.