



Smoke Alarm Laws

Do you own a house that you intend to sell, rent or hire out?

There are laws in Western Australia requiring owners to have mains-powered smoke alarms fitted to all residential properties that are subject to sale, rent or hire, regardless of when they were built. It is the responsibility of the owner to ensure that the smoke alarms fitted are no more than 10 years old; in working order; and permanently connected to mains power.

What types of dwellings need to comply?

- Single residential dwellings, row houses, duplexes, town houses, terrace houses, villa units or chalets including those used for holiday accommodation.
- Boarding houses, guest houses, hostels, bed and breakfast accommodation, farm stays or the like, in which not more than 12 people would ordinarily be resident and with a total area of all floors not exceeding 300m².
- Units such as apartments and flats.
- A residential unit inside a building e.g. a caretaker's residence.

How do I maintain my smoke alarms?

For smoke alarms to remain in working order they should be tested and maintained regularly. The Department of Fire and Emergency Services recommends the following maintenance routine, which can be carried out by the owner:

- Testing once per month to ensure the battery and the alarm sounder are operating.
- Replacing batteries annually, (mains powered smoke alarms have back-up batteries).
- Check your smoke alarm for a build-up of dust and cobwebs and clean with a vacuum cleaner at least every six months.
- Vacuum with a soft brush attachment around the smoke alarm vents.
- Use a surface insect spray around the smoke alarm to prevent insects nesting inside.
- Smoke alarms should never be painted.

When should owners install smoke alarms?

Selling: Prior to the transfer of ownership.

Renting: Prior to tenancy for new rentals. Owners should be aware that all existing dwellings subject to a residential tenancy agreement must comply.

Hiring: Prior to making the dwelling available for hire.

Are battery powered smoke alarms permitted?

The laws permit installation of battery powered smoke alarms in limited circumstances. In those circumstances local government approval is required unless:

- a) There is no hidden space in which to run the necessary electrical wiring and there are no appropriate alternative locations for the smoke alarm.
- b) The building is not connected to the mains power electricity supply network.

Where a battery powered smoke alarm has been approved by local government or is permitted in circumstances outlined in a) and b) above, it must have a 10 year life, non-removable battery.

Do you hire out a property?

Owners who make dwellings available for hire on a short term basis for a fee must have mains-powered smoke alarms fitted. Such dwellings may include holiday or guest houses and bed and breakfast accommodation.

Are there penalties involved?

Yes. Where the dwelling does not comply with the laws, a local government may issue an infringement notice under the *Criminal Procedure Act 2004*, which attracts a penalty of \$750.00 for a prescribed offence. The local government may also prosecute an owner for non-compliance resulting in a penalty of up to \$5,000 for a prescribed offence.

Want more information?

Contact the Department of Fire and Emergency Services on 9395 9300, visit www.dfes.wa.gov.au, contact your local government or access the laws (*Building Regulations 2012*) at www.slp.wa.gov.au.