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## BUILDING SYSTEM

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Building Regulation Advisory Note (BRAN)

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<b>Circular</b>	BS 05-001
<b>Issued</b>	28 September 05
<b>Related</b>	

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## Building Legislation Amendment (Smoke Alarms) Act 2005 – update

This Circular is to provide councils, accreditation bodies, relevant government agencies and industry groups with information on the legislation concerning smoke alarms.

To improve community safety, the Government in June 2005 announced that it would introduce new laws making it compulsory for smoke alarms to be fitted in all existing homes and other buildings where people sleep.

The *Building Legislation Amendment (Smoke Alarms) Act 2005* (the Act) was enacted by the NSW Parliament on 1 July 2005. The Act will commence on **1 May 2006**.

The Act amends both the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Residential Tenancies Act 1987* to provide for the installation and maintenance of smoke alarms in existing buildings in which persons sleep.

The Department, in conjunction with other agencies, is currently developing the regulations which will provide details in relation to the new provisions of the EP&A Act. This work includes determining the specific types of buildings the provisions will apply to, the types of smoke alarms that need to be installed, the location of such alarms and any associated maintenance requirements.

A copy of the legislation is available on the NSW Parliamentary Counsel website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au) under 'Acts in Force'.

Further advice on the progress of this work will be issued by this Department in the near future.

### Further information

If you have enquiries in relation to the changes to the EP&A Act and regulations, please contact Alan Host, Senior Building Codes Officer, Building Systems Unit, phone 9228 6404 or email [alan.host@dipnr.nsw.gov.au](mailto:alan.host@dipnr.nsw.gov.au).

For further information in relation to the changes to the Residential Tenancies Act, please call the Office of Fair Trading on 133 220.

Authorised by:  
Alice Spizzo  
Executive Director  
Office of the Director General

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### Important note

This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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