What is the purpose of maintaining fire safety installations in buildings?

Fire safety installations in buildings must be capable of operating to their performance standards in order to be effective if required in the event of a fire. Regular maintenance testing and recording requirements ensure that fire safety installations continue to provide appropriate safety standards for building occupants.

The *Queensland Development Code* Mandatory Part (MP) 6.1—*Commissioning and maintenance of fire safety installations* (MP 6.1) sets out clear standards for the maintenance of fire safety installations. These maintenance standards have been required since 1 January 2009 and they allow for a broad range of compliance methods to be used.

What buildings are covered by the maintenance code?

The MP 6.1 applies to all buildings, including existing buildings, other than class 1a buildings (e.g. a detached house or townhouse) and class 10 buildings (e.g. a domestic shed or garage).

How does the maintenance code affect me?

If you are an owner or occupier of a building it is important to understand how you can identify if your building has ‘prescribed fire safety installations’ and what your obligations are to maintain these.

Legislation relating to the maintenance of building fire safety installations was first introduced in Queensland in 1992. The MP 6.1 is largely a transfer of existing maintenance requirements from the *Building Fire Safety Regulation 2008*. The penalties for failure to comply with the maintenance code remain in the *Building Fire Safety Regulation 2008* and can be up to 30 penalty units.

If you have a prescribed fire safety installation in your building, you must comply with the MP 6.1. A list of fire safety installations covered can be viewed in the maintenance code at [www.hpw.qld.gov.au](http://www.hpw.qld.gov.au).

The maintenance code also requires the building occupant to provide a yearly statement to the Commissioner of the Queensland Fire and Emergency Services (QFES). This confirms that the building’s fire safety installations have been maintained in accordance with a relevant standard or recommendation.

Who is required to sign the yearly statement?

When a building is occupied by a tenant, the tenant is responsible for the maintenance of fire safety installations, and where a building is occupied by the owner of the building, the owner is responsible to ensure that they are maintained. Where there is no occupier, the building owner is required to sign the yearly statement. QFES officers have powers to audit and issue on-the-spot

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fines to occupiers who do not comply with the requirements of the maintenance code.

**Body corporate obligations**

The MP6.1 not only applies to offices, schools and the like, but multi-unit residential buildings (class 2) and holiday/business accommodation buildings (class 3). Typically, these buildings are covered by a body corporate arrangement for their ongoing management and maintenance.

It is recommended that members of a body corporate determine who is authorised to sign the yearly occupier’s statement form on behalf of the body corporate. The occupier’s statement form (Schedule 2) is included in the code.

Once the occupier’s statement form is completed, it must to be sent to the regional QFES office. Postal addresses and fax numbers for regional offices are at www.fire.qld.gov.au/buildingsafety. Alternatively, it can be emailed to occupier.statements@qfes.qld.gov.au

Suggested actions that a body corporate can take to ensure the building is maintained include:

- determining who is authorised to sign the occupier’s statement form on behalf of the body corporate
- confirming the date when the building was approved for construction
- entering into a maintenance contract with an appropriately licensed person to ensure ongoing periodic maintenance is carried out
- confirming dates of maintenance inspections where entry into individual units may be required, such as for the inspection of unit entry doors that are fire doors
- keeping records of all maintenance for two years with the building’s fire safety management plan.

**Buildings with several tenancies**

There may be instances where there are several tenancies in one building, such as a shopping centre that consists of different occupants. Each occupier typically has responsibility for fire safety installations within their own tenancy and the building manager has responsibility for the maintenance of all other installations which are in the common areas or outside the building on their property.

An example of this could be where a restaurant has fire extinguishers in the kitchen within the tenancy, but the hydrant for the restaurant is in the common area that could be used by several other shops. In this instance, the restaurant tenant (being the occupier) would ensure periodic maintenance is carried out on fire extinguishers and would coordinate the hydrant maintenance with other tenants. The agreed method of maintenance could, for example, be through the building manager or through the tenancy contract.

**For more information**

For more information, refer to the guidelines and associated Forms 71 and 72 available from the Department of Housing and Public Works website or the Queensland Fire and Emergency Services or call 13 74 68.

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