



# Queensland Fire & Rescue Service

## Training and Emergency Unit

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## Duties of Owner/Occupiers

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Changes to legislation, which commenced on the first day of January 1992, have made it compulsory for the occupiers of a building to perform certain duties. These are detailed in the Fire and Rescue Service Act Part 9A and Building Fire Safety Regulation 1991. These duties are:

### 1. Means of Escape

- (a) The occupier of a building must maintain at all times free from obstruction adequate means of escape in the event of fire threatening any part of the building. The occupier must ensure that no object is placed or allowed to remain in the path of travel **TO** an exit, having regard to:
  - i. whether the object could be displaced or knocked over; and
  - ii. the number of persons that could be in that part of the building in the event of fire;
  
- (b) The occupier of a building must also ensure that:
  - i. no object is placed or allowed to remain; and
  - ii. no vehicle is parked or allowed to stand;

In the path of travel **FROM** an exit leading out of the building for a distance of **TWO (2) METRES**.

- (c) Also, while any person is within the building every exit door leading from the area that the person is working in can be easily and quickly opened from the side approached by a person seeking to exit from the building.

## 2. Fire Safety Installations:

If at any time, either as a part of the original construction of a building, or as a consequence of any alterations or additions to a building, any of the fire safety installations in the list below were required as a pre-requisite to the granting of any approval, notice or certificate to be a part of the structure or installed within the building, then they must be maintained.

### (a) Structural Features:

- Access panels through fire-rated construction
- Penetrations through fire-rated construction
- Fire dampers
- Fire shutters and fire doors
- Fire windows
- Fire curtains
- Structural fire protection
- Systems required to have a fire-resistance level
- Fire control centres \*

### Fire Protection Systems:

- Sprinklers (including wall-wetting sprinklers) \*
- Special automatic fire suppression systems (including foam, deluge and gas flooding systems) \*
- Fire detection and alarm systems \*
- Stairwell pressurisation systems \*
- Air handling systems \*
- Smoke and heat venting systems \*
- Smoke exhaust systems \*

### Fire Fighting Equipment:

- Fire mains \*
- Fire hydrants (including hydrant booster) \*
- Fire hose reels
- Fire extinguishers (portable)

### Occupant Safety Features:

- Emergency warning and intercommunication systems ∞
- Exit door hardware
- Emergency lighting
- Exit signs
- Emergency lifts
- Emergency power supply
- Fire doors
- Solid core doors
- Smoke proof doors

(b) **Other Features**

- Vehicle access for large isolated buildings ∞
- Any additional fire safety provision imposed by the Local Authority to combat the spread of fire. \*

**3. Fire and Evacuation Plan:**

- (a) The occupier of a building must:
- (i) maintain a plan of the action to be taken by persons within the building in the event of fire; and
  - (ii) provide adequate instruction to persons **working** or **residing** in the building concerning the action to be taken by them in the event of fire.
- (b) The occupier of a building must also give to every person **permanently working** in the building instructions on:
- (i) the procedure to be followed in the event of fire;
  - (ii) the means of escape from the building in the event of fire;
  - (iii) the location and method of operation of fire fighting equipment;
  - (iv) the location and method of operation of fire alarms or equipment for warning of fire
- (c) If members of the public are ordinarily admitted to the building:
- (i) the procedure for conducting them to an exit in the event of fire;
- (d) These instructions must be given:
- (i) within one month of commencement of working;
  - (ii) repeated at intervals of not more than twelve months.
- (e) Although the occupier of every premises must maintain a fire and evacuation plan, only those listed in Section 3(F) are required to have that plan formalised, or written, including:
- (i) the procedures to be followed in the event of fire;
  - (ii) the persons described by reference to the position they hold responsible to ensure compliance with paragraph (i) above.
- (f)
- (i) A building in which there is room at a level other than ground level used for the purpose of the sale of food or drink to the public or the provision of cabaret entertainment or dance facilities to the public.

- (ii) A building used to provide residential accommodation at a floor level other than ground level.
- (iii) A building used to provide residential accommodation within an educational institution, a children's hostel or children's welfare institution.
- (iv) A building used to provide residential accommodation for medical, psychiatric or geriatric care.
- (v) A building used to sell goods or services to the public in which there is a sales are:
  - \* below ground level;
  - \* at floor level more than one floor above ground level; or
  - \* exceeding 1000sq. metres at any floor level.
- (vi) A building used to accommodate a shop or shops selling goods or services to the public from which they only means of escape is through an enclosed arcade, mall or like structure.
- (vii) A building other than a drive-in picture theatre used to accommodate more than 200 persons attending for a public meeting or for recreational, cultural or conference purposes.
- (viii) A building used as a workplace within the meaning of the Workplace Health & Safety Act 1995 in which are employed persons to work in a room or rooms:
  - \* below ground level; or
  - \* at a floor level more than one floor level above ground level.
- (ix) A building used to provide **office accommodation** at a floor level **more than six floor levels above ground level**.
- (x) A building used for education or research purposes and containing:
  - \* a laboratory or machinery or trade equipment operated for training or research purposes; or
  - \* a classroom, canteen or recreational facility on a floor level below ground level or a floor level more than two floors above ground level.

#### **4. Keeping of Records (Fire Instruction):**

The occupier of a building must keep in the building a record of fire instruction containing the following details in relation to each occasion that instructions were given to workers in the building:

- (i) the date;
- (ii) the instructors names;
- (iii) a brief description of which workers were instructed, for example, by reference to their occupation or location in the building;
- (iv) a brief description of the instructions given

#### **5. Testing of Prescribed Safety Installations**

- (a) The occupier of a building must ensure that all prescribed fire safety installations in the building are tested by a competent person.
- (b) A competent person is one who:
  - (i) holds a current Certificate of Accreditation issued by the Fire Protection Contractors Registration Board of Queensland, that relates to the particular fire safety installation, e.g. fire hose reels and fire extinguishers; or
  - (ii) has other appropriate qualifications and experience to properly test and maintain the installation.

#### **6. Keeping of Records (Fire Safety Installation):**

The occupier must keep a record of maintenance containing the following details:

- (i) the name and address of the person that conducted the test;
- (ii) the date;
- (iii) a brief description of the procedure carried out;
- (iv) the results;
- (v) any corrective action required;
- (vi) the date corrective action was taken.

## **7. Testing of Special Fire Services;**

- (A) In addition to the keeping of records as above, those Fire Safety Installations which are A special Fire Services≡, as indicated by a (\*) symbol in Section 2, must have the results of the testing recorded in a Certificate of Maintenance. A Certificate of Maintenance must be forwarded to the Commissioner of Queensland Fire & Rescue Service within each 12 month period following the first test.
- (B) The details to be recorded in a Certificate of Maintenance are:
  - (i) the date of the test;
  - (ii) whether the special fire service was found to be properly maintained; and
  - (iii) any repairs or maintenance undertaken.

***(Note: Special Fire Services on Page 2 are indicated by a (\*) symbol***

## **8. Security of All Records**

Any person who is required to keep a record of Fire Instruction, a Certificate of Maintenance or a Record of Maintenance must maintain the records up to date and in a way that will preserve them in the event of fire.

Records required to be kept must be produced on demand to an authorised fire officer.

## **9. Penalty**

Failure to comply with any of these duties of an Owner/Occupier could result in a penalty.