



DEPARTMENT of JUSTICE

Essential Safety Features in Buildings – There's No Second Chance

Workplace Standards Tasmania

For public safety it's critical for all building owners to understand their responsibilities in relation to the essential safety features in their buildings.

The *Building Act 2000* requires owners of all commercial, industrial and public buildings to maintain essential safety and health features and measures in their buildings. Owners must arrange for regular inspections and maintenance of these safety features.

Who is affected?

Owners of all buildings **excluding houses and outbuildings**. Examples of types of buildings that **must be made to comply include:** -

- all workplaces or buildings where the public has access
- shops, offices, factories, schools, hotels and nightclubs, cafés, tourist accommodation
- blocks of flats or apartments

In some cases a building occupier (tenant) has obligations in addition to the building owner.

Why maintain essential safety and health features?

An essential safety feature is equipment that protects the lives of the occupants of a building in the event of an emergency situation such as a fire. They vary from building to building and may include:

- fire and smoke detectors, fire fighting equipment
- exit doors and exit signs, emergency lighting, fire escapes
- smoke alarms and warning systems.

An essential *health feature* includes installations to protect the health of building occupants such as an on-site waste water treatment system.

An essential *safety measure* includes an emergency evacuation plan.

While many older buildings may not have fire services installed, there are maintenance obligations for all owners to inspect and maintain passive essential safety measures such as paths of travel to exits, means of exit (doors and handles) and penetrations through fire resisting structures.

How do owners comply with the law?

- They must display an Annual Maintenance Statement (a certificate, also called Form 56) in a prominent position on their premises. e.g. on a noticeboard in foyer or adjacent to the fire indicator panel.
- Before this Statement is signed and displayed the owner must ensure that all safety features are in working order. This will often require expert advice.
- This Statement is important as it publicly shows that owners are fulfilling their obligations. Failure to undertake the mandatory maintenance and to display the Annual Statement are offences and may also affect the owner's insurance policy.

Essential Facts about Essential Safety brochure available

Building owners need to know their rights and responsibilities. To explain the current Tasmanian legal requirements, Workplace Standards Tasmania has developed the brochure **Essential Facts about Essential Safety** (No. GB160). For a copy of the brochure or the Maintenance Statement contact WST on 1300 366 322 or visit www.wst.tas.gov.au/building

More information

If you are unsure about whether the laws apply to your building, or you have any questions about how to comply, visit the Workplace Standards Tasmania Website to download brochure number GB160 at www.wst.tas.gov.au/building, or contact the Workplace Standards Tasmania Helpline:

Phone: (03) 6233 7657 (Outside Tasmania);

Local rate: 1300 366 322 (Inside Tasmania).

Fax: (03) 6233 8338. **Email:** wstinfo@justice.tas.gov.au

Director of Building Control