

## Critical Defect Definition & Obligations of Occupiers

As per Part 5 (Prescribed Fire Safety Installations) of the Building Fire Safety Regulation 2008 (Re-issued September 2018)

### Meaning of Critical defect

A defect in a prescribed fire safety installation for a building is a **critical defect** if -

- (a) The defect is likely to render the installation inoperable; and
- (b) The defect is reasonable likely to have a significant adverse impact on the safety of occupants or part or all of the building if a fire or hazardous materials emergency happens.

*Examples of critical defects-*

- A defect making a fire detection system and alarm system inoperable
- A defect in a pump making the fire hydrants for a building inoperable

*Example of a defect that is not a critical defect-*

- A defect that makes inoperable only 1 of several standard fire extinguishers in a part of a building

### Obligations of Occupiers

#### Maintenance of prescribed fire safety installations

(1) The occupier of a building must ensure that maintenance of each prescribed fire safety installation for the building is carried out by an appropriately qualified person.

(2) The occupier of a building must ensure each prescribed fire safety installation for the building is inspected and tested at intervals\* in compliance with QDC, part MP6.1.

(3) Subsection (4) applies if the record of maintenance for a prescribed fire safety installation for a building shows that repair or other corrective action is required for the installation.

(4) The occupier of the building must ensure the repair is carried out or the corrective action is taken no later than 1 month after the maintenance of the installation was carried out, unless the occupier has a reasonable excuse.

*Examples of a reasonable excuse—*

- No appropriately qualified person was available to attend the occupier's premises to carry out the repair or take the corrective action because of the remoteness of the building's location.
- The repair or corrective action was not able to be finished because of the complexity of the work involved or delay in obtaining parts required for the repair or corrective action.

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**Table 1 Maintenance requirements – passive fire safety installations for class 5, 6, 9a and 9c buildings**

Prescribed passive fire safety installations	AS 1851:2005 clause number	Required frequency of tests
Hinged and pivoted fire-resistant doorsets	17.4.3.1	6 monthly
Horizontal fire-resistant sliding doorsets	17.4.3.2	
Smoke doorsets – hinged and pivoted	17.4.4	
Fire shutters	17.4.5	

**Table 2 Maintenance requirements – passive fire safety installations for buildings other than class 5, 6, 9a and 9c buildings**

Prescribed passive fire safety installations	AS 1851:2005 clause number	Required frequency of tests
Hinged and pivoted fire-resistant doorsets	17.4.3.1	Yearly
Horizontal fire-resistant sliding doorsets	17.4.3.2	
Smoke doorsets – hinged and pivoted	17.4.4	
Fire shutters	17.4.5	