

# Critical Defect Notice

*One Critical Defect per page*

<b>Time and date defect identified:</b>	..... am/pm ...../...../.....
<b>Premises name:</b>	.....
<b>Address:</b>	..... .....
<b>Description of critical defect:</b>	..... ..... .....
<b>Corrective action required:</b>	..... ..... .....

<b>Name of Owner/Occupier:</b> <i>(Please circle the correct option)</i>	..... <i>Print name</i>
<b>Contact details for Owner/Occupier:</b> <i>(Please circle the correct option)</i>	..... <i>Print address</i>
<b>Has the Owner/Occupier been verbally notified of defect?</b> <i>(Please circle the correct option)</i>	<b>Yes / No</b> <i>(Please circle the correct option)</i>
<b>If notified verbally, on what date was the communication?</b>	...../...../..... <i>Date</i>
<b>On what date was written notification given?</b>	...../...../..... <i>Date</i>
<b>How was notification provided?</b>	<b>Fax / Email / Hand delivered / Post</b> <i>(Please circle the correct option)</i>
<b>Name of Contractor:</b>	..... <i>Print name</i>
<b>Contractor signature:</b>	.....
<b>Company:</b>	.....
<b>Accreditation/Licence number:</b>	.....
<b>Contractors defect identification number:</b> <i>(if applicable)</i>	.....

The Owner/Occupier should be aware that failure to rectify the critical defect is in breach of Section 104D of the *Fire and Emergency Services Act 1990* and penalties apply.

The *Building Fire Safety Regulation 2008* allows 1 month maximum after notification to rectify critical defects, this does not negate the obligation of the occupier to initiate where necessary interim measures for the safety of occupants.



# Explanatory Notes

## for Critical Defect Notice

This document should be read when completing a *Critical Defect Notice* in line with requirements of the *Building Fire Safety Regulation 2008*. These *Explanatory Notes* provide instruction and examples as to what constitutes a *critical defect*. This document does not list all types of critical defects.

The definition of a *critical defect* provided in the *Building Fire Safety Regulation 2008* is “a defect that is likely to render the fire safety installation inoperable and the defect is reasonably likely to have a significant impact on the safety of occupants of part or all of the building if a fire or hazardous materials emergency happens”.

For the purposes of these notes: ‘inoperable’ is defined in the dictionary as “Not able to perform its normal function”.

For the purposes of these notes: ‘significant’ is defined in the dictionary as “Likely to have a major affect”.

The Queensland Fire and Emergency Services would usually determine a critical defect as something that affects a fire safety installation sufficiently so as to prevent it from performing its normal function.

***In order to be deemed ‘critical’, a defect would normally be seen to significantly affect the installation.***

If a defect is only in part of the installation but constitutes a life risk, such as where people are sleeping or where people have special needs, the defect may be classified as a critical defect. In this case consideration should be given to employing interim measures to ensure the safety of the occupants.

### Example of a Critical Defect

A zone of a fire alarm system, which is inoperable, in any class of building.

**Note:** In a building with sleeping accommodation the example above of a critical defect would require interim measures to be taken by the occupier, which may include:

- Installing 9volt battery operated smoke alarms in strategic locations to provide early warning in the event of fire.
- Employing security guards to patrol the building 24 hours a day.

The following are **not** considered critical defects but are defects and are also required to be repaired within one month:

- Fire extinguishers empty or undercharged, providing there are other extinguishers available.
- Some emergency lights or exit signs not working, but not the whole system.
- Installations temporarily shut down for repairs (if a contractor is in attendance and emergency measures are implemented).
- Exit door hardware not compliant (providing they are not locked).
- Superficial damage to a fire hose reel.
- Superficial damage to a fire hydrant.

### Where can I go for more information?

If you require further information, visit <https://www.qfes.qld.gov.au/buildingsafety/> for a contact list of Regional Community Safety Offices, the *Fire Safety Management Tool for Owner/Occupiers* and the associated *Advisory Notes*.