

Critical Defect Notice

One Critical Defect per page

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

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