**Critical Defect Notice**

*One Critical Defect per page*

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

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

**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 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/compliance-and-planning> for a contact list of Regional Community Safety Offices, the *Fire Safety Management Tool for Owner/Occupiers* and the associated *Advisory Notes*.