Provisions for Fire Safety Certificates
Topics

- Context of provisions of Bill
- 7 Day Notices
- 7 Day Notice Statutory Declarations
- Revised FSC’s
- Regularisation Certificates
- Stay on Opening / Operating / Occupation in absence of FSC
- Increased Penalties
- Extended powers of enforcement
Context

- Shortcomings in operation of BCA ’90 and BCR ’97
- Uncertainty of status of works started / completed without Fire Safety Certificate
- Status of design variations
- Limitations on enforcement by BCA
- Bill provisions are enabling measures – Regulations to follow
7 Day Notice

• May be served on BCA re works requiring Fire Safety Certificate where Fire Safety Certificate has not been granted

• To be accompanied by
  - Fire Safety Certificate Application
  - Statutory Declaration (see next slide)
Statutory Declarations

- To accompany 7 Day Notice
- To warrant completeness of Fire Safety Certificate
- To warrant compliance of works done pre-grant of Fire Safety Certificate
Revised Fire Safety Certificates

To regularise compliance of

- Design revisions arising on foot of Planning Permission
- Significant design revisions made for any other reason
Regularisation Certificates

- To certify works commenced / completed without Fire Safety Certificate
- Application to include “Certificate of Compliance”
- BCA may impose conditions on grant of RC, to be met within 4 months
- BCA may inspect works when assessing RC applications
Stay on Opening / Operating / Occupation

- Building not to be opened / operated / occupied in absence of FSC or revised FSC
- Significant provision if embodied in revised regulations
Enforcement

- Increased penalties
- Significant extension of BCA powers of prosecution
Summary 1

New forms of Fire Safety Certificate on foot of
• 7 Day Notice and associated Statutory Declaration
• Application for revised Fire Safety Certificate
• Application for Regularisation Certificate
Summary 2

• Increased penalties and legal powers for BCA’s
• Introduction of provisions subject to
  - enactment of Bill
  - making of relevant Regulations