

→ Addendum June 2005

→ Introduction

As part of the 2004 amendment to the *Building Code of Australia (BCA)*, safety measures were defined and Part I of the BCA was amended to include a list of safety measures to be maintained.

In preparing the *Building (Interim) Regulations 2005* the opportunity has been taken to align terminology in the regulations with the BCA and to consolidate terms dealing with safety equipment, safety fittings and safety measures. The new regulations align terminology and utilise most of the tables in Part I of the BCA, but do not impose additional responsibilities from the *Building Regulations 1994*.

→ Overview of amendments

The change from Part 11 of the previous regulations to Part 12, is only a small step towards national consistency and through the regulations we have taken this opportunity to provide for:

- Consolidation of definitions including definitions for essential safety measures and maintenance determination
- Alignment with the BCA
- New numbering system as a result of the general renumbering of the *Building Regulations*.
- Inclusion of Class 4 buildings constructed after June 2005.

These amendments are detailed below.

→ Definitions

An essential safety measure, for the purpose of the regulations, is provided for the safety of people in a building or place of public entertainment.

The term essential safety measure has been defined in the regulations as including:

- Safety Measures as listed in Table I1.1 to I1.11 of the BCA, excluding artificial lighting contained in Table I1.4*
- Mechanical ventilation system, hot water or cooling system
- Any other measure listed as an essential safety measure, eg as a result of an alternative solution
- Essential services as defined under the previous *Building Regulations 1994*.

*The exclusion of artificial lighting contained in Table I1.4 of the BCA, plus not including Table I1.12 and I1.13 of the BCA, is to ensure no new items over and above those in Part 11 of the previous *Building Regulations 1994* are included.

The term maintenance determination has been included to reduce wording in the body of text of the regulations and is the same as the Occupancy Permit conditions for maintenance, which deals with the level of performance, frequency and type of maintenance required. The definition is clarified in regulation 1204.

→ Snap shot of changes

Division 1 – Maintenance of essential safety measures in certain buildings and places of public entertainment

Applies to:

- Class 1b, 2-3, 5-9 and places of public entertainment (no change from previous regulations) constructed after July 1994
- Class 4 part of a building constructed on or after 14 June 2005 (new requirement).

Changes:

- No change from previous regulations, however a new regulation numbering system (see overleaf) has been introduced and a list of what may constitute essential safety measures is now called up in the BCA
- New numbering system (see overleaf) has been introduced
- Form 15 now Form 10.

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Division 2 – Maintenance of essential safety measures in other buildings and places of public entertainment

Applies to:

- Class 1b, 2-3, 5-9 and places of public entertainment constructed prior to July 1994.

Changes:

- No major changes from previous regulations
- Definition of essential safety measures has been carried over to consolidated terms
- New numbering system (see below) has been introduced
- Previous regulation 11.7 is now contained in section 227E of the *Building Act 1993*.

→ **New numbering system and comparison table**

Part 11 – Maintenance from <i>Building Regulations 1994</i>		Part 12 – Maintenance from <i>Building (Interim) Regulations 2005</i>	
Division 1 - Maintenance of essential services		Division 1 - Maintenance of essential safety measures in certain buildings and places of public entertainment	
11.1	Application and interpretation	1201	Application of division
11.2	Essential services	1202	Definitions
11.3	Nomination of essential services in occupancy permit	1203	Maintenance requirements for essential safety measures when occupancy permit required
11.4	Requirement to maintain essential services		
11.4(1) & (2)		1204	Maintenance requirements of essential safety measures in other circumstances
11.4(3)		1205	Owner must comply with maintenance determination
11.4A	Display of determination		
11.4A(1)		1206	Display of maintenance determination
11.4A(2), (3) & (4)		1207	Approved location for display of maintenance determination
11.4A(5)		1208	Determination to be available for inspections
11.5	Owner's responsibility	1209	Owner must prepare annual report
11.6	Contents and form of annual essential services report	1210	Contents and form of annual report
11.6A	Display of annual essential services report	1211	Display of annual essential safety measures report
11.7	Inspection procedures		Now under section 227E of the <i>Building Act 1993</i>
Division 2 - Maintenance generally		Division 2 - Maintenance of essential safety measures in other buildings and places of public entertainment	
11.8	Application of Division	1213	Application of Division
11.9	Safety equipment, fittings and other safety measures	1215	Owners responsibility
11.10	Maintenance of exits	1216	Maintenance of exits
Form 15		Form 10 - See Appendix A	

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