



**FIRE SERVICE AMENDMENT (FALSE ALARMS) ACT  
1992**

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**No. 38 of 1992**

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**AN ACT to amend the *Fire Service Act 1979***

**[Royal Assent 10 December 1992]**

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**Short title**

**1**—This Act may be cited as the *Fire Service Amendment (False Alarms) Act 1992*.

**Commencement**

**2**—This Act commences on the day on which it receives the Royal Assent.

**Principal Act**

3—In this Act, the *Fire Service Act 1979\** is referred to as the Principal Act.

**Section 109A amended (False alarms)**

4—Section 109A of the Principal Act is amended as follows:—

(a) by omitting subsections (2), (3) and (4) and substituting the following subsections:—

(2) For the purposes of this section, a false alarm is the activation of an automatic fire alarm system that is caused by reasons other than fire.

(3) The charge referred to in subsection (1) is payable—

(a) in the case of activation of the fire alarm system due to the failure of a person to notify the appropriate brigade at which the alarm system is connected of testing or maintenance work being, or about to be, carried out on the system, by the person testing, maintaining or working on the system; or

(b) in any other case, by the subscriber for the fire alarm system.

(4) Where a brigade responds to a call that is determined by an officer of the brigade or by an officer of the Commission to be a false alarm, the officer—

(a) if the false alarm is determined by the officer to have been caused by the failure of—

(i) a person to notify the appropriate brigade at which the fire alarm system is connected of testing or maintenance work being, or about to be, carried out on the system; or

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\* No. 35 of 1979. For this Act, as amended to 30 April 1981, see the continuing Reprint of Statutes. Subsequently amended by Nos. 73 and 74 of 1981, Nos. 9 and 10 of 1982, Nos. 22, 24, 61 and 88 of 1983, Nos. 29, 34 and 81 of 1984, Nos. 10, 31 and 51 of 1985, No. 60 of 1986, No. 79 of 1987, No. 64 of 1988, Nos. 2, 3, 5 and 44 of 1990 and Nos. 42 and 46 of 1991.

- (ii) the owner of the premises at which the brigade attended in response to the false alarm to notify the appropriate brigade at which the alarm system is connected of work practices carried out on those premises that may result in a false alarm being transmitted to the brigade; or
- (b) if the false alarm is determined by the officer to have been caused by any reason, other than a reason specified in paragraph (a), and it is the third false alarm caused by a reason, other than a reason specified in that paragraph and is recorded by the brigade from the same system within a period of 60 days—

must provide a report in writing to the Commissioner concerning the circumstances relating to the false alarm, and the Commissioner or a person nominated by the Commissioner is to determine whether or not a charge should be made under subsection (1).

- (b) by inserting in subsection (5) “or a person nominated by the Commissioner” after “Commissioner”.

