

20 October 2017

Victorian Municipal Building Surveyors Group  
John Prendergast  
PO Box 200  
Dandenong Victoria 3175

Dear John,

### Interference with Fire Indicator Panels

It has come to the attention of the Metropolitan Fire and Emergency Services Board (**MFB**) that a substantial number of buildings (in excess of 2000) in the Metropolitan District are non-compliant with the *Building Interim Regulations 2017 (Vic)*, as the wiring between the Fire Indicator Panel (**FIP**) and the Alarm Signalling Equipment (**ASE**) has been re-configured in such a way as to not report isolations and faults to the alarm monitoring providers via the ASE (in contravention of AS1670–2004 Parts 1 & 3 and AS4428.6-1997).

The intention appears to be to reduce maintenance costs or to avoid charges for a false alarm, by preventing signals about isolations of FIPs and possible false alarms being transmitted to alarm monitoring providers.

This practice is illegal and has the potential to jeopardise the safety of building occupants and emergency services personnel, as well as placing the building at risk.

### Offences

It is an offence under s75B of the *Metropolitan Fire Brigades Act 1958 (Vic)* (**MFB Act**) to interfere with a FIP without reasonable excuse. “Interference” includes any action that causes the transmission of the signal from the FIP to be isolated, disconnected or disabled. Section 75C(2) of the MFB Act also makes it an offence for a person to damage or interfere with a fire alarm or other apparatus for the prevention or suppression of a fire without reasonable excuse. These offences each carry a penalty of \$9,514.20.

As you would be aware, altering an FIP without a building permit may also be an offence under section 16 of the *Building Act 1993 (Vic)*. Penalties for this offence range from \$79,285 for an individual to \$396,425 for a body corporate. Importantly, section 16 is an “absolute liability” offence, which means that a person who carries out work without a building permit will be in breach of section 16, even if they assumed a building permit was not required or that someone else may have obtained one. In addition, altering an FIP may result in an offence being committed under section 40 of the Building Act, which provides that a building must not be occupied in contravention of the current occupancy permit. This is because most automatic alarms form part of the essential safety measures of a building and are required to be operating at all times under the building’s occupancy permit.

## **Letter from MFB to building owners**

MFB has prepared a draft letter, which we propose to send to the 3 alarm monitoring providers (ADT, Chubb and Romteck), so they can distribute it to each of the building owners that use their monitoring services. A copy of the draft is attached for your information.

## **Audits by MFB**

MFB's Alarm Assessment Unit receives data from monitored FIPs and can identify changes in the manner in which an FIP transmits data, for example after an FIP has had its circuits isolated. This information is provided to MFB's Building Inspection & Compliance Unit (**BICU**), which will be conducting random inspections of properties identified as having altered FIP transmissions.

## **Additional steps**

MFB is copying this letter to the Victorian Municipal Building Surveyors Group (**VMBSG**), Building Regulation Advisory Committee (BRAC), Emergency Management Commissioner (EMC), the Insurance Council of Australia and the 3 alarm monitoring providers, to ensure awareness of the practice, the potential dangers involved, and MFB's proposed course of action. MFB have briefed the Minister for Emergency Services about the matter.

MFB's Building Inspections and Compliance (BIC) Unit will arrange a meeting with representative(s) of the Victorian Building Authority and the VMBSG to further discuss the issues and explore ways in which to move forward. In the interim, if you require any further information, please contact BIC Commander Gavin Rooney on 94203753.

Yours sincerely

**Greg Leach**  
**Acting Chief Officer**

CC Victorian Municipal Building Surveyors Group  
Building Regulations Advisory Committee  
Country Fire Authority  
Fire Protection Association of Australia  
Insurance Council of Australia  
Emergency Management Commissioner