

Western Australia

**Local Government (Miscellaneous Provisions)  
Amendment (Smoke Alarms) Act 2007**

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As at 21 Dec 2007

No. 34 of 2007

Extract from [www.slp.wa.gov.au](http://www.slp.wa.gov.au), see that website for further information



Western Australia

## **Local Government (Miscellaneous Provisions) Amendment (Smoke Alarms) Act 2007**

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Western Australia

## **Local Government (Miscellaneous Provisions) Amendment (Smoke Alarms) Act 2007**

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**No. 34 of 2007**

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**An Act to amend the *Local Government (Miscellaneous Provisions) Act 1960*.**

*[Assented to 21 December 2007]*

The Parliament of Western Australia enacts as follows:

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**1. Short title**

This is the *Local Government (Miscellaneous Provisions) Amendment (Smoke Alarms) Act 2007*.

**2. The Act amended**

The amendment in this Act is to the *Local Government (Miscellaneous Provisions) Act 1960\**.

[\* Reprint 7 as at 16 September 2005.  
For subsequent amendments see *Western Australian Legislation Information Tables for 2006, Table 1, and Act No. 77 of 2006.*]

**3. Part IX inserted**

After Part VIII the following Part is inserted —

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**Part IX — Smoke alarms in buildings**

**246. Application of this Part**

- (1) This Part does not apply to a building that is in a district or part of a district to which Part XV is declared under section 373(2) not to apply.
- (2) This Part does not apply to a building to which Part XV is prevented by section 373(3) or (3a) from applying.
- (3) The application of this Part is not limited to buildings constructed after, or on which building work is done after, the coming into operation of the *Local Government (Miscellaneous Provisions) Amendment (Smoke Alarms) Act 2007*.

**247. Local laws may require smoke alarms**

- (1) Local laws may be made under the *Local Government Act 1995* for the purpose of ensuring that, in prescribed

circumstances, a prescribed building has any smoke alarm that is needed to satisfy prescribed requirements.

- (2) The power given by subsection (1) includes the power to —
- (a) impose on a person an obligation for the purpose of ensuring that any smoke alarm needed is fitted or maintained;
  - (b) in circumstances in which a person has failed to fit or maintain a smoke alarm in accordance with an obligation imposed under this section —
    - (i) impose on another person an obligation to fit or maintain a smoke alarm;
    - (ii) authorise a local government to do things reasonably necessary to ensure that a smoke alarm is fitted or maintained;
  - (c) give a person who fits or maintains a smoke alarm in accordance with an obligation imposed under paragraph (b)(i) or as authorised under paragraph (b)(ii) a right to recover the amount of the reasonably incurred costs as if it were for a debt due from a prescribed person.

**248. Regulations may require smoke alarms**

Regulations under the *Local Government Act 1995* section 9.60 may deal with a matter specified in section 247 as if that matter were specified in Schedule 9.1 to that Act.

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