

Western Australia

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

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Western Australia

LEGISLATIVE ASSEMBLY

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

A Bill for

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

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

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

[* Reprint 7 as at 16 September 2005.

10 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

15 **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.

20 (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 —

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(a) impose on a person an obligation for the purpose of ensuring that any smoke alarm needed is fitted or maintained;

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(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 —

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(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;

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(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

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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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