

**Building Act 1993  
Building Regulations 2018**

**ANNUAL ESSENTIAL SAFETY MEASURES REPORT<sup>1</sup>  
Regulation 224**

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<b>Building/s and/or place of public entertainment (place)</b> (List name and address of buildings/place)	<b>If applicable, provide details of occupancy permit/s (dated on or after 1 July 1994), maintenance determination/s or maintenance schedule issued for building/place.</b> (Insert date and/or number)

**Compliance with AS 1851—2012 in lieu of the specified maintenance standard (optional)<sup>3 & 4</sup>**

Where the relevant occupancy permit or maintenance determination requires maintenance of an essential safety measure (ESM) in accordance with *AS 1851—2005 Maintenance of Fire Protection Systems and Equipment* or an equivalent standard published before 5 September 2005, regulations 196 and 217 provide that the owner may maintain that ESM in accordance with *AS 1851—2012 Routine Service of Fire Protection Systems and Equipment*.

Where the owner has maintained an ESM in accordance with AS 1851—2012 (in lieu of the specified standard), this is indicated in the table below.

Where a maintenance determination or occupancy permit (issued on or after 1 July 1994) does not exist, the following table need not be completed.

<b>ESM/s required to be maintained in accordance with AS 1851—2005 or equivalent standard published before 5 September 2005.</b>	<b>Relevant Occupancy Permit/s, Maintenance Schedule or Maintenance Determination/s</b> (Insert reference number and date)

**Maintenance entity details**

The following entities carried out inspection, testing or maintenance work on the ESMs for this building/place during the preceding 12 months.

<b>ESMs inspected/tested/maintained</b>	<b>Name and address of entity who performed inspection, testing or maintenance</b>

**Inspection report made under section 227E of the *Building Act 1993* <sup>5</sup>**

*Note: If there have been no inspections under s227E insert N/A into table.*

Date of inspection report/s prepared by the municipal building surveyor	Inspection report number, where applicable.

**Statement by owner**

I confirm that the owner of the building and/or place has taken all reasonable steps to ensure that each ESM provided for the building and/or place:

- (i) is operating and has been maintained in a state that enables the ESM to fulfil its purpose<sup>4</sup>; and
- (ii) has been inspected, tested and maintained in accordance with the *Building Act 1993* and the *Building Regulations 2018*<sup>4</sup>.

**Owner/Agent of owner <sup>6</sup>**

Owner\*/Agent\* Print Name: .....

Date: .....<sup>7</sup>

(\*delete whichever does not apply)

Signed: .....

Owners name: .....

*(If completing this report as agent of an owner, state full name of owner<sup>6</sup>)*

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**NOTES**

1. The owner/s must ensure that all documents are available for inspection within 24 hours after request by the municipal building surveyor or chief officer to inspect. Documents relating to the building and/or place required for availability are as follows:
  - the Annual Essential Safety Measures Report; and
  - all AESMRs prepared under these regulations or any previous corresponding regulations within 10 years before the request; and
  - all maintenance schedules in relation to the ESMs; and
  - all maintenance determinations requiring an ESM to be provided; and
  - the records of all inspections, testing and maintenance (including repairs) of any ESM for the building or place.

2. Owner/s are responsible for maintenance of ESMs for an entire building and/or place. Where a building has multiple owners, each owning different parts of the building (ie Class 2 partment, Class 5- office, Class 6 shopping centre or similar), the AESMR can be issued for combined parts of a building owned by separate entities OR an AESMR can be issued for each part of the building in separate ownership.
3. The owner is advised to seek advice before deciding to maintain ESM's in accordance with AS 1851—2012 if an earlier maintenance standard or unique methodology specified forms part of a performance solution (or alternative solution) relating to a fire performance requirement (as defined in regulation 5 of the *Building Regulations 2018*).

Where the owner has decided to comply with AS 1851—2012 under regulation 196 or 217, the owner must continue to comply with AS 1851—2012 in relation to the ESM.

4. The owner is required to maintain all ESMs for a building or place of public entertainment as specified in regulations:
  - Reg 195 Condition on occupancy permit.
  - Reg 196 Compliance with AS 1851-2012 taken to be compliance with earlier standards.
  - Reg 216 Owner must comply with maintenance determination.
  - Reg 217 Compliance with AS 1851-2012 taken to be compliance with earlier standards.
  - Reg 226 Maintenance responsibility of owner of building or place of public entertainment.
5. Section 227E of the *Building Act 1993* provides the power for the chief officer and municipal building surveyor to inspect ESMs or any records relating to maintenance of ESMs.
6. Under section 240 of the *Building Act 1993*, an owner may in writing authorise another person to act as their agent on behalf of the owner.
7. Regulation 223 requires that the owner of a building and/or place in respect of which an ESM is required to be provided, must ensure that the AESMR is prepared within 28 days before each anniversary of the date of issue of the first occupancy permit or maintenance determination issued for the building or place, or if there is no occupancy permit or maintenance determination, within 28 days before 13 June each year.
8. Regulation 227 requires the owner of a building and/or place to ensure that ESMs are not removed from an approved location except for the purpose of inspection, testing of, or the carrying out of maintenance on that ESM