



ACT
Government



AFA FALSE ALARM CHARGES – FEE WAIVERS

FIRE SAFETY GUIDELINE
FSG – 23

JUSTICE AND COMMUNITY SAFETY DIRECTORATE
ACT EMERGENCY SERVICES AGENCY
ACT FIRE & RESCUE

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Terms and Definitions

Acronym / Term	Definition
ACTF&R	Australian Capital Territory Fire & Rescue
AFA	Automatic Fire Alarm
AFANP	Automatic Fire Alarm Network Provider. The fire alarm monitoring company.
AFASP	Automatic Fire Alarm Service Provider. These are the technicians that maintain the AFA systems within the building.
ASE	Alarm Signalling Equipment
AS1851	Australian Standard 1851 - Routine service of fire protection systems and equipment
Competent Person	Fire service industry trained and accredited professional working for an accredited fire service company

PURPOSE

The purpose of this document is to provide Automatic Fire Alarm Network Providers (AFANPs) with a guideline for completing and submitting applications to ACT Fire & Rescue (ACTF&R) for waiver of Automatic Fire Alarm (AFA) false alarm charges on behalf of their customers.

This guideline has been developed by ACTF&R to provide consistent advice regarding ACTF&R expectations and requirements for AFA monitoring and response.

APPLICATION

This fire safety guideline applies to sites with a monitored fire detection system (wet or dry).

1 BACKGROUND

1.1 THE PROBLEM OF AFA FALSE ALARMS

ACTF&R is committed to reducing the number of false alarms from AFAs. ACTF&R statistics for the 2022 / 2023 financial year show that approximately 98% of AFA-generated incidents were false alarms. ACTF&R has a statutory obligation under the Emergencies Act, 2004 (ACT) to attend all alarms of fire, including those from AFAs.

False alarms divert ACTF&R resources that would otherwise be available for genuine emergencies.

1.2 COMMUNITY CONSULTATION

ACTF&R is a member of the Australasian Fire and Emergency Service Authorities Council (AFAC) Unwanted False Alarm Network that is actively reviewing ways to reduce the proportion of false alarms. ACTF&R works with customers of protected premises, fire protection industry groups (including AFANPs), regulatory authorities and local government to reduce false alarms.

1.3 THE PURPOSE OF FALSE ALARM CHARGES

False alarm charges are intended to encourage AFANPs and their customers to maintain fire alarm systems efficiently and effectively and ensure correct occupant behaviour. Properly maintained fire alarms ensure the safety of protected premises occupiers and property and reduce the likelihood of further false alarms requiring ACTF&R attendance.

1.4 ACTF&R CAN CHARGE FOR AFA FALSE ALARMS

Under the Emergencies Act, 2004 (ACT) and the agreement made between ACTF&R and the AFANP, ACTF&R can charge AFANPs for each false alarm received by ACTF&R from AFASP monitored AFA networks.

2 AFANP RIGHT TO APPLY SURCHARGE

2.1 AFANP RIGHT TO APPLY SURCHARGE

An AFANP has the right to apply an administration or other surcharge to the AFA false alarm amount charged by ACTF&R.

Note: The application of AFANP surcharges to AFA false alarm charges is an arrangement between the AFASP and its customers and is therefore a matter over which ACTF&R has no control.

2.2 AFANP MUST DISCLOSE SURCHARGE

An AFANP must fully disclose administration or other surcharges on customer invoices.

2.3 AFANP SURCHARGES ARE NOT ACTF&R REFUNDABLE

In the event of waiving of AFA false alarm charges, any AFANP applied false alarm administration or other surcharges are not refundable by ACTF&R.

3 ACTF&R AFA FALSE ALARM CHARGE LENIENCIES

ACTF&R applies two (2) leniencies to AFA false alarm charges. These leniencies provide the AFANP and/or the customer with the opportunity to have the alarm problem rectified while reducing the risk of incurring false alarm charges.

3.1 60 DAY LENIENCY

ACTF&R applies a 60-day leniency period in which the first in a series of AFA false alarms from the same AFA number is not charged. Therefore, the second and subsequent AFA false alarms that occur within any 60-day period after the first in the series are charged.

3.2 24 HOUR LENIENCY

ACTF&R applies a 24-hour leniency period from the first chargeable alarm with repeat false alarms from the same AFA number. Therefore, only one alarm activation from the same AFA number will be charged in each 24-hour period.

3.3 NO LENIENCIES FOR AFANP ACTIVATIONS

AFANP caused AFA false alarms are not subject to leniencies.

4 ACTF&R AFA FALSE ALARM CHARGE WAIVER PRE-CONDITION

ACTF&R will consider applications for waiver of AFA false alarm charges subject to the following pre-condition:

Note: See paragraph 7: Process for Applying for Waiver of AFA False Alarm Charges.

4.1 180 DAY APPLICATION SUBMISSION LIMIT

The application is received by ACTF&R not more than 180 calendar days from the ACTF&R billing date inclusive.

4.2 REQUEST FOR APPEAL

If an application for waiver has been rejected a further application addressing ACTF&R reason for the rejection may be submitted as an appeal within 30 days of the date of rejection.

5 CRITERIA FOR WAIVER OF AFA CHARGES

Pursuant to the Emergencies Act 2004, waiver or reduction of AFA false alarm charges is at the discretion of the Chief Officer of ACT Fire & Rescue.

A fee is not payable for a false alarm where - in the sole opinion of the Chief Officer ACTF&R, the alarm:

- > Could not have been prevented by reasonable maintenance of the alarm system, as defined in the Emergencies Act 2004,
- > Was activated by circumstances beyond reasonable control of the “owner”, as defined in the Emergencies Act 2004.

Note: ACTF&R officers attending incidents do not have authority to waive AFA false alarm charges.

ACTF&R considers the following criteria when determining Customers’ applications for waiver of AFA false alarm charges:

5.1 FALSE ALARM BEYOND CONTROL OF CUSTOMER

The AFA false alarm was caused by an event beyond the control of the Customer.

ACTF&R normally applies exclusions for non-Customer caused AFA false alarm charges on the original invoice. An AFANP should apply for an exclusion as a waiver only if the Customer considers an exclusion has not already applied.

5.2 ALARM EQUIPMENT REPAIRED OR REPLACED TO REDUCE FALSE ALARMS

The Customer provides adequate evidence that since the AFA false alarm, the alarm installation equipment (not a detector) has been rectified (repaired or replaced) by a properly qualified *competent person* employed by a registered alarm installation and servicing company.

Note:

- > Essential fire safety measures are to be maintained in accordance with AS1851 as referenced under the Emergencies Act 2004. Evidence indicating reasonable system maintenance is not considered grounds for a waiver application to be approved.
- > Consideration may be given only where a new installation equipment has replaced the existing malfunctioning equipment, specific to the alarm installation equipment that transmitted the AFA false alarm (pre-used, reconditioned and/or serviced detectors will not be considered).
- > The rectification work is required to directly relate to the cause of the AFA false alarm.
- > The evidence must include a written receipt recording the date, cost and description of rectification work performed specific to the alarm equipment that generated the AFA false alarm.
- > ACTF&R may require evidence to be submitted demonstrating compliance with the BCA and Australian Standards applying to the premises and/or copies of approvals, where required.
- > The rectification work is not to contravene the requirements of the BCA or Australian Standard applying to the premises.
- > See paragraph 10: ACTF&R AFA False Alarm Charge Waiver Limit

5.3 ALARM DETECTOR REPLACED WITH DIFFERENT TYPE TO REDUCE FALSE ALARMS

The Customer provides adequate evidence that since the AFA false alarm, the alarm detector (not equipment) has been rectified (replaced) with a different type by a properly qualified *competent person* employed by a registered alarm installation and servicing company.

Note:

- > Essential fire safety measures are to be maintained in accordance with AS1851 as referenced under the Emergencies Act 2004. Evidence indicating reasonable system maintenance is not considered grounds for a waiver application to be approved.
- > Consideration may be given only where a new detector has replaced an existing or malfunctioning detector, specific to the alarm installation equipment that transmitted the AFA false alarm (pre-used, reconditioned and/or serviced detectors will not be considered).
- > The rectification work is required to directly relate to the cause of the AFA false alarm.
- > The evidence must include a written receipt recording the date, cost and description of rectification work performed specific to the alarm detector that generated the AFA false alarm.
- > ACTF&R may require evidence to be submitted demonstrating compliance with the BCA and Australian Standards applying to the premises and/or copies of approvals, where required.

- > The rectification work is not to contravene the requirements of the BCA or Australian Standard applying to the premises.
- > See paragraph 10: ACTF&R AFA False Alarm Charge Waiver Limit

5.4 ALARM DETECTOR REPLACED OR RELOCATED TO REDUCE FALSE ALARMS

The Customer provides adequate evidence that since the AFA false alarm, the Alarm detector (not equipment) has been rectified (replaced with the same detector type and/or relocated) by a properly qualified *competent person* employed by a registered alarm installation and servicing company.

Note:

- > Essential Fire Safety measures are to be maintained in accordance with AS1851 as referenced under the Emergencies Act 2004. Evidence indicating reasonable system maintenance is not considered grounds for a waiver application to be approved.
- > Consideration may be given only where a new detector has replaced an existing or malfunctioning detector, specific to the alarm installation equipment that transmitted the AFA false alarm. (*Pre-used, reconditioned and/or serviced detectors will not be considered*).
- > The rectification work is required to directly relate to the cause of the AFA false alarm.
- > The evidence must include a written receipt recording the date, cost and description of rectification work performed specific to the Alarm detector that generated the AFA false alarm.
- > The rectification work is not to contravene the requirements of the BCA or Australian Standard applying to the premises.
- > See paragraph 10: ACTF&R AFA False Alarm Charge Waiver Limit.

5.5 PRACTICES CHANGED AT PROTECTED PREMISES TO REDUCE FALSE ALARMS

The Customer provides adequate evidence that since the AFA false alarm, practices at the Protected Premises that could cause AFA false alarms have been changed to reduce the likelihood of repeat false alarms of the same type (such as removal of food toasters from rooms, provision of occupier education or training).

Note:

- > This waiver criteria shall only be granted once per AFA number, per Customer in a five-year period.
- > See paragraph 10: ACTF&R AFA False Alarm Charge Waiver Limit.

5.6 AN AGREEMENT EXISTS

A current written agreement exists between ACTF&R and the Customer for waiver of AFA false alarm charges subject to an AFA false alarm reduction program to be successfully completed within a defined time.

6 ACTF&R FALSE ALARM REPORTING AND INVOICING

6.1 NOTIFICATION TO AFANP OF AFA FALSE ALARMS

ACTF&R notifies AFANPs daily by email of AFA false alarms that have occurred at their Customers' Protected Premises within the previous 24-hour period. This email notification indicates the date, time, AFA Number, ACTF&R AFA false alarm '700' code, ESACAD Incident Number and Transaction ID. The notification lists all AFA false alarms.

Note:

- > AFANPs are responsible for notifying their customers of relevant AFA false alarms.
- > AFANPs may also obtain their Customers' Protected Premises historical AFA false alarm data directly at any time by accessing FLAMES web.

6.2 INVOICING TO AFANP FOR AFA FALSE ALARM CHARGES

ACTF&R determines whether an AFA false alarm charge applies, and if so, includes that charge in the next billing advice and invoice to the AFANP. Billing advice and invoices are issued on or after the first week of the calendar month and contain fees and charges incurred from the first day of the previous month to the last day of the previous month.

- > See Disallowable Instrument DI2023 Emergencies (Fees) Determination 2023

7 APPLYING FOR WAIVER OF AFA FALSE ALARM CHARGES

7.1 THE CUSTOMER

Requests the AFANP to apply to ACTF&R for a waiver of AFA false alarm charge/s, indicating one or more ACTF&R criteria for waiver and including the criteria it falls under for a waiver and the substantiating documentation.

Note: See Criteria for Waiver of AFA False Alarm Charges.

7.2 THE AFANP

1. Receives a request from a customer to apply for waiver of AFA false alarm charges.
2. Submits an AFA Waiver Request to the AFA Manager of ACTF&R on behalf of a customer, using the ACTF&R AFA Waiver Document (Appendix 1), including the criteria it falls under for a waiver and the substantiating documentation.

7.3 THE APPLICATION FORM

Appendix 2 attached provides a template form for the required information needed by ACTF&R. Deficiencies in filling it out may result in delays to the application being reviewed by ACTF&R and an outcome for the applicant.

Note – This document will be available for download from the ACTF&R website at;
<https://esa.act.gov.au/be-emergency-ready/fire-safety>

7.4 ACTF&R

- > Receives the AFA Waiver Request from an AFANP – to the AFA Manager ACTF&R.
- > ACTF&R Chief Officer considers the application and makes a determination.
- > Notifies AFANP and the Customer by letter, of its determination, within 60 calendar days of application receipt.
- > If ACTF&R grants the application, ACTF&R credits the AFA false alarm charge to the AFANP by the issue of a credit adjustment.
- > The AFANP forwards on this credit to the customer.
- > If ACTF&R requests further information, it must be provided within 14 days, or the application will be rejected.

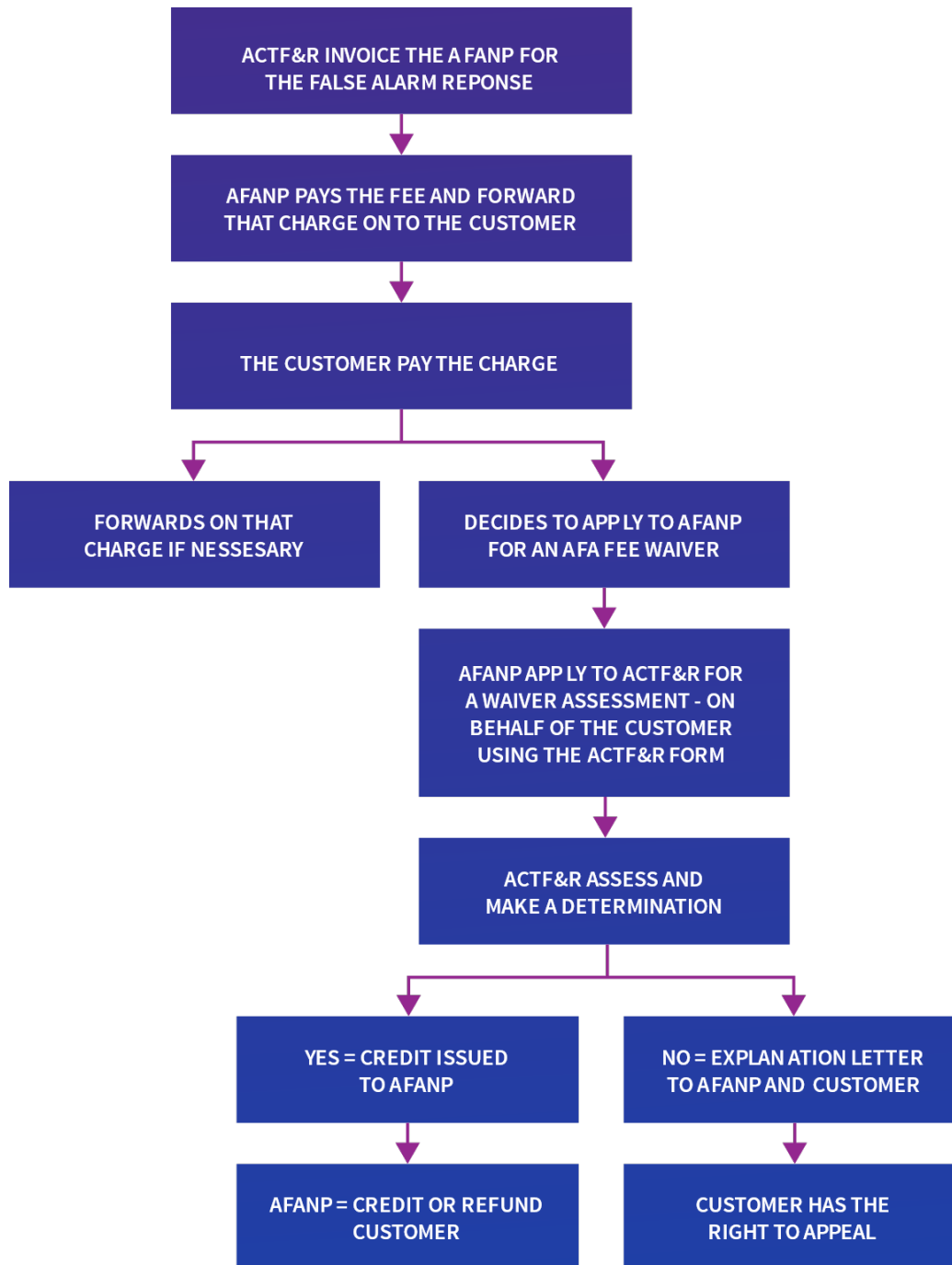
8 FURTHER SUPPORT

For further information or clarification please contact the ACTF&R Community Safety Section AFA Manager ACTFR.AFAManager@act.gov.au

ACT Fire & Rescue wish to acknowledge the support of Fire + Rescue NSW in the development of this document and the close working relationship our services share.

APPENDICES:

APPENDIX 1: WAIVER APPLICATION PROCESS



Please see the text-only version of the waiver application process in the next page.

Waiver application process

- 1 ACTF&R INVOICE THE AFANP FOR THE FALSE ALARM RESPONSE
- 2 AFANP PAYS THE FEE AND FORWARD THAT CHARGE ONTO THE CUSTOMER
- 3 THE CUSTOMER PAY THE CHARGE
 - 3.1 FORWARDS ON THAT CHARGE IF NESSESARY
 - 3.2 DECIDES TO APPLY TO AFANP FOR AN AFA FEE WAIVER
- 4 AFANP APPLY TO ACTF&R FOR A WAIVER ASSESSMENT - ON BEHALF OF THE CUSTOMER USING THE ACTF&R FORM
- 5 ACTF&R ASSESS AND MAKE A DETERMINATION
 - 5.1 YES = CREDIT ISSUED TO AFANP
 - 5.1.1 AFANP = CREDIT OR REFUND CUSTOMER
 - 5.2 NO = EXPLANATION LETTER TO AFANP AND CUSTOMER
 - 5.2.1 CUSTOMER HAS THE RIGHT TO APPEAL

APPENDIX 2 – WAVER APPLICATION FORM

Note: this document can be found on the ACTF&R website at - <https://esa.act.gov.au/be-emergency-ready/fire-safety>



ACT FIRE & RESCUE AFA WAIVER REQUEST FORM

Applicant Name:	<input type="text"/>	Email:	<input type="text"/>
Company:	<input type="text"/>	Network Provider:	<input type="text"/>
Position Title:	<input type="text"/>	Network Provider Contact:	<input type="text"/>
Phone:	<input type="text"/>		

ACTF&R Use Only

Date	ACTF&R Inc#	Site Location	ASE/AFA#	ACTFR STOP CODE / Cause of alarm	AFANP Invoice #	Fee Amount (\$)	Fire tech company invoice attached	Zone and detector ID	Other evidence attached	Which Waiver Criteria does this fall under and why	Waiver recommended	Reason for recommendation
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here
Pick a date.	Type here	Type here	Type here	Type here	Type here	Type here	Yes/No	Type here	Yes/No	Select criteria	Yes/No	Type here

Application submission and further support:

Email: ACTFR.AFAManager@act.gov.au | Phone: 02 6207 8351 | Post: ACT Fire & Rescue, ATTENTION: AFA Manager, GPO Box 158 ACT 2601

RELATED LEGISLATION AND DOCUMENTS

Related legislation and documents

Emergencies Act 2004 (ACT)

Building Act 2004 (ACT)

ACT Emergency (Fees) Determination -Disallowable Instrument that is current at the time

AS 3745-2010 Planning for emergencies in facilities

National Construction Code (NCC)



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