

**OFFENCES FOR INFRINGEMENT NOTICES**  
***Fire & Rescue Service Act 1990 and Building Fire Safety Regulations 2008***

Approved by SPERS October 2009  
**VERSION 7**

Code	Offence	Legislation	Section	Penalty Units Individual	Fine Individual	Penalty Units Company	Fine Company
4376	Failure to return Identity Card	Act	60H	1	100		
4377	Failure to help investigation officer	Act	60L (1)	1	100		
4378	Failure to give name or address	Act	60O (1)	1	100		
4223	Light fire without authorisation	Act	62	5	500		
4224	Fail to extinguish fire by occupier.	Act	67 (a)	5	500		
4225	Fail to report fire by occupier	Act	67 (b)	5	500		
4227	Fail to comply with conditions of notice/permit	Act	72 (1)(a)	5	500	25	2500
4228	Leave fire unattended	Act	72 (1)(b)	5	500		
4229	Fail to take reasonable measures to extinguish fire	Act	72 (1)(b)	5	500		
4230	Destroy/damage/remove /cover interfere with notice	Act	72 (1)(d)	5	500		
4231	Provide False or misleading information in application for fire permit.	Act	72 (1)(e)	5	500		
4232	Light fire in fire ban area during fire ban	Act	86F	5	500		
4233	Fail comply with a state of emergency or requisition made under a state of emergency	Act	92	20	2000		
4234	Fail to maintain to a standard of safety and reliability a prescribed fire safety installation namely.....	Act	104D (1)	10	1000	50	5000
4235	Remove prescribed fire door	Act	104D (1) 1851	10	1000	50	5000
4236	Fail to maintain fire door installation	Act	104D (1) 1905.1	10	1000	50	5000
4237	Fire door/smoke door fail to return to the fully closed position	Act	104D (1)/ BCA	10	1000	50	5000
4238	Fix fire doors in open position	Act	104D (1)/ BCA	10	1000	50	5000
4239	Fail to display prescribed Hose Reel sign	Act	104D (1)/AS 2441	10	1000	50	5000
4240	Fail to display prescribed Fire Extinguisher Sign	Act	104D (1)/AS 2444	10	1000	50	5000
4241	Fail to provide site plan of fire extinguishers	Act	104D (1)/AS1851	10	1000	50	5000
4242	Fail to provide unique site identification mark on extinguisher	Act	104D (1)/AS1851	10	1000	50	5000
4243	Fail to recharge/replace prescribed Fire Extinguisher	Act	104D (1)/AS1851	10	1000	50	5000
4244	Cover/obstruct prescribed Fire Extinguisher	Act	104D (1)/AS 2444	10	1000	50	5000
4245	Cover/obstruct prescribed equipment Hose Reel	Act	104D (1)/AS2441	10	1000	50	5000
4246	Cover/obstruct prescribed Fire Extinguisher Sign	Act	104D (1)/AS1851	10	1000	50	5000
4247	Cover/obstruct prescribed Hose Reel Sign	Act	104D (1)/AS 2441	10	1000	50	5000
4248	Fail to maintain Prescribed Exit Sign	Act	104D (1)/AS 2293.1	10	1000	50	5000
4249	Fail to maintain Prescribed Emergency Light	Act	104D (1)/AS 2293.1	10	1000	50	5000

4250	Fail to identify Emergency Lighting Circuits	Act	104D (1)/AS 2293.1	10	1000	50	5000
4251	Cover/obstruct prescribed Emergency Light	Act	104D (1)/AS 2293.1	10	1000	50	5000
4252	Cover/obstruct prescribed Exit Sign	Act	104D (1)/AS 2293.1	10	1000	50	5000
4253	Fail to mark Fire Hose Reel cabinet with the words FIRE HOSE REEL	Act	104D (1)/ AS 2441	10	1000	50	5000
4254	Fail to tag prescribed equipment namely....(Fire Extinguisher) AS 1851 (Fire Hose Reel) 1851 (Fire Hydrant) 1851	Act	104D (1)/ AS 1851	10	1000	50	5000
4298	Fail to prepare Fire and Evacuation Plan	Act	104E (1)	10	1000	50	5000
4261	Fail to prepare a Fire Safety Management Plan	Act	104FA (2)	10	1000	50	5000
4263	Fail to update a Fire Safety Management Plan	Act	104FB (1)	10	1000	50	5000
4265	Fail to implement a Fire Safety Management Plan	Act	104FB (3)	10	1000	50	5000
4267	Fail to produce a Fire Safety Management Plan	Act	104FG	5	500	25	2500
4285	Fail to ensure occupancy number is not exceeded (1st Offence)	Act	104KK	10	500	25	2500
4286	Fail to ensure occupancy number is not exceeded (2nd Offence)	Act	104KK	20	500	50	2500
4294	Fail to ensure staff are aware of occupancy numbers	Act	104KL (1)	5	500	25	2500
4380	Fail to implement a counting system (1 <sup>st</sup> Offence)	Act	104KM (2)	5	500	25	2500
4296	Fail to implement a counting system (2nd Offence)	Act	104KM (2)	5	500	25	2500
4375	Fail to display sign stating occupancy number	Act	104KN (2)	5	500	25	2500
4299	Fail to include occupancy number in fire and evacuation plan	Act	104KO	5	500	25	2500
4300	Fail to notify Commissioner of relevant changes	Act	104KP (1)	5	500	25	2500
4301	Fail to give written notice to Commissioner regarding cessation of being the occupier	Act	104KP (2)	5	500	25	2500
4303	Fail to install smoke alarm	Act	104RB (1)	2	200	2	200
4304	Lessor fail to replace smoke alarm	Act	104RC (3)	2	200	2	200
4306	Lessor fail to replace smoke alarm battery	Act	104RE (2)	2	200	2	200
4307	Tenant fail to replace smoke alarm battery	Act	104RE (3)	2	200	2	200
4308	Tenant fails to advise lessor that smoke alarm requires replacing	Act	104RF (2)	2	200	2	200
4311	Interfere with smoke alarm	Act	104RH (1)	2	200	2	200
4312	Transferor fails to give written notice of transfer of property with reference to smoke alarms	Act	104RK (1)	2	200	2	200
4313	Transferor provides false information regarding smoke alarms	Act	104RK (3)	2	200	2	200
4314	Transferor fails to give written notice regarding smoke alarm information	Act	104RL (1)	2	200	2	200
4315	Fail to give written notice to a buyer as to whether smoke alarms are fitted to a manufactured home	Act	104RM (2)	2	200		
4381	Seller must not state in the notice anything false or misleading in a material particular.	Act	104RM (4)	2	200	2	200
4382	Request the service of or give false call to the Fire Service	Act	146 (A)	10	1000		
4256	Fail to comply with notice or requisition.	Act	147 (b)	5	500	25	2500
4257	Destroy/damage/remove/cover or Interfere with a Fire Alarm or other apparatus	Act	147 (d)	5	500		
4258	Enclosing a fire plug	Act	147 (e)	5	500		

4259	Obliterate or cover mark or sign used for locating fire plug.	Act	147 (e)	5	500		
4317	Person allows things to be placed within 2 metres of final exit outside a building or on the evacuation route within the building.	Regs	7 (1)	3	300		
4318	Occupier allows thing to be placed within 2 metres of final exit outside a building or on the evacuation route within the building	Regs	8 (1)	3	300	15	1500
4319	Occupier fails to take reasonable steps to ensure a person does not obstruct an evacuation route	Regs	8 (3)	3	300	15	1500
4320	Occupier allows thing to be placed within 2 metres of final exit outside the adjoining building or evacuation route in another place	Regs	9 (2)	3	300	15	1500
4321	Person locks door on evacuation route	Regs	11 (1)	3	300		
4322	Occupier fails to ensure that a door on evacuation route is not locked	Regs	11 (2)	3	300	15	1500
4323	Person locks door on evacuation route while an occupant is in the building	Regs	12 (2)	3	300		
4324	Occupier fails to ensure door not locked on evacuation route	Regs	12 (3)	3	300	15	1500
4325	Person installs or alters mechanical ventilation allowing air to flow onto an evacuation route	Regs	13 (1)	3	300	15	1500
4326	Person does an act allowing air to flow onto an evacuation route	Regs	13 (2)	3	300		
4327	Occupier or owner fails to ensure that a person does not allow air to flow onto an evacuation route	Regs	13 (4)	3	300	15	1500
4328	Occupier fails to ensure number of persons does not exceed the maximum number	Regs	16 (1)	3	300	15	1500
4329	Occupier fails to ensure occupancy numbers do not exceed maximum numbers under BCA D1.6	Regs	16 (2)	3	300	15	1500
4330	Occupier fails to ensure the fire and evacuation plan is kept in the prescribed format	Regs	21 (2)	3	300	15	1500
4331	Managing entity fails to ensure evacuation plan for the building is coordinated	Regs	22 (2)	3	300	15	1500
4332	Occupier fails to ensure the fire and evacuation plan for the part of the building compliments the evacuation co ordination procedures kept by the managing entity	Regs	23 (2)	3	300	15	1500
4333	Occupier fails to ensure a record of fire safety management procedure is included in the fire and evacuation plan and the plan reflects the procedure	Regs	24 (2)	2	200	10	1000
4334	Occupier fails to keep relevant approval documents for the building	Regs	25 (2)	2	200	10	1000
4335	Occupier fails to make the fire and evacuation plan available for inspection	Regs	26 (1)	2	200	10	1000
4336	Occupier of a high occupancy building fails to allow the fire safety advisor to inspect or copy the fire and evacuation plan	Regs	26 (2)	2	200	10	1000
4337	Occupier fails to change the fire and evacuation plan within 1 month after a change	Regs	27 (1)	3	300	15	1500
4338	Managing entity of a multi occupancy building fails to notify the secondary occupiers and if high occupancy building the fire safety advisor of changes to the fire and evacuation plan	Regs	27 (2)	2	200	10	1000
4339	Secondary occupier of a multi occupancy building fails to notify the managing entity and if high occupancy building the fire safety advisor of changes to the fire and evacuation plan	Regs	27 (4)	2	200	10	1000
4340	Occupier of a building fails to carry out a review of the fire and evacuation plan for the building annually	Regs	28 (1)	3	300	15	1500

4383	Occupier failed to keep a written record of the review and give copy to the Fire Safety Advisor within 1 month after the review	Regs	28 (2)				
4341	Occupier fails to display evacuation signs and diagrams for the building	Regs	30 (1)	3	300	15	1500
4342	Occupier fails to give a person general evacuation instructions and first response evacuation instructions prior to commencing work in the building being used for temporary events	Regs	32 (2)	3	300	15	1500
4343	Occupier fails to give evacuation coordination instructions to the evacuation coordinator and persons responsible for carrying out the evacuation procedures for a building used for temporary events	Regs	32 (3)	3	300	15	1500
4344	Occupier of a high occupancy building fails to appoint a fire safety advisor	Regs	34 (1)	3	300	15	1500
4345	Occupier fails to give general evacuation instructions to each person working in the building at intervals of not more than 1 year	Regs	35 (1)	3	300	15	1500
4346	Occupier fails to give general evacuation instructions to a person working in the building within 2 days after the person starts work in the building	Regs	35 (2)	3	300	15	1500
4347	Occupier fails to give general evacuation instructions to a person working in the building within 1 month of a change	Regs	35 (4)	3	300	15	1500
4348	Occupier fails to give first response evacuation instructions for each person working in the building at intervals of not more than two years	Regs	36 (1)	3	300	15	1500
4349	Occupier fails to give first response evacuation instructions for each person working in the building within 1 month of starting work in the building	Regs	36 (2)	3	300	15	1500
4350	Occupier fails to give first response evacuation instructions to a person within 1 month after a change in the building	Regs	36 (4)	3	300	15	1500
4351	Occupier of a high occupancy building fails to provide first response evacuation instructions for the building	Regs	37 (2)	3	300	15	1500
4352	Occupier of a building fails to give evacuation coordination instructions for the building annually	Regs	38 (1)	3	300	15	1500
4353	Occupier fails to give evacuation coordination instructions for the building within 1 month of a change in the building	Regs	38 (4)	3	300	15	1500
4354	Occupier fails to give evacuation coordination instructions to the person within 1 month before the person becomes the evacuation coordinator	Regs	39 (2)	3	300	15	1500
4355	Entity fails to give evacuation coordination instructions within 2 months after starting to occupy the building	Regs	40 (2)	3	300	15	1500
4356	Occupier fails to ensure the Fire Safety Advisor is familiar with the evacuation coordination procedures and gives evacuation coordination instructions	Regs	41 (2)	3	300	15	1500
4357	Occupier fails to ensure an evacuation is carried out in accordance with the fire and evacuation plan at intervals of not more than one year	Regs	43 (2)	3	300	15	1500
4358	Occupier fails to keep a record of fire and evacuation instruction record for the building	Regs	45 (1)	2	200	10	1000
4359	Occupier fails to keep a record of fire and evacuation practice record for the building	Regs	46 (1)	2	200	10	1000
4360	Owner of an accommodation unit in a building fails to display signs stating	Regs	48 (1)	3	300	15	1500

	evacuation route from the building, fire fighting equipment, and manually operated fire alarms and safety procedures in the event of a fire or hazardous materials emergency						
4361	Owner fails to attach sign to a wall or internal side of a door in the unit	Regs	48 (2)	3	300	15	1500
4362	The person failed to carry out the maintenance of the prescribed Fire Safety Installation in compliance with QDC MP6.1.	Regs	50 (2)	3	300	15	1500
4365	A person fails to give the occupier of a building a notice about the defect in the approved form within 24 hours of carrying out the maintenance.	Regs	53 (2)	3	300	15	1500
4366	Occupier fails to ensure maintenance is carried out by an appropriately qualified person	Regs	54 (1)	3	300	15	1500
4367	Occupier failed to ensure a prescribed Fire Safety Installation for the building was inspected and tested in accordance with QDC MP6.1.	Regs	54 (2)	3	300	15	1500
4368	Occupier fails to ensure repairs are carried out or corrective action taken within 1 month after the maintenance of the installation was carried out	Regs	54 (4)	3	300	15	1500
4385	The occupier of a building failed to prepare an occupier statement for maintenance of each prescribed fire safety installation.	Regs	55A (1)	2	200	10	1000
4386	The occupier failed to keep an occupier statement with the record of maintenance for 2 years after being prepared.	Regs	55A (2)	2	200	10	1000
4387	The occupier failed to give the Commissioner a copy of the occupier statement within 10 days of preparation	Regs	55A (3)	2	200	10	1000
4388	The occupier failed to keep with the FSMP for the building the record of maintenance and the occupier statement.	Regs	55B (2)	2	200	10	1000
4369	Occupier fails to keep records of maintenance for each prescribed fire safety installation	Regs	55 (1)	2	200	10	1000
4372	Owner or occupier fails to keep a copy of the plan or document in a way that is reasonably likely not to be damaged in the event of fire or hazardous materials emergency	Regs	71 (2)	2	200	10	1000
4373	Occupier fails to keep prescribed document for 2 years	Regs	72 (2)	2	200	10	1000
4374	Former occupier fails to give prescribed documents to current occupier within 1 month of stopping being the occupier	Regs	72 (5)	2	200	10	1000
4384	Occupier of a budget accommodation building failed to ensure evacuation practice of the buildings fire and evacuation plan	Regs	84 (2)	3	300		

<p style="text-align: center;"><b>OFFENCES FOR INFRINGEMENT NOTICES</b>  <i>Building Act 1975</i></p>
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Code	Offence	Legislation	Section	Penalty Units Individual	Fine Individual	Penalty Units Company	Fine Company
3100	Failure to produce certificate for inspection at building	Act	108A (4)	8	800	8	800
3101	Failure to comply with certificate of classification	Act	114A (2)	8	800	8	800
3102	Failure to display certificate conspicuously as near as practicable to the buildings main entrance.	Act	108A (2)	8	800	8	800

**OFFENCES FOR INFRINGEMENT NOTICES**  
*Ambulance Service Act 1991*

***NOT TO BE USED BY FIRE SERVICE AUTHORISED OFFICERS***

Code	Offence	Legislation	Section	Penalty Units Individual	Fine Individual
2100	Failure to return Identity Card	Act	41G	1	100
2101	Failure to help investigation officer	Act	44 (1)	1	100
2102	Failure to give name or address	Act	45A (1)	1	100
2103	Requests the service of or give false call to the Ambulance Service	Act	47 (1)	10	1000