

Update: Smoke Alarm Notice for Land Contracts



Fleming Muntz
Solicitors



Mandatory smoke alarm warning notice - What's changed?

As from today, 1 December 2006, every contract for sale of land in New South Wales must include a warning notice about smoke alarms.

The full text of the notice is:

WARNING

SMOKE ALARMS

The owners of certain types of buildings and strata lots must have smoke alarms (or in certain cases heat alarms) installed in the building or lot in accordance with regulations under the *Environmental Planning and Assessment Act 1979*. It is an offence not to comply. It is also an offence to remove or interfere with a smoke alarm or heat alarm. Penalties apply.

What are the benefits?

The warning notice simplifies the new smoke alarm regulations and removes the requirement for vendors to sign a declaration regarding smoke alarms.

Key features of this change:

- today's requirement will alert property purchasers to the importance of smoke alarms; and
- vendors must have smoke alarms installed in their properties.

What are the problems?

All contracts exchanged from 1 December 2006 must contain the warning notice.

If a contract is exchanged on or after this date and it does not contain the warning notice, a purchaser may rescind the contract.

We suggest that agents review all contracts and, if they do not contain the warning notice, refer them back to the issuing solicitor or conveyancer for correction.

Important fine print

This update is for general information only. It is not a complete guide to the area of law. Competent advice should be obtained before taking any action.

We resent unwanted mail as much as anyone – if you would prefer not to receive any further updates, please telephone us on (02) 6021 2222.

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