



Tuesday 31 March 2020

Rob Whelan  
Executive Director and Chief Executive Officer  
Insurance Council of Australia  
[rwhelan@insurancecouncil.com.au](mailto:rwhelan@insurancecouncil.com.au)

Dear Rob,

### **MAINTAINING FIRE PROTECTION SYSTEMS DURING COVID-19 RESTRICTIONS**

I am contacting you from the National Fire Industry Association (NFIA) which is peak national industry association delivering systemic advocacy for fire protection practitioners at both a National and State level.

As you know, building owners are required to perform ongoing monitoring, upkeep and maintenance of the building's Essential Safety Measures, which include the fire protection system; in some jurisdictions, it is a prescribed legal requirement covered by Legislation.

During this time of COVID-19, the Federal and most State Governments – including Queensland, New South Wales and Victoria - have emphasized the requirement for essential fire protection inspect, test and maintenance work to continue. As well, all of the State and Territory jurisdictions and the Federal Government have encouraged the continuation of construction site work.

However, our members across the country are reporting to us that they are increasingly being turned away from performing their routine service and maintenance work.

We suspect that there are a few reasons for this:

- A lack of understanding amongst building owners about the potential fire risk to life and property arising from not completing the required periodic inspect, test and maintenance work
- In some States, a lack of knowledge by building owners of the prescribed legal requirement to undertake inspect, test and maintenance;
- Work, health and safety concerns when it could involve a contractor entering an occupied apartment or a health facility where social distancing would become potentially more difficult and
- Building owner and tenants concerns about building maintenance costs generally in this economically uncertain time – particularly if the business has temporarily closed.

As an industry, we are extremely concerned that growing numbers of essential fire safety systems across the country are not being inspected, tested and maintained. Contractors have been turned away from servicing systems in nursing homes, high rise office blocks pubs and clubs and we predict the longer this continues, then the potential is for the problem to flow on to hospitals and high-rise residential apartment buildings.



All the measures to protect Australians from COVID-19 can only be fully effective if buildings remain safe from fire. Whether occupied or not, failure to service and maintain the building's fire protection systems creates a higher risk of a fire event occurring in that building.

Where fire protection system inspection, testing and maintenance work is not performed in accordance with the applicable law, then legislated penalties may be enforced. There are also potential insurance implications where a building is damaged or destroyed by fire because the required servicing and maintenance was not being performed.

I respectfully ask that ICA address this issue of potential insurance coverage risk for building owners and other stakeholders insured against injury, death and property damage by fire which has occurred after the building was closed out to service providers.

I have also emailed the contents of this letter to Karl Sullivan and Sam Moreton of your organisation.

Given the gravity of this situation, I would appreciate your early response.

If you require any further information or would like to discuss the matter further please don't hesitate to call me on 0418 736 371.

Kind Regards

A handwritten signature in blue ink, appearing to read "Wayne Smith".

**Wayne Smith**

Chief Executive Officer

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