

ACT Fire & Rescue Policy
Request for non payment of false alarm fee
Policy number
AP - 07



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1. AIM

This Policy is intended to provide a process for network providers applying for a determination by the Chief Officer in relation to non payment of a false alarm fee.

2. LEGISLATION

This Policy is pursuant to the *Emergencies Act 2004*, s 201 (Determination of Fees)

3. APPLICATION

This Policy applies to automatic fire alarm network providers.

4. POLICY

The Emergencies (Fees) Determination which is released on a yearly basis (the Instrument) authorises the Chief Officer ACT Fire & Rescue to determine a fee is not payable in the following circumstances:

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

- (i) could not have been prevented by reasonable maintenance of the alarm system: or*
- (ii) was activated by a circumstance beyond the reasonable control of the "owner", as defined in the Emergencies Act 2004.*

A provider may lodge an application with ACT Fire & Rescue seeking the Chief Officer's consideration and decision under the above provisions of the Instrument. Such applications:

- (i) Must be in writing
- (ii) Be signed and dated by a person employed by the provider with appropriate authority to lodge the application
- (iii) State the signatory's name, position title and contact details
- (iv) Clearly state the details of the false alarm including the date of the alarm, the location of the alarm, the invoice number for the fee(s) applied by ACT Fire & Rescue, and the amount of the fee(s) applied by ACT Fire & Rescue (GST inclusive)
- (v) Clearly state the provisions of the Instrument under which the Chief Officer's consideration and decision is sought
- (vi) Provide details of the circumstances of the alarm being triggered, and set out a statement of reasons why the provider believes the circumstances warrant the Chief Officer's consideration for the fee not to be applied
- (vii) Must be lodged within 180 days from the invoice date.

The Chief Officer will consider applications on their merits on a case by case basis. The Chief Officer will advise the provider of their decision in writing within 30 days of the receipt of the application from the provider. The Chief Officer may request additional information to assist in reaching a decision, however it is incumbent on the provider to include all relevant details in their application.

Applications and requests for further information may be emailed to ACTFBAFAManager@act.gov.au or posted to

**ACT Fire & Rescue Att: AFA Manager, GPO Box 158, Canberra
ACT 2601**

Policy Data

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