

2024 No. 0000

LANDLORD AND TENANT

**The Smoke, Heat and Carbon Monoxide Alarms for Private
Tenancies Regulations (Northern Ireland) 2024**

Made - - - - *00th January 2024*

Coming into operation *00th January 2024*

The Department for Communities in exercise of the powers conferred by Article 11B(2) of the Private Tenancies (Northern Ireland) Order 2006(a) makes the following Regulations.

Citation, commencement

1.—(1) These Regulations may be cited as the Smoke, Heat and Carbon Monoxide Alarms for Private Tenancies Regulations (Northern Ireland) 2024 and shall come into operation on 00th January 2024.

Interpretation

2. In these Regulations—

“British Standard BS 5839” is the standard for commissioning and maintenance of fire detection and fire systems for buildings (domestic/non-domestic) compiled by the British Standards Institution;

“British Standard BS 50292” is the standard to the selection, installation use and maintenance of electrical apparatus for the detection of carbon monoxide in domestic premises compiled by the British Standards Institution;

“carbon monoxide alarm” means a device that detects the presence of carbon monoxide and gives warning to prevent carbon monoxide poisoning;

“circulation space” means a hall, stairs, landing or corridor;

“fixed combustion appliance” means a fixed apparatus where fuel of any type is burned to generate heat and includes boilers, fires (including open fires), heaters and stoves fuelled by solid fuel, oil or gas, it does not include a gas cooker;

“heat alarm” means a device designed to detect heat instead of smoke, the alarm contains a thermistor which is set to respond to temperatures above 58°C and sound an alarm;

“integral garage” means an attached garage that is built within the walls of the main dwelling-house and is structurally connected to the house, it can be accessed either via an internal door or from outside the dwelling-house;

“kitchen” includes an open plan kitchen, living, dining area where one alarm can be located where it is no more than 7.5 metres from any point in the room;

“room” includes an integral garage and an open plan living area with circulation space;

(a) 2006 No. 1459 (N.I. 10) as amended by the Private Tenancies Act (Northern Ireland) 2022 c. 20 (N.I.).

“the 2006 Order” means the Private Tenancies (Northern Ireland) Order 2006.

3. The prescribed date, in respect of a private tenancy of a dwelling-house granted before xxxxx which was the date on which Section 8 of the Private Tenancies Act (Northern Ireland) 2022(a) was commenced, is two months after the commencement.

Minimum number of smoke, heat and carbon monoxide alarms

4.—(1) Subject to (2) and (3), a landlord in respect of a private tenancy must ensure that each dwelling-house has—

- (a) a smoke alarm installed in—
 - (i) the room which is most frequently used by the occupants for general daytime living purposes (normally the living room/lounge, except where the room includes an open kitchen); and
 - (ii) every circulation space on each storey;
- (b) a heat alarm installed in every kitchen; and
- (c) a carbon monoxide alarm installed in any room or circulation space of the dwelling-house which contains a fixed combustion appliance.

(2) where the proximity of an open fireplace would make a smoke alarm impracticable, a heat alarm may be fitted.

(3) Landlords must install sufficient alarms as specified in accordance with regulation (1) and (2).

(4) The landlord must ensure that each smoke, heat or carbon monoxide alarm is—

- (a) in proper working order at the beginning of every new tenancy;
- (b) replaced when notified the alarm is faulty;
- (c) replaced before the manufacturer’s specified date of expiry.

Requirements for alarms

5.—(1) Alarms specified at regulation 4(1) to (2) must be—

- (a) smoke and heat alarms interlinked, excluding carbon monoxide alarms;
- (b) installed alarms which may either be hard wired or battery sealed or a combination of both;
- (c) smoke and heat alarms must be installed and maintained in accordance with British Standards BS 5839-6(b);
- (d) carbon monoxide alarms which must be installed and maintained in accordance with British Standards BS 50292(c).

(2) In relation to regulation 5(1)(c) battery sealed alarms should be tamper-proof units with long life batteries.

Sealed with the Official Seal of the Department for Communities on 00th December 2023



David Polley
A senior officer of the

(a) 2022 c.20 (N.I.)
(b) BS 5839-6:2019+A1:2020 - Fire detection and fire alarm systems for buildings - Code of practice for the design, installation, commissioning and maintenance of fire detection and fire alarm systems in domestic premises
(c) BS EN 50292:2013 - Electrical apparatus for the detection of carbon monoxide in domestic premises, caravans and boats. Guide on the selection, installation, use and maintenance.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set minimum standards for the purpose of determining whether a landlord of a private tenancy has complied with the duty contained in Article 11B of the Private Tenancies (Northern Ireland) Order 2006 to keep in repair and working order sufficient appliances for detecting fire, smoke or carbon monoxide.

Guidance on the implementation of the Smoke, Heat and Carbon Monoxide Alarms for Private Tenancies Regulations (Northern Ireland) 2023 has been published and is available on the Department for Communities website at XXXXXXXXXXXXXXXX.