



Law In Force

3. Application in and outside Great Britain

These Regulations apply—

- (a) in Great Britain; and
- (b) to premises and activities outside Great Britain to which sections 1 to 59 and 80 to 82 of the 1974 Act apply by virtue of articles 9 and 11(1)(a) of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2013.

Commencement

Pt 1 reg. 3(a)-(b): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Pt 1 reg. 3(a)-(b): Great Britain

PART 2

Client duties



Law In Force

4.— Client duties in relation to managing projects

- (1) A client must make suitable arrangements for managing a project, including the allocation of sufficient time and other resources.
- (2) Arrangements are suitable if they ensure that—
 - (a) the construction work can be carried out, so far as is reasonably practicable, without risks to the health or safety of any person affected by the project; and
 - (b) the facilities required by Schedule 2 are provided in respect of any person carrying out construction work.
- (3) A client must ensure that these arrangements are maintained and reviewed throughout the project.
- (4) A client must provide pre-construction information as soon as is practicable to every designer and contractor appointed, or being considered for appointment, to the project.
- (5) A client must ensure that—
 - (a) before the construction phase begins, a construction phase plan is drawn up by the contractor if there is only one contractor, or by the principal contractor; and
 - (b) the principal designer prepares a health and safety file for the project, which—
 - (i) complies with the requirements of regulation 12(5);

- (ii) is revised from time to time as appropriate to incorporate any relevant new information; and
 - (iii) is kept available for inspection by any person who may need it to comply with any relevant legal requirements.
- (6) A client must take reasonable steps to ensure that—
 - (a) the principal designer complies with any other principal designer duties in regulations 11 and 12; and
 - (b) the principal contractor complies with any other principal contractor duties in regulations 12 to 14.
- (7) If a client disposes of the client's interest in the structure, the client complies with the duty in paragraph (5)(b)(iii) by providing the health and safety file to the person who acquires the client's interest in the structure and ensuring that that person is aware of the nature and purpose of the file.
- (8) Where there is more than one client in relation to a project—
 - (a) one or more of the clients may agree in writing to be treated for the purposes of these Regulations as the only client or clients; and
 - (b) except for the duties specified in sub-paragraph (c) only the client or clients agreed in paragraph (a) are subject to the duties owed by a client under these Regulations;
 - (c) the duties in the following provisions are owed by all clients—
 - (i) regulation 8(4); and
 - (ii) paragraph (4) and regulation 8(6) to the extent that those duties relate to information in the possession of the client.

Commencement

Pt 2 reg. 4(1)-(8)(c)(ii): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Pt 2 reg. 4(1)-(8)(c)(ii): Great Britain



Law In Force

5.— Appointment of the principal designer and the principal contractor

- (1) Where there is more than one contractor, or if it is reasonably foreseeable that more than one contractor will be working on a project at any time, the client must appoint in writing—
 - (a) a designer with control over the pre-construction phase as principal designer; and
 - (b) a contractor as principal contractor.
- (2) The appointments must be made as soon as is practicable, and, in any event, before the construction phase begins.
- (3) If the client fails to appoint a principal designer, the client must fulfil the duties of the principal designer in regulation 11 and 12.
- (4) If the client fails to appoint a principal contractor, the client must fulfil the duties of the principal contractor in regulations 12 to 14.

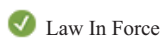
- (5) During the pre-construction phase, the principal designer must prepare a health and safety file appropriate to the characteristics of the project which must contain information relating to the project which is likely to be needed during any subsequent project to ensure the health and safety of any person.
- (6) The principal designer must ensure that the health and safety file is appropriately reviewed, updated and revised from time to time to take account of the work and any changes that have occurred.
- (7) During the project, the principal contractor must provide the principal designer with any information in the principal contractor's possession relevant to the health and safety file, for inclusion in the health and safety file.
- (8) If the principal designer's appointment concludes before the end of the project, the principal designer must pass the health and safety file to the principal contractor.
- (9) Where the health and safety file is passed to the principal contractor under paragraph (8), the principal contractor must ensure that the health and safety file is appropriately reviewed, updated and revised from time to time to take account of the work and any changes that have occurred.
- (10) At the end of the project, the principal designer, or where there is no principal designer the principal contractor, must pass the health and safety file to the client.

Commencement

Pt 3 reg. 12(1)-(10): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Pt 3 reg. 12(1)-(10): Great Britain



Law In Force

13.— Duties of a principal contractor in relation to health and safety at the construction phase

- (1) The principal contractor must plan, manage and monitor the construction phase and coordinate matters relating to health and safety during the construction phase to ensure that, so far as is reasonably practicable, construction work is carried out without risks to health or safety.
- (2) In fulfilling the duties in paragraph (1), and in particular when—
- (a) design, technical and organisational aspects are being decided in order to plan the various items or stages of work which are to take place simultaneously or in succession; and
 - (b) estimating the period of time required to complete the work or work stages,
- the principal contractor must take into account the general principles of prevention.
- (3) The principal contractor must—
- (a) organise cooperation between contractors (including successive contractors on the same construction site);
 - (b) coordinate implementation by the contractors of applicable legal requirements for health and safety; and

- (c) ensure that employers and, if necessary for the protection of workers, self-employed persons—
 - (i) apply the general principles of prevention in a consistent manner, and in particular when complying with the provisions of Part 4; and
 - (ii) where required, follow the construction phase plan.
- (4) The principal contractor must ensure that—
 - (a) a suitable site induction is provided;
 - (b) the necessary steps are taken to prevent access by unauthorised persons to the construction site; and
 - (c) facilities that comply with the requirements of Schedule 2 are provided throughout the construction phase.
- (5) The principal contractor must liaise with the principal designer for the duration of the principal designer's appointment and share with the principal designer information relevant to the planning, management and monitoring of the pre-construction phase and the coordination of health and safety matters during the pre-construction phase.

Commencement

Pt 3 reg. 13(1)-(5): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Pt 3 reg. 13(1)-(5): Great Britain



Law In Force

14. Principal contractor's duties to consult and engage with workers

The principal contractor must—

- (a) make and maintain arrangements which will enable the principal contractor and workers engaged in construction work to cooperate effectively in developing, promoting and checking the effectiveness of measures to ensure the health, safety and welfare of the workers;
- (b) consult those workers or their representatives in good time on matters connected with the project which may affect their health, safety or welfare, in so far as they or their representatives have not been similarly consulted by their employer;
- (c) ensure that those workers or their representatives can inspect and take copies of any information which the principal contractor has, or which these Regulations require to be provided to the principal contractor, which relate to the health, safety or welfare of workers at the site, except any information—
 - (i) the disclosure of which would be against the interests of national security;
 - (ii) which the principal contractor could not disclose without contravening a prohibition imposed by or under an enactment;
 - (iii) relating specifically to an individual, unless that individual has consented to its being disclosed;
 - (iv) the disclosure of which would, for reasons other than its effect on health, safety or welfare at work, cause substantial injury to the principal contractor's undertaking or, where the information was supplied to the principal contractor by another person, to the undertaking of that other person;

✓ Law In Force

14.

The name and address of any designer already appointed.

Commencement

Sch. 1 para. 14: April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 1 para. 14: Great Britain

✓ Law In Force

15.

A declaration signed by or on behalf of the client that the client is aware of the client duties under these Regulations.

Commencement

Sch. 1 para. 15: April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 1 para. 15: Great Britain

SCHEDULE 2

Minimum welfare facilities required for construction sites

Regulation 4(2)(b), 13(4)(c) and 15(11)

✓ Law In Force

1.— Sanitary conveniences

- (1) Suitable and sufficient sanitary conveniences must be provided or made available at readily accessible places.
- (2) So far as is reasonably practicable, rooms containing sanitary conveniences must be adequately ventilated and lit.
- (3) So far as is reasonably practicable, sanitary conveniences and the rooms containing them must be kept in a clean and orderly condition.
- (4) Separate rooms containing sanitary conveniences must be provided for men and women, except where and so far as each convenience is in a separate room, the door of which is capable of being secured from the inside.

Commencement

Sch. 2 para. 1(1)-(4): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 2 para. 1(1)-(4): Great Britain



Law In Force

2.— Washing facilities

(1) Suitable and sufficient washing facilities, including showers if required by the nature of the work or for health reasons, must, so far as is reasonably practicable, be provided or made available at readily accessible places.

(2) Washing facilities must be provided—

- (a) in the immediate vicinity of every sanitary convenience, whether or not also provided elsewhere; and
- (b) in the vicinity of any changing rooms required by paragraph 4, whether or not provided elsewhere.

(3) Washing facilities must include—

- (a) a supply of clean hot and cold, or warm, water (which must be running water so far as is reasonably practicable);
- (b) soap or other suitable means of cleaning; and
- (c) towels or other suitable means of drying.

(4) Rooms containing washing facilities must be sufficiently ventilated and lit.

(5) Washing facilities and the rooms containing them must be kept in a clean and orderly condition.

(6) Subject to sub-paragraph (7), separate washing facilities must be provided for men and women, except where they are provided in a room the door of which is capable of being secured from inside and the facilities in each room are intended to be used by only one person at a time.

(7) Sub-paragraph (6) does not apply to facilities which are provided for washing hands, forearms and the face only.

Commencement

Sch. 2 para. 2(1)-(7): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 2 para. 2(1)-(7): Great Britain



Law In Force

3.— Drinking water

- (1) An adequate supply of wholesome drinking water must be provided or made available at readily accessible and suitable places.
- (2) Where necessary for reasons of health or safety, every supply of drinking water must be conspicuously marked by an appropriate sign.
- (3) Where a supply of drinking water is provided, a sufficient number of suitable cups or other drinking vessels must also be provided, unless the supply of drinking water is in a jet from which persons can drink easily.

Commencement

Sch. 2 para. 3(1)-(3): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 2 para. 3(1)-(3): Great Britain



Law In Force

4.— Changing rooms and lockers

- (1) Suitable and sufficient changing rooms must be provided or made available at readily accessible places if a worker—
 - (a) has to wear special clothing for the purposes of construction work; and
 - (b) cannot, for reasons of health or propriety, be expected to change elsewhere.
- (2) Where necessary for reasons of propriety, there must be separate changing rooms for, or separate use of rooms by, men and women.
- (3) Changing rooms must—
 - (a) be provided with seating; and
 - (b) include, where necessary, facilities to enable a person to dry any special clothing and any personal clothing or effects.
- (4) Suitable and sufficient facilities must, where necessary, be provided or made available at readily accessible places to enable persons to lock away—
 - (a) any special clothing which is not taken home;
 - (b) their own clothing which is not worn during working hours; and
 - (c) their personal effects.

Commencement

Sch. 2 para. 4(1)-(4)(c): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 2 para. 4(1)-(4)(c): Great Britain

 Law In Force

5.— Facilities for rest

(1) Suitable and sufficient rest rooms or rest areas must be provided or made available at readily accessible places.

(2) Rest rooms and rest areas must—

- (a) be equipped with an adequate number of tables and adequate seating with backs for the number of persons at work likely to use them at any one time;
- (b) where necessary, include suitable facilities for any woman at work who is pregnant or who is a nursing mother to rest lying down;
- (c) include suitable arrangements to ensure that meals can be prepared and eaten;
- (d) include the means for boiling water; and
- (e) be maintained at an appropriate temperature.

Commencement

Sch. 2 para. 5(1)-(2)(e): April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 2 para. 5(1)-(2)(e): Great Britain

SCHEDULE 3

Work involving particular risks

Regulation 12(2)

 Law In Force

1.

Work which puts workers at risk of burial under earthfalls, engulfment in swampland or falling from a height, where the risk is particularly aggravated by the nature of the work or processes used or by the environment at the place of work or site.

Commencement

Sch. 3 para. 1: April 6, 2015 immediately after SI 2014/3248 (SI 2015/51 Pt 1 reg. 1)

Extent

Sch. 3 para. 1: Great Britain
