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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 146**

**The Construction (Design and Management)  
Regulations (Northern Ireland) 2016**

**PART 2**

**CLIENT DUTIES**

**Client duties in relation to managing projects**

4.—(1) A client shall 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 3 are provided in respect of any person carrying out construction work.

(3) A client shall ensure that these arrangements are maintained and reviewed throughout the project.

(4) A client shall provide pre-construction information as soon as practicable to every designer and contractor appointed, or being considered for appointment, to the project.

(5) A client shall 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 shall 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.