
STATUTORY INSTRUMENTS

2015 No. 51

The Construction (Design and Management) Regulations 2015

PART 5

General

Enforcement in respect of fire

36. The enforcing authority for regulations 30 and 31 (so far as those regulations relate to fire) and regulation 32, in respect of a construction site which is contained within or forms part of premises occupied by persons other than those carrying out construction work, or any activity related to this work, is—

- (a) in England and Wales, the enforcing authority within the meaning of article 25 of the Regulatory Reform (Fire Safety) Order 2005(1) in respect of premises to which that Order applies; or
- (b) in Scotland, the enforcing authority within the meaning of section 61 of the Fire (Scotland) Act 2005(2) in respect of premises to which Part 3 of that Act applies.

Transitional and saving provisions

37. Schedule 4, which makes transitional and saving provisions, has effect.

Revocation and consequential amendments

- 38.**—(1) The 2007 Regulations are revoked.
- (2) The amendments in Schedule 5 have effect.

Review

- 39.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of regulations 1 to 36;
 - (b) set out the conclusions of the review in a report; and
 - (c) publish the report.
- (2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how Council [Directive 92/57/EEC](#)(3) on the implementation of minimum safety and

(1) [S.I. 2005/1541](#). Article 25 was amended by paragraphs 87 and 88 of Part 5 of Schedule 12 to the Energy Act 2013 (c.32).

(2) [2005 asp 5](#). Section 61 was amended by section 103(1)(a)(i) and (ii) and (b) and Part 2 of Schedule 8 to the [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#); paragraph 86 of Part 5 of Schedule 12 to the Energy Act 2013; [S.I. 2005/2060](#) and [S.I. 2008/960](#). Section 78 which sets out the meaning of “relevant premises” to which Part 3 of the legislation applies was amended by paragraph 23 of Part 1 of Schedule 6 and Schedule 7 to the Housing (Scotland) Act 2006 (asp 1); [S.I. 2005/2060](#) and [S.S.I. 2005/352](#), [2011/211](#), [2011/369](#) and [2012/332](#).

(3) OJ No L 245, 26.8.1992, p6–22.

health requirements at temporary or mobile construction sites (which is implemented by means of regulations 1 to 36), is implemented in other Member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by those regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with the day on which these Regulations come into force.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.