
STATUTORY INSTRUMENTS

1994 No. 3140

The Construction (Design and Management) Regulations 1994

Requirements and prohibitions on contractors

19.—(1) Every contractor shall, in relation to the project—

- (a) co-operate with the principal contractor so far as is necessary to enable each of them to comply with his duties under the relevant statutory provisions;
- (b) so far as is reasonably practicable, promptly provide the principal contractor with any information (including any relevant part of any risk assessment in his possession or control made by virtue of the Management of Health and Safety at Work Regulations 1992) which might affect the health or safety of any person at work carrying out the construction work or of any person who may be affected by the work of such a person at work or which might justify a review of the health and safety plan;
- (c) comply with any directions of the principal contractor given to him under regulation 16(2)(a);
- (d) comply with any rules applicable to him in the health and safety plan;
- (e) promptly provide the principal contractor with the information in relation to any death, injury, condition or dangerous occurrence which the contractor is required to notify or report by virtue of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985(1); and
- (f) promptly provide the principal contractor with any information which—
 - (i) is in the possession of the contractor or which he could ascertain by making reasonable enquiries of persons under his control, and
 - (ii) it is reasonable to believe the principal contractor would provide to the planning supervisor in order to comply with the requirements imposed on the principal contractor in respect thereof by regulation 16(1)(e), and
 - (iii) which is not in the possession of the principal contractor.

(2) No employer shall cause or permit any employee of his to work on construction work unless the employer has been provided with the information mentioned in paragraph (4).

(3) No self-employed person shall work on construction work unless he has been provided with the information mentioned in paragraph (4).

(4) The information referred to in paragraphs (2) and (3) is—

- (a) the name of the planning supervisor for the project;
- (b) the name of the principal contractor for the project; and
- (c) the contents of the health and safety plan or such part of it as is relevant to the construction work which any such employee or, as the case may be, which the self-employed person, is to carry out.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) It shall be a defence in any proceedings for contravention of paragraph (2) or (3) for the employer or self-employed person to show that he made all reasonable enquiries and reasonably believed—

- (a) that he had been provided with the information mentioned in paragraph (4); or
- (b) that, by virtue of any provision in regulation 3, this regulation did not apply to the construction work.