
STATUTORY INSTRUMENTS

1994 No. 3140

The Construction (Design and Management) Regulations 1994

Application of regulations

3.—(1) Subject to the following paragraphs of this regulation, these Regulations shall apply to and in relation to construction work.

(2) Subject to paragraph (3), regulations 4 to 12 and 14 to 19 shall not apply to or in relation to construction work included in a project where the client has reasonable grounds for believing that—

- (a) the project is not notifiable; and
- (b) the largest number of persons at work at any one time carrying out construction work included in the project will be or, as the case may be, is less than 5.

(3) These Regulations shall apply to and in relation to construction work which is the demolition or dismantling of a structure notwithstanding paragraph (2).

(4) These Regulations shall not apply to or in relation to construction work in respect of which the local authority within the meaning of regulation 2(1) of the Health and Safety (Enforcing Authority) Regulations 1989⁽¹⁾ is the enforcing authority.

(5) Regulation 14(b) shall not apply to projects in which no more than one designer is involved.

(6) Regulation 16(1)(a) shall not apply to projects in which no more than one contractor is involved.

(7) Where construction work is carried out or managed in-house or a design is prepared in-house, then, for the purposes of paragraphs (5) and (6), each part of the undertaking of the employer shall be treated as a person and shall be counted as a designer or, as the case may be, contractor, accordingly.

(8) Except where regulation 5 applies, regulations 4, 6, 8 to 12 and 14 to 19 shall not apply to or in relation to construction work included or intended to be included in a project carried out for a domestic client.