
STATUTORY INSTRUMENTS

2010 No. 2214

The Building Regulations 2010

[^{F1}PART 2A

Dutyholders and competence

[^{F1}CHAPTER 5

General

Textual Amendments

- F1** Pt. 2A inserted (E.) (1.10.2023) by [The Building Regulations etc. \(Amendment\) \(England\) Regulations 2023 \(S.I. 2023/911\)](#), regs. 1(2), **6(1)** (with regs. 22-24)

Minor work

11P. A client is not required to comply with this Part where the building work or design work consists only of work described in Schedule 4.

Interpretation of this Part

11Q.—(1) In this Part—

“the CDM Regulations” means the Construction (Design and Management) Regulations 2015;
“building information” means information in the client’s possession or which is reasonably obtainable by or on behalf of the client, which is relevant to the building work or the design work, including information about—

- (a) the work;
- (b) planning and management of the project;
- (c) issues relating to compliance with any relevant requirement and how they were addressed;

“CDM principal contractor” means a contractor appointed as principal contractor under the CDM Regulations;

“CDM principal designer” means a designer appointed as principal designer under the CDM Regulations;

“design” includes drawings, design details, specifications and bills of quantities (including specification of articles or substances) relating to a building, and calculations prepared for the purpose of a design;

“design phase” means any period during which design work is carried out for a project and may continue during the construction phase;

“relevant requirements” means, to the extent relevant to the building work or design work in question, the requirements of regulations 4, 6, 7, 8, 22, 23, 25B, 26, 26A, 28, 36, 41(2)(a), 42(2)(a), 43(2)(a), 44A, 44ZA, 44ZC and 44D to 44I and Schedule 1.

(2) References in this Part to an appointment under regulation 11D (principal designer and principal contractor) includes an appointment which is certified under regulation 11D(2).

(3) For the purposes of this Part, “organisational capability” means appropriate management policies, procedures, systems and resources to ensure—

(a) individuals under the control of the organisation who are carrying out any building work or any design work comply with—

(i) regulation 11F(1) and (2) (competence: general requirement),

(ii) in case of the principal designer, regulations 11F(1) and (2) and 11G(1);

(iii) in case of the principal contractor, regulations 11F(1) and (2) and 11H(1);

(b) individuals under the control of the organisation who are in training to develop the necessary skills, knowledge, experience and behaviours are appropriately supervised.

(4) For the purposes of this Part the necessary behaviours include—

(a) compliance with relevant requirements, including refusing to carry out—

(i) any building work which is not in compliance with any relevant requirement;

(ii) any design work if the building work to which the design relates cannot be carried out in compliance with all relevant requirements;

(b) cooperation with other persons in relation to the work;

(c) refusing to carry out work which is beyond their skills, knowledge or experience, and asking for the assistance of other persons where necessary.]

Changes to legislation:

There are currently no known outstanding effects for the The Building Regulations 2010,
CHAPTER 5.