
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 ^{M1} 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 ^{M2} in respect of premises to which Part 3 of that Act applies.

Marginal Citations

- M1** [S.I. 2005/1541](#). Article 25 was amended by paragraphs 87 and 88 of Part 5 of Schedule 12 to the [Energy Act 2013 \(c.32\)](#).
- M2** [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.

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^{M3} on the implementation of minimum safety and 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.

Marginal Citations

M3 OJ No L 245, 26.8.1992, p6–22.

Changes to legislation:

There are currently no known outstanding effects for the The Construction (Design and Management) Regulations 2015, PART 5.