

## The Construction (Design and Management) Regulations 2007: Industry Guidance

### Annex J: Main changes – CHSW Regulation 1996 versus CDM 2007 indicated in bold

1996 Regulation No.	Construction (Health Safety and Welfare Regulations) 1996	2007 Regulation No.	Part 4 Construction (Health Safety and Welfare Regulations) 2007
4. Persons upon whom duties are imposed	<p>(1) It shall be the duty of every employer...</p> <p>(2) It shall be the duty of every person who controls the way in which...</p> <p>(3) It shall be the duty of every employee carrying out construction work to comply with the requirements.</p>	25. Application	<p>(1) Every contractor carrying out construction work shall comply...</p> <p>(2) Every person (other than a contractor carrying out construction work) who controls the way in which any construction work is carried out....</p>
5. Safe places of work	<p>(2) Every place of work shall, so far as is reasonably practicable, be made and kept safe for, and <b>without risks to health</b> to, any person at work there.</p> <p>(3) Suitable and sufficient steps shall be taken to ensure, so far as is reasonably practicable, that no person gains access to any place which does not comply with the requirements of paragraphs (1) or (2).</p> <p>(4) Paragraphs (1) to (3) shall not apply in relation to a person engaged in work for the purpose of making any place safe, provided all practicable steps are taken to ensure the safety of that person whilst engaged in that work.</p> <p>(5) Every place of work shall, so far as is reasonably practicable and having regard to the nature of the work being carried out there, have sufficient working space and be so arranged that it is suitable for any person who is working or who is likely to work there.</p>	26. Safe places of work	<p>(2) Every place of work shall, so far as is reasonably practicable, be made and kept safe for any person at work there.</p> <p>(3) Suitable and sufficient steps shall be taken to ensure, so far as is reasonably practicable, that no person <b>uses access or egress</b>, or gains access to any place which does not comply with the requirements of paragraphs (1) or (2).</p> <p>Whole text omitted.</p> <p>(4) Now includes the text: Every place of work shall, so far as is reasonably practicable and having regard to the nature of the work being carried out there, have sufficient working space and be so arranged that it is suitable for any person who is working or who is likely to work there, <b>taking into account any necessary work equipment present.</b></p>

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26 Good order	<p>(2) Where necessary in the interests of health and safety, the perimeter of a construction site shall, so far as is reasonably practicable, be identified by suitable signs: and the site shall be so arranged that its extent is readily identifiable.</p> <p>(3) No timber or other material with projecting nails shall:</p> <p>(a) be used in any work in which the nails may be a source of danger to any person; or</p> <p>(b) be allowed to remain in any place where the nails may be a source of danger to any person.</p>	27. Good order and site security	<p>(2) Where necessary in the interests of health and safety, the perimeter of a construction site shall, so far as is reasonably practicable and <b>in accordance with the level of risk posed either:</b></p> <p>(a) have its perimeter identified by suitable signs and so be arranged that its extent is readily identifiable; or</p> <p><b>(b) be fenced off, or both.</b></p> <p>(3) No timber or other material with projecting nails <b>(or other similar object)</b> shall:</p> <p>(a) be used in any work; or</p> <p>(b) be allowed to remain in any place, if the nails may be a source of danger to any person.</p>
9. Stability of structures	<p>(1) All practicable steps shall be taken, where necessary to prevent danger to any person, to ensure that any new or existing structure, or any part of such structure, which may become unstable or in a temporary state of weakness or instability due to the carrying out of construction work <b>(including any excavation work)</b> does not collapse <b>accidentally</b>.</p> <p>(3) Any buttress, temporary support or temporary structure used to support a permanent structure pursuant to paragraph (1) <b>shall be erected or dismantled only under the supervision of a competent person</b>.</p>	28. Stability of structures	<p>(1) All practicable steps shall be taken, where necessary to prevent danger to any person, to ensure that any new or existing structure, or any part of such structure, which may become unstable or in a temporary state of weakness or instability due to the carrying out of construction work does not collapse.</p> <p>(2) Any buttress, temporary support or temporary structure <b>must be of such design and so installed and maintained as to withstand any foreseeable loads, which may be imposed on it, and must only be used for the purpose for which it is designed, installed and maintained.</b></p>

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10. Demolition or dismantling	<p>(1) Suitable and sufficient steps shall be taken to ensure that the demolition or dismantling of any structure, or any part of any structure, being demolition or dismantling which gives rise to a risk of danger to any person, is planned and carried out in such a manner as to prevent, so far as is practicable, such danger.</p> <p>(2) Demolition or dismantling to which paragraph (1) applies shall be planned and carried out only under the supervision of a competent person.</p>	29. Demolition or dismantling	<p><b>The demolition or dismantling, or part of a structure, shall be carried out in such a manner as to prevent, or, where it is not practicable to prevent it, to reduce danger to as low a level as is reasonably practicable.</b></p> <p><b>(1) The arrangements for carrying out such demolition or dismantling shall be recorded in writing before the demolition or dismantling work begins.</b></p>
11. Explosives		30. Explosives	<p><b>(1) So far as is reasonably practicable, explosives shall be stored, transported and used safely and security.</b></p>
12. Excavations	<p>(1) All practicable steps shall be taken, where necessary, to prevent danger to any person, to ensure that any new or existing excavation or any part of such excavation which may be in a temporary state of weakness <b>or instability due to the carrying out of construction work</b> (including other excavation work) does not collapse accidentally.</p> <p>(2) Suitable and sufficient steps shall be taken to prevent, so far as is reasonably practicable, any person from being buried or trapped by a fall or dislodgement of any material.</p>	31. Excavations	<p>(1) All practicable steps shall be taken, where necessary, to prevent danger to any person, including, where necessary, the provision of supports or battering to ensure that:</p> <ul style="list-style-type: none"> <li>(a) any excavation or part of an excavation does not collapse accidentally;</li> <li>(b) no material from a side or roof, or adjacent, to any excavation is dislodged or falls; and</li> <li>(c) no person is buried or trapped in an excavation by material which is dislodged or falls.</li> </ul>
	<p>(4) Suitable and sufficient equipment for supporting an excavation shall be provided to ensure that the requirements of paragraphs (1) to (3) may be complied with.</p>		Whole text omitted.

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	(5) The installation, alteration or dismantling of any support for an excavation pursuant to paragraphs (1), (2) or (3) shall be carried out only under the supervision of a competent person.		Whole text omitted.
	(7) Where a collapse of an excavation would endanger any person, no material, vehicle or plant and equipment shall be placed or moved near any excavation where it is likely to <b>cause such collapse</b> .		(3) Suitable and sufficient steps shall be taken, where necessary, to prevent any part of an excavation, or ground adjacent to it, from being <b>overloaded</b> by work equipment or material.
	Schedule 7 equivalent.		(4) Construction work shall not be carried out in an excavation where any supports or battering have been provided, unless: <ul style="list-style-type: none"> <li>(a) the excavation and any work equipment and materials which affect its safety have been inspected by a competent person: <ul style="list-style-type: none"> <li>(i) at the start of every shift in which the work is to be carried out</li> <li>(ii) after the event likely to have affected the strength or stability of the excavation, and</li> <li>(iii) after the unintentional falls or dislodgement; and</li> </ul> </li> <li>(b) the person who carried out the inspection is satisfied that the work can be carried out there safely.</li> </ul>
	Regulation 29 equivalent.		(5) <b>Where a person who carried out the inspection has under regulation 33(1)(a) informed the person on whose behalf the inspection was carried out of any matter he is not satisfied with, work shall not be carried out in the excavation until the matters have been satisfactorily remedied.</b>

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13. Cofferdams and caissons	(1) Every cofferdam or caisson and <b>every part thereof shall</b> be of suitable design and construction, <b>of suitable and sound material and of sufficient strength and capacity</b> for the purpose for which it is used, and shall be properly maintained.	32. Cofferdams and caissons	(1) Every cofferdam or caisson shall be: (a) of suitable design and construction; <b>(b) appropriately equipped so that workers can gain shelter or escape if water or materials enter it;</b> and (c) properly maintained.
	Schedule 7 equivalent.		(2) A cofferdam or caisson shall be used to carry out construction work only if: (a) the cofferdam or caisson and any work equipment and materials which affect its safety, have been inspected by a competent person: (i) at the start of every shift in which the work is to be carried out; (ii) after the event likely to have affected the strength or stability of the cofferdam or caisson; and (b) the person who carried out the inspection is satisfied that the work can be carried out safely.
	Regulation 29 equivalent.		<b>(3) where a person who carried out the inspection has under Regulation 33 (1) (a) informed the person on whose behalf the inspection was carried out of any matter he is not satisfied, work shall not be carried out in the cofferdam or caisson until the matters have been satisfactorily remedied.</b>
	(2) <b>The construction, installation, alteration or dismantling of a cofferdam or caisson shall take place only under the supervision of a competent person.</b>		Superseded by CDM competence requirements.

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30. Reports		33. Reports	<p>(1) Subject to pa 5, the persons carrying out the inspection under Regulation 31 and 32 shall, before the end of the shift within which the inspection is completed :</p> <p>(b) prepare a report which shall include the particulars set out in schedule 3.</p> <p><b>(3) where the person owing a duty is an employee or works under the control of another, his employer or, as the case may be, the person under whose control he works shall ensure that he performs his duty.</b></p>
12. Excavations	(8) No excavation work shall be carried out unless suitable and sufficient steps have been taken to identify and, so far as is reasonably practicable, prevent any risk of injury arising from any underground cable or other underground service.	34. Energy distribution installations	<b>(5) No construction work which is liable to create a risk to health and safety from an underground service, or from damage to or disturbance of it, shall be carried out unless suitable and sufficient steps (including any steps required by this Regulation) have been taken to prevent such risk, so far as is reasonably practicable.</b>
		34. Energy distribution installations	<p><b>(1) Where necessary to prevent danger, energy distribution installations shall be suitably located, checked and clearly indicated.</b></p> <p><b>(2) Where there is a risk from electric power cables:</b></p> <p><b>(a) they shall be directed away from the area of risk; or</b></p> <p><b>(b) the power shall be cut of, or</b></p> <p><b>(c) if it is not reasonably practicable to comply with (a) or (b), suitable warning notices; and</b></p> <p><b>(i) barriers suitable for excluding work equipment which is not needed;</b></p> <p><b>(ii) or where vehicles need to pass beneath the cables, suspended protections; or</b></p>

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			<b>(iii) in either case, measures providing an equivalent level of safety shall be provided or (in the case of measures) taken.</b>
14. Prevention of drowning	(3) Any vessel used to convey any person by water to or from a place of work: <b>(a) shall be of suitable construction; and</b> <b>(b) shall be properly maintained; and</b> <b>(c) shall be under the control of a competent person; and</b> (d) shall not be overcrowded or overloaded.	35. Prevention of drowning	(3) Any vessel used to convey any person by water to or from a place of work shall not be overcrowded or overloaded. <b>Additional provisions now covered by PUWER.</b>
15. Traffic routes	(1) Every construction site shall be organised in such a way that, so far as is reasonably practicable, pedestrians and vehicles can move safely <b>and without risk to health.</b>  (3) Without prejudice to the generality of paragraph (2), traffic routes shall not satisfy the requirements of that paragraph unless suitable and sufficient steps are taken to ensure that:  (b) any door or gate used, or intended to be used, by pedestrians, which leads onto a traffic route for vehicles is sufficiently separated from that traffic route to enable pedestrians from a place of safety to see any approaching vehicle or plant.	36. Traffic routes	(1) Every construction site shall be organised in such a way that so far as is reasonably practicable, pedestrians and vehicles can move safely.  (3) Traffic routes shall not satisfy sub paragraph 2 unless suitable and sufficient steps are taken to ensure that:  <b>(b) any door or gate for pedestrians which lead onto a traffic route is sufficiently separated from it to enable them to see any approaching vehicle from a place of safety.</b>   (4) every traffic route shall be:  (a) indicated by suitable signs where necessary for the reasons of health and safety;  <b>(b) regularly checked; and</b>  <b>(c) properly maintained.</b>

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	<p>(4) No vehicle shall be driven on a traffic route unless, so far as is reasonably practicable, that traffic route is free from obstruction and permits sufficient clearance.</p> <p><b>(5) Where it is not reasonably practicable to comply with all or any of the requirements of paragraph (4), suitable and sufficient steps shall be taken to warn the driver of the vehicle and any other person riding thereon of any approaching obstruction or lack of clearance.</b></p>		<p>(5) No vehicle shall be driven on a traffic route unless, so far as is reasonably practicable, that traffic route is free from obstruction and permits sufficient clearance.</p> <p>Text omitted.</p>
16 Doors and Gates	<p>(1) Where necessary, to prevent the risk of injury to any person, any door, gate or hatch (including a temporary door, gate or hatch) shall incorporate or be fitted with suitable safety devices.</p> <p>(2) Without prejudice to the generality of paragraph (1), a door, gate or hatch shall not comply with that paragraph unless:</p> <ul style="list-style-type: none"> <li>(a) any sliding door, gate or hatch has a device to prevent it coming off its track during use;</li> <li>(b) any upward opening door, gate or hatch has a device to prevent it falling back;</li> <li>(c) any powered door, gate or hatch has suitable and effective features to prevent it causing injury by trapping any person;</li> <li>(d) where necessary for reasons of health or safety, any powered door, gate or hatch can be operated manually unless it opens automatically if the power fails.</li> </ul> <p>(3) This Regulation shall not apply to any door, gate or hatch forming part of any mobile plant and equipment.</p>		<p>Text omitted.</p> <p>Now covered in Workplace Regulations.</p>



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17. Vehicles	<p>(4) No person shall ride, or be required or permitted to ride on, any vehicle being used for the purposes of construction work other than in a safe place thereon provided for that purpose.</p> <p><b>(6) Where any vehicle is used for excavating or handling (including tipping) materials, suitable and sufficient measures shall be taken so as to prevent such vehicle from falling into any excavation or pit, or into water, or overrunning the edge of any embankment or earthwork.</b></p> <p><b>(7) Suitable plant and equipment shall be provided and used for replacing on its track or otherwise safely moving any rail vehicle which may become derailed.</b></p>	37. Vehicles	<p>(4) No person shall ride, or be required or permitted to ride on, any vehicle being used for the purposes of construction work, other than in a safe place thereon provided for that purpose.</p> <p>(6) Suitable and sufficient measures shall be taken so as to prevent such vehicle from falling into any excavation or pit, or into water, or overrunning the edge of any embankment or earthwork.</p> <p>Text omitted.</p>
19. Emergency routes and exits	<p>(1) Where necessary in the interests of the health and safety of any person on a construction site, a sufficient number of suitable emergency routes and exits shall be provided to enable any person to reach a place of safety quickly in the event of danger.</p> <p>(2) An emergency route or exit provided pursuant to paragraph (1) shall lead as directly as possible to an identified safe area.</p> <p>(3) Any emergency route and exit provided in accordance with paragraph (1), and any traffic route <b>or door</b> giving access thereto, shall be kept clear and free from obstruction, and, where necessary, provided with emergency lighting so that such emergency route or exit may be used at any time.</p>	40. Emergency routes and exits	<p>(1) Where necessary, in the interests of the health and safety of any person on a construction site, a sufficient number of suitable emergency routes and exits shall be provided to enable any person to reach a place of safety quickly in the event of danger.</p> <p>(2) An emergency route or exit provided pursuant to paragraph (1) shall lead as directly as possible to an identified safe area.</p> <p>(3) Any emergency route and exit provided in accordance with paragraph (1), and any traffic route giving access thereto, shall be kept clear and free from obstruction, and, where necessary, provided with emergency lighting so that such emergency route or exit may be used at any time.</p>

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	<p>(4) Any provision for emergency routes and exits made under paragraph (1) shall have regard to :</p> <ul style="list-style-type: none"> <li>(a) the type of work for which the construction site is being used;</li> <li>(b) the characteristics and size of the construction site and the number and location of places of work on that site;</li> <li>(c) the plant and equipment being used;</li> <li>(d) the number of persons likely to be present on the site at any one time; and</li> <li>(e) the physical and chemical properties of any substances or materials on, or likely to be on, the site.</li> </ul>		<p><b>(3) In making arrangements under paragraph (1), account shall be taken of the matters in regulation 39(2).</b></p>
	<p>(5) All emergency routes or exits shall be indicated by suitable signs.</p>		<p>(5) All emergency routes or exits shall be indicated by suitable signs.</p>
<p>20. Emergency procedures</p>	<p>(1) Where necessary in the interests of the health and safety of any person on a construction site, there shall be prepared and, when necessary, implemented suitable and sufficient arrangements for dealing with any foreseeable emergency, which arrangements shall include procedures for any necessary evacuation of the site or any part thereof.</p>	<p>39. Emergency procedures</p>	<p>(1) Where necessary, in the interests of the health and safety of any person on a construction site, there shall be prepared and, when necessary, implemented suitable and sufficient arrangements for dealing with any foreseeable emergency, which arrangements shall include procedures for any necessary evacuation of the site or any part thereof.</p>

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	<p>(2) Without prejudice to the generality of paragraph (1), arrangements prepared pursuant to that paragraph shall:</p> <ul style="list-style-type: none"> <li>(a) have regard to those matters set out in paragraph (4) of regulation 19;</li> <li><b>(b) designate an adequate number of persons who will implement the arrangements; and</b></li> <li><b>(c) include any necessary contacts with the external emergency services, particularly as regards rescue work and fire fighting.</b></li> </ul> <p>(3) Where arrangements are prepared pursuant to paragraph (1), suitable and sufficient steps shall be taken to ensure that:</p> <ul style="list-style-type: none"> <li>(a) every person to whom the arrangements extend is familiar with those arrangements; and</li> <li>(b) the arrangements are tested by being put into effect at suitable intervals.</li> </ul>		<p>(2) In making arrangements under paragraph (1), account shall be taken of:</p> <ul style="list-style-type: none"> <li>(a) the type of work for which the construction site is being used;</li> <li>(b) the characteristics and size of the construction site and the number and location of places of work on that site;</li> <li>(c) the plant and equipment being used;</li> <li>(d) the number of persons likely to be present on the site at any one time; and</li> <li>(e) the physical and chemical properties of any substances or materials on or likely to be on the site.</li> </ul> <p>(3) Where arrangements are prepared pursuant to paragraph (1), suitable and sufficient steps shall be taken to ensure that:</p> <ul style="list-style-type: none"> <li>(a) every person to whom the arrangements extend is familiar with those arrangements; and</li> <li>(b) the arrangements are tested by being put into effect at suitable intervals.</li> </ul>
21. Fire detection and fire-fighting	<p>(1) <b>Without prejudice to the provisions of any other enactment</b>, there shall be provided on a construction site, where necessary, in the interests of the health and safety of any person at work on that site:</p> <ul style="list-style-type: none"> <li>(a) suitable and sufficient fire-fighting equipment; and</li> <li>(b) suitable and sufficient fire detectors and alarm systems which shall be suitably located.</li> </ul>	21. Fire detection and fire-fighting	<p>(1) Where necessary in the interests of health and safety of any person at work on a construction site there shall be provided suitable and sufficient:</p> <ul style="list-style-type: none"> <li>(a) fire-fighting equipment; and</li> <li>(b) suitable and sufficient fire detectors and alarm systems,</li> </ul> <p>which shall be suitably located.</p>

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	(6) Where a work activity may give rise to a particular risk of fire, a person shall not carry out such work unless he is suitably instructed so as to prevent, <b>so far as is reasonably practicable, that risk.</b>		(6) Where a work activity may give rise to a particular risk of fire, a person shall not carry out such work unless he is suitably instructed.
24. Temperature and weather protection	<p>(1) Suitable and sufficient steps shall be taken to ensure, so far as is reasonably practicable, that during working hours the temperature at <b>any indoor place of work to which these Regulations apply</b> is reasonable having regard to the purpose for which that place is used.</p> <p>(2) Every place of work outdoors shall, where necessary to ensure the health and safety of persons at work there, be so arranged that, so far as is reasonably practicable, and having regard to the purpose for which that place is used, and any protective clothing <b>or equipment</b> provided for the use of any person at work there, it provides protection from adverse weather.</p>	43. Temperature and weather protection	<p>(1) Suitable and sufficient steps shall be taken to ensure, so far as is reasonably practicable, that during working hours the temperature at <b>any place of work indoors</b> is reasonable, having regard to the purpose for which that place is used</p> <p>(2) Every place of work outdoors shall, where necessary to ensure the health and safety of persons at work there, be so arranged that, so far as is reasonably practicable and having regard to the purpose for which that place is used and any protective clothing <b>or work equipment</b> provided for the use of any person at work there, it provides protection from adverse weather.</p>
28. Training	Any person who carries out any activity involving construction work where training, technical knowledge or experience is necessary to reduce the risks of injury to any person shall possess such training, knowledge or experience, or be under such degree of supervision by a person having such training, knowledge or experience, as may be appropriate having regard to the nature of the activity.		<p>Text omitted.</p> <p>Replaced by Regulation 13 training requirement in CDM.</p>

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21. Welfare facilities	<p>Facilities for rest Schedule 6.</p> <p>Rest facilities shall:</p> <ul style="list-style-type: none"> <li>(a) include rest facilities provided in one or more rest rooms or rest areas;</li> <li>(b) include rest rooms or rest areas with suitable arrangements to protect non-smokers from discomfort caused by tobacco smoke;</li> <li>(c) where necessary, include suitable facilities for any person at work who is a pregnant woman or nursing mother to rest;</li> <li>(d) include suitable arrangements to ensure that meals can be prepared and eaten; and</li> <li>(e) include the means for boiling water.</li> </ul>	Schedule 2	<p>Facilities for rest</p> <p>14</p> <ul style="list-style-type: none"> <li>(1) Suitable and sufficient rest rooms or rest areas shall be provided or made available at readily accessible places</li> <li>(2) Rest rooms and rest areas shall: <ul style="list-style-type: none"> <li>(a) include suitable arrangements to protect non-smokers from discomfort caused by tobacco smoke;</li> <li><b>(b) be equipped with an adequate number of tables and adequate seating with backs for the number of persons at work likely to use them at any one time;</b></li> <li>(c) where necessary, include suitable facilities for any person at work who is a pregnant woman or nursing mother to rest <b>lying down;</b></li> <li>(d) include suitable arrangements to ensure that meals can be prepared and eaten; and</li> <li>(e) include the means for boiling water;</li> <li><b>(f) be maintained at an appropriate temperature.</b></li> </ul> </li> </ul>