Draft Construction (Design and Management) Regulations 2015 (“CDM Regulations 2015”)

Following the Health and Safety Executive’s (“HSE”) report on its public consultation into the proposed consultative draft CDM Regulations last year, the HSE has now published draft CDM Regulations 2015 and accompanying guidance.

The CDM Regulations 2015 are expected to come into force on 6 April 2015 and entail some significant changes to the CDM Regulations currently in force (CDM Regulations 2007); arguably, most notably, with the introduction of the Principal Designer in place of the CDM Co-ordinator role.

Whilst the draft aims to closely follow the consultative draft regulations published last year (please see our article on the outcome of the public consultation here), there have been some further amendments, including to the transitional provisions. For example on existing projects where a CDM Co-ordinator is already appointed on 6 April 2015, the CDM Co-ordinator may now stay appointed for a maximum of six months (the CDM Co-ordinator role is removed from the draft CDM Regulations 2015 and replaced with that of the Principal Designer on new projects).

The draft Regulations and guidance remain subject to change whilst awaiting Parliamentary approval. However, early publication of the draft Regulations and guidance means that duty-holders have an opportunity to become more familiarised with the changing concepts and obligations prior to the anticipated inception of the CDM Regulations 2015 on 6 April 2015. To aid businesses with this transition, the members of CONIAC (Construction Industry Advisory Committee) have published draft industry specific guides aimed at the various duty holders under the new CDM Regulations 2015 which can be accessed here.

Please click here to view HSE’s draft Regulations and guidance.