

Dear Stakeholder

HSENI PROPOSALS FOR THE REPLACEMENT OF THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS (NORTHERN IRELAND) 2007

Further to the public consultation exercise (15 December 2014 to 23 March 2015) and the stakeholder meeting on 15 June 2015, I am writing to update you on progress with proposals for the replacement of the Construction (Design and Management) Regulations (Northern Ireland) 2007 ("CDMNI2007").

The Minister and ETI Committee have now agreed to HSENI's proposals to proceed with making new Regulations to be known as the Construction (Design and Management) Regulations (Northern Ireland) 2016. The new Regulations will be made as soon as is practicable (there are a few technical issues still to resolve) but will likely not come into operation until Summer / Autumn 2016. As discussed at the meeting on 15 June, HSENI will try to use the time available between now and coming into operation to ensure as much clarity as possible around transition.

The new Regulations are closely aligned to the corresponding Great Britain Regulations which came into force on 6 April 2015. The HSE guidance material, prepared to support the GB Regulations, may be used to support the new NI Regulations – see [Construction - Health and safety for the construction industry](#)

In addition, as discussed at the consultation event, HSENI intends to discuss the currently available information and guidance on the regulations with key representative groups and assess if there are any areas which require additional clarification; for example the change from CDMC to Principal Designer.

I would also confirm that the former GB Approved Code of Practice (ACoP) (2007 Regulations) no longer has "approved" status in Northern Ireland, but the text of that ACoP is the standard to which HSENI will expect industry to perform in the period during which CDMNI 2007 remains in place. HSENI plans to make a public statement to this effect shortly.

As regards an ACoP to accompany the new Regulations, our latest contact with HSE GB (this week) has confirmed that development of a new ACoP remains under consideration. It is hoped there will be a formal decision on this issue by HSE GB early in 2016. Should HSE GB agree to introduce a new ACoP, HSENI will of course give consideration to whether it should be approved for use in Northern Ireland. However, as I explained at the consultation event in June, I'm afraid that HSENI simply does not have the resources available to develop our own ACoP should HSE GB decide not to produce one.

For your information a summary of the outcome of the consultation exercise is available on the HSENI website at:

<http://www.hseni.gov.uk/cdm-2015-consultation-responses.pdf>

Once again, can I thank you for your contribution to the consultation process and discussions.

Yours sincerely

A handwritten signature in black ink that reads "Keith Morrison". The signature is written in a cursive style with a prominent vertical stroke for the letter 'M'.

Keith Morrison
Chief Executive