

## SCHEDULE 6

Regulation 47(2)

### AMENDMENTS

#### **Amendment of the Factories Act (Northern Ireland) 1965**

1. In section 176(1) (General interpretation) of the Factories Act (Northern Ireland) 1965(1), for the definition of “building operation” and “work of engineering construction” there shall be substituted the following definition—

““building operation” and “work of engineering construction” mean “construction work” within the meaning assigned to that phrase by regulation 2(1) of the Construction (Design and Management) Regulations (Northern Ireland) 2007 (S.R. 2007 No. 291);”.

#### **Amendment of the Construction (Head Protection) Regulations (Northern Ireland) 1990**

2. For regulation 3(1) of the Construction (Head Protection) Regulations (Northern Ireland) 1990(2) there shall be substituted the following paragraph—

“3.—(1) Subject to paragraph (2) these Regulations shall apply to construction work within the meaning of regulation 2(1) of the Construction (Design and Management) Regulations (Northern Ireland) 2007.”.

#### **Amendment of the Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993**

3. For regulation 3(1)(b) of the Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993(3) there shall be substituted—

“(b) a workplace which is a construction site within the meaning of the Construction (Design and Management) Regulations Northern Ireland) 2007, and in which the only activity being undertaken is construction work within the meaning of those Regulations, save that—

- (i) regulations 18 and 25A apply to such a workplace,
- (ii) regulations 7(1A), 12, 14, 15, 16, 18, 19 and 26(1) apply to such a workplace which is indoors;”

#### **Amendment of the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999**

4.—(1) The Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999(4) shall be amended in accordance with the following paragraphs.

(2) In regulation 2(1) in the definition of “construction work” and “contractor” for “1995” substitute “2007”.

(3) For paragraph 4(a)(i) of Schedule 2 there shall be substituted—

“(i) the project which includes the work is notifiable within the meaning of regulation 2(3) of the Construction (Design and Management) Regulations (Northern Ireland) 2007; or”

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(1) 1965 c. 20, as amended by S.R. 1996 No. 510

(2) S.R. 1990 No. 424, as amended by S.R. 1993 No. 20, S.R. 1999 No. 150 and S.R. 2005 No. 45

(3) S.R. 1993 No. 37, as amended by S.R. 1995 No. 378, S.R. 1996 No. 510, S.R. 2003 No. 423 and S.R. 2006 No. 205; revoked in part by S.R. 2003 No. 152 and S.R. 2005 No. 279

(4) S.R. 1999 No. 90, as amended by S.R. 2000 No. 375, S.R. 2003 No. 33, S.R. 2006 No. 205, S.R. 2006 No. 425 and S.R. 2007 No. 31

### **Amendment of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999**

5. For regulation 6(5)(e) of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999(5) there shall be substituted—

- “(e) work equipment required to be inspected by regulations 30(4) or 31(2) of the Construction (Design and Management) Regulations (Northern Ireland) 2007.”

### **Amendment of the Fire Precautions (Workplace) Regulations (Northern Ireland) 2001**

6. For regulation 3(5)(a) of the Fire Precautions (Workplace) Regulations (Northern Ireland) 2001(6) there shall be substituted—

- “(a) any workplace which is or is on a construction site within the meaning of regulation 2(1) of the Construction (Design and Management) Regulations (Northern Ireland) 2007 and to which those Regulations apply;”.

### **Amendment of the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004**

7. In regulation 2(4)(d) of the Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004(7) for “1995” substitute “2007”.

### **Amendment of the Work in Compressed Air Regulations (Northern Ireland) 2004**

8.—(1) The Work in Compressed Air Regulations (Northern Ireland) 2004(8) shall be amended in accordance with the following paragraphs.

- (2) In regulation 2(1), for the definition of the “1996 Regulations” there shall be substituted—  
““2007 Regulations” means the Construction (Design and Management) Regulations (Northern Ireland) 2007;”.
- (3) For regulation 3(1) there shall be substituted—

“3.—(1) These Regulations shall apply to and in relation to work in compressed air which is construction work within the meaning of the Construction (Design and Management) Regulations (Northern Ireland) 2007, and is carried out in the course of a project which is notifiable within the meaning of regulation 2(3) of those Regulations.”.

- (4) In regulation 5(3) for “1995” substitute “2007”.
- (5) Regulation 13(2) shall be amended as follows—
- (a) in sub-paragraph (a) for “18, 19 and 24(3) of the 1996 Regulations” substitute “38, 39 and 43(3) of the 2007 Regulations”; and
- (b) in sub-paragraph (d) for “19(1) of the 1996 Regulations” substitute “38(1) of the 2007 Regulations”.
- (6) In regulation 14(1) for “20 of the 1996 Regulations” substitute “40 of the 2007 Regulations”.
- (7) In regulation 18(a) for “regulation 21 of the 1996 Regulations” substitute “Schedule 3 of the 2007 Regulations”.

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(5) S.R. 1999 No. 305, as amended by S.I. 1999/2001, S.R. 2000 No. 87, S.I. 2001/1701, S.R. 2003 No. 423, S.I. 2004/129, S.R. 2005 No. 279, S.R. 2005 No. 397, S.R. 2006 No. 1 and S.R. 2007 No. 31

(6) S.R. 2001 No. 348, as amended by S.R. 2003 No. 152 and S.R. 2003 No. 454

(7) S.R. 2004 No. 63, as amended by S.R. 2006 No. 205

(8) S.R. 2004 No. 241, as amended by S.R. 2005 No. 45

### **Amendment of the Work at Height Regulations (Northern Ireland) 2005**

9. In regulation 2(1) of the Work at Height Regulations (Northern Ireland) 2005<sup>(9)</sup> for the definition of “construction work” there shall be substituted the following definition—

““construction work” has the meaning assigned to it by regulation 2(1) of the Construction (Design and Management) Regulations (Northern Ireland) 2007;”.

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(9) [S.R. 2005 No. 279](#), as amended by [S.R. 2007 No.135](#)