

## SCHEDULES

### SCHEDULE 12

#### MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 3

#### PART 5

#### OTHER ENACTMENTS

#### *Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541)*

- 88 (1) Article 25 (enforcing authorities) is amended as follows.
- (2) That Article becomes paragraph (1) and is amended as follows.
- (3) In paragraph (b)—
- (a) omit sub-paragraphs (i) and (ii);
  - (b) for sub-paragraph (iv) substitute—
    - “(iv) any workplace which is, or is on, a construction site, other than one in relation to which the Office for Nuclear Regulation is responsible for health and safety enforcement;”.
- (4) After that paragraph insert—
- “(bb) the Office for Nuclear Regulation in relation to—
    - (i) any premises for which a licence is required by virtue of section 1 of the Nuclear Installations Act 1965 or for which a permit is required by virtue of section 2 of that Act;
    - (ii) any premises for which such a licence or permit would be required but for the fact that the premises are used by, or on behalf of, the Crown;
    - (iii) any workplace which is, or is on, a construction site in relation to which the Office for Nuclear Regulation is responsible for health and safety enforcement;”.
- (5) In paragraph (e)—
- (a) in sub-paragraph (i), for “(b)(ii)” substitute “(bb)(ii)”;
  - (b) in sub-paragraph (ii), for “(b)(ii)” substitute “(bb)(ii)”.
- (6) After Article 25(1) insert—
- “(2) For the purposes of paragraph (1)—
    - (a) “construction site” means a construction site, as defined in regulation 2(1) of the Construction (Design and Management) Regulations 2007, to which those Regulations apply, other than one to which regulation 46(1) of those Regulations applies;

*Status: This is the original version (as it was originally enacted).*

---

- (b) the Office for Nuclear Regulation is responsible for health and safety enforcement in relation to a construction site if, by virtue of regulations under section 18(2) of the Health and Safety at Work etc. Act 1974 (enforcement), it is responsible for the enforcement of any of the relevant statutory provisions (within the meaning of Part 1 of that Act) in relation to the site.”