

Construction Regulations 2014



WSP Environmental

Risk Management



Presented by

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“A Profession, entrusted with the noble task of safeguarding life and limb, and in general promoting the care and welfare of the work force” (David Duncan)



Is everything an Accident?

Workplace Accidents - Prevent-it



LEGISLATIVE JOURNEY

- Occupational Health and Safety Act 1993
 - *Self regulatory*
 - *Risk Based*
 - *Role of the Employer - Focussed*
 - *Role of the Employee - Focussed*

LEGISLATIVE JOURNEY

- **Construction Regulations 2003**
- Amended Construction Regulations Draft 2010
- “New” Regulations Promulgated **07 FEBRURAY 2014**

Construction Regulations 2014

Intentions of the legislator;

- Share burden of responsibility and **include all stakeholders in construction**
- Defined roles of every role-player
- Work together on behalf of the industry to improve health and safety performance

*** Taken a decade to implement “Old” CR’s

Application for Construction Work Permit – CR3

A client must apply to the provincial director in writing at least 30 days before work is to be commence, if the intended construction work will,

- exceed 180 days; or
- will involve more than 1800 person days of construction work; or
- the works contract is of a value equal to or exceeding R 13 000 000 - maximum CIDB grading level 6.

Application for Construction Work Permit – CR3

A construction work permit may only be granted if—

- all completed documents contemplated in the regulation submitted are compliant:
 - **Baseline** Risk assessment - conducted
 - Coherent **site specific** H&S specifications included
 - proof of registration and good standing of the principal contractor (COIDA / FEM); and
- proof in writing that the designer;
 - **Was issued with the H&S Specs** and considered them during design stage
 - H&S specs are included in tender documents
 - Ensure contractors **included costs** of H&S is in tenders

Duties of Client – CR5

Where Construction Work Permit is required;

- Without relinquishing responsibilities / accountability – **must appoint** a competent person/company as an agent **CR5(7)**
 - **Agent**
 - **Manages** health and safety on the project
 - **Registered** with a statutory body (Exemption to Aug 2015) **SACPCMP**

Duties of Client – CR5

- Provide compliant and suitable **site specific** HSE Specifications to be generated by CHS Agent
- **More than one Principal contractor** - client to take reasonable steps to ensure cooperation
- **Any additional work required** as a result of **design changes** or **an error** due to the actions of the client. The client must ensure that **sufficient safety information** and appropriate **additional resources** are available to execute the required work safely.

Duties of the Designer CR6

- Ensure that the **applicable safety standards, best practises and legislation** are complied with;
- **consider** the health and safety specification submitted by the client;
- **before the contract is put out to tender**, make available all relevant health and safety information about the design of the relevant structure that may affect the pricing of the construction work;
- **inform the client in writing of** any known or anticipated dangers or hazards relating to the construction work, and **make available all relevant information** required for the safe execution of the work upon being designed or when the design is subsequently altered;

Duties of the Designer CR6

When mandated by the client to do so;

- carry out the **necessary inspections at appropriate stages** to verify that construction is carried out in accordance with their design,
- **stop any contractor** from executing any construction work which is not in accordance with the relevant design's health and safety aspects (Inform client CHS Agent),
- during the **final inspection, all health and safety aspects** of the structure must be declared safe for use, and issue a completion certificate to the client and copy to the contractor

Duties of Principal Contractor and Contractor – CR7

- provide the client with a **suitable, sufficiently documented and coherent site specific** health and safety plan.
- **the plan must be applied from the start of the project** and for the duration of the construction work and must be **reviewed and updated by the principal contractor** as work progresses (*PC Safety Officer*);
- **keep an on-site a health and safety file**, which must include all relevant documentation and be available on request to an inspector, the client, the client's agent or a contractor; and provide the file to the client after the project ends.

Duties of Principal Contractor and Contractor CR7

Before appointing any other contractor;

- **provide contractors tendering for work with the relevant sections** of the health and safety specifications;
- ensure that potential contractors;
 - **made sufficient provision for health and safety measures**
 - **the appointed contractors have the necessary competencies** and resources to perform the construction work safely;
- that every appointed contractor is registered and in good standing with COIDA (LOGS)

Duties of Principal Contractor and Contractor CR7

- Discuss, negotiate and approve the health and safety plan of sub-contractors;
- stop any contractor from executing work which is not in accordance with the CHS specifications and the CHS plans or **which poses a threat to the health and safety of persons**;
- Medical certificate of Fitness – ALL employees
– Risk based medicals specific to work

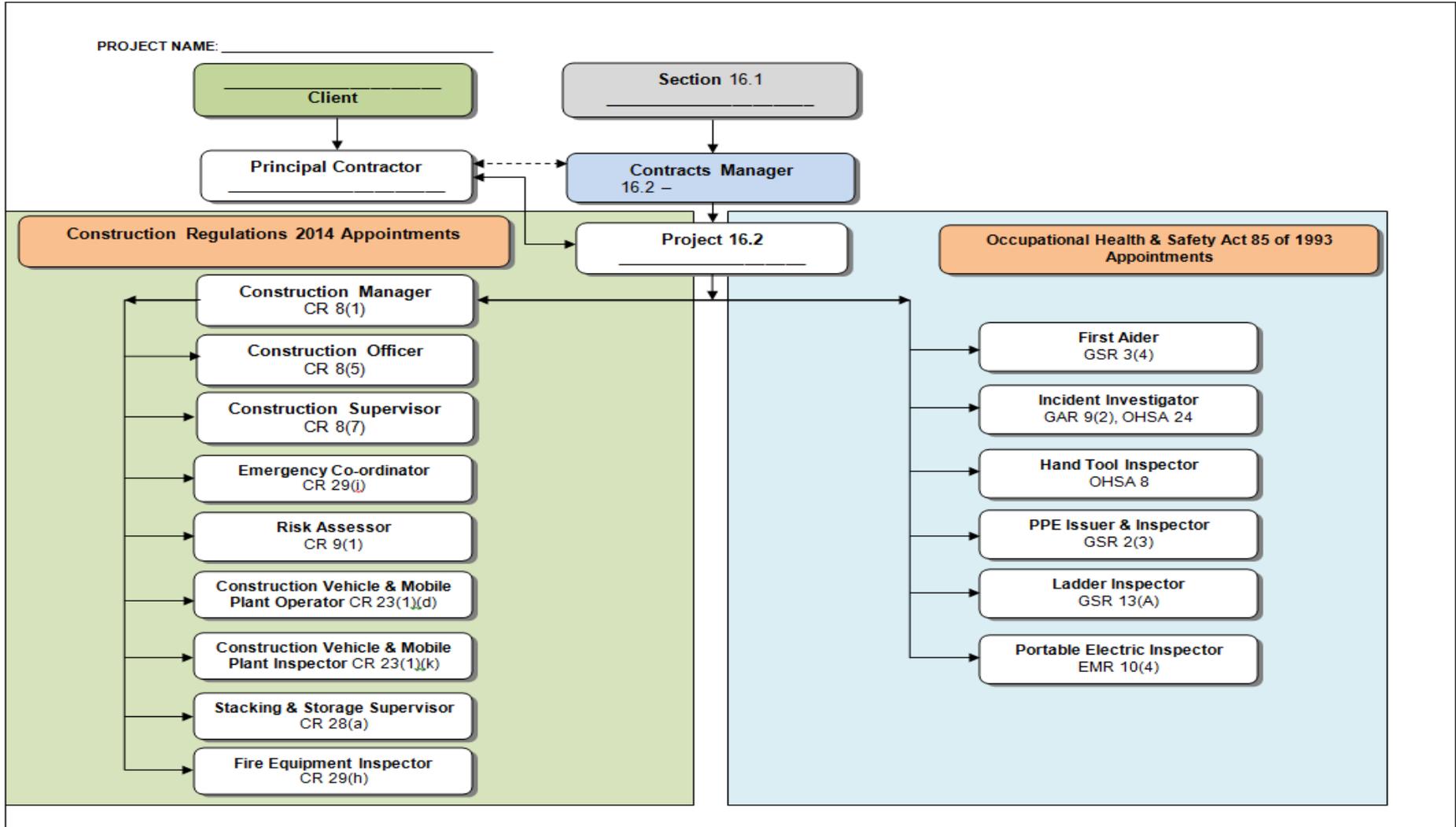
Management & Supervision of Construction Work CR8

- The PC will appoint a Construction Manager who is competent (Registered Pr CHSM);
- Depending on the size of the project & degree of dangers, risks and hazards on site, the PC must appoint a construction safety officer (CR 8(5));
- Depending on the size of the project, the PC must appoint one or more construction supervisors (CR 8(7))

Management & Supervision of Construction Work CR8

- A competent person must be qualified, trained, experienced and registered with a statutory body approved by the Chief Inspector (Pr CHSM, Pr CHSA, CHSO);
- The PC CM may have an input to his/hers contractors appointments on site (CHSM/CHSO)
- CHSM appoints all the CR appointments and the Project 16.2 the OHS Act appointments;

Example of Organogram



Differences between Old CR 2001 and New CR 2014

- CR 2014 & OHS Act Appointments

[\(CR 2014 & OHS Appointments\)](#)

Barricading & Safety



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Questions

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