

Concerns over Jersey construction regulations

News - 23/09/2016

New construction regulations forcing architects and designers to take on health and safety responsibilities for small building projects in Jersey could lead to increased costs and delays to projects – and there are concerns about whether there are enough qualified health and safety co-ordinators to keep projects going.

That's the view of Ogier Partner Jonathan Hughes on Guidance on the Construction Regulations published today ahead of coming into force at the start of next month.

He says that the construction industry is concerned over specific provisions that would put responsibility for health and safety on small projects on architects as “designer”, and which would require a health and safety project co-ordinator to be appointed in writing if a project runs over six weeks.

The regulations define "domestic clients" as someone having work done on their own home or having a new home built solely for themselves and excludes them from health and safety responsibility, passing the role instead on to the architect involved or the principal contractor, who are then expected to pass on the costs to their clients.

Jonathan said: "The reality is that the industry already takes health and safety extremely seriously as a matter of good practice and in compliance with relevant legislation.

"The proposals contained within the regulations add a further layer of cost for no apparent discernible benefit, and there is a real concern about whether there are enough people qualified to take on the health and safety co-ordinator roles for projects over six weeks.

"Coming just two months after the new bye-laws that demand insulation and energy efficiency upgrades where major work is being carried out, this again has the potential to add cost, complexity and delay at a time when the construction sector needs support."

About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding

and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

Meet the Author



Jonathan Hughes

Partner

Jersey

E: jonathan.hughes@ogier.com

T: [+44 1534 514336](tel:+441534514336)

Key Contacts



Laura Shirreffs

Senior Associate

Jersey

E: laura.shirreffs@ogier.com

T: +44 1534 514096

Related Services

Channel Islands Local Legal Services

Property law

Local Legal Services

Legal