

Health and Safety Legislation Consultation

Construction (Design and Management) Regulations 2025

Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eiriny's,



Closes 12 Jan 2025

Opened 17 Nov 2025

Contact

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Overview

The Isle of Man (IOM) has jurisdiction over its territorial waters but currently does not have a comprehensive offshore health, safety, and environmental framework to regulate work activities offshore.

To address this gap, the Department of Environment, Food and Agriculture (DEFA) is reviewing and updating specific legislation to align with UK Health and Safety Executive (HSE) standards. This will enable offshore work to proceed under internationally recognised safety regulations, supporting future offshore energy developments.

To ensure consistent health and safety standards across both land and sea, the updated legislation will apply to work undertaken onshore and offshore within the Island and its territorial waters. This process has the added advantage of updating legislation in key areas to align with the latest UK legislation.

This consultation specifically relates to the following draft legislation:

- **Construction (Design and Management) Regulations 2025**

Recognising the potential impact on IOM businesses, DEFA will implement a phased approach designed to give businesses sufficient time to prepare for compliance. Following public consultation and incorporation of any necessary amendments, the Department aims to submit the proposed legislation to Tynwald in early 2026, with a target commencement date of 1 Aug 2028.

DEFA welcomes stakeholder and public feedback on the updated and proposed health and safety legislation, and where appropriate any associated guidance documentation, through this public consultation process.

What these Regulations do

The IOM **Construction (Design and Management) Regulations 2025** (referred to as **CDM 2025**), aim to modernise and align the Island's construction health and safety framework with the UK's **Construction (Design and Management) Regulations 2015** (referred to as **CDM 2015**). These regulations are intended to improve the planning, management, and coordination of health and safety throughout construction projects, both onshore and offshore.

The proposed CDM 2025 Regulations will replace the Construction (Design and Management) Regulations 2003 currently in force on the Island. They introduce new roles (e.g. Principal Designer), clarify client responsibilities, and strengthen requirements for welfare, site safety, and worker engagement

The CDM 2025 will apply to all construction projects in the Isle of Man, including those in the territorial sea; and a summary of the legislation is shown below:

- Define clear duties for clients, designers, contractors, principal designers, and principal contractors.
- Require the appointment of a Principal Designer and Principal Contractor where more than one contractor is involved.
- Introduce requirements for pre-construction information, construction phase plans, and health and safety files.
- Set out general site safety requirements, including welfare facilities, emergency procedures, and risk controls.

How do they relate to the previous applicable IOM Regulations?

These Regulations will revoke and replace the existing IOM **Construction (Design and Management) Regulations 2003**. They reflect significant changes in terminology, structure, and responsibilities, aligning with the UK's 2015 model.

Set out below is a comparison between the Isle of Man Construction (Design and Management) Regulations 2003 and the draft Construction (Design and Management) Regulations 2025. It highlights key differences in roles, responsibilities, scope, and transitional arrangements.

Topic	IOM CDM Regulations 2003	Draft IOM CDM Regulations 2025	Notes
Commencement	1 October 2004	1 Aug 2028	Later start to allow transition
Application	Isle of Man (onshore)	Isle of Man and territorial sea	Expanded scope
Principal Designer Role	Not defined (Planning Supervisor instead)	Introduced	Replaces Planning Supervisor
Client Duties	Defined in Regulation 4	Expanded in Part 2	More detailed and proactive
Domestic Clients	Exempt from most duties	Duties transferred to contractor/designer	Aligned with UK CDM 2015
Notification Threshold	>30 days or >500 person-days	Same	No change
Construction Phase Plan	Required before site setup	Same	No change
Health & Safety File	Prepared by Planning Supervisor	Prepared by Principal Designer	Responsibility shifted
Welfare Facilities	Schedule 1	Schedule 2	Updated schedule reference
Particular Risks	Not separately listed	Schedule 3	Explicitly listed
Transitional Provisions	Schedule 2	Schedule 4	Detailed transition from 2003 to 2025 Regulations
Revocation	N/A	Revokes CDM 2003	Formal repeal

Enforcement	Department of Local Government and the Environment	Department of Environment, Food and Agriculture	Updated department name
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Comparison Table: Isle of Man CDM Regulations 2003 vs Draft CDM Regulations 2025

How do these Regulations compare with the current UK Legislation?

The CDM 2025 Regulations are closely modelled on the UK CDM 2015 Regulations. Key similarities and differences are summarised in the comparison table below:

Topic	UK CDM 2015	IOM CDM 2025 (Draft)	Notes
Commencement	6 April 2015	1 Aug 2028	Later start to allow for business transition
Application	GB + offshore (via Order)	Onshore IOM & IOM territorial seas	Similar scope
Principal Designer Role	Introduced	Introduced	Now mirrors UK model
Client Duties	Must ensure arrangements, appoint roles	Same as UK	Aligned
Domestic Clients	Duties transferred to contractor / designer	Same as UK	Aligned
Notification Threshold	>30 days + 20 workers or >500 person-days	Same as UK	Aligned
Construction Phase Plan	Required before site setup	Same as UK	Aligned
Health & Safety File	Required	Same as UK	Aligned
Welfare Facilities	Schedule 2	Schedule 2	Identical
Particular Risks	Schedule 3	Schedule 3	Identical
Transitional Provisions	Schedule 4 (CDM 2007 to 2015)	Schedule 4 (CDM 2003 to 2025 Regulations)	Tailored to IOM context
Revocation	CDM 2007	CDM 2003	Reflects local history
Enforcement	HSE	DEFA (IOM)	Different enforcing body

Comparison Table: IOM CDM 2025 vs UK CDM 2015

Practical Implications of the new legislation

- Clients must ensure suitable arrangements are in place for managing projects.
- Principal Designers and Principal Contractors must be appointed early and have clear duties.
- Contractors must ensure workers are competent, supervised, and provided with welfare facilities.

- All parties must cooperate and share information to manage health and safety risks effectively.

What other Legislation is referred to within the Draft IOM Regulation

- **Health and Safety at Work etc. Act 1974 (as applied to the Isle of Man)**
 - Referenced in:
 - The preamble to the Regulations as the enabling legislation under which the CDM 2025 Regulations are made.
- **The IOM Management of Health and Safety at Work Regulations 2003**
 - Referenced in:
 - Regulation 2 – Definitions (e.g. “general principles of prevention”)
 - Regulation 15(9)(c)(i) – Contractor duties to provide information on risks identified under Regulation 3 of the Management Regulations.
- **Workplace (Health, Safety and Welfare) Regulations 2025**
 - Referenced in:
 - Regulation 2 – Definitions (e.g. “workplace”)
- **Control of Asbestos Regulations 2012**
 - Referenced in:
 - Schedule 3 – Work involving particular risks (e.g. work with asbestos is implicitly included under hazardous substances)
- **Gas Safety (Installation, Use and Management) (Application) Order 2023**
 - Referenced in:
 - Schedule 3 – Work involving particular risks (e.g. gas-related work)

Consultation Objectives

The following are the objectives of this consultation:

1. **Legislative alignment:**
Assess stakeholder support for aligning Manx health & safety legislation with UK standards, ensuring consistency and regulatory compatibility.
2. **Regulatory scope and clarity:**
Identify specific areas within health & safety regulation that may require additional focus, clarification, or enhancement to meet industry needs and best practices.
3. **Industry impact and readiness:**
Understand potential challenges for IOM-based businesses in adapting to the new framework, including operational, financial, or compliance-related concerns.

4. **Support mechanisms:**

Identify the support needs of stakeholders (e.g., guidance, training, transitional arrangements) to facilitate effective implementation and compliance with the new regime.

5. **Feedback on draft legislation:**

Collect stakeholder input on the draft legislative instruments for each stage of consultation.

6. **General feedback:**

Provide an open channel for additional comments, concerns, or suggestions to inform the development of a robust and responsive health & safety framework.

IOM Health & Safety at Work Inspectorate

When any new legislation is introduced the Department is conscious of the need to ensure that the best guidance documentation is available. The current [IOM HSWI website](#) states the following:

“UK legislation and their associated codes of practice is best viewed as an illustration of good practice which may be helpful in explaining the general duties imposed by the Health and Safety at Work etc. Act 1974”.

Differences between UK HSE ACOPs and UK HSE Guidance

When referring to UK codes of practice, better known as “Approved Codes of Practice (ACOPs)” it is important to note and be aware of the differences between UK Health and Safety Executive (HSE) guidance and a UK HSE issued ACOP. UK HSE clarifies the differences here: [Legal status of HSE guidance and ACOPs](#).

When reading a UK HSE published ACOP, individuals and organisations should be aware of the presentation convention; which is normally explained within the documentation. A common standard is that ACOP text is set out in bold, accompanying guidance in normal type, with the text of the actual Regulations in italics.

It should also be noted that whilst certain UK Regulations have an associated ACOP, others only have guidance. As an example there is no longer an ACOP for the **UK Construction (Design and Management) Regulations (CDM) 2015**; it was replaced by guidance when the regulations were last updated.

Using UK HSE Guidance Documents with IOM legislation

When referring to UK ACOPs and guidance to assist with compliance of IOM legislation, individuals and organisations must be aware that whilst the intent is to align with the UK best practice, there may still be specific elements of the IOM legislation that are different to UK legislation. Examples being different paragraph and section/article numbering or

elements of the UK legislation being omitted (e.g. if UK is referring to legislation not currently in place or applicable on the IOM).

Relevant UK ACOP or Guidance

The relevant UK official **guidance** (note this is not an ACOP) for the Construction (Design and Management) Regulations 2015 (CDM 2015) is:

- L153 – Managing Health and Safety in Construction
- This UK HSE guidance can be found here on the [Managing health and safety in construction](#),

Summary

The draft CDM 2025 Regulations aim to modernise the IOM’s construction health and safety framework, aligning it with the UK’s CDM 2015 Regulations. They apply to all construction projects, including those in the territorial sea, and are intended to improve planning, management, and coordination of health and safety throughout the lifecycle of a project.

Why your views matter

This consultation gives stakeholders, industry, and the public the chance to provide feedback on the proposed “draft Regulations”. Your views will help ensure that the legislation is clear, practical, and effective in protecting workers’ health.

Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all. The Department will take steps to accommodate any reasonable adjustments and provide such assistance as may reasonably be required to enable access or reply to this consultation. If this document is required in another format or assistance is required with accessing or replying to this consultation, please email DEFAOffshore@gov.im.

Responding to this consultation and questions

This consultation can be responded to by clicking on the 'Online Survey' link below. Alternatively you can download a paper version of this consultation from the links on the consultation hub and email it to DEFAOffshore@gov.im or post it to:

The Offshore Team
Department of Environment Food and Agriculture,
Regulation Directorate,
Thie Slieau Whallian, Foxdale Road,
St Johns,

Isle of Man, IM4 3AS.

About you

1. Which option best describes your interest in responding to this consultation?

- ☐ Member of public
- ☐ Isle of Man Government
- ☐ Business owner or Stakeholder
- ☐ Member of Tynwald
- ☐ Other (please specify)

Other:

2. Are you responding on behalf of an organisation or industry?

- ☐ Yes
- ☐ No

Organisation / industry:

Number of people or organisations represented:

3. Are you happy for us to contact you regarding your response if we need to?

- ☐ Yes
- ☐ No

If yes then please add your name and contact email address.

Name:

Email:

4. May we publish your response?

Please read our Privacy Policy for more details and your rights.

More Information:

- **Publish in full** – your organisation name, or the industry you represent, along with full answers will be published on the hub (your email will not be published)
- **Publish anonymously** – only your responses will be published on the hub (your organisation name, or the industry you represent, and email will not be published)
- **Do not publish** – nothing will be published publically on the hub (your response will only be part of a larger summary response document)

(An answer is required)

- ☐ Yes, you can publish my response in full
- ☐ Yes, you may publish my response anonymously
- ☐ No, please do not publish my response

Consultation Questions

1. Do you agree that the Isle of Man should follow UK standards and processes for health and safety laws and its regulation?
(Yes/No – Please tell us why you agree or disagree).
2. Are there any parts of the legislation being consulted upon that require more clarity to aid understanding and assist with compliance?
(Yes/No – If yes, please tell us which areas and why).
3. Is the proposed implementation strategy and timescale for the introduction of the **Construction (Design and Management) Regulations 2025** appropriate for industry readiness?
(Yes/No – Please add any comments you may have).
4. Are there any specific support mechanisms (e.g., guidance, training, transitional arrangements) that would help you or your organisation prepare for the new legislation? *(Yes/No – If yes, please tell us what kind of support would be most helpful).*
5. Do you have any other comments on the draft **Construction (Design and Management) Regulations 2025** legislation attached to this stage of the overall consultation process?
(Comment Box)
6. Is there anything else you'd like to tell us about the proposed changes or the consultation process?
(Comment Box)