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An additional health and safety duty for businesses that install, construct or commission plant or structures for workplaces

This fact sheet is for businesses or undertakings that install, construct, or commission plant or structures that may be used at a workplace.

As an installer, constructor or commissioner you can eliminate or minimise health and safety risks by making sure you install, construct or commission plant or structures in a way that means they are safe for people who come into contact with them.

Who are installers, constructors and commissioners?

Installers and constructors build and/or assemble and install plant and structures that may be used at a workplace. In relation to structures this includes building, erecting, prefabricating, and relocating.

Commissioners perform adjustments, tests and inspections on plant and structures before they are used for the first time in a workplace.

What are your duties?

In addition to your primary duty of care, under the Health and Safety at Work Act 2015 you must also (so far as is reasonably practicable) make sure that the way the plant or structure is installed, constructed or commissioned does not create health and safety risks to the people that come into contact with it.

This includes people who:

- install or construct the structure at a workplace
- use the plant or structure at a workplace for its intended purpose
- carry out the decommissioning, dismantling, demolition or disposal of the plant or structure
- are at, or near the workplace, and whose health and safety may be affected by any of the above activities.

Further information

WorkSafe special guide:

[Introduction to the Health and Safety at Work Act 2015](#)

WorkSafe fact sheet: [Reasonably Practicable](#)

Relevant legislation

[Section 43 of the Health and Safety at Work Act 2015](#)

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