

[LEGAL NOTICE NO. 129]

HEALTH AND SAFETY AT WORK (DIVING) REGULATIONS 2006

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HEALTH AND SAFETY AT WORK ACT 1996
(ACT NO. 4 OF 1996)

HEALTH AND SAFETY AT WORK (DIVING) REGULATIONS 2006

IN the exercise of the powers conferred on me by section 62 of the Health and Safety at Work Act 1996, acting on the recommendation of the Chief Executive Officer for Labour, Industrial Relations and Productivity and in consultation with the National Occupational Health and Safety Advisory Board, I make the following Regulations—

PART 1 – PRELIMINARY

Citation

1. These Regulations may be cited as the Health and Safety at Work (Diving) Regulations 2006.

Commencement

2. These Regulations come into force on the day appointed by the Minister by notice in the *Gazette*.

Application

3. These Regulations apply, so far as relevant, to—
- (a) every workplace covered by the Act in which or from which diving or diving operations take place;
 - (b) every worker covered by the Act who undertakes diving or diving operations, including every self-employed person, whether the diving is for commercial, recreational or scientific purposes;
 - (c) every dive operator, owner of dive equipment and employer;
 - (d) every other person to whom a particular regulation is expressed to apply.

Definitions

4. In these Regulations, unless the context otherwise requires—
- “acceptable standard” means any standard relating to diver training and certification prescribed by an internationally recognized diver training agency for recreational, scientific or technical training and certification, and, in relation to insurance, means any professional liability scheme compatible with foreseeable diving risks associated with any diver;
 - “Act” means the Health and Safety at Work Act 1996;
 - “approved Standard” means an Australian/New Zealand (AS/NZS), British (BS), European (EN) or American (US) Standard;
 - “assistant dive instructor” means a diver qualified as an assistant instructor or equivalent by an internationally recognised diver training agency, who has current teaching status with, and is and insured to the acceptable standard required by, that diver training agency and is licensed as an assistant dive instructor under Part 3;
 - “breathing apparatus” includes scuba equipment, or a surface supplied hookah type dive compressor with its ancillary equipment and other mechanical

or robotic means to allow diver inhalation while underwater to pressure greater than 1 atmosphere absolute (ATA);

“certified diver” means a person who has satisfactorily completed a course of dive training with an internationally recognised diver training agency;

“commercial diving” means any underwater diving operations conducted in connection with construction, offshore petroleum exploration, engineering, harvesting, cultivation or any other forms of commercial underwater work including rescue, salvaging and military diving operations. It does not include recreational diving or scientific diving;

“dive compressor” means a compressor which supplies air for a diving operation;

“dive equipment” includes scuba equipment, a dive compressor (including a hookah-type dive compressor), ancillary equipment and breathing apparatus needed to enable a diver to be subjected to pressures greater than one atmosphere absolute (1 ATA) and any other item determined in accordance with Regulation 11 to be dive equipment;

“dive instructor” means a diver who holds current open water scuba instructor certification or an equivalent or higher qualification from an internationally recognized diver training agency, has current teaching status with, and is insured to the standard required by, that diver training agency and is licensed as a dive instructor under Part 3;

“dive master” means a diver who holds current dive master certification or equivalent qualification from an internationally recognised diver training agency, is insured to the acceptable standard required by that diver training agency and is licensed as a dive master under Part 3;

“dive operator” includes any company or association or body of persons, corporate or unincorporated that manages, controls or operates diving plant or undertakes diving;

“dive plan” means the procedures for conducting a particular diving operation;

“dive ship” means any vessel, boat and dive platform of any kind that is used for the purpose of diving;

“dive site” means an underwater location where work is performed and any surface zones from which a diver is tended or supervised;

“dive supervisor” means a person who supervises diving at a dive site and must, at a minimum, be a dive master;

“diving” means underwater diving in which the diver requires a supply of air from dive equipment, and “dive “ has the equivalent meaning;

“diving operation” includes dive site and dive platform work;

“diving plant” means plant (as defined in the Act) needed for diving;

“employer” means a person who employs a diver;

“hookah diving unit” means a limited feature form of surface supply diving apparatus usually involving the supply of breathing air from a small

compressor unit via a free floating air supply hose to a mouth held demand breathing gas supply device;

“hyperbaric doctor” means a registered medical practitioner who has completed an accredited course in hyperbaric medicine;

“Inspector” means a Health and Safety Inspector appointed under section 41 of the Act and includes the Chief Health and Safety Inspector or his or her Deputy;

“internationally recognized diver training agency” means American Nitrox Divers International (ANDI), British Sub Aqua Club (BSAC), Confederation Mondiale des Activités Subaquatiques (CMAS), International Association of Nitrox and Technical Divers (IANTD), National Association of Scuba Educators (NASE), National Association of Underwater Instructors (NAUI), Professional Association of Dive Instructors (PADI), Scuba Diving International (SDI), Scuba School International (SSI), Technical Diving International (TDI) and any Recreational Scuba Training Council recognized recreational agency or organisation offering certification for scuba divers;

“Ministry” means the Ministry of Labour and Industrial Relations;

“practicable” in relation to a hazard or risk means practicable having regard to—

- (a) its severity;
- (b) the state of knowledge about the hazard or risk and the ways of removing or mitigating it;
- (c) the availability and suitability of ways to remove or mitigate it; and
- (d) the cost of removing or mitigating it;

“recompression chamber” means a pressurised chamber that allows for the delivery of oxygen in higher concentrations for therapeutic use including the treatment of decompression illness;

“recreational diving” includes sport underwater diving, scientific and non-commercial underwater diving;

“registered” means registered under these Regulations;

“registered medical practitioner” means a person registered in Part II of the medical register maintained by the Fiji Medical Council under the Medical and Dental Practitioners Act ;

“scientific diving” means underwater diving undertaken for the purpose of scientific research, education, environmental monitoring and other activities related to observation, specimen collection, study, recording and experimentation in the marine environment;

“scuba” means self-contained underwater breathing apparatus;

“scuba tank” means a cylinder or tank containing breathing quality compressed air or mixed gas;

“snorkelling equipment” includes mask and snorkel, fins, weights, weight belt, lycra suit, wetsuit and snorkelling vest;

“supplier of dive equipment” includes any company or association or body of persons, corporate or unincorporate, that supplies, sells, rents, hires, leases out or lends, dive equipment, whether for profit or not;

“surface-supplied breathing compressor” means diving equipment that supplies breathing gas at the requisite pressure for depth, through a diver’s hose to a diver from plant at the surface.

PART 2 – GENERAL

Risk management

5.—(1) An employer, including a dive operator, must ensure that for all diving operations, hazards are identified and their associated risks assessed.

(2) An employer, including a dive operator must ensure that following an assessment of the risks involved in a particular diving operation, practicable measures to control those risks are determined and implemented.

Health and Safety Representative and Committee consultation

6. An employer including a dive operator must consult with workers, and any health and safety representatives and health and safety committee at any workplace covered by these Regulations on issues relating to hazard identification, and the assessment and control of risk for any particular type of diving.

Duty on employers

7. An employer must ensure that every diver employed by the employer is—
- (a) adequately trained;
 - (b) medically fit; and
 - (c) provided with suitable equipment, for the diving to be undertaken.

Duty on divers

8. A person who dives or engages in diving operations must be—
- (a) adequately trained;
 - (b) medically fit; and
 - (c) adequately equipped, for the diving to be undertaken.

Duty on providers of equipment

9. A person who provides equipment, whether or not for any consideration, knowing that it will be used for diving or diving operations must ensure that the equipment is suitable for the purpose.

Medical examination

10.—(1) Every dive operator and employer must ensure that a diver for whom he is responsible is not permitted or allowed to dive or be subjected to pressure greater than 1 atmosphere absolute (ATA) in connection with a diving operation, unless the diver possesses a valid certificate of medical fitness for diving issued by a hyperbaric doctor, or by a registered medical practitioner who has obtained medical advice from a hyperbaric doctor.

(2) For the purpose of sub-regulation (1), a medical certificate is not valid unless it is renewed—

- (a) if the worker is aged 30 years or less, at least once every 5 years;
- (b) if the worker is aged from 31 to 50 years, at least once every 3 years;
- (c) if the worker is aged over 50 years, at least once every year.

(3) Prior to undergoing any diving instruction a dive student must complete a medical statement form in the form set out in Schedule 1. If any question is answered as showing that a medical examination is required, the student must obtain a certificate of medical fitness from a hyperbaric doctor, or from a registered medical practitioner who has obtained medical advice from a hyperbaric doctor.

Plant general

11.—(1) An employer must ensure that every diver employed by the employer has all diving plant necessary to safely carry out any diving operation required in the course of employment.

(2) Diving plant must be of good construction, sound material and adequate strength, free from patent defects, in good operating condition and properly maintained and serviced.

(3) Every employer or other person who supplies diving plant for a diver must ensure, as far as practicable, that the plant is operated without risk to the health and safety of any person.

(4) An employer must ensure that adequate shelter, rest, transport, and medical facilities are available for every diver employed by the employer.

Dive equipment general

12.—(1) Every dive operator, supplier of dive equipment and employer must ensure that all dive equipment supplied by him to a diver is of good construction, sound material and adequate strength, free from patent defects, in good operating condition and properly maintained and serviced.

(2) Every dive operator, supplier of dive equipment and employer must ensure that every worker using his or her equipment is equipped to be capable of undertaking safe diving practices. In addition, he or she should ensure that every worker is equipped with—

- (a) proper and adequate protective clothing;
- (b) a timing device relative to the particular diving;
- (c) a depth gauge;
- (d) dive tables or a dive computer;
- (e) submersible pressure gauges.

(3) Every recreational certified diver must be equipped with a face mask, snorkel, fins, regulators or an air delivery system, weight belts and weights, cylinders or tanks, diver's knife, buoyancy control device, power inflator, timing device appropriate to the particular diving, submersible pressure gauge and depth gauge (or equivalent) or dive computer. Every diver must also be equipped with an alternate air source, underwater timing device and carry an emergency signalling device (dive sausage, whistle, or mirror).

(4) All commercial certified divers must be equipped with a face mask, snorkel, fins, diver's knife, weight belts and weights, low pressure demand regulator, alternate air source or bail out system, backpack and emergency signalling device (sausage, whistle or mirror).

(5) The Chief Health and Safety Inspector may determine that any equipment is diving equipment for the purposes of these Regulations and a notice of that determination must be published in the Gazette and in a newspaper circulating widely throughout the Fiji Islands.

(6) A person must not rent, hire, sell, lease, loan or give any breathing apparatus or any equipment associated with dive compressors to any person who is not a certified diver trained to acceptable standards in the particular type of diving to be undertaken or to any organisation that does not consist of such divers, except for the purpose of giving instruction.

(7) A person who is not a certified diver must not rent, hire, buy lease, borrow or accept as a gift any dive equipment except for the purpose of receiving instruction.

(8) Snorkelling equipment is exempt from subregulations (6) and (7).

Registration and inspection of equipment

13. – (1) Every dive operator, owner of dive equipment and employer must ensure that all dive equipment, including every dive compressor which supplies compressed air, for any diving operation under his or her control meet the requirements of these Regulations and an approved Standard.

(2) Every dive operator, owner of dive equipment and employer must ensure that all dive equipment under his or her control is inspected and registered by the Ministry before being used for diving operations.

(3) An application for the registration of an item of dive equipment must be made to the Chief Health and Safety Inspector in the form set out in Schedule 2.

(4) Every dive operator, owner of dive equipment and employer must ensure that every item of dive equipment under his or her control is—

(a) available for inspection for assessment under the Act, these Regulations and an approved Standard for such items, by any Inspector—

(i) for dive equipment used for recreational diving or scientific diving only, once every 12 months, or at such shorter intervals as specified under these Regulations;

(ii) for dive equipment used for commercial diving only, once every 6 months—

at the dive operator's or employer's base of operations; and

(b) issued with a current certificate of registration and inspection in the form set out in Schedule 3.

(5) A dive operator, owner of dive equipment or employer must dispose of any item of diving equipment, after rendering it unusable for diving, where an Inspector on inspecting the item, assesses that it does not meet the requirements of the Act, these Regulations and an approved standard for that item.

(6) Registration of an item of scuba diving equipment under these Regulations is deemed registration of that item under regulation 11 of the Health and Safety at Work (Administration) Regulations 1997.

(7) A current certificate of registration and inspection of dive equipment under these Regulations for any underwater breathing apparatus is a certificate of safety for the purposes of regulation 5 (1)(b) of the Fisheries (Restriction of Use of Underwater Breathing Apparatus) Regulations 1997.

Supply of compressed air

14.—(1) Every dive operator, owner of dive equipment and employer must ensure that the supply of compressed air for any diver under his or her control or to any certified diver to whom there is a contractual obligation is supplied only from a dive compressor registered and issued with a valid certificate from the Ministry.

(2) Every dive operator, owner of dive equipment and employer must ensure that a supply of compressed air from a hookah diving unit is only supplied to a certified diver.

(3) Dive compressors used for hookah diving must be inspected by an Inspector once every 6 months at a location in the Fiji Islands specified by the Chief Health and Safety Inspector.

Scuba tanks

15.—(1) Every dive operator, owner of dive equipment and employer must ensure that—

- (a) air fills for scuba tanks are only supplied to certified divers; and
- (b) all scuba tanks are maintained, serviced, inspected and tested by an Inspector or a certified cylinder inspector. Every scuba tank must be visually inspected at least once a year and if privately owned at least once every 6 months.

(2) Every visual inspection under sub-regulation (3) must be conducted by an Inspector or a certified cylinder inspector and inspections must be documented.

(3) Every privately owned scuba tank must have an inspection sticker affixed to it by the Inspector or certified cylinder inspector.

(4) Every steel scuba tank must be hydrostatic tested at least annually and every aluminium scuba tank at least every 5 years.

(5) Both the current hydrostatic test mark and the current visual test sticker must be confirmed before a privately owned scuba tank may be filled.

Quality of compressed air

16.—(1) An employer, a dive operator, owner of dive equipment and supplier of dive equipment must ensure that the supply of compressed air used for diving—

- (a) has no objectionable or nauseous odour;
- (b) contains not less than 20 percent and not more than 22 percent by volume of oxygen;
- (c) contains not more than 11mg/m³ of carbon monoxide or 10 ppm by volume;

- (d) contains not more than 900 mg/m³ of carbon dioxide or 480 ppm by volume;
- (e) for high pressure cylinders, contains not more than 100 mg/m³ of water or 130 ppm by volume; and
- (f) contains not more than 1mg/m³ of oil when sampled from a cylinder filled to a pressure of at least 12 MPa.

(2) When compressed air is supplied from a surface supply breathing compressor or hookah type compressor it must not be used for diving operations unless such compressor has undergone successfully a test to ensure that the compressed air satisfies the requirements specified in paragraphs (a) to (f).

Oxygen equipment

17.—(1) Every dive operator and employer must provide on every dive site under his or her control an oxygen unit capable of supplying 100% oxygen delivery to an injured diver.

- (2) Every dive operator and employer must provide at every dive site—
- (a) an adequate number of staff trained and qualified to operate the oxygen equipment;
 - (b) sufficient oxygen available to enable a dive accident victim to be provided continuous oxygen treatment to the nearest hospital or medical centre equipped with an oxygen supply.

Dive ships

18.—(1) Every dive operator, employer, every owner of a dive ship and every diver must ensure that every dive ship complies with the requirements of the Act, the Marine Act and any regulations made under it.

(2) Every dive operator, employer, every owner of a dive ship and every diver must fly the Alpha Dive Flag when undertaking any dive operation.

(3) Every dive ship must be suitable for its intended purpose and suitably equipped for diving operations, including—

- (a) float and float line;
- (b) VHF Marine Radio;
- (c) at least one surface support person in attendance and on watch during every dive.

Supervision of diving

19.—(1) Every dive operator and employer must ensure that a person is appointed, in writing, to be responsible for both indirect and direct supervision of every diving operation.

(2) An appointment under sub-regulation (1) must be recorded in the records of the dive operator or employer.

(3) In the case of a commercial dive operation, the employer must ensure that the dive supervisor—

- (a) is a certified diver to the minimum level of a Recreational Dive Master or equivalent commercial dive qualification;
- (b) holds current qualifications in diver first aid, cardio-pulmonary resuscitation and oxygen treatment procedures; and
- (c) is trained as far as practicable for the diving he will supervise.

Recreational diving

20.—(1) Every dive operator and employer must ensure that in any recreational dive operation, a dive master or a certified diver with a higher qualification than dive master is provided at every individual dive site to ensure safe diving practices are monitored and adhered to.

(2) Every dive operator and employer engaged in recreational diving must observe and promote conservative dive practices as follows—

- (a) every dive must be planned conservatively and consistently, with reference to a set of international dive tables, or dive tables approved by an international scuba training organisation or a dive computer used in accordance with the manufacturer's instructions;
- (b) a pre-dive brief must be provided to every diver by the dive master, to include likely depths, environmental conditions, hazards which may be encountered and recommendations on safe diving practices and emergency procedures. Dive buddy teams must be identified and agreed;
- (c) every diving operation must be conducted in accordance with a pre-determined dive plan;
- (d) a dive roster must be maintained by the dive master for each dive completed and every diver must be accounted for before leaving the dive site. The dive roster information is to be retained for transfer into permanent records;
- (e) safe entry and exit facilities in respect of every dive site must be provided for every diver;
- (f) the maximum planned depth for a non-certified diver is 40ft (12m) or equivalent international standard, and for an open water certified diver is 100ft (30m). The maximum planned depth for any dive is 130 ft (40m);
- (g) planned decompression diving is not allowed;
- (h) safety stops at every 15 ft (5m) must be taken when it is safe and practicable to do so;
- (i) during night diving activities the boat from which the diving takes place must display adequate lights and every diver must be equipped with lights.

Diving depths

21.—(1) In recreational diving, the employer including the dive operator must implement the following—

- (a) The maximum planned depth limit for non-certified divers or students is 40ft (12m), and for open water certified divers is 100ft (30m).
- (b) Subject to paragraph (c), the maximum depth for any dive is 130ft (40m).
- (c) Divers with appropriate experience or qualifications from an internationally recognised diver training agency may be exempted upon the approval in writing of the Chief Health and Safety Inspector.

(2) In commercial diving, the employer including a dive operator must implement the following—

- (a) Subject to paragraph (b), the maximum depth for any dive is 130ft (40m).
- (b) Divers with appropriate experience or qualifications from an internationally recognised diver training agency may be exempted upon the approval in writing of the Chief Health and Safety Inspector.

(3) Planned decompression diving in commercial and recreational diving is prohibited except by divers with appropriate experience or qualifications from an internationally recognised diver training agency and current written permission from the Chief Health and Safety Inspector.

Technical diving

22. In recreational diving, employers and dive operators involved in any technical diving including Nitrox, EANx, DNAx, mixed gas or in rebreather diving must observe and implement the standards of an internationally recognised diver training agency with standards specific to that type of diving.

Diver training

23.—(1) Every employer and every dive operator must ensure that every diver under his or her control—

- (a) has appropriate training and experience in accordance with the requirements of an internationally recognized diver training agency; or
- (b) in the case of commercial diving is trained at least to Recreational Advanced Diver or equivalent commercial dive qualification; and
- (c) is trained as far as practicable for the specific tasks the diver will perform.

(2) An employer must ensure that no diver training (including Resort Courses or Discover Scuba Diving or equivalent introductory training for the tourist dive industry) is undertaken except under the direct supervision of a dive instructor or assistant dive instructor or dive master.

(3) To be a dive instructor, assistant dive instructor and dive master for the purposes of these Regulations, a certified diver must be licensed as such by the Chief Health and Safety Inspector under these Regulations.

(4) The Chief Health and Safety Inspector must publish periodically in the *Gazette* the names of current licence holders.

Dive manual and dive plan

24. – (1) Every commercial diving employer and every dive operator must ensure that a diving operations manual is provided at a location as near as practical to each dive site and made accessible to all personnel involved in diving. The manual must document procedures for planning and conduct of diving operations, including responsibilities, duties and competency of personnel, plant, decompression procedures, accident investigation procedures and emergency response plans.

(2) Every commercial diving employer and every dive operator must provide a dive plan for each dive site or workplace.

(3) A recreational dive operator must use the standards of an internationally recognized diver training agency in conjunction with these Regulations as the basis for preparing a dive manual and dive plan.

Record keeping

25. – (1) Subject to sub-regulation (3), every dive operator, owner of dive equipment and employer must ensure that all necessary records are correctly maintained and retained for a period of 7 years.

(2) The records under sub-regulation (1) and (3) include the employer's records of workers' medical examinations, copies of medical statement forms, workers' professional or training qualifications, the records of each dive taken from the dive roster, incidents records, records of maintenance and repairs of dive plant, records of registration, records of surveys, records of inspections and any other records required by these Regulations.

(3) A dive operator, owner of dive equipment and employer, on ceasing to conduct diving operations in the Fiji Islands, must lodge the original or certified copies of all necessary records with the Chief Health and Safety Inspector.

Emergency procedures and first aid

26. – (1) Every dive operator and employer must ensure that for all diving operations, emergency procedures are prepared and communicated to all workers including appropriate liaison with emergency support personnel.

(2) Every dive operator, owner of dive equipment and employer must have a copy of the Fiji Recompression Chamber Facility Notes for Diving Accidents involving embolism and decompression sickness and be familiar with dive accident procedures.

(3) Every dive operator, and employer must ensure that for each dive site under his or her control there is available—

- (a) first aid equipment as listed in Schedule 4;
- (b) a suitable dive medical oxygen delivery system preferably capable of 100% delivery;
- (c) one or more persons competent to operate the oxygen delivery system and capable of administering first aid and cardio-pulmonary resuscitation.

- (4) Every commercial diving employer must—
- (a) ensure that every diver and every dive supervisor employed by him is aware of decompression diving limitations; and
 - (b) have an emergency medical evacuation plan available for each diving location under his or her control.

Dive accidents

27.—(1) In case of serious injury in a dive accident, the employer, dive operator or owner of a dive ship must give immediate notice by the most expedient means to the Chief Health and Safety Inspector.

(2) All dive accidents causing serious injury or requiring recompression must be reported by the employer, dive operator or owner of the dive ship within 48 hours to the Chief Health and Safety Inspector using the form prescribed in Schedule 5 and forward a copy of the form to the Ministry of Health, and, in a case requiring recompression, also forward a copy to a recompression chamber facility.

(3) Notification in accordance with this regulation is deemed notification in accordance with Regulation 6 of the Health and Safety at Work (Administration) Regulations 1997.

(4) All dive equipment or plant used by a seriously injured dive accident victim or involved in a dive accident requiring recompression must be immediately impounded by the employer, dive operator or owner of the dive ship for inspection as follows—

- (a) in the case of scuba, the equipment must accompany the victim unless he or she is being evacuated by air in which case the scuba tank must be immediately forwarded by surface freight to the same recompression chamber facility as the victim;
- (b) in the case of hookah diving units, the hookah diving unit and all ancillary equipment must be delivered immediately to the nearest police station to be impounded until the Inspectorate can send an Inspector to evaluate the hookah diving unit and all ancillary equipment.

Worker's responsibilities

28.—(1) A diver must not wilfully endanger his or her own personal and safety or the health or safety of any other person.

(2) A person employed as a diver must inform the employer or the appointed dive master or diving supervisor if he believes himself to be unfit to dive, or if there is any other reason why the person should not go or remain underwater or be subjected to pressure.

(3) A diver must use, as trained, all appropriate plant including dive equipment provided by the employer.

(4) A diver must keep a personal diver's log book. Completed log books must be retained for minimum of 7 years.

Responsibilities of divers and non-divers

29.— (1) A person on or near a dive site or dive ship must—

- (a) not act in a manner which endangers himself or any other person at the dive site or on board the dive ship;
- (b) follow safety directions given by the employer or dive master or dive guide at a dive site;
- (c) not interfere with anything provided in the interests of health or safety at the dive site.

(2) Every certified diver must provide proof of his or her international diving qualification or certification prior to diving or must be treated as a student diver under instruction.

Self-employed workers

30. These Regulations apply to self-employed divers as if they were employers of themselves.

Inspector may issue penalty notice

31.—(1) For the purposes of section 48 of the Act—

- (a) the prescribed offences are offences referred to in Column 1 of Schedule 6; and
- (b) the prescribed penalties payable are the corresponding penalties set out in Column 2 of Schedule 6.

(2) Where it appears to an Inspector that a person has committed an offence against any provision of these Regulations referred to in Column 1 of Schedule 6 the Inspector may serve a notice with particulars set out in Schedule 7, which indicate the prescribed penalty as set out in Column 2 of Schedule 6.

Offences and penalties

32. Any person who contravenes or fails to comply with any provision of these Regulations commits an offence and is liable on conviction to a fine of not more than—

- (a) \$20,000 in the case of a corporation;
- (b) \$200 in the case of a worker to whom these Regulations apply; or
- (c) \$2,000 in any other case.

PART 3 – LICENCES

Grant of licence

33.—(1) The Chief Health and Safety Inspector may license a certified diver to carry out the activities of—

- (a) acting as a dive master,
- (b) acting as an assistant dive instructor; or
- (c) acting as a dive instructor.

(2) In granting a licence under sub-regulation (1), the Chief Health and Safety Inspector must specify the activities that are authorised under the licence.

Offence to carry on certain activities without a licence

34. A person must not carry on an activity specified in any of the following paragraphs—

- (a) acting as a dive master;
- (b) acting as an assistant dive instructor; or
- (c) acting as a dive instructor—

unless that person is the holder of a licence under these Regulations that authorizes that person to carry on that activity.

Prohibition on “holding out”

35. A person must not in any way indicate that the person carries on or is willing to carry on an activity specified in the following paragraphs—

- (a) acting as a dive master;
- (b) acting as an assistant dive instructor; or
- (c) acting as a dive instructor—

unless that person is the holder of a licence under these Regulations that authorizes that person to carry on that activity.

Application

36. An application for a licence or for a renewal of licence must—

- (a) be made in the form set out in Schedule 8;
- (b) be accompanied by proof of identity of the applicant, being, if the Chief Health and Safety Inspector so requires, proof by way of the specified identification;
- (c) be accompanied by proof of certification from an internationally recognized diver training agency being, if the Chief Health and Safety Inspector so requires, proof by way of specified documents;
- (d) be accompanied by any other specified documents or specified information.

Consideration of application by Chief Health and Safety Inspector

37. The Chief Health and Safety Inspector must consider every application for a licence or for the renewal of a licence.

Power of Chief Health and Safety Inspector to investigate application

38. In considering an application for a licence or for a renewal of a licence the Chief Health and Safety Inspector may, in order to ascertain whether the criteria set out in regulation 42 or 43 (as the case requires) are satisfied, make any inquiry that he or she thinks fit.

Particular powers relating to known information

39. In making an inquiry under regulation 38, the Chief Health and Safety Inspector may have regard to any known information about the applicant that is relevant to the application.

Information and documents to be provided

40. For the purposes of an inquiry under regulation 38, the Chief Health and Safety Inspector may require by a notice in writing to an applicant—

- (a) that the Chief Health and Safety Inspector be provided with any information, relevant to the application and specified in the notice, in the manner required

by the Chief Health and Safety Inspector (and verified by a statutory declaration if necessary) if the Chief Health and Safety Inspector is of the opinion that the information relates to the applicant; or

- (b) that any record, relevant to the application and specified in the notice, be produced to the Chief Health and Safety Inspector if the Chief Health and Safety Inspector is of the opinion that the record relates to the applicant; or
- (c) that any record produced to the Chief Health and Safety Inspector under paragraph (b) be made available for inspection and for the taking of copies.

Refusal to make a decision on an application for a licence or renewal

41. The Chief Health and Safety Inspector may refuse to make a decision on an application for the grant or renewal of a licence if the applicant does not comply with any requirement of the Chief Health and Safety Inspector under these Regulations in relation to the application within a reasonable time of the requirement being made.

Refusal to grant or renew a licence

42.—(1) The Chief Health and Safety Inspector must not grant a licence or renew a licence if—

- (a) he is not satisfied that the applicant meets the probity requirements set out in sub-regulation (2); or
- (b) he is not satisfied that the applicant meets the competency requirement set out in sub-regulation (3).

(2) For the purposes of sub-regulation (1) (a) the probity requirements are that the person—

- (a) is fit and proper; and
- (b) is aged 18 years or more; and
- (c) has not contravened or failed to comply with any provision of the Act or these Regulations, to the extent that warrants the refusal of the licence.

(3) For the purposes of sub-regulation (1)(b), the competency requirement is that the person has successfully completed any approved training requirements or has the experience or training approved by the Chief Health and Safety Inspector as relevant to each activity or any aspect of each such activity that the person is authorised to carry on under the licence.

Notice that licence or renewal may be refused

43.—(1) If the Chief Health and Safety Inspector is proposing not to grant or renew a licence the Chief Health and Safety Inspector must, before deciding not to grant or renew the licence, serve on the applicant a notice—

- (a) specifying the reason why the Chief Health and Safety Inspector is proposing not to grant or renew the licence; and
- (b) inviting the applicant to make a written submission in accordance with sub-regulation (2).

(2) An applicant who has been served with a notice under sub-regulation (1) may, within 21 days after the day on which the applicant is served with the notice, make a submission to the Chief Health and Safety Inspector concerning any reason that is specified in the notice.

Further consideration of submission and convening of hearing

44. After receiving a submission within the time specified under regulation 43(2), the Chief Health and Safety Inspector may—

- (a) further consider the application; or
- (b) after giving notice to the applicant, convene a hearing to further consider the application.

Refusal of licence

45. The Chief Health and Safety Inspector must not make a decision not to grant or renew a licence unless the Chief Health and Safety Inspector has—

- (a) considered any written submission made by the applicant within the time specified under regulation 43 for making such a submission; and
- (b) if a hearing is convened under regulation 44, considered any oral submission made by the applicant at the hearing, if the applicant has indicated to the Chief Health and Safety Inspector within any time specified in the notice under regulation 44(b) that he or she wishes to be heard at such a hearing.

Chief Health and Safety Inspector may impose conditions on licence

46.—(1) The Chief Health and Safety Inspector may impose a condition on a licence—

- (a) relating to any of the following—
 - (i) supervision by the licence holder of diving operations;
 - (ii) training of student divers;
 - (iii) provision of certification by the licence holder; or
- (b) that the Chief Health and Safety Inspector thinks fit to impose.

(2) The Chief Health and Safety Inspector may impose on a licence that authorizes a person to carry on an activity, a condition that the person is only authorised by the licence to carry on the aspect of the activity that is specified in the licence.

Failure to comply with licence condition

47. The holder of a licence must comply with any conditions imposed on the licence.

Duration of licences

48. A licence continues in force for the period specified in the licence document, which may be up to 12 months from the grant of the licence, unless it is suspended or cancelled.

Power of Chief Health and Safety Inspector to renew licences

49. On the expiration of a licence, the Chief Health and Safety Inspector may renew the licence.

Chief Health and Safety Inspector to issue licence documents

50. Upon granting or renewing a licence, the Chief Health and Safety Inspector must issue to the applicant a licence document in the form approved by the Chief Health and Safety Inspector.

Suspension or cancellation of a licence

51.—(1) The Chief Health and Safety Inspector may suspend or cancel a licence on the grounds of misrepresentation or of falsification of specified documents.

(2) The Chief Health and Safety Inspector must serve notice of a suspension or cancellation under sub-regulation (1) on the holder of the licence.

(3) A suspension under this regulation remains in force until the date set out in the notice.

Notice of suspension or cancellation

52.—(1) If the Chief Health and Safety Inspector is proposing to suspend or cancel a licence the Chief Health and Safety Inspector must, before deciding to suspend or cancel the licence, serve on the licence holder a notice—

- (a) specifying the reason why the Chief Health and Safety Inspector is proposing to suspend or cancel the licence; and
- (b) inviting the applicant to make a written submission in accordance with sub-regulation (2).

(2) An applicant who has been served with a notice under sub-regulation (1) may, within 21 days after the day on which the applicant is served with the notice, make a submission to the Chief Health and Safety Inspector concerning any reason that is specified in the notice.

Consideration of submission and convening of hearing

53.—(1) After receiving a submission within the time specified under regulation 52(2), the Chief Health and Safety Inspector may—

- (a) consider the submission; or
- (b) after giving notice to the applicant, convene a hearing to consider the proposed suspension or cancellation.

Actions Chief Health and Safety Inspector may take at inquiry

54. If, after considering all the material available to the Chief Health and Safety Inspector, the Chief Health and Safety Inspector is of the opinion that a ground set out under regulation 51(1) has been established in relation to a licence, the Chief Health and Safety Inspector may decide to do any one or more of the following—

- (a) take no further action;
- (b) suspend the licence for a specified period;
- (c) cancel the licence.

Notice of Chief Health and Safety Inspector's decision

55. The Chief Health and Safety Inspector must notify the holder of a licence as to his or her decision under regulation 54 and must set out the reasons for that decision.

When decision under Regulation 54 takes effect

56. If the Chief Health and Safety Inspector decides to take an action under regulation 54, the decision takes effect on and from the later of—

- (a) the date that the notice under regulation 55 is served; or
- (b) the date that is specified by the Chief Health and Safety Inspector in that notice.

Service of notices

57. For the purposes of regulations 31, 40, 43, 44, 51, 52, 53 and 55, a notice under those regulations may be served by—

- (a) delivering it personally to the person;
- (b) leaving it at the person's usual or last known place of residence or business with some other person, apparently resident or employed there and who is apparently in charge or in a position of authority; or
- (c) posting it in a registered letter addressed to the person at the person's usual or last known place of residence or business.

Surrender of licence document upon cancellation or suspension

58. The holder of a licence suspended or cancelled by the Chief Health and Safety Inspector, must surrender the licence document in respect of that licence to the Chief Health and Safety Inspector within 7 days after the day on which the suspension or cancellation takes effect.

Court may cancel or suspend licence

59. If, in any proceedings before a court, the holder of a licence is convicted or found guilty of an offence against the Act or these Regulations and the court is of the opinion that the licence should be suspended or cancelled, the court may—

- (a) order that the licence be suspended for a specified period and that the licence document be surrendered to the court;
- (b) order that the licence be cancelled and that the licence document be surrendered to the court; or
- (c) refer the matter to the Chief Health and Safety Inspector for suspension or cancellation of the licence.

Made at Suva this 28th day of September 2006.

K. DATT
Minister for Labour
and Industrial Relations

SCHEDULE 1
(Regulation 10(3))

MEDICAL STATEMENT FORM

Please read carefully before signing

This is a statement in which you are informed of some potential risks involved in underwater diving and of the conduct required of you during the underwater diving training program. Your signature on this statement is required for you to participate in the underwater diving training program.

Name of Instructor(s) _____

Name and Location of Workplace _____

Address of Workplace _____

Read this statement prior to signing it. You must complete this Medical Statement, which includes the medical questionnaire section, to enroll in the underwater diving training program. If you are under 21 years, you must have this Statement signed by a parent or guardian.

Diver Medical Questionnaire

To the Participant:

The purpose of this Medical Questionnaire is to find out if you should be examined by your doctor before participating in recreational/commercial diver training. A positive response to a question does not necessarily disqualify you from diving. A positive response means that there is a preexisting condition that may affect your safety while diving and you must seek the advice of your physician prior to engaging in dive activities.

Please answer the following questions on your past or present medical history with a **YES** or **NO**. If you are not sure, answer **YES**. If any of these items apply to you, you must consult with a hyperbaric doctor or a registered doctor prior to participating in diving.

_____ Are you pregnant?

_____ Are you presently taking prescription medications? (with the exception of birth control or anti-malarial)

_____ Are you over 45 years of age and can answer YES to one or more of the following?

- currently smoke a pipe, cigars or cigarettes
- have a high cholesterol level

- have a family history of heart attack or stroke
- are currently receiving medical care
- high blood pressure
- diabetes mellitus, even if controlled by diet alone

Have you ever had or do you currently have

- _____ Asthma, or wheezing with breathing or exercise?
- _____ Frequent or severe attacks of hay fever or allergy?
- _____ Frequent colds, sinusitis or bronchitis?
- _____ Any form of lung disease?
- _____ Pneumothorax (collapsed lung)?
- _____ Other chest disease or chest surgery?
- _____ Behavioral health, mental or psychological problems (Panic attack, fear of closed or open spaces)?
- _____ Epilepsy, seizures, convulsions or take medications to prevent them?
- _____ Recurring complicated migraine headaches or take medications to prevent them?
- _____ Blackouts or fainting (full or partial loss of consciousness)?
- _____ Frequent or severe suffering from motion sickness (seasick, carsick, etc.)?
- _____ Dysentery or dehydration requiring medical intervention?
- _____ Any dive accidents or decompression sickness?
- _____ Inability to perform moderate exercise (example: walk 1.6 km/one mile within 12 minutes.)?
- _____ Head injury with loss of consciousness in the past five years?
- _____ Recurrent back problems?
- _____ Back or spinal surgery?
- _____ Diabetes?
- _____ Back, arm or leg problems following surgery, injury or fracture?
- _____ High blood pressure or take medicine to control blood pressure?
- _____ Heart disease?
- _____ Heart attack?
- _____ Angina, heart surgery or blood vessel surgery?
- _____ Sinus surgery?
- _____ Ear disease or surgery, hearing loss or problems with balance?
- _____ Recurrent ear problems?
- _____ Bleeding or other blood disorders?
- _____ Hernia?
- _____ Ulcers or ulcer surgery?
- _____ A colostomy or ileostomy?
- _____ Recreational drug use or treatment for, or alcoholism in the past five years?

The information I have provided about my medical history is accurate to the best of my knowledge. I agree to accept responsibility for omissions regarding my failure to disclose any existing or past health condition.

Signature

Date

Signature of Parent or Guardian

Date

SCHEDULE 2
(Regulation 13(3))

APPLICATION FOR REGISTRATION OF DIVE EQUIPMENT

1. Dive operator/Owner of dive equipment/Employer: _____

2. Postal Address: _____

3. Workplace Location: _____

Phone: _____ Fax: _____ Email: _____

4. Item of diving equipment and distinguishing number _____

5. For a compressor, give details (specify type; whether high pressure dive compressor, hookah or surface supplied breathing compressor):

Details	Observation/Inspector's Comments
Manufacturer	
Model Number	
Serial Number	
Date of construction	
Date of last hydraulic test	
Hydraulic test pressure	
Working supply pressure	
Estimated Supply volume	
Suitable relief / safety valve	
Relief valve/Safety valve pressure	
Condition of air receiver	
Suitable drain appliance	
Hand hole (inspection and cleaning)	
Non-return valve (at receiver end)	
Cooling / drying / filtration system	
Moving parts guarded	
General external condition	
Electric / diesel / gasoline	
Breathing compatible oil (type)	
Air intake remotely positioned	
Air quality sample	
Direct fill/bank	
Number of breathing air hose	

SCHEDULE 3
(Regulation 13(4)(b))

REGISTRATION & INSPECTION
CERTIFICATE DIVING EQUIPMENT

Health and Safety at Work (Diving) Regulations 2006

NAME OF DIVE OPERATOR/OWNER
OF DIVE EQUIPMENT/ EMPLOYER:

TRADING NAME:

ADDRESS OF INSPECTION SITE:

ADDRESS OF OFFICE:

LOCATION OF WORKPLACE:

DIVISION: CENTRAL EASTERN WESTERN
NORTHERN

CLASSIFICATION

ITEM OF DIVE EQUIPMENT / DESCRIPTION / DISTINGUISHING NUMBER:

.....
.....
.....
.....

I hereby certify that the above mentioned dive equipment (including ancillary equipment and breathing apparatus) has been inspected and registered under the Health and Safety at Work (Diving) Regulations 2006

DATE ISSUED:

CERTIFICATE NUMBER:

EXPIRY DATE:

.....
HEALTH AND SAFETY
INSPECTOR

.....
CHIEF HEALTH & SAFETY
INSPECTOR

for CHIEF EXECUTIVE OFFICER FOR LABOUR, INDUSTRIAL RELATIONS &
PRODUCTIVITY

This Certificate is valid for 6months / 12 months

SCHEDULE 4
(Regulation 26(3))

FIRST AID LIST

<i>Description</i>	<i>Minimum Quantity or Amount</i>
7.5cm x 7.5cm x 3 gauge swabs.....	6
25 adhesive strips bagged.....	1
Adhesive plaster – zinc oxide 2.5cm x 5m.....	1
10cm x 10cm non adherent pad.....	3
Gauze Pads 5cm x 5cm sterile.....	8
Gauze Pads 10cm x 10cm sterile.....	5
5cm bandage.....	2
7.5cm bandage.....	2
10cm bandage.....	1
110cm x 110cm triangular bandage.....	2
S/s scissor 12.5cm.....	1
Universal shears.....	1
Antiseptic solution 250ml.....	1
Sterile saline or water 30ml ampoules.....	4
Sting relief solution or gel.....	1
Vinegar min 250ml.....	1
Paracetamol 24'S 500 MG.....	1
Anti Sea Sickness Tablets 10's.....	1
First aid for divers pamphlet.....	1

SCHEDULE 5*(Regulation 27(2))***DIVE ACCIDENT NOTIFICATION FORM****1. INJURED DIVERS DETAILS (please type or print clearly)**Name: _____
(First) (Initial) (Surname)

Residential Address: _____

Date of injury/disease reported: _____ Time of injury/disease reported: _____

Phone: _____ Age: _____ Height: _____ Weight: _____

Occupation: _____ Male Female

Next of Kin: _____ Relationship: _____

Phone: _____ Contact made: Yes No **2. INJURED DIVERS CERTIFICATION (S)**

If previously certified, what level? _____ Certification Number: _____

Date of Certification: _____ Agency: _____

Hookah training undertaken by: _____ Date of Hookah Training: _____

If the Injured Diver was receiving Instruction please provide: _____

Level of Training: _____

3. ACCIDENT CLASSIFICATION (check all that apply)

Hookah related	<input type="checkbox"/>	Recreational	<input type="checkbox"/>	Fishing	<input type="checkbox"/>	Beche-de-mer	<input type="checkbox"/>	Training	<input type="checkbox"/>
Pool/Confined Water	<input type="checkbox"/>	Open Water	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	Boat	<input type="checkbox"/>	Scuba Related	<input type="checkbox"/>
Recreational	<input type="checkbox"/>	Fishing	<input type="checkbox"/>	Beche-de-mer	<input type="checkbox"/>	Training	<input type="checkbox"/>	Boat	<input type="checkbox"/>
Pool/confined Water	<input type="checkbox"/>	Commercial	<input type="checkbox"/>						

Suspected Type of Incident/Injury/Illness: _____

Equipment Failure Diving Ascent Out of Air Entrapment Decompression Related * Weight belt ditched Extent of Injury Fatal Non Fatal

Suspected cause of Incident/Injury/Illness: _____

Body location of injury or disease: _____

4. TIME AND LOCATION OF ACCIDENT:Date: _____ Time: _____ a.m. p.m.

Dive Site/Location: _____

Boat Shore Lagoon Outer Reef Lake River Pool

Other: _____

Depth: _____

5. INJURED DIVERS DIVE PROFILE (Over the previous 24 hours)

BOTTOM TIME	DEPTH	SURFACE INTERVAL	BOTTOM TIME	DEPTH	SURFACE INTERVAL
1. _____	_____	_____	_____	5 _____	_____
2. _____	_____	_____	_____	6. _____	_____
3. _____	_____	_____	_____	7. _____	_____
4. _____	_____	_____	_____	8. _____	_____

Diving alone Person buddy team Larger buddy team Separated from buddy

Class Size _____ Were dive tables used in planning the dive? Yes No

If yes, please check US Navy RDP Table RPD Wheel

Dive computer Brand _____ Other Type _____

Tank pressure: Start of dive: _____ End of dive: _____

6. ENVIRONMENTAL CONDITIONS

Surface Conditions: _____

Current: _____ Water Temperature: _____ Visibility: _____

Reef Lagoon Ship Night In surf Other _____

7. EQUIPMENT OF INJURED DIVER

Scuba Hookah Nitrox Other _____

Mask Snorkel Fins Tank, size and type: _____

Regulator SPG Alternate Air Source, type: _____

LP Inflator BCD Vest Style Horse collar Wetsuit Dry suit

Weight Belt, lbs _____ Depth gauge Dive Computer type _____

Is the equipment Owned or rented/supplied by the employer?

If rented/supplied please provide name of Dive Centre/Owner/Supplier: _____

Address: _____ Phone: _____

Has the equipment used by the injured diver been impounded? Yes No

Location of the injured diver's equipment: _____

8. RESCUE PROCEDURES

Injured party was found: on surface on bottom Depth (ft) _____ other _____

If a rescue was made, name of rescuer: _____

Qualification: _____ Phone: _____

Emergency medical treatment administered at the scene: Yes No

Hospitalization: Yes No Recompression: Yes No

Was mouth-to-mouth resuscitation given? Yes No How soon after the incident? _____ (minutes)

Was CPR administered? Yes No How soon after the incident? _____ (minutes)

for how long _____

Was oxygen administered? Yes No How soon after the incident? _____ (minutes)

for how long _____

Describe any additional emergency treatment: _____

Mode of transportation to medical facility? Air evacuation Ground ambulance

Private vehicle other: _____

Name of treating facility: _____

Name of physician (if known): _____

9. IF THE INCIDENT OCCURRED DURING TRAINING

Please check below to indicate the records available and enclose a copy of these records with this report.

Liability Release Training Records Medical History/Form/Physician's Release

Quizzes and Exam Answer Sheets Safe Diving Practices Statement of Understanding

Other _____

10. DIVING SUPERVISION DETAILS AT THE TIME OF THE INCIDENT

Name of Dive Supervisor _____

Dive supervisors Certificate Level: _____ Certification Agency: _____

Address: _____

Home Phone: _____ Business Phone: _____ Fax: _____

Number of people employed at the worksite or dive site: _____

Is there a Health and Safety Representative or Committee at the worksite/dive site? _____

11. DETAILS OF DIVE OPERATOR/EMPLOYER INVOLVED IN DIVE

(a) Registered Name/Trade Name of Dive Operator or Employer of injured diver: _____

Address of Registered Office: _____

Home Phone: _____ Business Phone: _____ Fax: _____

12. ACCIDENT REPORT FORM COMPLETED BY (if different to any above)

Name: _____

Address: _____

Home Phone: _____ Business Phone: _____ Fax: _____

Please explain your official capacity and/or involvement in the incident or the reporting of this accident i.e. boat/shore/dive master, course dive master, course instructor, dive supervisor, assisted in treatment, etc

13. REPORT

Describe what happened and the method of rescue. Be specific. Attach diagrams, photographs, and names and addresses of witnesses. If there was a possible equipment problem, please explain. Use additional sheets of paper if necessary.

14. OUTCOME OF INJURY OR DISEASE

Rehabilitation/Treatment: _____

Outcome of Rehabilitation/Treatment: _____

Total working days Lost: _____

Date of Resuming Duty: _____

To comply with Regulation 27(2), this form is required to be completed in full and submitted to the Chief Health and Safety Inspector and a copy to the Ministry of Health and the Recompression Chamber Facilities within 48 hours of an accident. In the case of serious injury, immediate notice by the most expedient means shall be given to the Chief Health and Safety Inspector.

SCHEDULE 6*(Regulation 31)***PRESCRIBED OFFENCES AND PENALTIES**

Column 1 - Offences	Column 2 – Penalties
Regulation 10(1)	\$4000 for a corporation or \$800 in any other case
Regulation 12(2)	\$4000 for a corporation or \$800 in any other case
Regulation 12(3)	\$4000 for a corporation or \$800 in any other case
Regulation 12(4)	\$4000 for a corporation or \$800 in any other case
Regulation 12(6)(a)	\$4000 for a corporation or \$800 in any other case
Regulation 12(6)(b)	\$2000 for a corporation or \$400 in any other case
Regulation 13(2)	\$2000 for a corporation or \$400 in any other case
Regulation 13(4)	\$2000 for a corporation or \$400 in any other case
Regulation 14(1)	\$2000 for a corporation or \$400 in any other case
Regulation 14(2)	\$2000 for a corporation or \$400 in any other case
Regulation 15(1)	\$2000 for a corporation or \$400 in any other case
Regulation 17(1)	\$2000 for a corporation or \$400 in any other case
Regulation 17(2)	\$400
Regulation 18(2)	\$400
Regulation 19(1)	\$4000 for a corporation or \$800 in any other case
Regulation 20(1)	\$4000 for a corporation or \$800 in any other case
Regulation 23(2)	\$4000 for a corporation or \$800 in any other case
Regulation 24(1)	\$400
Regulation 24(2)	\$400
Regulation 25(1)	\$400
Regulation 26(3)	\$2000 for a corporation or \$400 in any other case
Regulation 26(4)	\$400
Regulation 27(2)	\$400
Regulation 28(4)	\$40
Regulation 58	\$400

SCHEDULE 7
(Regulation 31(2))

PENALTY NOTICE

Part A

NOTICE NO.....

To:

Of:

1. Take notice that ata.m/ p.m on(day of week) the day of20....., at..... it is alleged that you have been found committing an offence against Regulation..... of the Health and Safety at Work (Diving) Regulations 2006.

2. If you do not desire the matter to be determined in a court hearing, you may complete the Part B attached to this notice and forward that form together with the prescribed sum by way of penalty to the person named there before.....day of20

3. THE PENALTY FOR THE ALLEGED OFFENCE IS	\$
---	----

4. You have the right to decline to proceed in the manner described in clause 2 above and to allow the matter to be determined in a court hearing:-
- i) if you desire to contest the question whether the offence alleged was in fact committed;
 - ii) if you wish to submit to the court matters in extenuation of penalty; or
 - iii) for any other reason, in which event you need not reply or take further action in respect of this notice, and in such case court process will issue against you in due course.

Dated this day of , 20__

HEALTH AND SAFETY INSPECTOR

.....

RETURN THE PART B PORTION WITH FULL PAYMENT

.....PLEASE TEAR ALONG THE DOTTED LINE.....

PART B

NOTICE NO.....

SURNAME OR REGISTERED COMPANY NAME:	
GIVEN NAMES:	
TRADING AS:	
RESIDENTIAL OR COMPANY ADDRESS	
DATE OF OFFENCE	PENALTY \$

Where the offence was committed by individual

Occupation.....Employer/ees FNPF Number.....

I ATTACH CHEQUE/MONEY ORDER OF \$.....

SIGNATURE
NAME

DATE
TITLE

SCHEDULE 8
(Regulation 36)

APPLICATION FOR LICENCE/RENEWAL OF LICENCE

TO: The Chief Health and Safety Inspector

Company or Employer's Name: _____

Company or Employer's Address: _____

Phone: _____ Fax: _____ E-mail: _____

Worker's Name: _____
(Surname) (First names)

Last Employer: _____

Last Employer's Address: _____

Worker's Age: _____ Years of Service: _____ Male / Female: _____

Instructor/Assistant Dive Instructor/Dive Master No: _____

International Agency: _____

In Teaching Status: Yes / No / N/A Date Renewed: _____

Insured for Indemnity & Liability: Yes / No Date Renewed: _____

Date of Last Medical Examination: _____

Date of Next Medical Examination: _____

If Expatriate: Work Permit No: _____ Date Issued: _____

Current Work Permit Expires (date): _____ Passport No: _____

The above information is true and correct

Diver/worker's signature: _____ Date: _____

Employer's signature: _____ Date: _____