



## WHAT YOU NEED TO KNOW ABOUT OCCUPATIONAL DIVING

***Diving is a particularly hazardous activity and requires divers to be competent and medically fit.***

The Department of Labour administers the Health and Safety in Employment Act 1992 (the HSE Act) and the Health and Safety in Employment Regulations 1995 (the Regulations). These determine the requirements for the certification of occupational divers. Occupational diving is defined as diving that is carried out at work for gain or reward. It involves the diver breathing gases (usually air) at greater than atmospheric pressure under water.

The Regulations require that occupational divers be 'medically fit' to dive at the time of diving (Regulation 49) and be the holder of a Certificate of Competence in the category of diving in which they are diving (Regulation 48). The Certificate of Competence is issued by the Department of Labour.

### Medical fitness to dive

A medical clearance to dive is important for all divers, but more so where a diver is engaged in a physical activity underwater. The Department of Labour has a close working relationship with the experts in diving health at the Devonport Naval Base, where a joint arrangement provides independent advice to back up medical examinations carried out by a Designated Diving Doctor (DDD). A DDD is a doctor who has completed specialist training in hyperbaric medicine (most likely not your GP).

To ensure safe work practices and to satisfy the 'all practicable steps' process in the HSE Act, a 'Diving Medical Clearance' is required for ALL categories of occupational diving. This is issued by the Diving Hyperbaric Service (DHMS) located in Auckland.

After a diver has been medically examined by a DDD, he or she will send the completed medical examination papers within 28 days to the DHMS with the appropriate fee. The diver will receive a medical clearance to dive directly from the DHMS. This medical clearance will need to be submitted, along with an application form for a Certificate of Competence, to the Department of Labour's National Diving Co-ordinator.

### Certificate of Competence

A Certificate of Competence will be issued when the applicant has obtained the required diving medical clearance and has completed the relevant training for the category of diving in which he or she intends to work. As evidence of experience the applicant will need to provide their 'Dive Log Book', showing the number and types of dives completed. The minimum number of dives required to obtain a Certificate of Competence is 100.

Currently Certificates of Competence for occupational divers are listed in the following categories:

- construction;
- scientific;
- instruction/tutor;
- tourism;
- aquaculture; and
- film and photographic.

The certificate remains valid for five years provided the holder has an 'in date' medical clearance to dive. After completing a full medical check carried out by a DDD, there is provision to use a self-check medical questionnaire. There is a need to complete a full medical every five years (for further information, go to [www.divemeds.co.nz](http://www.divemeds.co.nz)).

### Definitions

#### **Gain or reward**

This includes payment but could also include other services such as where a diver is given a "free trip" in return for providing the work.

#### **Place of work**

A place of work is defined as a place where people work for gain or reward. This could be a beach, boat or pool.

#### **Volunteers**

Volunteers who receive no gain or reward are considered to be an employee when they are in a place of work on a regular basis.

#### **Recreational diving**

This is diving carried out by individuals or groups for their own pleasure and without receiving gain or reward, which would not involve any commercial activity at a place of work.

### Further information

The **Guidelines for Occupational Diving** is published by the Department of Labour. It is available on the website [www.dol.govt.nz](http://www.dol.govt.nz).

Further information can also be obtained by ringing the Department of Labour's National Diving Co-ordinator on (07) 959 3431 or by emailing [clive.macgregor@dol.govt.nz](mailto:clive.macgregor@dol.govt.nz).

