Guidelines for
Occupational Diving
2004

To assist in meeting the requirements of the Health and Safety in Employment Act 1992 and the Health and Safety in Employment Regulations 1995
Acknowledgement

Cover photo kindly supplied by Rod Budd at NIWA
Important information on the fee for a Medical Clearance

Diving Hyperbaric Medical Services (DHMS) have advised that from 1 October 2010 their fee is $97 incl GST. For further information, please contact Diving Hyperbaric Medical Services directly.

Diving Hyperbaric Medical Services
PO Box 32 139
Devonport
Auckland

Email: divemeds@gmail.com Web: https://www.divemedical.co.nz
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Foreword

The Health and Safety in Employment Act 1992 (HSE Act 1992) sets out to promote the management of hazards in workplaces by requiring employers to identify and control hazards that may cause harm, and for employees and others to take steps to ensure their safety and the safety of others. This law provides comprehensive coverage, and a consistency of approach to the management of safety and health in all workplaces and all work activities.

The Health and Safety in Employment Regulations 1995 (HSE Regulations 1995) set specific regulatory requirements for matters that are not specifically addressed in the HSE Act 1992. A number of these regulations place specific requirements on those persons involved in occupational diving activities. This guideline has, in part, been prepared to provide simple but concise information about the administrative procedures required to be adopted by occupational divers and persons involved in occupational diving activities to comply with the requirements of the HSE Regulations 1995.

General information is provided on the duties of the various parties with responsibilities under the HSE Act 1992 (Appendix 1). Those persons who require additional information relating to responsibilities under the HSE Act should contact their nearest Occupational Safety and Health Service (OSH) centre.

It is not the intention that these guidelines will repeat technical or operational standards information in full. Such information is readily available in documents held by the different sectors of the industry. It is expected that relevant Standards will be referred to for guidance by those involved in occupational diving to ensure excellent work practices are carried out in all occupational diving activities.

The joint Australian and New Zealand Standard AS/NZS 2299 Parts 1, 2 and 3 are now recognised by industry as acceptable standards for operational practice for those involved in occupational diving. Compliance with standards can be used to show evidence of current best practice.

By ensuring minimum standards are complied with, and by the promotion of excellent work practices in all sectors involved in occupational diving, the risk of diving-related injury and illness will be considerably lessened.

These guidelines have been issued as a working document.
If you have any comments you would like considered in relation to the guidelines, please send them in writing, or for any enquires relating to technical diving issues, please contact:

Technical Support Services
Health and Safety Group
Ministry of Business, Innovation and Employment
P O Box 3705
Wellington 6140
Part 1: General

Scope

This guideline specifically details the requirements for occupational divers and persons associated with occupational diving activities to enable them to comply with the HSE Regulations 1995 and provides general guidance on recognised safe diving practices and procedures to assist in complying with the HSE Act 1992 requirements.

1.2 References

Legislation
Health and Safety in Employment Act 1992
Health and Safety in Employment Regulations 1995

Standards
AS/NZS 2299 Occupational diving operations -
   Part 4: Film and photographic diving (2005)
AS 2815 Training and certification of occupational divers
   (Construction)
   Part 1: Scuba diving on air to 30 metres (1992)
   Part 2: Surface supply diving on air to 30 metres (1992)
   Part 3: Surface supply diving on air to 50 metres (1992)
   Part 4: Bell diving (1992)
   Part 5: Training and certification of occupational divers
           - Dive supervisor (2006)
AS 3848.2 Filling of portable cylinders for SCUBA and SCBA
   (1999)

Guidelines and Industry Codes of Practice
First Aid Equipment and Facilities — Guidance Notes
   (Published by OSH)
Guidelines for the Management of Work in Extremes of Temperature (Published by OSH)
NIWA Code of Scientific Diving Practice
1.3 Definitions

For the purpose of these guidelines, the definitions below apply:

A.D.A.S. The Australian Diver Accreditation Scheme.

At work — in relation to any person means present, for gain or reward, in the person’s place of work.

Certificate of Competence (COC) — a certificate issued by OSH that authorises the holder to dive in the category of diving in which the employee is diving and will be issued in accordance with regulations 27, 31 and 32 of the HSE Regulations 1995.

Contractor — under the HSE Act means a person engaged by any other person (otherwise than as an employee) to do any work for gain or reward. The gain or reward does not need to be monetary; it can be payment in kind or an exchange of services. Nor does the contract need to be in writing.

Designated Diving Doctor (DDD) — a medical practitioner holding a current registration with the Medical Council of NZ who has undertaken a recognised training course in underwater hyperbaric medicine, and is competent to carry out medical examinations for occupational divers. (A current list of DDDs is available on the Department’s website http://www.osh.dol.govt.nz/services/diving/doctors.shtml)

Divers’ Emergency Service (DES) — 0800 4DES 111 or 0800 4337 111

DHMS — Diving Hyperbaric Medical Services. Based at PO Box 32 139, Devonport, Auckland. email: divemeds@gmail.com. web: https://www.divemedical.co.nz

Diving — means diving under water where the diver breathes gases at greater than atmospheric pressure; and “diver” has a corresponding meaning.

Dive Supervisor — A dive supervisor shall be a diver who is not necessarily fit to dive provided that a level of fitness required for the responsibilities undertaken is maintained. The dive supervisor will be trained and experienced in the dive techniques and equipment being used in the dive operation. He or she will be appointed in writing by the employer, will be on site at all times and will also hold appropriate first aid qualifications in the management of diving-related medical problems relevant to the level of diving operation being carried out.

Diving Medical Consultant (DMC) — person in charge of the Diving Hyperbaric Medical Unit. The issuer of occupational diving medicals.

Employee — means a person employed by any other person to do any work for hire or reward.

Medical Clearance — A clearance issued by Diving Hyperbaric Medical Services, PO Box 32 139, Devonport, Auckland, the unit
unit that maintains an occupational diving medical database, stating
the diver’s medical fitness to perform underwater work, and will
remain valid for a period of no more than 12 months.

Medical Examination — is an examination carried out by a design-
nated diving doctor in accordance with the current standard.

Naval Health Service — An organisation which provides OSH
with expert medical opinion on diving issues.

Occupational Diving — diving performed in the course of employ-
ment for gain or reward (irrespective of whether or not diving is the
principal function of employment or merely an adjunct to it). It has
the same meaning in these guidelines as diving work.

OSH Certificated Diver — a diver who holds a Certificate of
Competence issued by OSH in accordance with the HSE
Regulations 1995 and these guidelines.

Place of Work — is a place where any person is to work (and
includes volunteers).

Recreational Diving — diving carried out by individuals or groups
for their own pleasure and does not involve any commercial activity
for gain or reward and an at work situation does not apply.

SSBA (Surface Supplied Breathing Apparatus) — diving equip-
ment that supplies breathing gas at the required pressure for the
depth, through a diver’s hose to a diver, from equipment at the
surface.

SCUBA (Self-Contained Underwater Breathing Apparatus) —
Open circuit diving equipment that supplies the diver with the
breathing gas from a cylinder carried by the diver.

Volunteer Diver — a person present in a place of work who does
not expect to receive any gain or reward for the diving activity taking
place. Please note: The definition of “volunteers” does not include
those who are receiving training or gaining work experience.
Part 2: Categories of Occupational Diving

2.1 Construction Diving

Construction diving includes any work taking place underwater in connection with the alteration, cleaning, construction, demolition, dismantling, erection, installation, maintenance, removal, renewal or repair of any building, edifice or structure or wall. Includes work in any canal, harbour works, drainage system, flood control, irrigation system, river control, culvert, dam, pipeline, reservoir and includes any work on a buoy, obstruction to navigation, raft, ship and wreck. Also includes any inspection or other work carried out for the purpose of ascertaining if construction diving work is to be carried out. Police, Military, Customs and specialised search and rescue diving groups are considered part of this category due to the highly hazardous nature of this underwater work and the frequent involvement in construction diving activities. (This group is expected to hold at least a Part 2 Restricted certificate.)

2.2 Aquaculture Diving

Aquaculture diving is diving work carried out by those involved in fish, shellfish or aquatic plant farming. It may also include commercial harvesting.

Aquaculture diving can involve minor routine maintenance, and renewal and repair work associated with marine farms. It does not include any construction diving activities.

2.3 Scientific Diving

Scientific diving is diving work carried out by scientists or other specialised persons that have completed specific scientific diver training to collect specimens or data for scientific use. It also includes the deployment, inspection, cleaning or retrieval of scientific instruments and equipment under the auspices of an educational, conservation or research institute. It does not include any construction diving activities.

2.4 Film and Photographic Diving

Film and photographic diving is diving work carried out by film, photographic and video production staff, including actors. It does not include any construction diving activities.
2.5 Recreational Instructor/Tutor

This is recreational diving instruction and supervision given by persons suitably qualified by a recognised recreational diver training agency and working in that capacity. The following agencies are recognised in New Zealand: CMAS, PADI, SSI, NAUI, IDEA and any other organisations that meets or exceeds the World Recreational Scuba Training Council training standards. This includes instructors, divemasters or dive controllers, or persons with an equivalent qualification. This category of diving includes the setting up of dive sites to enable recreational instruction to take place. It does not include any construction diving activities.

2.6 Tourism Diving

Tourism diving is dive work carried out by those involved with dive guiding and underwater tourist activities. This also includes those persons whose work is carried out in the confines of a pool or aquarium. It does not include any construction diving activities.
Part 3: Requirements for Occupational Divers Under the HSE Regulations 1995

3.1 Medical Fitness to Dive

Diving is a physically demanding activity, often conducted in remote locations and under difficult conditions. Occupational divers must, therefore, be physically and mentally strong and healthy. Since occupational diving involves breathing gas under increased pressures, specific medical requirements are indicated.

Diver training providers must advise prospective students of the need for diving professionals in New Zealand to hold a Certificate of Competence, and advise those intending to pursue such a career to obtain an occupational diver medical clearance from the Diving Hyperbaric Medical Service. This must occur prior to embarking on any entry level training to avoid possible disappointment at a later stage.

Every employer must take “all practicable steps” to ensure that any employee who dives in the course of work is at the time of diving medically fit for diving. (See regulation 49 of the HSE Regulations 1995.)

A “full dive medical” as required by these guidelines is to be completed. Such other medical as may be deemed to be appropriate by the Diving Hyperbaric Medical Services for any particular diving sector may also be used.

The medical examination will be carried out by a Designated Diving Doctor (DDD), who will send the appropriate documentation, including audio and lung function test results as well as the $97 incl GST fee, directly to Diving Hyperbaric Medical Services. Following this a medical clearance (valid for 12 months) may or may not be issued by the Diving Medical Consultant (DMC) of the Diving Hyperbaric Medical Services, PO Box 32 139, Devonport, Auckland.

The Diving Hyperbaric Medical Services may also consider an appropriate medical clearance obtained overseas as part of this process. The suitability of such a medical clearance should be discussed directly with the Diving Hyperbaric Medical Services, PO Box 32 139, Devonport, Auckland, or email d.gorman@auckland.ac.nz or divemeds@gmail.com

Following an initial NZ Occupational Diving Examination by a DDD, occupational divers with no restrictions imposed by the DMC may complete the Diver Medical Self-Check Questionnaire. These are available from any OSH office, Diving Hyperbaric Medical Services (contact details above) or use a copy of Appendix 3 of these guidelines. This should be completed on an annual basis and submitted directly to the Diving Hyperbaric Medical Services, with the
appropriate fee of $97.00 incl GST. Dependent on the baseline information obtained at the time of the full medical examination, and the hazards of the type of diving being carried out, the diver will either have a medical clearance issued or be referred back to a DDD by the DMC for further examination.

All occupational divers will complete a full medical at least once every five years.

The full dive medical shall be completed in the year of application for a certificate of competence, or renewal of a certificate of competence, to ensure those medical records and certificates of competence records are aligned with each other. A recent medical clearance (no more than 6 months old) will need to be produced at the time of applying for a certificate of competence.

Where a diver suffers an accident or illness, which is likely to affect their medical fitness to dive, divers are advised:

- not to resume diving for a period of four weeks following discharge from hospital, and then ONLY when they have received confirmation of medical fitness from DHMS;
- not to fly for a period of four weeks;
- not to engage in strenuous or new physical activity for four weeks;
- their medical certificate of fitness to dive will be suspended until it is reinstated by DHMS; and
- they must inform their employer that their medical certificate of fitness is suspended, and also when it is reinstated.

After the four-week stand down period, the diver should arrange to have a full NZ Occupational Diving Examination by a DDD, including spirometry, audiometry and long-bone X-rays (only if they had never had long-bone X-rays before), the results of which should be sent to DHMS (PO Box 32 139, Devonport) accompanied by a cheque for $97.00 incl GST processing fee. Only when this medical has been confirmed by DHMS and their fitness to dive reinstated should the diver resume diving.

### 3.2 Procedure for Completion of Initial and Five-Yearly Medical Examinations

- The applicant will make an appointment with a Designated Diving Doctor and complete a medical examination to the required standard.
- The DDD will forward the completed medical examination results and a $97.00 incl GST assessment fee to Diving Hyperbaric Medical Services, PO Box 32 139, Devonport, Auckland. Diving Hyperbaric Medical Services will endeavour to send a medical clearance within 10 working days of receipt directly to the diver if he or she is deemed fit to dive.
3.3 Procedure for Completion of Ongoing Medical Assessment

- The applicant completes an Occupational Diver Medical Questionnaire and forwards it directly to Diving Hyperbaric Medical Services, PO Box 32139, Devonport, Auckland with the appropriate assessment fee of $97.00 incl GST.

- A “fit to dive” clearance will be issued to the applicant by the DMC within 10 working days of receipt, or the applicant will be referred to a DDD for further assessment.

3.4 Certificates of Competence — General

All categories of occupational divers are required to hold a certificate of competence, issued by the Occupational Safety and Health Service of the Department of Labour. This certificate will be issued in accordance with regulations 27, 31, and 32 of the HSE Regulations 1995. The certificate will require renewal on a 5-yearly basis.

Regulation 40 requires any renewal to be made prior to the certificate expiring. Regulation 32 requires the applicant to show that they have recent training and experience.

The certificate will only remain valid while the diver holds a current dive medical clearance issued by Diving Hyperbaric Medical Services as discussed in section 3.1.

Sector-specific “peer review” groups may be set up to assist OSH in assessing information provided by applicants. The names of those on any peer review group will, at all times, remain confidential.

OSH will process all applications for certificates of competence at a central point following strict guidelines (see section 3.12).

3.5 Certificate of Competence — Construction Diving

Due to the nature of the work being carried out, construction diving is considered to be the most hazardous of the categories of diving and consequently requires a high standard of training to enable persons to carry out this class of diving safely.

Divers wishing to work in construction diving will be required to be trained by an ADAS-accredited diver training establishment and provide evidence of obtaining a relevant ADAS qualification. For further information contact the National Diving Co-ordinator.

By adopting this system, the New Zealand dive industry is ensuring that training is to a similar standard to that required in Australia which is recognised internationally.

Certificates of competence will be issued as follows:
• **Construction Diver Part 1:** A person who holds a current ADAS accreditation as having met the standard of training for AS 2815 Part 1. *Scuba diving to 30 metres.*

• **Construction Diver Part 2:** A person who holds a current ADAS accreditation as having met the standard of training for AS 2815 Part 2. *SSBA diving to 30 metres including the use of certain underwater equipment.* This certification may include specific restrictions as identified by the ADAS accreditation. Within this part there is provision for a restricted category, which would exclude the use of some underwater equipment and tools.

• **Construction Diver Part 3:** A person who holds a current ADAS accreditation as having met the standard of training for AS 2815 Part 3. *SSBA diving to 50 metres.*

• **Construction Diver Part 4:** A person who holds a current ADAS accreditation as having met the standard of training for AS 2815 Part 4. *Bell diving.*

• **Construction Diver Supervisor:** A person who holds a current ADAS accreditation and has met the supervisor standard or equivalent, or a person that has demonstrated he/she has suitable work experience and meets a set criteria. Note: This will run concurrently with an existing certificate of competence.
DIVERS CERTIFICATE OF COMPETENCE  
Construction Diving

Australian Diver Accreditation Scheme (ADAS) and/or Recognised Prior Learning  
Australian Standard AS 2815: Training

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<td>SCUBA to 30 m</td>
<td>SCUBA and SSBA to 30 m including underwater tools and equipment</td>
<td>SSBA to 50 m and chamber operation</td>
<td>Bell diving</td>
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<td><strong>PART 2 (Restricted)</strong></td>
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<td>Where underwater tools and equipment are not required</td>
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GENERAL WORKPLACE DIVING  
Limited Certificate of Competence
(Scientific/Instructor/Film and Photographic/ Tourism/Aquaculture)

Minimum Requirement for Limited Certificate of Competence

• Perform Diver Rescue Qualification - NZQA Unit Standard 4387; and
• At least 2 night dives - NZQA Unit Standard 4388; and
• At least 4 deep dives - NZQA Unit Standard 4398; and
• At least 2 navigation dives - NZQA Unit Standard 4385; and
• At least 2 search and recovery dives - NZQA Unit Standard 4393: and
• At least 15 hours of supervised underwater diving time accumulated over a minimum of 20 dives in the category of diving applied for.

• Scientific divers will also need to have completed specific scientific diver training.

NOTE: General workplace divers are not qualified to carry out construction diving activities.

Construction Divers carrying out diving work in those General Workplace Diving activities which require a Limited Certificate of Competence must be holders of a Certificate of Competence for that category.
3.6 Limited Certificate of Competence

A limited certificate of competence relating to the categories of diving contained in sections 2.2 to 2.6 will also be issued. The holders of limited certificates are not permitted to carry out any construction diving activity.

The minimum prerequisites for all limited categories of diving will include:

- Perform Diver Rescue Qualification — NZQA Unit Standard 4387; and
- At least 2 night dives — NZQA Unit Standard 4388; and
- At least 4 deep dives — NZQA Unit Standard 4398; and
- At least 2 navigation dives — NZQA Unit Standard 4385; and
- At least 2 search and recovery dives — NZQA Unit Standard 4393; and
- At least 15 hours of supervised underwater diving time accumulated over a minimum of 20 dives in the category of diving applied for and having completed at least 100 dives.

3.7 Recreational Instructor/Tutor

A limited certificate of competence will be issued to those divers who can show that they practice and hold current teaching status as an instructor, assistant instructor, dive master, dive controller, or equivalent qualification issued by a dive training organisation as detailed in section 2.5.

3.8 Tourism and Film and Photographic Diving

A limited certificate of competence will be issued where the applicant has met the requirements of section 3.6.

3.9 Aquaculture Diving

Having obtained an OSH Limited Certificate of Competence, the diver must complete the relevant “Aquaculture Dive Qualification”. This includes assessment in the understanding of the Aquaculture Industry’s Best Practice Guidelines. It will also cover specific aquaculture diving skills relevant to the diver’s role in the workplace. This demonstrates “all practicable steps” in training to ensure all Aquaculture Divers are adequately trained.
3.10 Scientific Diving

A limited certificate of competence for scientific diving will be issued to those applicants who have met the requirements of section 3.6, and who are authorised as a scientific diver by a scientific organisation, such as an educational, conservational or research institute that ensures their divers work to an industry-agreed code of practice or equivalent document. The applicant will also need to demonstrate that he/she has completed specific scientific diver training carried out by an organisation formally recognised by the scientific industry.

3.11 Occupational Divers’ Training Under Direct Supervision

Regulation 48 of the HSE Regulations 1995 provides for an occupational diver to train under the direct supervision of another diver who holds a certificate of competence for that category of diving. Direct supervision means within reach, or within visual contact to ensure immediate assistance can be provided in the event of an emergency.

On-the-job training can only take place where the relevant prerequisite requirements have been completed.

A certificate of competence will only be issued when the diver can show evidence of completing formal training. Trainee divers cannot assist with construction dive work.

3.12 Occupational Divers with an Existing OSH Certificate of Competence

For those persons holding an existing certificate of competence the following arrangement will apply:

(a) Existing certificates of competence will be renewed under the criteria contained in these guidelines subject to an assessment being made of the applicant’s relevant training, qualifications, and work experience. (A statutory declaration will be required.)

(b) The assessment process will be carried out by the OSH National Diving Co-Ordinator and, where necessary, will be subject to a validation process to ensure consistency and fairness.

(c) Certificates of competence are required by Regulation 40, to be renewed prior to expiry. Any expired certificates of competence will be treated as a new application. (The full fee will apply.)
3.13 Application Procedure for Certificate of Competence

Divers should complete the application form in full (Appendix 2) then send the original directly to the National Diving Co-Ordinator.

Applications shall include:

- Copies of all relevant dive qualifications for the category of diving applied for;
- The original of the diver’s full medical clearance, not more than six months’ old;
- The applicant’s dive log book;
- Any copies of documents provided in support of an application will require a statutory declaration from the diver stating the copies are a true and correct record. This will also be required for computer printouts of dives; and
- The required fee, as set by regulation.
  - New application for certificate of competence — $92.00
  - Renewal or replacement of certificate of competence — $57.50 (inclusive of GST).

The completed applications should be forwarded to:

Technical Support Services
Health and Safety Group
Ministry of Business, Innovation and Employment
P.O. Box 3705
WELLINGTON 6140

Where the application is in order, a certificate of competence will be issued, or where further information is required, the National Diving Co-Ordinator may interview the applicant by phone, contact referees or request further information from the applicant.

Any original documents will be returned to the applicant.

3.14 Appeals

Regulation 44 allows for an appeal to a District Court where:

- the applicant is dissatisfied with a refusal to issue a Certificate of Competence;
- the applicant is dissatisfied with a refusal to renew a Certificate of Competence;
- the holder of a Certificate of Competence is dissatisfied with the cancellation or suspension of his or her certificate; or
- the holder of a Certificate of Competence is dissatisfied with a refusal to issue a duplicate of his or her certificate under regulation 42.
3.15 Dive Equipment

The Health and Safety in Employment Act 1992 now puts certain responsibilities on those persons hiring out, leasing out or loaning out dive equipment to be used in a place of work (refer section 18(A)). Such equipment must be designed, made and maintained to be safe for its intended use.

3.16 Notifiable Work

Regulation 2 of the HSE Regulations 1995 defines certain hazardous construction activities as “notifiable work”.

Regulation 26 requires that the intention to commence such hazardous work will be made in writing by the employer and will be lodged at the nearest OSH office to the worksite at least 24 hours prior to the commencement of the work.

Construction Diving is “Notifiable Work” as defined by regulation 2.

Use Of Explosives Underwater is “Notifiable Work”.

Where explosives are to be handled in diving operations, the employer shall refer to the recommendations and regulations of the appropriate authority for their transportation, storage and use. The initiation of all underwater charges must be under the direct control of a person who holds a current “approved handler test certificate”.

Note: ERMA administers the HSNO Act, which now covers the use of explosives in New Zealand.

ERMA can be contacted at www.ermanz.govt.nz
Part 4: Operational Procedures for Diving

It is essential that persons involved in occupational diving are aware of their own responsibilities and the responsibilities of all other persons involved in the diving work. The HSE Act 1992 places duties on various parties as summarised in (Appendix 1). Although employers generally have the most duties the following sections highlight the major areas which need to be considered by all persons involved in the diving work to ensure a safe place of work for themselves and any other persons involved.

All persons involved in occupational diving activities should be aware of the effect on diving following the use of alcohol or drugs, which may impair judgement and performance.

This section summarises the main requirements. For further in-depth information on each section reference should be made to relevant parts of AS/NZS 2299 or other acceptable industry standards. Standards and procedures manuals provided by the diver training organisations for recreational diving instruction activities contain relevant information for that category of diving.

4.1 Dive Organisation, Planning and Hazard Management

All dives must be well planned and organised. Prior to any diving work taking place the hazards related to the proposed activities must be identified and suitable measures to manage the significant hazards must be in place and understood by all persons involved.

Consideration should be given to water depth, temperature and the time expected to complete the proposed diving task. An assessment of in water and surface conditions should be made. The dive plan is to be available at the dive site and clearly communicated to all persons involved in the activity.

A thorough pre-dive briefing must be given and all persons involved in the diving work must be made aware of their roles and responsibilities. The pre-dive briefing must include the hazard management plan for the work and the emergency procedures to be adopted.

Pre-planning is as important to safety as the actual dive work itself.

A supervisor, diver, or lead diver, as applicable, shall be in charge of all diving operations and shall have final authority for safety. Where a supervisor is required to carry out any other activity other than supervising, a secondary supervisor should be appointed. Every diver engaged in a diving operation shall inform the diving supervisor if they are unfit or if there is any other reason why they should not dive. Under no circumstances shall a diver be required to dive when they consider the conditions to be unsafe or their physical condition may prevent safe completion of the dive.
4.2 Emergency Procedures

Prior to any diving work being undertaken an emergency plan must be completed and a written copy maintained at the dive site until all diving activity has ceased. Emergency contact information, including the location of the closest available hyperbaric treatment facility shall be available at the worksite. The contact details of any local area designated diving doctor or other doctors and the NZ Divers Emergency contact freephone number must be recorded. **Phone: 0800 4 DES 111 (0800 4 337 111)** The emergency plan must cover such issues as recompression chamber evacuation contingencies, the provision of an effective means of emergency communication, and local contact information.

Consideration must be given to the recovery of a diver from the water in the event of an emergency. There must be available on site sufficient trained first-aid personnel and first-aid equipment and facilities to ensure the successful operation of the emergency plan.

For occupational diving instruction beyond entry diver level, suitably qualified course participants may form part of the personnel required for the operation of the emergency plan.

4.3 First Aid

For all diving activities there should be present at the dive site sufficient trained first aid personnel to ensure adequate immediate treatment is available for any diving emergency causing injury or illness. The number of trained persons required on site will be dependent on the nature of activities being undertaken. Reference can be made to the OSH publication *Guidance Notes on Providing First Aid Equipment, Facilities and Training to Meet the Requirements of the Health and Safety in Employment Act 1992 and Regulations*, available from OSH service centres.

First aid qualification training must include the treatment of illnesses and injuries brought about by working underwater, in particular an oxygen administration course. (Refer AS/NZS 2299 Part 1, paragraph 2.5.)

There must be sufficient first-aid equipment at the diving site for any emergency including medical oxygen delivery equipment. Emergency oxygen equipment sufficient to provide recommended levels of medical oxygen to a breathing or non-breathing patient should be available on site.

Account must be taken of the location of the dive site and access to medical facilities.
4.4 Identification of the Worksite

When diving operations are in progress the limits of the dive area must be suitably defined and identified to any persons not involved with the operation.

The means to suitably identify the limits may include signage, flags, buoys, or lamps to the requirements of any regulatory authority. Such regulatory authorities may include but are not limited to the Maritime Safety Authority or local Harbormaster.

4.5 Activities of Others

Where the activities of other persons in the dive area may be hazardous to any proposed diving work “all practicable steps” must be taken to ensure the diving can be carried out without undue risk to the divers. The start and stop time of any hazardous activities must be established and if necessary, the diving work rescheduled to ensure it can be completed in safety.

4.6 Diving Equipment

Prior to any diving activity taking place all diving equipment and equipment associated with the diving work must be thoroughly inspected to ensure its safe operation.

Immediately before each dive, the diver shall check that:

(a) all the required equipment is present;
(b) such equipment is properly secured in place; and
(c) all equipment is functioning correctly.

If it is safe to do so before descent, a final check shall be conducted in the water.

All diving equipment used must be of an acceptable standard for the category of diving work being undertaken.

All diving equipment is to be maintained to the manufacturer’s recommended maintenance standards and a log kept of all checks.

A suitable means to accurately record dive depths and times must be provided for each diver.

4.7 Diving in Cold Water

The temperature of water at the dive site must be determined and the thermal protection provided must be adequate to maintain the diver at a comfortable temperature for the proposed duration of the dive.
4.8 Personnel for Diving Work

Divers must hold a current certificate of competence as required by regulation 48 for the diving category appropriate to the work being carried out.

Divers must be Medically fit for diving and have a current medical clearance not more than 12 months old as required by regulation 49.

4.9 Minimum Dive Teams

The minimum team numbers present for each dive will be dependent on the activity being undertaken and the category of diving taking place. Reference should be made to industry standards. For construction diving and other hazardous diving activity the requirements of AS/NZS 2299.1:1999 should be referred to for guidance as the minimum requirements.

4.10 Record Keeping

(a) All divers will maintain a hard copy personal dive log book, signed by the dive supervisor and will keep a permanent written record (in ink) of all dives for at least 5 years. The dives are to be sequentially numbered and are to include a running total of dive time. The current log book containing at least the last ten dives is to be maintained on site and is to be available for inspection if requested.

(b) Employers shall ensure that a permanent written record is kept for at least 7 years of all diving work undertaken. Details should be kept of:

- The names and roles of personnel involved; and
- All data relating to the dive including, times, depths, equipment in use, breathing gas medium, purpose of dive, and work completed.

4.11 Diving at Increased Altitude

When diving at increased altitude, attention is drawn to the need for the depth of the dive to be corrected to allow for a lessened ambient atmospheric pressure, and the need to slow the ascent rate in accordance with industry standards. In New Zealand many dives are carried out in lakes and rivers at altitude. The dive plan will need to be adjusted to prevent the possibility of decompression illness. Adjustments must be made to the dive schedule utilising relevant industry schedules.
4.12 Travel to Altitude Following Diving

Travel to altitude following diving is a well-known predisposing factor to the onset of decompression illness. The latest industry flying after diving and travel to altitude guidelines must be consulted. Prior to flying or other travel by motor vehicle to altitude the diver must ensure that a minimum delay time is observed.

4.13 Air Purity

Air purity standards for compressed air are prescribed in AS/NZS 2299 Part 1, Section 3.13 Breathing gas quality. Persons providing compressed air for diving must implement periodic checks to ensure the quality of air is maintained in accordance with the relevant Standard.

Dive cylinder filling stations should pay special attention to AS 3848. Part 2. This standard includes such matters as filling station and operator safety. Part 3 of AS/NZS 2299 requires testing of air quality on a three-monthly basis for SCUBA or SCBA. Compressors used for SSBA should be checked every 6 months in accordance with AS/NZS 2299 Part 1.

4.14 Dive Equipment Hygiene

All dive training and retail establishments that loan or hire dive equipment, i.e. regulators, masks, snorkels, etc. MUST ensure the equipment is adequately sanitised between users to minimise the risk of passing on infection.

4.15 Dive Tables

A set of industry-acceptable dive tables and procedures must be utilised and available on site where any diving work is taking place. All diving in limited categories must be planned as no decompression dives within the no decompression limits of the tables used. Reference can be made to AS/NZS 2299 Part 1, for guidance on suitable dive tables.

A dive computer may be used to assist divers to meet the requirements of the dive plan but divers should avoid diving to the limits of diving computers and should follow the manufacturer’s guidelines and recommendations at all times.

As many dive tables are incompatible, care must be taken NOT to utilise more than one set of tables in any 24-hour period.
4.16 Dive Communications

A suitable, efficient and reliable method of communicating must be in place for all diving work. The method used must minimise any significant hazards involved in the work being undertaken. For tourism guiding the method may be hand signals between divers and surface support personnel, while for construction diving the method may be a reliable two-way through water voice communication system.

4.17 Diving from Boats

The skipper and crew of any boat used in diving work shall, at all times, ensure that the operation of the boat complies with any relevant Maritime Safety Authority requirements. Any boat used while diving operations are taking place must at all time be manned by a competent person able to respond immediately to any diving emergency situation which may develop.
Part 5: Requirements for Provision of a Recompression Chamber

5.1 Construction Diving

An operational twin lock recompression chamber shall be located on site when:

- decompression stoppages are required for the dive;
- the depth of diving exceeds 30 metres; or
- the nature of the work or local conditions create a significant risk.

Where the construction diving taking place is between a depth of 30 to 40 metres and is a single short-duration dive for inspection purposes only, the requirement for a chamber on site may be relaxed.

On site has the meaning assigned to it by AS/NZS 2299.1:1999.

Any chamber provided is to comply with the requirements of the Health and Safety in Employment (Pressure Equipment, Cranes and Passenger Ropeways) Regulations 1999 as well as AS/NZS 2299.1:1999.

5.2 Limited Categories of Diving

(a) There is no need to provide a recompression chamber on site provided that safe dive practices are followed at all times, and:

- no dive exceeds 39 metres;
- no construction diving activity takes place;
- all dives are planned as no decompression dives;
- an emergency plan is in place including the means to evacuate a diver to a specialist diving medicine facility (Royal New Zealand Navy or Christchurch Hospital);
- where recommended, a safety stop is to be incorporated as indicated by the dive schedule being utilised; and
- any controlled emergency swimming ascent training is carried out so that the instructor is in direct contact with a rope or similar object that is capable of being utilised to slow or arrest the ascent of the trainee at any stage.

(b) Where technical diving is undertaken a strict criteria must be developed by the employer for each occasion where such diving is carried out.
Part 6: Snorkel (Skin) Diving

The Health and Safety in Employment Regulations 1995 do not include snorkel diving in the definition of diving and as such there are no regulatory requirements to have a certificate of competence or dive medical clearance for this type of diving.

Where persons are employed or engaged as snorkel divers however, the employer, principal, or self-employed snorkel diver will still be required to exercise an appropriate duty of care as required by the Health and Safety in Employment Act 1992.

Snorkel diving deaths are usually due to drowning and most commonly occur at either the beginning or the end of a dive. These drowning accidents are contributed to by phenomena such as cardiorespiratory fitness, excess workload, and access to safety. In that context, breath hold divers are just as liable to die from these mechanisms as compressed gas divers.

An appropriate duty of care by persons involved in such diving activities would require an assessment of the divers competencies and an assessment of the divers medical fitness to carry out such diving activities in a safe manner.

Part 7: Technical Diving

As there is an increased risk when using technical diving techniques, special consideration must be given to this activity.

Technical diving requires advanced training, experience and practice to ensure the safety of the dive (refer to Section 4 of AS/NZS 2299 Part 3).

Organisations involved with technical diving need to ensure their health and safety obligations are FULLY met.

Part 8: Tourism and Charter Operators

Tourism and charter operators need to ensure they have a robust system of checking and assessing the divers’ medical fitness, qualifications and ability.
Appendix 1: Summary of the Health and Safety in Employment Act 1992

1.1 The Objects of the Act

The overall object of the Health and Safety in Employment Act 1992 (HSE Act) is the prevention of harm to people as a result of work activities. Towards this, it defines harm and hazards in a comprehensive way, and promotes co-operation towards their systematic management in almost all places of work (section 5).

The Act imposes duties on employers, employees, the self-employed, principals, people who control places of work, and others. It is administered and enforced by the Occupational Safety and Health Service of the Department of Labour (OSH).

1.2 Regulations and Other Guidance Materials

The Act prescribes general duties and processes for the management of hazards in places of work. Further guidance on the steps to be taken in relation to particular hazards is provided by regulations, approved codes of practice or other guidelines.

Regulations may be made under section 21 of the Act. They describe steps which must be taken with respect to particular hazards or processes.

Approved codes of practice are provided for in section 20 of the Act. They are statements of preferred work practice or arrangements, and may include measures which could be taken into account when deciding on the practicable steps to be taken. Compliance with approved codes of practice is not mandatory. However, an approved code may be used in court as evidence of good practice.

Guidelines may be developed by agreement between industry groups and OSH. They set out preferred methods and standards and should be complied with unless other methods that result in the same standards are used. They may be used in court as evidence of good practice.

1.3 Employers’ Duties

Employers have the most duties to perform to ensure the health and safety of employees at work. They also have duties to other workers who are deemed employees under the Act — including volunteers doing regular work, persons receiving on-the-job training or work experience and loaned employees (sections 3C-3F).
Employers have a general duty to take all practicable steps to ensure the safety of employees (section 6). In particular, they are required to take all practicable steps to:

- Provide and maintain a safe working environment;
- Provide and maintain facilities for the safety and health of employees at work;
- Ensure that machinery and equipment is safe for employees;
- Ensure that working arrangements are not hazardous to employees; and
- Provide procedures to deal with emergencies that may arise while employees are at work.

Taking “all practicable steps” means doing what is reasonably able to be done in the circumstances, taking into account:

- The severity of any injury or harm to health that may occur;
- The degree of risk or probability of that injury or harm occurring;
- How much is known about the hazard and the ways of eliminating, reducing or controlling it; and
- The availability, effectiveness and cost of possible safeguards.

An employer or other person is only required to take “all practicable steps” in relation to circumstances that they know, or ought reasonably to know about (section 2A).

1.4 Hazard Management (sections 7-10)

Employers must identify and regularly review hazards in the place of work, whether existing, new or potential, to determine whether they are significant hazards and require further action. This includes the recording and review of all accidents and incidents that involved or could have led to harm (section 7). Employees must be given reasonable opportunities to take part in the hazard management process (part 2A).

Where any accidents or incidents occur, employers have recording and notification duties under the Act (see below).

“Significant hazard” means a hazard that is an actual or potential cause or source of:

- Serious harm;
- Harm (being more than trivial) where the severity of effects on any person depends (entirely or among other things) on the extent or frequency of the person’s exposure to the hazard; or
- Harm that does not usually occur, or usually is not easily detectable, until a significant time after exposure to the hazard.
Where the hazard is significant, sections 8-10 set out the steps the employer must take:

- Where practicable, the hazard must be **eliminated**;
- If elimination is not practicable, the hazard must be **isolated**;
- If it is impracticable to eliminate or isolate the hazard, then employers must **minimise** the hazard to employees.

In addition, where a hazard is minimised, the employer must, where appropriate:

- Provide protective clothing and equipment, make it accessible, and ensure that it is used;
- Monitor employees’ exposure to the hazard;
- Seek the consent of employees to monitor their health; and
- With their informed consent, monitor employees’ health.

### 1.5 Information for employees and health and safety representatives

Before employees begin work, they must be informed by their employer of:

- Hazards they may be exposed to while at work;
- Hazards they may create which could harm other people;
- How to minimise the likelihood of these hazards becoming a source of harm to themselves and others;
- The location of safety equipment; and
- What to do in an emergency.

Employers are also required to inform employees of the results of any health and safety monitoring. In doing so, the privacy of individual employees must be protected.

Health and safety representatives in any workplace must be given ready access to sufficient information about health and safety systems and issues to enable them to perform their functions effectively (section 12).

### 1.6 Training and Supervision of Employees

Employers must ensure employees are either sufficiently experienced to do their work safely or are supervised by an experienced person. In addition, employees must be adequately trained in the safe use of equipment in the place of work, including protective clothing (section 13).
1.7 Safety of People Who are Not Employees

Employers have a duty to ensure that no action or inaction of an employee causes harm to any other person (section 15).

1.8 Employee Participation

Employers must provide reasonable opportunities for employees to participate in ongoing processes for improvement of health and safety in the place of work. The Act is not prescriptive on the nature of employee participation, but contains default provisions where agreement cannot be reached within a place of work (part 2A and schedule 1A).

1.9 Employees and Self-Employed Persons

Employees and self-employed persons have a responsibility for their own health and safety while at work (sections 19 and 17 respectively). They must also ensure that their actions do not harm anyone else. An employee has the right to refuse to do work that they believe will cause them serious harm (section 28A).

These responsibilities do not detract from the employer’s responsibilities. The self-employed also have duties to record and notify accidents (see below).

1.10 Principals to Contractors

Principals must take all practicable steps to ensure that no contractor, subcontractor, or employee of a contractor or subcontractor is harmed while doing any work (other than residential work) that the contractor was engaged to do (section 18).

1.11 Persons Who Control Places of Work

Persons who control places of work must take all practicable steps to ensure that persons in, or in the vicinity of the place of work are not harmed as a result of work activities (section 16). Duties apply to the person in control of the place of work in relation to visitors.

1.12 Sellers and Suppliers of Plant for Use in a Place of Work

Any person who sells or supplies plant that can be used in a place of work has a duty to ensure that any plant used in a place of work is designed and made, and has been maintained, so that it is safe for its intended use (section 18A).
This applies to people who:

- Hire, lease or loan to another; or
- Otherwise sells or supplies plant that can be used in a place of work. Secondhand equipment that is sold “as is” is exempt.

### 1.13 Protection for Volunteers

Volunteers who do *regular and ongoing work* for an employer or self-employed person, and where the work is integral to the business, may be deemed “employees” with respect to many of the Act’s duties (section 3C). This does not apply where the volunteer is:

- fundraising;
- assisting with sports or recreation for a sports or recreation club or education institution;
- assisting with activities for an education institution outside its premises; or
- providing care to another person in the volunteer’s home.

In *all* cases of voluntary work, the person for whom the volunteer does the work must take all practicable steps to ensure the health and safety of the voluntary worker (section 3D).

### 1.14 Recording and Notifying Accidents and Serious Harm

Section 25 of the HSE Act requires employers, the self-employed, and principals who engage contractors to keep a register of work-related accidents, incidents, and other occurrences of serious harm in the prescribed form. This includes every accident that harmed (or might have harmed) someone. Employers are also required to investigate all these accidents to determine whether they were caused by a significant hazard (section 7(2)).

Those with recording duties are required to notify serious harm that occurs to employees and others that result from work activities to the Secretary of Labour, through the nearest OSH office as soon as possible. The accident must also be reported, using the prescribed form, within 7 days. (Suitable forms are available from OSH or from stationers.)

If a person suffers serious harm, the scene of the accident must not be disturbed unless to:

- Save life or prevent suffering;
- Maintain public access for essential services (e.g. electricity, gas); or
- Prevent serious damage or loss of property (section 26).

The OSH office will advise whether it wishes to investigate the accident and what action the employer, self-employed person or principal may take in the meantime.
NOTE: In relation to diving activities, “serious harm” includes:

- Decompression illness is deemed where it results in permanent loss, or temporary severe loss, of bodily function;
- Any loss of consciousness from lack of oxygen, or
- Any loss of consciousness or acute illness requiring treatment by a registered medical practitioner from absorption, inhalation, or ingestion of any substance.

These are in addition to other trauma injuries and illnesses listed in schedule 1. (Refer to the schedule for further information.)

Any such occurrences of serious harm should be notified to OSH as soon as possible (section 25).
Appendix 2: Application for Certificate of Competence

See following pages.
# APPLICATION FOR CERTIFICATE OF COMPETENCY

**OCCUPATIONAL DIVING**

**HEALTH AND SAFETY IN EMPLOYMENT ACT 2002 AND REGULATIONS 1995**

Before submitting your application, have you:

1. Include your up-to-date Dive Medical Clearance from Diving Hyperbaric Medicine Services which costs $97.00 payable to the Diving Hyperbaric Medicine Services attained prior to applying for your Certificate of Competency Occupational Diving?
2. Completed all relevant parts and pages in this form?
3. Read and understand the requirements of the HSE regulations 1995 and implications of being a holder of certificate of competency?
4. Ensured that all persons named as referees can confirm the details provided?
5. Attached a recent passport-sized photo with your name on the back or scan and email?
6. Included your current complete and up-to-date dive logbook?
7. Paid via Direct Credit Payment (print and attach to show proof of payment) or cheque made out to WorkSafe New Zealand?
8. Included a copy of your qualifications (ADAS, P.A.D.I, S.S.I etc.)
   a) Construction divers your official ADAS card/s or copies will be accepted (certificates are not acceptable as stated on the certificate)
   b) Instructor/Tutors divers include evidence of your current teaching status
   c) Scientific divers include a letter of authorisation as a scientific diver from a recognised scientific organisation and evidence of specific scientific divers training
   d) Include evidence of “suitable recent training” relevant to the category/ies applied for
9. Have your Statutory Declaration completed by a duly authorised person (Justice of the Peace)?
10. Renewals must be lodged prior to the date of expiry.
11. Application fees are Non Refundable

**DETAILS OF APPLICANT:**

Surname: ________________________________ First Names: ___________________________

Residential address: ________________________________________________________________

Postal Address: ________________________________________________________________

Town or City: __________________________ Post Code: ____________________________

Email address: __________________________

Phone (daytime): __________________________ Mobile: ____________________________

Date of Birth: __________________________ Are you authorised to work in New Zealand:

**Fees (Including GST) NON REFUNDABLE**

<table>
<thead>
<tr>
<th>Initial Application</th>
<th>$92.00</th>
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<tr>
<td>Renewal/Replacement</td>
<td>$57.50</td>
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<tr>
<td>(Once expired classified as a new application)</td>
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</table>

**DIRECT CREDIT PAYMENT:**

- **Account Name:** WorkSafe New Zealand
- **Bank:** Westpac Account: 03-0251-0040445-000
- **GST Number:** 112-953-256
- **Please quote:** your name on Remittance advice
- **Particulars:** Last name
- **Code:** First name
- **Reference:** Diving

**Please put in your reference or we will be unable to match your payment with your application which could cause delays**

**Please print out receipt of payment and attach to your application**

**CATEGORY OF CERTIFICATE OF COMPETENCY BEING APPLIED FOR:**

Please tick the appropriate box/es bellow for required category

<table>
<thead>
<tr>
<th>Limited Certificate of Competency:</th>
<th>Construction diving: SCUBA to 30 metres.</th>
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<td>Scientific</td>
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<tr>
<td>Instructor/Tutor</td>
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<td>Film and Photographic</td>
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<td>Tourism</td>
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<td>Construction Diving: Bell diving</td>
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<td></td>
<td>Construction Dive Supervisor</td>
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</tbody>
</table>
1. An applicant for a certificate (diving) shall (regulation 31):
   a) Fulfill the requirements of regulations 32(a) to (d);
   b) Be physically and mentally able to perform any task that it is reasonable to expect the holder of such a certificate to perform;
   c) Be of good character and reputation.
2. An applicant for a certificate of competency as a diver shall (regulation 32);
   a) Have a thorough knowledge of the principles and practices of diving;
   b) Have a thorough knowledge of the safe diving practices that must be followed;
   c) Have had suitable recent training and suitable recent experience in diving; and
   d) Be medically fit for diving.
3. Cancellation of Suspension (regulation 41)
   The person issuing a certificate of competence is empowered to cancel or suspend certificates on the grounds that:
   a) The certificate was issued in error;
   b) The holder’s application for the certificate contained false information or evidence;
   c) The person never has been, or no longer is, a person to whom regulation 31 of the Health and Safety Employment Regulations 1995 applies;
   d) The holder has been negligent in carrying out any task as the holder of such a certificate; or
   e) The holder has become unfit to be the holder of such a certificate.
4. Regulation 36 enables the Chief Executive or Secretary to carry out investigations for Certificates of Competency.

### DETAILS OF TRAINING

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Training Establishment</th>
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Employer’s Name: _______________________________________________________________________
Address: ______________________________________________________________________________
______________________________________________________________________________________
______________________________________________________________________________________

Provide names and addresses of at least two (2) persons who, if requested, could verify that the above details are a true record.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone (daytime)/Email</th>
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</table>
STATUTORY DECLARATION I

_________________________________________  ________________________________________
(APPLICANT'S FULL NAME) (OCCUPATION)

Of ______________________________________________________________________________
(ADDRESS)

I do solemnly declare that the information supplied on this form and in the attachments is true and correct. I make
this solemn declaration conscientiously, believing the same to be true, and by the Oaths and Declarations Act 1957.

Signature of applicant ______________________________________________________________

Declared at ________________________this__________________of _____ 20____
(PLACE) (DAY) (MONTH)

Before me ________________________________________  ______________________________
(NAME OF PERSON AUTHORISED TO TAKE STATUTORY DECLARATIONS) (OFFICIAL DESIGNATION)

Further information on C.O.C processes is available by accessing the Occupational Diving Guidelines 2004
www.worksafe.govt.nz

YOUR APPLICATION WILL NOT BE PROCESSED IF ANY OF THE STATED ITEMS ARE NOT SUPPLIED (on
front page).

| All Applications for Application for Certificate of Competency Occupational | All Applications for Diving |
| and Hyperbaric Medical Servicers to: | and Hyperbaric Medical Servicers to: |
| Diving to: | Diving and Hyperbaric Medical Services |
| WorkSafe New Zealand | PO Box 32139 |
| Technical Support Services | Devonport |
| High Hazards & Specialist Services | Auckland |
| PO Box 165 | |
| Wellington, 6140 | |
| Email: technicalservices.notification@worksafe.govt.nz | Email: divemeds@gmail.com |
| Phone: 0800 030 040 | Website: www.divemedical.co.nz |
| Website: www.worksafe.govt.nz | |

For Office use only

Free Paid: $______________________________

Date: ________________________________

Initials: ________________________________

Certificate Number: ________________________________

Issue Date: ________________________________

Expiry Date: ________________________________

Received Application