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**Workbook and Declaration of Understanding**

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The following questions are used as a guide to ensure that the information supplied in the “Crossover Information Package” has been fully read and understood. You should find the specific answers to these questions in the attached material.

**These questions must be completed and returned to ADAS as part of your crossover application.**

**Question 1**

Which Australian Standard details standard operational practice for occupational diving in Australia and New Zealand?

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**Question 2**

If you intended working (as example) in Aquaculture diving in the state of South Australia, in what document would you expect to find specific information as to diver certification requirements for employment in the Tuna Farm industry?

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**Question 3**

If you intended working (as example) in construction diving in NSW, cite the names of the relevant legislation **and** regulations which would be applicable to your employment.

1. \_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_

**Question 4**

What is the name of the regulatory body which administers offshore diving legislation?

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**Question 5**

What legislation **and** regulations would be applicable to you if you were working in offshore diving in the Australian petroleum industry?

1. \_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_

**Question 6**

Name the WHS Regulations that most Australian states and territories have adopted.

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## Question 7

In what standard would you expect to find guidance on the minimum training requirements necessary to become a closed bell diver?

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## Question 8

Name three (3) duties of care responsibilities of an **employee** under Australian WHS legislation.

1. 

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2. 

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3. 

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## DECLARATION

I (Name) \_\_\_\_\_ hereby acknowledge receipt of the crossover information package from the Australian Diver Accreditation Scheme. I hereby declare that I have read the information contained within the package. I understand that the information is for guidance only and may not be completely current. I acknowledge that it is my personal responsibility to ensure that I am aware of and abide by all applicable legislation when working as a diver in Australia.

I agree that ADAS will not be liable for any problems caused directly or indirectly from use of information provided in this package. ADAS makes no promise, express or implied, that the information contained herein is accurate or up to date.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Information Package for Occupational Diving in Australia**

**ADAS**

(Australian Diver Accreditation Scheme)

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## 1 AUSTRALIAN DIVER ACCREDITATION SCHEME

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### Overview of the Australian Diver Accreditation Scheme

The Australian Diver Accreditation Scheme (ADAS) is the Australian and New Zealand (NZ) national occupational diver certification scheme. It was developed by the Australian federal government as a not-for-profit accreditation and diver certification scheme operating at the level of world best practice. It is currently administered on a cost-recovery basis by the ADAS Board under the direction of the federal government Department of Resources Energy and Tourism.

ADAS offers certification to divers and diving supervisors who can establish that they have been assessed by an ADAS Training Establishment (ATE), or approved equivalent, as meeting the competency requirements of the relevant ADAS /AS 2815 Part(s). This certification is only valid whilst diving operations are being undertaken in accordance with relevant legislation and operational standards and for a diver, whilst in possession of a current AS/NZS 2299 medical certificate certifying him or her fit to dive.

Whilst ADAS certification is recognised worldwide and an ADAS licence is accepted as proof of competence to undertake diving work, ADAS has formal reciprocal recognition arrangements with governments of certain countries for occupational diving qualifications. ADAS generally therefore automatically recognises the qualifications gained in these countries and issues the equivalent ADAS certification on application. The ADAS qualifications are likewise recognised in these countries. These countries are at present UK, Canada, France, Norway, South Africa and Netherlands.

ADAS certification is a mandatory requirement for all persons who wish to work as divers and supervisors in the Australian and New Zealand offshore petroleum and minerals mining industries and, in general, for undertaking construction diving in NZ and all Australian states and territories. In other diving sectors, ADAS certification may not be mandatory but will always be accepted as proof of competence. Additionally, the rigorous quality-controlled nature of ADAS certification offers certainty to an employer of divers and diving supervisors, and provides a guaranteed way of meeting their legislated and common law duty-of-care requirements to ensure that employees are properly trained and experienced to safely carry out the work that they are employed to perform.

In particular, ADAS accredits ATE's to conduct the training and competence assessments of divers and diving supervisors to the levels of the various Parts, and to recommend their certification under the Scheme. Accreditation as an ADAS ATE is conditional upon meeting demanding entry requirements and thereafter maintaining compliance with rigorous ongoing quality assurance conditions.

ADAS training programs are designed specifically to conform to the requirements for the Australian Standard AS 2815 – *Training and Certification of Occupational Divers*. This Standard was developed by the SF/17 Diving Committee of Standards Australia in conjunction with ADAS, and oversees training authorities expressly to define the minimum acceptable competency standards for occupational diving.

ADAS courses are officially recognised under the Australian Qualifications Framework from Certificate to Advanced Diploma level. ADAS is a Registered Training Organisation (RTO) with approval to issue nationally recognised qualifications.

Contact details for ADAS and for ADAS Training Establishments are available on the ADAS website: [www.adas.org.au](http://www.adas.org.au).

**2 YOUR LEGAL OBLIGATIONS AS AN OCCUPATIONAL DIVER OR DIVING SUPERVISOR**

**Legislation Applicable to Inshore / Onshore Diving**

Australia is a federation of six States and two Territories. The individual States and Territories have responsibility for making laws and for enforcing those laws. The Commonwealth Government has responsibility for federal law. These laws are laid out in various Acts and Regulations.

Occupational diving is regulated independently by each of the state workplace health and safety authorities. It is vital to recognise that the Acts and Regulations applicable to diving may be different in every State and Territory and different again for offshore diving, which comes under Commonwealth Government Acts and Regulations. This highlights the challenge in locating and being familiar with all legislation applicable to diving, particularly if working in a variety of locations. Some states for instance specifically require ADAS certification as a condition to undertake occupational construction diving (eg; NSW; Qld) and the rest require ADAS certification by calling up AS/NZS 2299.1. All states and territories reference AS/NZS 2299.1 as the basis for undertaking occupational diving.

In the past, the Commonwealth and each state and territory developed and enforced their own work health and safety (WHS) laws which led to confusion about which states/territories and what type of work necessitated the need to have an ADAS certification.

A move away from state-based WHS regulation to a set of nationally harmonised regulations was initiated by Council of Australian Governments (COAG) and came into effect in January 2012.

These harmonised regulations are known as the *Model Work Health and Safety Regulations* and provide regulatory consistency in all areas of WHS. Part 4.8 of the WHS Regulations are specific to diving work. The Model WHS regulations have been adopted by most states with Western Australia and Victoria currently opting out of the harmonised regulations and will continue to operate under their specific state-based legislation and regulations for the time being.

Western Australia intends to adopt the model WHS laws but with some amendments to the Act. The Victorian Government has decided not sign up to the current proposal for harmonised legislation for occupational health and safety, although they remain committed to harmonisation. The Victorian Government may reconsider its position once the harmonised laws have been reviewed in 2014. Meanwhile the current OHS Act 2004 continues to apply in Victoria.

Regulation of onshore diving is governed by the state and territory WHS authorities, for example, WorkCover NSW, SafeWork SA etc. Additionally, there is a National Compliance and Enforcement Policy which has been developed to provide information and guidance to regulators about the enforcement of the Model WHS regulations.

New Zealand has adopted ADAS as the basis for certifying divers in NZ. Information on the arrangements for occupational diving in NZ can be found in the Department of Labour *Guidelines for Occupational Diving 2004* ([www.business.govt.nz/worksafe/notifications-forms/registrations/occupational-diving](http://www.business.govt.nz/worksafe/notifications-forms/registrations/occupational-diving))

**Legislation Applicable to Diving in the Offshore Petroleum Industry**

ADAS certification is a mandatory requirement for all persons wishing to work as divers and diving supervisors in the Australian offshore petroleum and minerals mining industries.

**Offshore Petroleum & Greenhouse Gas Storage Act 2006**

This Act (OPGGSA 2006) came into force on 1 July 2008 and applies for upstream petroleum activities beyond the three nautical mile limit. This is a Commonwealth Government Act, jointly administered by the Commonwealth Government and the relevant State/Territory Government.

The (OPGGSA 2006) addresses all licensing, health, safety, environmental and royalty issues for offshore petroleum exploration and development operations beyond three nautical miles from the coast.

For offshore oil and gas diving operations, the *Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009* apply to all Australian waters outside of the three nautical mile line (except for islands or reef systems regarded as State or Territory land).

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA), a Joint Authority, comprising the State Minister for Energy and Resources and the Commonwealth Minister for Energy, Resources and Tourism, is responsible for administration of the OPGGSA. The State Minister acts as a Designated Authority, and administers activities in Commonwealth Waters on behalf of the Joint Authority. Major decisions (e.g. the award of permits) ultimately rest with the Joint Authority but the Designated Authority can approve most operations without reference to the Joint Authority.

The State and Territorial *Petroleum (Submerged Lands) Acts* and associated regulations apply from the Territorial Sea Boundary seaward for a distance of three nautical miles. The State and Territorial Acts also apply for islands or reef systems regarded as State or Territory land.

## Work Health and Safety (WHS)

General information on occupational health and safety can be obtained from the Australian national occupational health and safety agency, Safe Work Australia. The Safe Work Australia website is: [www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)

- A similar source of information for OHS in New Zealand can be found at: [www.business.govt.nz/worksafe](http://www.business.govt.nz/worksafe)

### The following general information outlines the main principles of your WHS obligations.

The *Model Work Health and Safety Regulations* sets out requirements for ensuring that workplaces are safe and healthy. These requirements spell out the duties of different groups of people who play a role in workplace health and safety. These requirements are known as the Duty of Care.

Duty of Care requires everything 'reasonably practicable' to be done to protect the health and safety of others at the workplace. This duty is placed on:

- all employers;
- their employees; and
- any others who have an influence on the hazards in a workplace.

Specific rights and duties logically flow from the duty of care.

### For employers, these include:

- provision and maintenance of safe plant and systems of work
- safe systems of work in connection with plant and substances
- a safe working environment and adequate welfare facilities
- information and instruction on workplace hazards and supervision of employees in safe work
- monitoring the health of their employees and related records keeping
- employment of qualified persons to provide health and safety advice
- nomination of a senior employer representative
- monitoring conditions at any workplace under their control and management.

These are representative of the employer's specific duties in all Australian States and Territories.

Source: Industry Commission, *Work, Health and Safety, Report no 47, Sept 1995*

### Employees too have duties under this provision:

- take reasonable care for their own safety and health at work
- avoid harming the safety and health of other people through any act or omission at work

- comply as far as they reasonably can with instructions given by their employer in the interests of safety or health
- cooperate with their employer when the employer carries out his or her duties under the Act
- use any equipment provided for health and safety purposes
- report to their employer work-related injuries and any hazards at the workplace that they cannot correct themselves
- ensure that they are not affected by alcohol or drugs such that they endanger their own or another person's safety at work
- use personal protective equipment as properly instructed, and not damage or misuse any equipment provided in the interests of safety and health.

## Permission to work in Australia

A valid work visa or Australian residency is required for undertaking paid employment within Australia. Contact the Australian Department of Immigration for more information: [www.immi.gov.au](http://www.immi.gov.au)

## Your Obligations

It is your responsibility to abide by all relevant acts and regulations in carrying out diving operations. You need to ensure that you (and/or your employer) are aware of applicable legislation and ensure that it is accurate and up-to-date.

A list of some of the acts and regulations which may be applicable to divers and/or a diving operation is given in Appendix 1. This list is a guideline only and may not be complete or up-to-date and may not show the latest revision of an act or regulation.

For further information on the most up-to-date legislation, an excellent source is the Australian Legal Information Institute website, which can be found on the internet at [www.austlii.edu.au](http://www.austlii.edu.au)

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## 3 STANDARDS AND CODES OF PRACTICE

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A standard is a set of guidelines developed and endorsed by Standards Australia for guidance to industry.

Similarly, a code of practice is an industry guideline, which may be developed by an industry association or similar body.

Note that it is not legally binding to comply with a given standard or code of practice, except where it is specifically required by legislation. Compliance with a standard or code of practice may, however, be a requirement of a contract for a specific diving operation, even where not required by legislation.

### Standards

In general, the AS/NZS 2299 series details standard operational practice for occupational diving in Australia and NZ and mandates such things as diver training and certification requirements, minimum team sizes, compression chamber requirements, medical standards, use of decompression tables etc.

The AS 2815 series details the competency and training requirements to achieve certification as an occupational diver and supervisor and the scope covers diving from scuba through to saturation diving. AS 2815 consists of five separate standards:

- 2815.1 – Occupational Scuba to 30 metres
- 2815.2 – Surface Supply to 30 metres
- 2815.3 – Surface Supply to 50 metres
- 2815.4 – Closed Bell diving
- 2815.5 – Diving Supervision

A full list of standards which are applicable to diving operations are given in Appendix 2. These lists are for guidance only and may not be complete or show the latest revision. It is the responsibility of the individual to ensure that they are using the latest revision of the applicable standard or code of practice.

A complete list of Australian Standards and the latest revision can be obtained from Standards Australia or from their website at [www.standards.org.au](http://www.standards.org.au) or [www.saiglobal.com/store](http://www.saiglobal.com/store).

### Codes of Practice

An Approved Code of Practice (ACOP) provides a special case where the Code is developed by governments as an example of how to comply with the law.

An example of this is the *Approved Code of Practice for Tuna Farm Diving* which provides conditions for the certification of divers and for diving operations in tuna farms in South Australia. This Code provides guidance for tuna farm operations which, if followed, will satisfy the regulator as to the contractor's compliance with the law. Contractors can choose NOT to follow the ACOP but then must demonstrate to the regulator that they have arrangements which equal to or better those provided in the Code.

Codes of practice are available from the applicable industrial body (e.g. the International Marine Contractors Association – [www.imca-int.com](http://www.imca-int.com)).

## Appendix 1: LEGISLATION APPLICABLE TO COMMERCIAL DIVING

This list is a guideline only. It may not be complete or up-to-date and may not show the latest revision. It is your responsibility to ensure that you are using accurate and up-to-date information on legislation for a diving operation. Current Australian (and other) legislation is available directly from the following website:

[www.austlii.edu.au](http://www.austlii.edu.au)

### Commonwealth

Areas under Commonwealth jurisdiction are administered by the Department of Resources, Energy and Tourism (RET) and the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA). The legislative coverage for NOPSEMA's administration is done under State/Territory mirror legislation of the relevant Commonwealth legislation. The following Commonwealth legislation may be applicable:

- Offshore Petroleum & Greenhouse Gas Storage Act 2006**
- Offshore Petroleum & Greenhouse Gas Storage (Safety) Regulations 2009**

For more information check the following websites:

- Department of Resources, Energy and Tourism: [www.ret.gov.au](http://www.ret.gov.au)
- NOPSEMA: [www.nopsema.gov.au](http://www.nopsema.gov.au)
  - Offshore legislation can be found at: [www.nopsema.gov.au/legislation-and-regulations/safety-health](http://www.nopsema.gov.au/legislation-and-regulations/safety-health)

### Applicable legislation for states / territories

State or Territory	State & Territory WHS Legislation
Australian Capital Territory	<a href="http://www.worksafe.act.gov.au">www.worksafe.act.gov.au</a> Work Health and Safety Act 2011 (ACT) Work Health and Safety Regulation 2011 (ACT)
New South Wales	<a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Work Health and Safety Act 2011 (NSW) Work Health and Safety Regulation 2011 (NSW)
Northern Territory	<a href="http://www.worksafe.nt.gov.au">www.worksafe.nt.gov.au</a> Work Health and Safety (National Uniform Legislation) Act 2011 (NT) Work Health and Safety (National Uniform Legislation) Regulations (NT)
Queensland	<a href="http://www.worksafe.qld.gov.au">www.worksafe.qld.gov.au</a> Work Health and Safety Act 2011 (QLD) Work Health and Safety Regulation 2011 (QLD)
South Australia	<a href="http://www.safework.sa.gov.au">www.safework.sa.gov.au</a> Work Health and Safety Act 2012 (SA) Work Health and Safety Regulations 2012 (SA) <i>Approved Code of Practice for Tuna Farm Diving (SA)</i>

<b>Tasmania</b>	<a href="http://www.wst.tas.gov.au">www.wst.tas.gov.au</a>  Workplace Health and Safety Act 2012 (TAS) Workplace Health and Safety Regulations 2012 (TAS)
<b>Victoria</b>	<a href="http://www.worksafe.vic.gov.au">www.worksafe.vic.gov.au</a>  Occupational Health and Safety Act 2004 (VIC) Occupational Health and Safety Regulations 2007 (VIC)
<b>Western Australia</b>	<a href="http://www.worksafe.wa.gov.au">www.worksafe.wa.gov.au</a>  Occupational Safety and Health Act 1984 (WA) Occupational Safety and Health Regulations 1996 (WA)
<b>New Zealand</b>	<a href="http://www.osh.govt.nz">www.osh.govt.nz</a>  Health and Safety in Employment Act 1992 (NZ) Health and Safety in Employment Regulations 1995 (NZ)

**Appendix 2: CONTACT DETAILS FOR WORK HEALTH AND SAFETY REGULATORY BODIES**

This list is a guideline only. It may not be complete or up-to-date and may not show the latest information. It is your responsibility to ensure that you are using accurate and up-to-date information on occupational health and safety for a diving operation. Current information may be obtained from the following website:

[www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)

Name	Contact Details
<b>WorkSafe ACT</b> (Australian Capital Territory)	Phone: (02) 6207 3000 Email: <a href="mailto:worksafe@act.gov.au">worksafe@act.gov.au</a> Website: <a href="http://www.worksafe.act.gov.au">www.worksafe.act.gov.au</a>
<b>WorkCover NSW</b> (New South Wales)	Phone: 13 10 50 Email: <a href="mailto:contact@workcover.nsw.gov.au">contact@workcover.nsw.gov.au</a> Website: <a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a>
<b>NT WorkSafe</b> (Northern Territory)	Phone: 1800 019 115 Email: <a href="mailto:ntworksafe@nt.gov.au">ntworksafe@nt.gov.au</a> Website: <a href="http://www.worksafe.nt.gov.au">www.worksafe.nt.gov.au</a>
<b>Workplace Health and Safety Queensland</b>	Phone: 1300 369 915 Email: Enquiries can be forwarded via their website Website: <a href="http://www.worksafe.qld.gov.au">www.worksafe.qld.gov.au</a>
<b>SafeWork SA</b> (South Australia)	Phone: 1300 365 255 Email: <a href="mailto:help@safework.sa.gov.au">help@safework.sa.gov.au</a> Website: <a href="http://www.safework.sa.gov.au">www.safework.sa.gov.au</a>
<b>Workplace Standards Tasmania</b>	Phone: 1300 366 322 (Tas) 03 6166 4600 (other states) Email: <a href="mailto:wstinfo@justice.tas.gov.au">wstinfo@justice.tas.gov.au</a> Website: <a href="http://www.wst.tas.gov.au">www.wst.tas.gov.au</a>
<b>WorkSafe Victoria</b>	Phone: 1800 136 089 03 9641 1444 Email: <a href="mailto:info@worksafe.vic.gov.au">info@worksafe.vic.gov.au</a> Website: <a href="http://www.worksafe.vic.gov.au">www.worksafe.vic.gov.au</a>
<b>WorkSafe WA</b> (Western Australia)	Phone: 1300 307 877 Email: Enquiries can be forwarded to WorkSafe WA via their website Website: <a href="http://www.worksafe.wa.gov.au">www.worksafe.wa.gov.au</a>
<b>Comcare Australia</b>	Phone: 1300 366 979 Email: Enquiries can be forwarded to Comcare via their website Website: <a href="http://www.comcare.gov.au">www.comcare.gov.au</a>

<b>Australian Council of Trade Unions (ACTU)</b>	Phone: 1300 362 223
	Email: Enquiries can be forwarded to the ACTU via their website
	Website: <a href="http://www.actu.asn.au">www.actu.asn.au</a>
<b>Worksafe New Zealand</b>	Phone: 0800 20 90 20 (NZ) +64 4 897 7699
	Email: Enquiries can be forwarded to NZ DOL via their website
	Website: <a href="http://www.business.govt.nz/worksafe">www.business.govt.nz/worksafe</a>

**Appendix 3: STANDARDS AND CODES OF PRACTICE**

This list is a guideline only. It may not be complete or up-to-date and may not show the latest revision. It is your responsibility to ensure that you are using accurate and up-to-date information for a diving operation. Information on current Australian Standards is available directly from the following website: [www.standards.org.au](http://www.standards.org.au)

<b>Australian/Australian New Zealand Standards</b>	
<b>Diving Specific Standards</b>	
<b>AS/NZS 2299.1:2007</b>	Occupational Diving Operations – Standard operational practice
<b>AS/NZS 2299.2:2002</b>	Occupational Diving Operations – Scientific diving
<b>AS 2815.1-2008</b>	Training and Certification of Occupational Divers - Occupational SCUBA diver - Standard
<b>AS2815.2-1992</b>	Training and Certification of Occupational Divers - Air Diving to 30m
<b>AS2815.3-1992</b>	Training and Certification of Occupational Divers - Air diving to 50m
<b>AS2815.4-1992</b>	Training and Certification of Occupational Divers - Bell diving
<b>AS4005.1-2000</b>	Training and Certification of Recreational Divers - Minimum entry-level SCUBA diving
<b>Supplementary Standards</b>	
<b>AS1210-2010</b>	Pressure vessels
<b>AS1885.1-1990</b>	Measurement of occupational health and safety performance – Describing and reporting occupational injuries and disease (known as the National Standard for workplace injury and disease recording)
<b>AS2030.1-2009</b>	Gas Cylinders – General requirements (known as the SAA Gas Cylinders Code)
<b>AS2030.2-1996</b>	The approval, filling, inspection, testing and maintenance of cylinders for the storage and transport of compressed gases (known as the SAA Gas Cylinders Code)
<b>AS3848.1-1999</b>	Filling of portable gas cylinders – Decant filling of medical air and oxygen into portable cylinders – Safe procedures
<b>AS4484-2004</b>	Gas cylinders for industrial, scientific, medical and refrigerant use – Labelling and colour coding
<b>AS/NZS1269:2005</b>	Occupational Noise Management
<b>AS/NZS1337.1:2010</b>	Personal eye protection – Eye and face protectors for occupational applications
<b>AS/NZS1891.1:2007</b>	Industrial fall-arrest systems and devices – Harnesses and ancillary equipment
<b>AS/NZS 1891.4:2000</b>	Industrial fall-arrest systems and devices – selection, use and maintenance
<b>AS/NZS 3000:2007</b>	Electrical installations (known as the Australian/New Zealand Wiring Rules)
<b>AS/NZS ISO 31000:2009</b>	Risk Management – Principles and guidelines
<b>UNI ISO2230:2009</b>	Rubber products – Guidelines for storage