

APPLICATION FOR INTERNATIONAL CROSSOVER TO ADAS DIVER CERTIFICATION

In order to receive an ADAS diver certification, please:

- Complete all parts (A, B, C, D and E) of the application form including the Workbook and Declaration of Understanding.
- Provide a high quality copy of the front and back of your **national** certification. Please note that at present ADAS only recognises certifications from the UK (HSE), Canada (DCBC), France (INPP), Norway (PSA), Netherlands (NDC) and South Africa (DOL).
- Provide copies of your diver logbook showing evidence that you have undertaken a minimum of 20 occupational dives within the previous 24 months. These logs must show the name and signature of the diving supervisor.
- Provide copies of your First Aid qualifications. In order to be compliant with Australian national requirements occupational divers and supervisors must hold current First Aid, Oxygen Management and CPR qualifications.

Alternatively, if you hold a current Diver Medical Technician (DMT) qualification, this can be used in place of your First Aid qualification, but you must still refresh your CPR and Oxygen Management yearly.

- Provide a high quality copy of the photo and identity page of your passport.
If you do not possess a passport, provide one of the following forms of photo ID:
 - Driver's Licence
 - National Identification Card
 - Letter on company letterhead, signed by a senior company representative, verifying that the name and images in the attached photographs are those of the applicant.
- Provide 2 current COLOUR passport style photographs, which are taken within the last 12 months. Please **do NOT staple through the image area of the photograph**. Ensure your picture is sharp and in focus and has been taken against a light, neutral background. Please avoid a heavy or dark background colour.
Alternatively you may email a JPEG digital head and shoulders image to ADAS.
- Read the attached 'Information Package for Occupational Diving in Australia' and complete the 'Workbook and Declaration of Understanding' when you are satisfied that you understand the information.
- Include the appropriate fee in Australian dollars. You may pay by credit card (Visa or MasterCard); EFT; Money Order; or Cheque - made payable to 'ADAS'. See Part E for details.
- Applications can be submitted by post or email. Details can be typed directly onto this form if you wish to email it.
- Postal applications can be sent to:

ADAS
526 Duncan Rd
Dunoon NSW 2480
Australia

Email applications can be sent to: **admin@adas.org.au**

If you email your application, please ensure the form and your passport are in PDF format, and your photo is in JPEG format.

Please Note: DO NOT provide credit card details on the form if you intend to email your application, instead please call the ADAS office to give details over the phone or use a different payment method.

Contact details for ADAS are: Email: admin@adas.org.au Web: www.adas.org.au
Phone: (+61) (0) 2 6689 5656 Fax: (+61) (0) 2 6689 5657

INTERNATIONAL DIVER CROSSOVER APPLICATION

PART A - PERSONAL DETAILS

ADAS number (if applicable): _____	Date of Birth: ____/____/19____	<u>ADAS internal use only</u> ADAS number: Diver Part: Approved: Y / N Restrictions: Y / N Endorsement: N / CO Amount Paid: \$ Paid by: CC / EFT / MO CHQ / ATE Invoice #: Processed: Date Sent:
Family name: _____	Given name: _____	
Permanent Address:		
Street: _____	Suburb/City: _____	
State: _____ Postcode: _____	Country: _____	
Postal Address (if different):		
Street/PO Box: _____	Suburb/City: _____	
State: _____ Postcode: _____	Country: _____	
Contact details:		
Home Ph: () _____	Mobile : _____	
Business Ph: () _____	Fax: () _____	
Email address: _____		

PART B – APPLICATION DETAILS

Details of certificate/s being crossed over from (please continue on back of form if required)

Certificate Held	Name of training organisation(s)	Date of Issue	Certificate Number

Date of last Occupational Diving Medical – within 12 months of application ____/____/20____

First Aid qualification/s held – issued within 3 years of application
 _____ Issue date ____/____/20____

Oxygen Management and CPR qualifications held – issued or demonstrated within 12 months of application
 _____ Issue date ____/____/20____

NB: Oxygen Management and CPR certifications are to be issued within the previous twelve (12) months of application date.

If Oxygen Management and CPR qualifications are not held, attach a *Letter of Confirmation* stating you have undertaken a *Current Proficiency Assessment*. This assessment can be performed by any competent person including: a Doctor; a Rig Medic; or a First Aid instructor. The *Letter of Confirmation* is to be signed by the assessor and written on letterhead paper. Please contact ADAS for assessment guidelines if required.

Type of certificate being applied for

Please tick certification(s) applying for:	Cost AUD (ex GST)	Tick	GST (if applicable)
Part 1 Restricted / Scientific diver – (Restricted SCUBA to 30m) (No tools)	\$ 300		\$30
Part 1 - (SCUBA to 30m)	\$ 300		\$30
Part 2 Restricted – (Restricted SSBA to 30m) (No tools)	\$ 300		\$30
Part 2 – (SSBA to 30m)	\$ 450		\$45
Part 3 Restricted – (Restricted SSBA to 50m) (No tools)	\$ 450		\$45
Part 3 – (SSBA to 50m)	\$ 450		\$45
SSMG + Part 3 – (SSBA to 50m) <i>Surface supply to 75 metres using mixed gas</i>	\$ 450		\$45
Part 4 – (Closed Bell)	\$ 450		\$45
With Endorsements			
Nitrox endorsement	n/a		
Chamber Operator endorsement (Part 3 only)	n/a		
Registered Postage	– for Australian postal address	\$ 4.50	\$ 0.45
	– for <u>non</u> -Australian postal address	\$15.50	n/a
<i>Diver Certification sub-total</i>		\$	
<i>Postage</i>		\$	
<i>10% GST (If card sent to address within Australia)</i>		\$	
NB: Non-Australian applicants are not required to pay GST		Grand Total	\$

PART C - DECLARATION OF APPLICANT

I, (Name of Applicant) _____, of

(Address of applicant) _____

do solemnly and sincerely declare that the photographs provided with this application are true and current images of myself, the applicant, and that all documents and information provided are specific to myself, and are true and correct. I understand and agree to abide by the conditions set out in the attached document "Conditions of ADAS Certification".

I have read and understood the material provided by ADAS outlining the regulations and legislation, including occupational health and safety provisions, relating to occupational diving in Australia (attached). I understand that the information is for guidance only and may not be current. I acknowledge that it is my personal responsibility to ensure that I am aware of and abide by all applicable legislation.

I understand that in making this application for ADAS certification, I am certifying that I:

- am current in the practical and theoretical skills and knowledge relevant to my level of ADAS certification as identified in the ADAS Diving Competency Standards;
- hold current First Aid, Oxygen Management, and CPR qualifications in accordance with Australian national requirements;
- have current medical certificates that meet requirements for occupational diving (supervisors do not have to have a diving medical, but it is preferable that they do).

I also understand that I may be required to demonstrate to ADAS by the provision of log books or other appropriate equivalent evidence how those relevant skills and knowledge have been maintained.

(Signature of applicant) _____ **Date:** _____

Electronic Application Declaration

If you intend to email your application, you must complete the following declaration. Applications will not be accepted electronically if this is blank.

I understand and warrant that, by my submission of all information herein electronically, I acknowledge that all information is submitted on the basis that it is truthful in its entirety and has the same effect as if I had personally executed this application. I understand that my electronic submission of the information herein, entitles ADAS, its Officers, Servants and/or Agents, to rely upon same as being truthful and accurate and I indemnify, and keep indemnified, all Parties that rely upon the information electronically submitted herein in the event that any such information is found to be false and/or misleading.

By the act of sending this form electronically, I _____ of

certify that the document/s and/or signature/s contained in this application are the true copies of the originals held by me.

(Signature of applicant) _____ Date: _____

PART D - CHECKLIST

Please complete this checklist to ensure that all requirements are completed

Required	✓
Completed application (Parts A, B, C, D and E)	<input type="checkbox"/>
High quality copies of front/back of certification being crossed over from	<input type="checkbox"/>
Copies of logbook showing 20 occupational dives undertaken within the previous 24 months	<input type="checkbox"/>
High quality copy of First Aid certification <i>Issued within 3 years of application</i>	<input type="checkbox"/>
High quality copy of Oxygen Management and CPR certifications, OR <i>Letter of Confirmation</i> <i>Issued within 12 months of application</i>	<input type="checkbox"/>
Current diving medical certificate <i>Issued within 12 months of the application</i>	<input type="checkbox"/>
Completed Workbook and Declaration of Understanding	<input type="checkbox"/>
High quality copies of photo and identity page of passport (or acceptable alternative)	<input type="checkbox"/>
High quality passport photos or JPEG image emailed to ADAS, taken within last 12 months	<input type="checkbox"/>
Payment in Australian dollars	<input type="checkbox"/>
Declarations on pages 3 & 6 have been signed	<input type="checkbox"/>

Please attach to this form any additional documentation/information provided in support of your application, including copies of your logbook showing 20 occupational dives undertaken within the previous 24 months.

PART E - PAYMENT DETAILS

✓	Please indicate what method of payment you are using	
Cheque, money order, draft or international bank cheque <p style="text-align: center;">Payment to be made in Australian Dollars</p>	<p>Please attach cheque, money order, draft or international bank cheque</p> <p>NOTE: All cheques MUST be in Australian Dollars. If they are not, they will be returned to you and an alternative method of payment requested.</p>	
Credit Card – Visa or MasterCard only <p style="text-align: center;">For posted applications Only</p> <p>DO NOT give credit card details if you intend to email your application, please call the ADAS office and give that information over the phone or use a different payment method.</p> <p><i>Sending credit card details via email is not a secure method and may allow hackers to steal your information. ADAS takes no responsibility if you email your details and your card is used fraudulently.</i></p>	Card number: _____ Date of expiry: ____ / ____ Name on card: _____	
EFT Transfer: Account Name: ADAS Bank: National Australia Bank BSB: 082 707 Account No: 55764 9982 Swift code: NATAAU3302S Physical Address of Bank: 138 Molesworth Street, Lismore NSW 2480 AUSTRALIA	To help us identify your payment, please quote your Name and ADAS Certificate Number in the <i>Transaction Description</i> area of your internet banking webpage when doing an electronic transfer into the ADAS account. Date of transfer: _____ Reference number: _____ <p>NOTE: Please ensure your deposit covers any fees charged by your own bank. If there are fees charged to ADAS, you will be notified and your certification will not be issued until they are paid by you.</p>	

Note: ADAS has policies for declined credit cards/dishonoured cheques. Declined credit cards will incur a fee of \$10. In the case of dishonoured cheques, an automatic fee of \$15 will be charged to recover the fee charged by our bank.

Workbook and Declaration of Understanding

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?

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?

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?

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.

Question 7

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

Question 8

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

1. _____

2. _____

3. _____

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: _____

THE FOLLOWING PAGES ARE TO BE RETAINED BY THE APPLICANT

Conditions of ADAS Certification

ADAS certification is awarded to individuals who demonstrate that they meet the competencies detailed in the ADAS competence requirements. ADAS certification brings with it a number of responsibilities and the following provisions are based on the recognition that ADAS certification is conditional upon the certified person operating safely and sensibly within the law at all times; or where there is no specific legislation, in compliance with recognised standards and/or codes of practice. These measures are designed to ensure that the present high level of professional standing of ADAS and ADAS certificate holders is maintained.

Basis of Certification

ADAS certificate holders are certified on the basis that they must operate in compliance with relevant legislation and /or standards. Certification may be suspended or cancelled if certificate holders are proved to be operating unsafely or illegally.

ADAS Certificates of Competency are only valid for diving if certificate holders are certified “medically fit to dive” in accordance with AS/NZS 2299.1 (2007) or approved international equivalent, and are in possession of an Occupational Diving Medical Certificate issued by a medical practitioner trained in underwater medicine by an organisation acceptable to ADAS. This condition does not apply to ADAS certification for Diving Supervisors, Life Support Technicians, Life Support Supervisors, etc, when those persons are not required to dive.

Certification is for five (5) years, other than Diver Medical Technician which is for two (2) years, from the date of issue. After that time, certificate holders must apply for renewal of their certification based on demonstration of continued proficiency at the level of competency for which they are certified.

Renewal of Certification

Certification will be renewed on the basis of the applicant certifying that he/she has retained their operating competency over the previous period of certification.

Applicants may be required to provide ADAS with evidence of current competency (eg, by log book and/or similar evidence demonstrating current practice in diving and/or other relevant activities).

As a minimum, this will generally be held to be:

- For divers - the undertaking of 20 occupational dives within the 24 month period prior to renewal
- For supervisors - the supervision of 20 occupational dives within the 24 month period prior to renewal
- For LST's - 200 LST panel hours within the 24 month period prior to renewal.

Acceptable alternatives could be:

- A course of training at a higher level of proficiency
- Undertaking an assessment and gaining a ‘Letter of Competency’ by an appropriately qualified ADAS or IMCA supervisor attesting that the applicant continues to possess the required level of competency
- Completing an assessment at an ADAS Accredited Training Establishment (ATE).

Applicants who cannot fulfil any of these criteria should contact ADAS to discuss their situation prior to applying for renewal.

ADAS will conduct random audits of renewing applicants and require such verification.

An inability to satisfactorily certify and/or demonstrate competency will result in the certificate holder being required to undertake an approved form of currency updating or, failing this, to surrender his/her Certificate of Competency (see below).

The applicant is required to supply a ‘Declaration of Applicant’ as attached to the renewal application form certifying that they are current in the practical and theoretical skills and knowledge relevant to their level of ADAS certification as identified in the ADAS competence requirements.

ADAS requires applicants to apply for renewal of their ADAS licence by the date of expiry on the licence held. Failure to do so renders the certificate holder's certification invalid and details are removed from the active data base. Re-issue of certification may incur a rejoining fee to cover the administrative expenses involved in reinstating divers on the database, processing late applications, and verifying continued proficiency evidence.

Applications received after the date of expiry of the ADAS licence are processed as follows:

- Applications received **within 2 years** of the date of expiry of the licence will be renewed from the original date of expiry
- Applications received **after 2 years** from the date of expiry of the licence will incur a rejoining fee of \$150. This fee is additional to the licence renewal fee. Renewal will provide 5 full years of certification from the date of issue of the renewed licence. Applicants also have to show proof of continued proficiency before their certification is renewed.

Suspension or Cancellation of a Certificate of Competency

ADAS may suspend or cancel a certificate of competency if it is satisfied that the holder of the certificate:

- Obtained the certificate on the basis of false or misleading information or a failure to disclose or provide required information
- Has operated in a manner which endangers the health or safety of the holder or any other person
- Has failed to operate in compliance with relevant legislation, codes and/or standards
- Is no longer capable of performing to the level of competency specified by the certificate.

Appeal against Suspension or Cancellation of Certificate of Competency

Before suspending or cancelling a Certificate of Competency, ADAS will:

- Notify the holder of the certificate in writing by registered mail, to the last known address of the accredited diver, of the proposed suspension or cancellation
- Give the holder of the certificate 28 days, from the time of service by registered mail to the last known address of the certificate holder, to make representations in writing to ADAS in relation to the proposed suspension or cancellation
- Through the ADAS Appeals Committee, take reasonable regard of the representations made by the holder of the certificate [the ADAS Appeals Committee is composed of representatives of the relevant diving industry, and/or union, and/or the State/Territory].

The full ADAS Grievance Policy and procedures may be found on the ADAS website www.adas.org.au. Applicants who are unsuccessful may seek redress through civil legal action.

Notification of Suspension or Cancellation of Certificate of Competency

If, after having regard to any representations made by the holder of the certificate, ADAS decides to proceed with the proposed suspension or cancellation, ADAS will inform the certificate holder in writing by registered mail to their last known address:

- Stating that the certificate is suspended or cancelled
- In the case of a suspension, stating the period for which the certificate is suspended
- Giving the reasons for the suspension or cancellation.

Date of Effect of Suspension or Cancellation of Certificate of Competency

The suspension or cancellation takes effect on the date on which notice of the suspension or cancellation is served on the certificate holder by registered mail at their last known address, or on any other later date which is specified in the notice.

Notify Others of Suspension or Cancellation of Certificate of Competency

ADAS may inform others (the certificate holder's employer, other contractors, State/Territory regulators, etc) of certificates that are cancelled or suspended.

Surrender of Cancelled Certificates of Competency

The holder of an ADAS Certificate of Competency that is cancelled must return the certificate to ADAS within the period specified in the notice of cancellation.

Information Package for Occupational Diving in Australia

ADAS

(Australian Diver Accreditation Scheme)

1 AUSTRALIAN DIVER ACCREDITATION SCHEME

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) 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.

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.

The 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)

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

- A similar source of information for OHS in New Zealand can be found at: 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

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

3 STANDARDS AND CODES OF PRACTICE

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 2185 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 or 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).

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

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
- NOPSEMA: www.nopsema.gov.au
 - Offshore legislation can be found at: www.nopsema.gov.au/legislation-and-regulations/safety-health

Applicable legislation for states / territories

State or Territory	State & Territory WHS Legislation
<p>Australian Capital Territory</p>	<p>www.worksafe.act.gov.au</p> <p>Work Health and Safety Act 2011 (ACT)</p> <p>Work Health and Safety Regulation 2011 (ACT)</p>
<p>New South Wales</p>	<p>www.workcover.nsw.gov.au</p> <p>Work Health and Safety Act 2011 (NSW)</p> <p>Work Health and Safety Regulation 2011 (NSW)</p>
<p>Northern Territory</p>	<p>www.worksafe.nt.gov.au</p> <p>Work Health and Safety (National Uniform Legislation) Act 2011 (NT)</p> <p>Work Health and Safety (National Uniform Legislation) Regulations (NT)</p>
<p>Queensland</p>	<p>www.worksafe.qld.gov.au</p> <p>Work Health and Safety Act 2011 (QLD)</p> <p>Work Health and Safety Regulation 2011 (QLD)</p>

<p>South Australia</p>	<p>www.safework.sa.gov.au</p> <p>The Occupational Health Safety and Welfare Act 1986 (SA) The Occupational Health Safety and Welfare Regulations 2010 (SA) <i>Approved Code of Practice for Tuna Farm Diving (SA)</i></p>
<p>Tasmania</p>	<p>www.wst.tas.gov.au</p> <p>Workplace Health and Safety Act 1995 (TAS) Workplace Health and Safety Regulations 1998 (TAS)</p>
<p>Victoria</p>	<p>www.worksafe.vic.gov.au</p> <p>Occupational Health and Safety Act 2004 (VIC) Occupational Health and Safety Regulations 2007 (VIC)</p>
<p>Western Australia</p>	<p>www.worksafe.wa.gov.au</p> <p>Occupational Safety and Health Act 1984 (WA) Occupational Safety and Health Regulations 1996 (WA)</p>
<p>New Zealand</p>	<p>www.osh.govt.nz</p> <p>Health and Safety in Employment Act 1992 (NZ) Health and Safety in Employment Regulations 1995 (NZ)</p>

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

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

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

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

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