

DEPARTMENT OF EMPLOYMENT AND LABOUR  
**INSPECTIONS**  
COMMERCIAL DIVING REGULATIONS 2022  
**12-18 JULY 2022**



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Department:  
Employment and Labour  
**REPUBLIC OF SOUTH AFRICA**



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DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## DEFINITIONS



**Commercial Diver** - means a person registered as a diver in any of the classes listed in these regulations or who has an international qualification recognised by the chief inspector.

**Commercial Diving Operation** - Begins when the first diver who takes part in the operations starts to prepare to dive under the instruction of the supervisor and ends when the last diver who took part in the operation leaves the water, any other liquid or pressurised environment in which the dive took place and has completed any necessary decompression procedures.

**Compensation Fund** - Means the compensation fund as defined in the Compensation of Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993).

DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## DEFINITIONS



### **Designated Medical Practitioner**

**Practitioner** – Means an

occupational medicine practitioner registered with Health Professions Council for South Africa (HPSA), who has completed a course in underwater medicine through an organisation recognised by the chief inspector.

**Diving Operations Record** - Means the record containing the required particulars for each diving operation set out in Annexure B.

**IMCA** – Means International Marine Contractors Association.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## DEFINITIONS



**Line Attendant** – Means a person appointed in writing to tender a diver’s lifeline or umbilical during a dive and who is not necessarily a registered diver, but must be trained and have been assessed as competent for the task by the employer

**Medical Certificate of Fitness** – Means a certificate of fitness issued by a designated medical practitioner and logged on the online fitness registry, certifying that the holder is medically fit and is valid for a maximum period of 24 months.

**Offshore Diving** – Means commercial diving operations in international waters, specifically beyond the 12 nautical mile territorial limit.

DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## DEFINITIONS



**Registered Commercial Diving Contractor** – Means an employer who employs commercial divers.

**Registered Commercial Diving School** – Means an institution registered by chief inspector to train learner dive supervisors and learner commercial divers to the standards published in terms of these regulations.

**Standby diver** – Means a commercial diver who is medically fit to dive, fully qualified, dressed and ready immediately to dive the maximum depth required by the particular commercial diving operation, and who is not prevented from diving by an excess of inert gas in his system.

**Territorial waters** – Means the territorial waters as defined in section 4 of the Maritime Zone Act ,1994 (Act No.15 of 1994).



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## SCOPE OF APPLICATION



2 These regulations do not apply to persons who are:

(f) Involved in care of treatment of patients in a hyperbaric facility in a hospital or other place not under the control of an employer.

Provided that such facility is accredited by an institution recognised by the chief inspector for treatment of those patients.

(g) Involved in the commissioning of recompression chambers as part of the manufacturing process.

(h) Involved in underwater survival training.

3 Registration

DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## REGISTRATION

Application for registration must be made to the Chief inspector in the form of Annexure F with the prescribed fee.

Commercial diving school must be registered with IMCA when conducting class II commercial diver training.

(10) All registered entities in terms of sub regulations (2) to (9) must be issued with registration certificate approved by the Chief inspector.

(11) The registration of commercial diving schools, commercial divers, diving supervisors, instructors, recompression chamber operators and designated medical practitioners, is valid for a period of four years.

(12) The registration of diving contractors is valid for a period of one year.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

## WITHDRAWAL OF REGISTRATION



### 4. Withdrawal of registration

1. The chief inspector may withdraw any registration issued in accordance with regulation 3. If the holder of the registration certificate;

(a) Does not comply with any of the conditions required for registration as indicated in the registration certificate or

(b) Does not comply with the Act or its regulations.

(2) The chief inspector must, in writing within 30 days of non compliance with any of the conditions in the registration certificate, inform the holder of the registration certificate of the intention to withdraw registration and the grounds for the withdrawal, and afford the holder of a registration certificate an opportunity to comply with the conditions, where applicable, within 30 days.



DEPARTMENT OF EMPLOYMENT AND LABOUR  
**INSPECTIONS**  
COMMERCIAL DIVING REGULATIONS 2022  
**12-18 JULY 2022**

**PLANT AND MACHINERY**



### 5. Plant and Machinery

An employer must ensure that all plant and machinery used for any diving operation are:

Checked and tested before use by the diving team.

(b) Used properly and kept safe working condition.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## RISK ASSESSMENT

### 6. Risk Assessment

An employer must conduct a risk assessment, in writing which must include –

- a. Identify the **hazard**
- b. Identify a person that may be **exposed** by the hazard
- c. How many persons may be **affected** by hazards
- d. **Evaluate** the hazard identified
- e. **Prioritisation of risk**
- f. An **emergency response and evacuation plan.**



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## RISK ASSESSMENT

### 6. Risk Assessment

**The employer must review the risk assessment**

- (a) When there is a **reason to believe** that such an assessment is **no longer valid** and
- (b) the control measures are **no longer effective;**
- (c) **technological or scientific advances** allow for more effective control methods

OR

- (i) There has been a change in **work method**
- (ii) A change in the **type of work** carried out
- (iii) A change in **the type of plant and machinery used** to control exposure



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## RISK ASSESSMENT

(iv) An incident or medical surveillance which **reveal inadequate** controls of the risk

An employer must ensure that **copies of risk assessment** of the **relevant sites (HIRA)** are available on site for inspection by an inspector.

An employer must, in terms of risk assessment

(a) **Consider recommendations**

(b) Develop a documented **action plan** for the implementation of the recommendations.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

## MEDICAL SURVEILLANCE



### 7. Medical Surveillance

1. An employer must establish and maintain a documented system of medical surveillance of employees if
  - c. The designated medical practitioner recommends that relevant employees must be under medical surveillance.

In order to comply with subregulation (1) an employer must appoint, in writing, a designated medical practitioner (DMP) to document the system of medical surveillance of employees, including

- i. Risk **developing occupational** diving related diseases
- ii. **Medical fitness to dive**
- iii. **Initial Health evaluation** before commencement of employment
- iv. **Evaluation of employees** medical, occupational exposure and **social history**.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## SCOPE OF APPLICATION

The appointed DMP must notify the employer, **in writing**, of the **outcome of the health evaluation** by issuing the medical fitness certificate and medical fitness to dive certificate.

The employer must **not permit** an employee who has been certified by DMP as **medically unfit**, to **perform** or **supervise** commercial diving operations.

### **8. Designated Medical Practitioner(DMP)**

- a. Carry out medical examination, including test required by the Chief inspector
- b. Issue medical certificates of fitness to dive
- c. If required in terms of risk assessment render medical assistance as part of diving project



DEPARTMENT OF EMPLOYMENT AND LABOUR  
**INSPECTIONS**  
COMMERCIAL DIVING REGULATIONS 2022  
**12-18 JULY 2022**

**INFORMATION AND TRAINING**



**9. Information, Instruction and Training**

An employer who **undertakes** commercial diving operations which **may expose** an employee to **Hazardous conditions** must inform relevant Health and Safety Rep and Health Safety Committee for that workplace Intend to conduct;

- i Risk assessment
- ii Medical surveillance
- iii Information, Instruction and Training
- iv Measures to be taken by the employer to protect an employee against such risks
- v Personal protective equipment
- vi Necessity of medical fitness certificate
- vii Safe working procedure
- viii Procedure to be followed in the event of injury, disease, exposure to hazard or emergency situation



DEPARTMENT OF EMPLOYMENT AND LABOUR  
**INSPECTIONS**  
COMMERCIAL DIVING REGULATIONS 2022  
**12-18 JULY 2022**



**CONTROL OF COMMERCIAL DIVING**

**10. Control of commercial diving operations**

An employer must ensure that all diving operations are **conducted** in accordance with the **employer's operations manual** and in accordance with the **application class** of the diving.

Ensure that all commercial diving operations are conducted by the **registered commercial diving school or registered commercial diving contractor**.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

## TRAINING STANDARDS & COP

### **11. Training standards, assessment criteria and codes of practice**

The training provided for class II commercial divers must be in accordance with the relevant regulations, training standards, codes of practice for inshore diving and relevant IMCA standards

The training provided for class III, IV, V, VI commercial divers must be in accordance with the relevant regulations, training standards, codes of practice for inshore diving.





DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## LINE ATTENDANT

### **14. Duties of commercial diving contractor**

A registered commercial diving school must –

Have ISO 9001 quality management system certified by South African Bureau of Standards(SABS)

(b) Provide training **within the borders of South Africa**

(c) **Appoint, in writing** an instructor to provide training or assessment in terms of regulation 11

(d) Commercial diver training must be conducted at the **approved premises** of a registered commercial diving school for the classes of diving of which it is registered.

(e) **Only one instructor must be appointed to have overall responsibility for a specific training course**, irrespective of whether other persons are involved in the presentation of the same course.

DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## LINE ATTENDANT

### 18. Line attendant

Line attendant must –

- a. **Be informed**, and fully aware, of the dive operation and any change to it
- b. Inform the commercial diving supervisor if s/he is not **competent to carry out** line attend duties
- c. Inform the commercial diving supervisor of **any hazard or danger arising during the dive operation**
- d. **Comply** with lawful instruction **given by the commercial diving supervisor** appointed for the diving operation
- e. **Comply with any applicable instruction** in the operations manual.



DEPARTMENT OF EMPLOYMENT AND LABOUR  
**INSPECTIONS**  
COMMERCIAL DIVING REGULATIONS 2022  
**12-18 JULY 2022**

**SYSTEM TECHNICIAN**

**20 .System technician**

A system technician must;

- a. As a minimum have a **suitable trade** or **engineering qualification** applicable to diving system.
- b. **Complete appropriate product training** for safety critical plant and machinery as determined by the employer.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

## **RECOMPRESSION CHAMBER OPERATION**



### **21 .Recompression chamber operation**

An employer must ensure that a recompression chamber is available at the site where diving operation takes place;

- a. Depth of 50 meters or more
- b. Decompression time exceeds 20 minutes
- c. The routine decompression time is **20 mins or less** and an effective arrangement has not been made for diver required therapeutic recompression to be **brought to suitable chamber within two** hours from the time when the need for recompression is identified.

Where a recompression chamber is **not required on site**. The employer must make arrangements **to ensure that** a recompression chamber is **within two hours drive** of the **dive site** and it is safe and operational state.



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

## **RECOMPRESSION CHAMBER OPERATION**

Where the available recompression chamber is not controlled by the registered commercial diving contractor, **a written proof of the operational status and immediate availability** of the recompression chamber per the requirements of the specific dive operation





DEPARTMENT OF EMPLOYMENT AND LABOUR  
**INSPECTIONS**  
COMMERCIAL DIVING REGULATIONS 2022  
**12-18 JULY 2022**

**RECORDS**

**22. Records**

a. An employer must ensure that;

Training records are kept for three years

b. Diving operations for two years

c. Risk assessment a minimum of two years

d. Medical surveillance for minimum of 40 years

For commercial diving school training operations are kept for period of six years

Risk assessment for a minimum of two years



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## RECORDS

For commercial diving school ;

- a. Training operations are kept for period of six years
- b. Risk assessment for a minimum of two years
- c. Medical surveillance for period of six years

If the commercial diving school or employer **ceases activities**, all its records must be **handed over** to the relevant **Chief Director**

DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

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## DIVE NOTIFICATION

### **23. Notification of commercial diving project**

The commercial diving school must notify the chief inspector of the diving project, in writing, at least seven days before commencement of the diving project.

For unplanned and emergency diving operations as soon as practicable or within 24 hours after completion





DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

## DIVING TECHNICAL COMMITTEE

### **24. Diving Technical Committee (DTC)**

Council may establish a Diving Technical Committee consisting;

- a. An officer from Department of Employment and Labour
- b. Department of Mineral Resource and Energy
- c. Designated Medical practitioner
- d. One instructor
- e. One employer
- f. One class II supervisor
- g. One South African Maritime Safety Authority.

The council may in writing; authorise the diving technical committee to co-opt persons who have specialised knowledge of the matter dealt with by DTC

The council may appoint the Diving Technical Committee for a period of four years

Discharge a member of the diving technical committee before the termination of his or her period



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**



## PROHIBITIONS

### 25. Prohibition

1. No employer or commercial diving school may;
  - a. Allow a person to dive without having an **alternate breathing gas supply available** that is sufficient for that person to **reach a place of safety in case of an emergency**
  - b. Commercial diving operation **without an emergency response plan** and ,in case of saturation diving project, hyperbaric evacuation plan.
2. Commercial diving supervisor may not;
  - a. **Dive while supervising** other commercial divers
  - b. **Act as a stand by diver**
  - c. Supervise diving operations **outside the scope of his or her class**



DEPARTMENT OF EMPLOYMENT AND LABOUR

# INSPECTIONS

COMMERCIAL DIVING REGULATIONS 2022

**12-18 JULY 2022**

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## PROHIBITIONS

3. Commercial diver may not dive outside of the scope of his or her class registration
4. A line attendant may not leave a post while responsible for tending a diver, unless the line attendant is relieved by another person duly instructed by the commercial diving supervisor
5. Airline diving may not take place unless approved by the chief inspector.

