

TASMANIA

**WORK HEALTH AND SAFETY AMENDMENT
(DIVING WORK) REGULATIONS 2019**

STATUTORY RULES 2019, No. 65

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**WORK HEALTH AND SAFETY AMENDMENT
(DIVING WORK) REGULATIONS 2019**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Work Health and Safety Act 2012*.

Dated 8 October 2019.

C. WARNER
Governor

By Her Excellency's Command,

ELISE ARCHER
Minister for Building and Construction

1. Short title

These regulations may be cited as the *Work Health and Safety Amendment (Diving Work) Regulations 2019*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

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3. Principal Regulations

In these regulations, the *Work Health and Safety Regulations 2012** are referred to as the Principal Regulations.

4. Regulation 5 amended (Interpretation)

Regulation 5(1) of the Principal Regulations is amended by omitting “AS/NZS 2299.1:2007” from the definition of *fitness criteria* and substituting “AS/NZS 2299.1:2015”.

5. Regulation 171 amended (Competence of worker – general diving work – qualifications)

Regulation 171 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (2) “limited diving work” and substituting “limited scientific diving work”;
- (b) by omitting “AS/NZS 4005.2:2000 (Training and certification of recreational divers) or” from the definition of *relevant competencies* in subregulation (3).

*S.R. 2012, No. 122

6. Regulation 171A substituted

Regulation 171A of the Principal Regulations is rescinded and the following regulation is substituted:

171A. Competence of worker – general diving work – knowledge and skill

- (1) A person must not carry out general diving work unless the person has, through training, qualification or experience, acquired sound knowledge and skill in relation to the following:
 - (a) the application of diving physics;
 - (b) the use, inspection and maintenance of diving equipment (including emergency equipment) and air supply of the type to be used in the proposed general diving work;
 - (c) the use of decompression tables or dive computers;
 - (d) dive planning;
 - (e) ways of communicating with another diver and with persons at the surface during general diving work;

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- (f) how to safely carry out general diving work of the type proposed to be carried out;
- (g) diving physiology, emergency procedures and first aid.

Note

See section 44 of the Act.

7. Regulation 173 amended (Competence of worker – limited scientific diving work)

Regulation 173 of the Principal Regulations is amended by omitting subregulation (1) and substituting the following subregulation:

- (1) A person must not carry out limited scientific diving work unless the person has –
 - (a) the training, qualification or experience referred to in regulation 171A; and
 - (b) if the person is not permanently resident in Australia – relevant diving experience, including relevant diving experience obtained outside Australia.

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8. Regulation 183 amended (Duties of person conducting business or undertaking)

Regulation 183 of the Principal Regulations is amended by omitting “AS/NZS 2299.1:2007” and substituting “AS/NZS 2299.1:2015”.

9. Regulation 184 amended (Duty of worker – competence)

Regulation 184 of the Principal Regulations is amended by omitting “AS/NZS 2299.1:2007” and substituting “AS/NZS 2299.1:2015”.

10. Regulations rescinded

These regulations are rescinded on the first anniversary of the day on which they took effect.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 16 October 2019.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations amend the *Work Health and Safety Regulations 2012* by implementing nationally agreed changes including –

- (a) clarifying certain competency requirements relating to general diving work, incidental diving work and limited scientific diving work; and
- (b) updating references to certain standards; and
- (c) making other minor amendments.