

SCHEDULE 1

REGULATION OF THE HARBOUR AND THE HARBOUR PREMISES

PART V: GENERAL

Diving and underwater swimming

49.—(1) Subject to sub-paragraph (2) below, no person, other than a duly authorised employee, contractor or agent of the Company, shall swim underwater or dive in the areas specified in paragraph 43(2)(a), (b) and (c) above.

(2) With the written permission of the Company a person may dive and swim underwater—

- (a) seawards from the seaward side of the Inner Breakwater (including the South Ship Channel entrance);
- (b) seawards from the seaward side of the Outer Breakwater but remaining clear of the main fairway concerned;
- (c) within 50 metres of the landward side of the Outer Breakwater but remaining clear of the main fairway concerned for the purpose of diving on the wreck adjacent to Beacon E, commonly known as the “Enecuri” or “Spaniard”; and
- (d) on the wrecks along the landward side of the Outer Breakwater between Beacon E and “D” Head.

(3) An application for permission to dive the wrecks mentioned in sub-paragraph (2)(d) above shall be made at least 2 working days before the day on which it is desired to carry out the dive in question and the permission, if given, shall relate to that particular dive alone.

(4) (a) Subject to (b) below, the Company shall only give permission to dive and swim underwater for the purposes of sub-paragraph (2) above to a person who is a member of a club or association which is either a registered branch of the British Sub-Aqua Club, a registered club of the Sub-Aqua Association, a Professional Association of Diving Instructors registered diving school or a member of any other recognised and competent organisation.

(b) Permission for the purposes of sub-paragraph (2) above may be given by the Company to a club or association mentioned in (a) above for the benefit of those of its members specified in the permission.

(5) Permission given under the said sub-paragraph to dive or swim underwater shall not authorise any person to land or set foot on the Inner Breakwater or the Outer Breakwater.

(6) Any permission granted under the said sub-paragraph may be given subject to such reasonable terms and conditions (including as to the payment of charges) as the Company may consider appropriate, and any person diving or swimming underwater in the harbour shall comply with any such terms and conditions that are imposed, and with any directions given to him by the harbour master.