
STATUTORY INSTRUMENTS

2002 No. 1587

The Merchant Shipping (Diving Safety) Regulations 2002

Interpretation

2.—(1) In these Regulations:

“casualty” means any casualty or other incident which involves loss or danger to the life of any person engaged in a diving project;

“craft” means a ship, hovercraft, or floating structure, including any fishing vessel or work boat, which is used for or in connection with a diving project;

“diving contractor” in relation to a diving project means, subject to regulation 7, a person who—

- (a) is the employer of one or more persons taking part in the diving project as a diver who is at work, or
- (b) dives in the diving project as a self-employed diver;

“diving operation” means an activity within a diving project in which at least one person takes part or will take part as a diver and which can be safely supervised by one person;

“diving plant and equipment” means any plant and equipment used or intended to be used as part of a diving project and includes:

- (a) fixed or mobile plant and equipment forming part of a United Kingdom ship or other craft’s own plant and equipment, and
- (b) mobile plant and equipment provided and brought on board for a diving project;

“diving project” means any activity in which at least one person takes part or will take part as a diver and extends from the time when that person, or the first such person, commences to prepare to dive until that person, or the last such person, has left the water, chamber or other environment in which the dive, or any part of the dive, took place and has completed any requisite decompression procedures including, where it may be reasonably anticipated that it will be needed, any therapeutic recompression;

“diving project plan” means a plan prepared pursuant to regulation 9;

“diving services” means services which are provided, for profit or gain, by the master or owner of a craft, to a person taking part in a diving project as a diver, (including the supply of submersible equipment for personal use by a diver or the supply of compressed gas (excluding therapeutic oxygen) for all forms of breathing apparatus, but excluding the provision of tuition or of transportation services); and for the purposes of this definition “tuition” includes information on local conditions and “transportation services” means the provision of a craft for the purposes of conveying its occupants to or from a diving operation or providing a platform for a diving operation;

“diving supervisor” means a person appointed, in accordance with regulation 10, to supervise a diving operation;

“Merchant Shipping Notice” means a Notice described as such and issued by the Maritime and Coastguard Agency (an executive agency of the Department for Transport), and includes any

document amending or replacing such a notice which is considered by the Secretary of State to be relevant from time to time;

“self-contained underwater breathing apparatus” means diving plant and equipment in which a supply of breathing mixture is carried by the diver independently of any other source.

(2) For the purposes of these Regulations a person “dives” if.

(a) he enters—

(i) water or any other liquid, or

(ii) a chamber in which he is subject to pressure greater than 100 millibars above atmospheric pressure, and

(b) in order to survive in such an environment he breathes in air or other gas at a pressure greater than atmospheric pressure,

and references to “a dive”, “dive” and “diver” shall be construed accordingly.

(3) Where a United Kingdom ship or other craft is managed by a person other than her owner (whether on behalf of the owner or some other person, or on his own behalf), a reference in these Regulations to the owner shall be construed as including a reference to that person.