

# No. SN/01 Dive Projects in Harbours and Other Areas within the Jurisdiction of Caledonian Maritime Assets Ltd

Categories : [Notice to Mariners](#), [Piers and harbours](#)

Date : 7th January 2016

## COMMERCIAL DIVE PROJECTS

Commercial Diving Operations carried out in harbours and other areas within the jurisdiction of Caledonian Maritime Assets Ltd are conducted in strict compliance with the “Diving at Work Regulations 1997” (DWR) and Approved Code of Practice for Commercial Diving Projects Inland/ Inshore L104 (Second edition).

All CMAL harbours and other areas are operated by CalMac Ferries Ltd (CFL) a subsidiary of

David MacBrayne Ltd (DML). DML recognises its responsibility and legal duty under the DWR to take reasonable measures to ensure the health and safety of persons engaged in commercial diving operations that it commissions, or are conducted in harbours it operates.

Diving Contractors and the clients of commercial divers are reminded that under Regulation 4 of the DWR 1997, Harbour Authorities have a general responsibility to take reasonable measures to ensure that commercial diving operations within their jurisdiction are undertaken safely and in accordance with the regulations;

*‘Every person who to any extent is responsible for, has control over or is engaged in a diving project or whose acts or omissions could adversely affect the health and safety of persons engaged in such a project, shall take such measures as it is reasonable for a person in his position to take to ensure that these Regulations are complied with.’*

DML have produced a ‘Statement of minimum commercial diving standards for DML group companies’ that sets out the mandatory minimum standards for such diving projects and describes the standards with which all Commercial Diving Contractors engaged by the company or contracted by others for dives undertaken within the jurisdiction of the company must comply, for inshore/inland commercial diving projects at any CMAL location. All the requirements in this document are mandatory unless specifically noted otherwise.

Diving contractors should note that the DML document is subject to change from time to time and that they are responsible to ensure they have a current copy and are compliant with its requirements. A copy may be obtained by writing to Head of Harbours, David MacBrayne Limited, Ferry Terminal, Gourock, PA19 1QP or from any staffed harbour operated by the company.

Under Regulation 8 of the 1997 regulations, the diving contractor is responsible for ensuring that a risk assessment is carried out and a diving project plan is prepared. The risk

assessments must identify and address site specific hazards and their risks. During this process the Diving Contractor will determine the appropriate diving methods and equipment to be used.

A list of CMAL harbour locations can be found at:

<http://www.cmassets.co.uk/en/harbours/locations.html>.

When planning a dive project within these locations the Diving Contractor must consult with the CMAL Harbour Master, the local CFL harbour operator representative and if applicable, the representative of any other organisation having temporary control of the site, before permission to dive can be granted.

The consultation must be undertaken no less than 4-days prior to commencement of the planned dive project to allow sufficient time for the CMAL Harbour Master, CFL harbour operator and where applicable, any other organisation's representative to review the documentation and advise on any procedures or arrangements that must be complied with and where appropriate agree any additional measures deemed necessary, such as publishing a Notice to Mariners.

In order to comply with the DWR, all commercial inshore diving operations in harbours within the limits of CMAL's jurisdiction must have the appropriate "Permit to Dive" issued by the representative of the organisation having control of the site prior to commencing any dive operation. In most instances this will be the local CFL harbour operator. The Dive Contractor also requires the permission of the harbour operator before any diving commences and they must also be informed when diving is concluded.

In more urgent circumstances where harbour diving services are required and there is insufficient time to contact the CMAL Harbour Master, the local CFL harbour operator representative must be consulted and it is their responsibility to review the required documentation prior to issue of a "Permit to Dive".

In all instances the organisation issuing the dive permit shall retain copies of the Dive Plan, Risk Assessment and Dive Permit. Within 48-hours of the dive project commencing they shall forward copies of the documentation to CMAL HQ (fax: 01475 745109 or, email: [david.mchardie@cmassets.co.uk](mailto:david.mchardie@cmassets.co.uk)) for the information and attention of the CMAL Harbour Master.

Dive Contractors are reminded that Harbour Authorities are required to report instances of non-compliance of the Regulations initially to the client of the Diving Contractor and ultimately, to the Health & Safety Executive.

## **SCALLOP AND OTHER SHELLFISH DIVING**

No scallop or other shellfish diving is permitted within CMAL harbours without the specific permission of the CMAL Harbour Master.

## **RECREATIONAL DIVING**

Health & Safety legislation does not extend to the private individual diving for recreational purposes however, recreational diving will generally only fall within the DWR 1997 when an instructor is being employed to dive in order to teach students, or where an appropriately qualified diver is employed to guide a dive party.

Recreational diving is not permitted within any CMAL harbour commercial vessel operation areas and for all other areas within the harbour the advice of the CMAL Harbour Master or the local CFL harbour operator representative must be sought.

Further details can be obtained using the contact details below.

**David McHardie**  
**Harbour Master**  
**Caledonian Maritime Assets Limited**