

Queensland



Subordinate Legislation 2003 No. 37

Workplace Health and Safety Act 1995

**WORKPLACE HEALTH AND SAFETY (DIVING)
MINISTERIAL NOTICE 2003**

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1 Short title

This Notice may be cited as the *Workplace Health and Safety (Diving) Ministerial Notice 2003*.

2 Definitions

In this notice—

“propeller”, of a boat, means a propeller connected to, and being powered by, an engine or motor that is attached to, or part of, the boat.

“SSBA diving” means underwater diving using breathing apparatus supplying its wearer with compressed breathing gas through a hose from a compressor or storage cylinder at the surface or from a submersible work chamber or habitat.

3 Ways to prevent or minimise risk prescribed

Sections 4 and 5 prescribe ways of preventing or minimising exposure to the risk of serious bodily injury to a diver doing SSBA diving from coming into contact with a propeller.

4 Control measures to prevent diver coming into contact with boat propeller—employer or self-employed person

(1) An employer or self-employed person (the **“diver”**) must not do SSBA diving unless the diver and the diver’s breathing apparatus are prevented by a control measure from coming into contact with a propeller of a boat used, or for use, in connection with the diver’s SSBA diving.

Example of a control measure—

Suitable guards around the propeller.

Examples of a boat used, or for use, in connection with diving—

- a boat that transported the diver to the dive site
- a boat that is to transport the diver from the dive site
- a boat from which the diver entered the water
- a boat to be used by the diver to leave the water.

(2) An employer must not allow a worker of the employer to do SSBA diving unless the worker and the worker’s breathing apparatus are

prevented by a control measure from coming into contact with a propeller of a boat used, or for use, in connection with the worker's SSBA diving.

5 Control measures to prevent diver coming into contact with boat propeller if person in control of workplace provides boat

(1) This section applies if—

- (a) a person in control of a workplace provides a boat for the performance of work by someone other than the person's workers; and
- (b) in performing the work, the boat is used, or is for use, in connection with a diver's SSBA diving.

(2) The person in control of the workplace must ensure that the diver and the diver's breathing apparatus are prevented by a control measure from coming into contact with a propeller of the boat while the boat is being used properly.

Example of a control measure—

Suitable guards around the propeller.

ENDNOTES

- 1. Made by the Minister for Industrial Relations on 10 March 2003.
- 2. Notified in the gazette on 12 March 2003.
- 3. Laid before the Legislative Assembly on . . .
- 4. The administering agency is the Department of Industrial Relations.