



Notification Number: 2000/627/UK

## **TOOT - The Merchant Shipping (Diving Safety) Regulations 2000**

Date received : 18/10/2000

End of Standstill : 19/01/2001

### **Message**

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Message 001

Communication from the Commission - SG(2000) D/52293  
Directive 98/34/EC

Notifikation - Notifizierung - Γνωστοποίηση - Notificación - Notification - Notifica - Kennisgeving -  
Notificação - Ilmoitus - Anmälan : 2000/627/UK.

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el  
plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei  
ala tästä - Inleder ingen frist.

(MSG: 200002293.EN)

**1. Structured Information Line**

MSG 001 IND 2000 0627 UK EN 19-01-2001 18-10-2000 UK NOTIF 19-01-2001

**2. Member State**

United Kingdom

**3. Department Responsible**

Department of Trade and Industry: Standards and Technical regulations Directorate

**3. Originating Department**

Maritime and Coastguard Agency

**4. Notification Number**

2000/627/UK



## 5. Title

TOOT - The Merchant Shipping (Diving Safety) Regulations 2000

## 6. Products Concerned

No specific product

## 7. Notification Under Another Act

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## 8. Main Content

The draft Regulations apply to the vessel taking part in a commercial diving project. The Master and crew have a responsibility for the safety of the divers in the context of their individual roles on board a particular vessel, even though they may not participate directly in the diving operation.

The draft Regulations reflect the “goal setting” approach of the Health and Safety (Diving at Work) Regulations 1997, with defined responsibilities for the Master, Diving Contractor, Diving Supervisor and Divers. Such an approach is also adopted within the Health and Safety Codes of Practice for various forms of diving projects, but these do not take into account the role of vessel from which the project is taking place.

Risk Assessment is vital in the preparation of a diving project, for which the Master (and crew) of a vessel must contribute. The Regulations identify the need for such assessments.

Standards are contained within the Health and Safety (Diving at Work) Regulations 1997. However, these standards are not legally binding when:-

- a] A UK registered vessel is operating outside UK Territorial Waters (12 nautical miles) or
- b] There is not one diver “at work”.

The UK will fulfil its obligation under Article 12 of Directive 98/34/EC (as amended) when this measure is officially published.

## 9. Brief Statement of Grounds

The Merchant Shipping (Diving Operations) Regulations 1975 are now considered to be out of date, particularly due to the ever changing nature of diving operations. Furthermore, small vessels (less than 24 metres registered length) operated on a commercial basis need to comply with Codes of Practice. These Codes do not take into account diving related services which may be provided (other than transportation) and this is addressed by the replacement Regulations.

## 10. Reference Documents - Basic Texts

Draft Merchant Shipping (Diving Safety) Regulations 2000.

Draft Merchant Shipping (Diving Project) Regulations 2000

Draft Regulatory Impact Assessment.

Merchant Shipping (Diving Operations) Regulations 1975.

Merchant Shipping (Diving Operations) (Amendment) Regulations 1975

The Health and Safety Diving at Work Regulations 1997



**11. Invocation of the Emergency Procedure**

No.

**12. Grounds for the Emergency**

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**13. Confidentiality**

No.

**14. Fiscal measures**

No.

David O'Sullivan  
General Secretary  
European Commission