

INTERNATIONAL DIVING SCHOOLS ASSOCIATION

iDSEA

NEWS

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- * **ITALIAN LAW**
- * **CANADIAN CONFERENCE**
- * **COURSE FOR DIVING PHYSICIANS**
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PROPOSED SICILIAN DIVING LEGISLATION

Rules and Regulations are always set within the historical context operating at the time they were developed. Thus, at the time when IMCA set out its process for the recognition of diver training qualifications, standards were variable, and there was no 'international' group attempting to fulfil this function. The best way to ensure quality and safety was clearly through the recognition of 'national' certification, assuring that individual countries both set standards and took the responsibility for ensuring that schools met them.

Although there have been variations in both quality and monitoring, in general this method of recognition has worked reasonably well and over the years both safety and training standards have steadily improved. However, over the last few years, not only have new nations become involved in diver training but the market has become more 'international' with divers moving across the world for work more than ever before; in turn, the variation between national needs and standards has become more difficult to monitor and what is acceptable in one part of the globe has not been so in another.

Palermo Sicily



With this in mind, the International Diving Schools Association (IDSA) has developed international Standards for the recognition of diver training. There are four qualifications – SCUBA, Inshore Surface Supply, Offshore Surface Supply and Closed Bell, to be accepted to teach these qualifications schools must successfully complete an audit of their Staff, Equipment, Administration and all other relevant facilities required for the chosen qualification. In a number of countries IDSA standards have then become accepted as the appropriate level for National Certification. This, however, has led to an anomaly since, whilst IMCA may well recognise a National Certificate which is identical to the relevant IDSA level, there is still no mechanism by which IMCA can recognise directly IDSA certification, though the two authorities continue to explore options. In the absence of agreement, CEDIFOP offers the following as a possible solution to the impasse.

**ITALY: Proposed
Legislation 698
'Regulation for
the Recognition
of Profession and
Discipline of
Diver Training
Standards to work
as a Commercial
Diver'
An Italian role
model concerning
Commercial Diver
Training, which
is exportable into
other European
countries.**

International Diving standards for the operation of Offshore diving can be sub-divided into three areas which, whilst distinct, are also complementary to each other. They are:

1. Training:

This occurs at various levels from Sport Diving (for example PADI, CMAS etc) to Professional Commercial Diving (such as that offered by IDSA schools). It is interesting that although there are other professional qualifications (such as those from the USA, Canada, UK etc) these are National certificates which can often be used in other countries; only IDSA offers an International certification.

2. Diving Work:

The second area relates to Standards and Procedures relevant to the working situations (IMCA) and also Regulations – for example the UNI 11366 'Safety and Health in commercial diving and hyperbaric activities

3. Safety Standards:

The third area is Safety Standards. These control both the above and are set out by relevant national governments such as, for example, the HSE regulations in the UK

For offshore diving activities to be carried out to an acceptably high level all three of the above standards must co-exist.

IDSA Standards and Procedures offer four levels of training which build on each other to produce increasingly proficient divers. A similar process is set out in the ENI Spa document dated 5 August 2013 'HSE requirements for Diving Contractors'

In Italy, the Proposed Legislation 698 has adopted a similar approach to standards by including them in Section 3

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(professional qualifications). Meanwhile, in Section 4 (obligatory training standards), it emphasises that certificates issued

‘...must agree with State and Regional regulation, subject to the Course and to passing the final exams. Moreover, certifications must be approved by the competent offices of Region. Certifications issued by different Regions, or admissible, in agreement with the Directive 2005/36/CE must be compliant with parameters of control and approvals scheduled by the approved Regulation.’

The proposed Legislation 698 gives the right weight to those contents,

highlighting that ‘Certifications must be in compliance with International Diver

Training standards with regard to in-water time and activities, as scheduled by IDSA for the specified level of training and, if need be, must comply with international standards provided for prevention, safety, and care of health and the environment.’

The main focus of the proposed Legislation 698 is in the clause no.2 of section 6.

It specifies that those actions ‘...must be in compliance regarding training content, with international standards as recognised by IDSA; and with regard to working Operations (see clause 3, section2) must comply with that scheduled by Regulation UNI 11366 (Safety and Health in Hyperbaric and Commercial Diving Activities) Moreover, Offshore Diving Operations Must comply with the guidelines of IMCA.’

In this way, the Proposed Legislation 698 outlines the clear co-existence between the three standards: Training, Operational. And Safety,

Why does this matter?

In the IMCA document ‘Training and Certification’

(See <http://www.imca-int.com/media/90582/imca-fs-logo.pdf>) it is stated that there are only four training courses for which IMCA offers approval / recognition. They are: Trainee Air Diving Supervisor; Trainee Bell Diving

Supervisor; Assistant Life Support Technician; and Diver Medic. Each requires that a Training Establishment must first apply for approval and then successfully undergo an audit of its documentation, facilities, and course. Once IMCA has confirmed its recognition/ approval. such establishments may use the wording ‘IMCA Approved’ or ‘IMCA Recognised’ in relation to those specific courses only.

NO other courses are approved or recognised by IMCA and therefore NO establishments may use the wording ‘IMCA Approved’ or ‘IMCA Recognised’ in relation to any other course.

It is important to share with members

Proposed Legislation 698 is crucial since it will permit the implementation of the Directive 2005/36/CE which allows divers who have joined this Register to work in all EU member states, on the grounds that the Member State can verify the content of training and that the training meets the standard of training in the country to which it is going to apply.

This is an important step for two reasons. Firstly it recognises that divers on the Regional register have been trained to an adequate standard; secondly it can ensure that divers whose training does not reach an acceptable standard will not gain access to the register. This will avoid the situation in which we found ourselves last year when we were forced to accept certificates from some EU countries whose training was inadequate and could have had serious safety implications.

The political structure of Italy makes it a special case with regard to IMCA recognition – there is no such thing as national standards since responsibility is delegated to the Regions, ratified in Constitutional Law as set out in N2 dated 26 February 1948 ...Conversion in Constitutional Law of the Sicilian Region’s statute

Authorised with the Legislative Decree n.455 dated May15 1946’

For this reason, in Italy, a Region’s Legislation carries the same force as a National Recognition which also extends to EU regulation.



The Director of the IDSA School in Palermo – CEDIFOP – Manos Kouvakis, with the Governor of Sicily Rosario Crocetta

that, in a document from IMCA to CEDIFOP (11 September 2013) reference was made to a series of documents that IMCA has put out in recent years, the last being D11/13 where IMCA lists all countries with their own specific regulation concerning commercial diver training for offshore work. It should therefore be noted that, at the present time, it is difficult for IMCA to recognise IDSA without a significant change in its policy.

Italy could meet this condition through the approval of the Proposed Legislation 698, (Regulation for the recognition of the profession and discipline of Diver Training Standards to work as a Commercial Diver) once a register is established and held by the Sicilian Department of Work. Under this, every diver with a level of IDSA would be able to join the register and work in-shore and offshore, as provided by the Proposed Legislation 698.

The inclusion of IDSA Standards in the

In the case of IMCA therefore, recognition by Sicily carries the same status as if it came directly from the Italian Government; since Sicily’s standards are those of IDSA it seems to make a tacit admission that IDSA standards are acceptable to IMCA.

So, in conclusion, if IMCA has no direct way in which it can recognise IDSA certification, an alternative approach might be for recognition to be made via Regional recognition programmes such as exist in Sicily within the overall Italian state. One might see a similar pattern developing in other countries (for example Spain, Greece, Cyprus) where there is no National legislation for diving at the present time. Equally, a case for IMCA recognition might be made through greater collaboration by Full IDSA Member schools working through the IDSA Board, where the IDSA Standards taught in those schools is effectively already the National Standard.