

Order on diving training programmes¹

In pursuance of section 4(2), section 11(2), section 20 and section 24(6) of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*), cf. consolidated act no. 936 of 20 July 2010, the following provisions are laid down:

Diving schools

Section 1. Schools for the teaching of surface supplied professional divers, professional scuba divers, restricted professional scuba divers, closed bell/mixed gas divers, chamber operators, diving supervisors and diving assistants shall be approved by the Danish Maritime Authority. The approval shall be made in accordance with the order on the approval and quality assurance, etc. of maritime training programmes issued by the Danish Maritime Authority.

Subsection 2. The Danish Maritime Authority may withdraw an approval if the conditions or other terms of the approval are no longer met.

Admission requirements

Section 2. Admission to an approved school training for the test for surface supplied professional divers, professional scuba divers or restricted professional scuba divers shall be conditional upon the applicant:

- 1) having turned 18 years of age;
- 2) having completed a recognised first-aid course during the past two years; and
- 3) having completed a fixed medical examination with a satisfactory result.

Section 3. Admission to an approved school teaching cutting/welding, high-pressure jetting, explosions and/or closed bell/mixed gas diving requires that the diver holds a certificate as a surface supplied professional diver.

Section 4. Admission to an approved school teaching the diving assistant syllabus shall be conditional upon the applicant holding a certificate as a surface supplied professional diver or as a professional scuba diver.

Section 5. Admission to an approved school teaching the chamber operator syllabus shall be conditional upon the applicant holding a certificate as a surface supplied professional diver or having other relevant training.

¹ This order contains provisions implementing parts of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.

Section 6. Admission to an approved school teaching the diving assistant syllabus shall be conditional upon the applicant

- 1) having turned 18 years of age; and
- 2) having completed a recognised first-aid course during the past two years.

Section 7. Admission to an approved school teaching rescue diving requires that the diver holds a certificate as a professional scuba diver or a surface supplied professional diver.

Contents of the training programmes

Section 8. In order to acquire a certificate as a surface supplied professional diver using atmospheric air as a breathing gas until a depth of water of 50 metres, the teaching shall be carried out in accordance with guidelines issued by the International Diving Schools Association (IDSA), and the examination shall be carried out in accordance with guidelines recognized by the Danish Maritime Authority, cf. part 2 of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*).

Section 9. In order to acquire a certificate as a surface supplied professional diver using atmospheric air as a breathing gas until a depth of water of 30 metres, the teaching shall be carried out in accordance with guidelines issued by the IDSA, and the examination shall be carried out in accordance with guidelines recognized by the Danish Maritime Authority, cf. part 2 of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*).

Section 10. In order to acquire a certificate as a professional scuba diver using atmospheric air as a breathing gas until a depth of water of 30 metres, the teaching shall be carried out in accordance with guidelines issued by the IDSA, and the examination shall be carried out in accordance with guidelines recognized by the Danish Maritime Authority, cf. section 20 of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*).

Section 11. In order to acquire a certificate as a restricted professional scuba diver using atmospheric air as a breathing gas until a depth of water of 9 metres, the teaching and examination shall be carried out in accordance with guidelines recognized by the Danish Maritime Authority, cf. section 20 of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*).

Section 12. In order to acquire a certificate as a closed bell/mixed gas diver until a depth of water of 100 metres, the teaching shall be carried out in accordance with guidelines issued by the IDSA, cf. part 2 of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*).

Section 13. In order to acquire a certificate documenting that courses in cutting, welding, high-pressure jetting (30 bar or above), explosions and rescue diving have been completed, the teaching shall be carried out in accordance with guidelines recognised by the Danish Maritime Authority.

Section 14. In order to acquire a certificate as a professional diver using mixed gas or nitrox as a breathing gas, the teaching shall be carried out in accordance with guidelines recognised by the Danish Maritime Authority.

Section 15. In order to acquire a certificate as a chamber operator or diving supervisor, the teaching shall be carried out in accordance with guidelines recognised by the Danish Maritime Authority.

Section 16. In order to acquire a certificate as a diving assistant, the teaching shall be carried out in accordance with guidelines recognised by the Danish Maritime Authority.

Section 17. In order to acquire a certificate documenting that a refresher course in first-aid for divers and diving assistants has been completed, the teaching shall include theory and practical exercises in accordance with guidelines recognised by the Danish Maritime Authority.

Section 18. The Danish Maritime Authority may recognise diving training programmes and certificates permitting the use of other diving equipment, including auxiliary equipment, than that covered by this order.

Examination

Section 19. Examinations shall be carried out in accordance with the provisions stipulated in the order on the examination, testing and evaluation of participants in the maritime training programmes issued by the Danish Maritime Authority unless otherwise stipulated in this order.

Section 20. The marking of written exercises shall, insofar as possible, be made by the teacher who has taught the subject in question and an external examiner.

Subsection 2. Oral examinations shall, insofar as possible, be carried out by the teacher who has taught the subject in question and one external examiner.

Subsection 3. If an examinee has not been able to sit for an examination due to illness, the school shall decide when a postponed examination shall be arranged for the person in question.

Section 21. At the tests for surface supplied professional divers, professional scuba divers, restricted professional scuba divers and closed bell divers/mixed gas divers, marks shall be given in three disciplines:

- 1) Practical diving.
- 2) Diving theory (written test).
- 3) Diving equipment and safety (oral test).

Subsection 2. In order to pass the professional diver test, none of the marks shall be lower than 02.²

Subsection 3. In order for a school to register a student for the test, the student shall, in the teaching in practical diving, have obtained at least the mark 02, which it shall not be possible to acquire by rounding up.

Section 22. Examination certificates shall be issued by the school free of charge.

² Reference is made to the 7-point marking scale described in the order on marking scales and other evaluations issued by the Ministry of Education.

External examiners

Section 23. External examiners shall be appointed and authorised by the Danish Maritime Authority. Normally, the authorisation shall be given for a period of 2 years. In connection with the authorisation as an external examiner, it shall be documented that the person in question has detailed knowledge of the diving training programmes and, furthermore, complies with the provisions on external examiners stipulated in the order on the examination, testing and evaluation of participants in the maritime training programmes issued by the Danish Maritime Authority.

Certificates

Section 24. The Danish Maritime Authority shall, free of charge, issue certificates to persons who have completed the training programmes mentioned in sections 6-11.

Subsection 2. The Danish Maritime Authority may authorise training institutions to issue the certificates stipulated in sections 12-18 on its behalf.

Foreign professional diving certificates

Section 25. Applications for permission to carry out professional diving operations, cf. section 11 of the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel m.v.*) may be submitted to the Danish Maritime Authority.

Subsection 2. The Danish Maritime Authority shall decide whether the conditions for carrying out a trade in this country are met and shall inform the applicant accordingly.

Information for service recipients

Section 26. If diving is carried out under the title used in the Member State of establishment or under the diver's training certificate, the competent authorities of the host Member State may require that the diver, in addition to other information requirements stipulated in Community law, provides the service recipient with all or specific of the following information:

- 1) If the diver is registered in a commercial register or similar public register, the name of the register as well as the diver's registration number or equivalent means of identification contained in that register.
- 2) The name and address of the competent inspection authority if the company is covered by an approval scheme in the Member State of establishment.
- 3) The name of the professional association or similar body with which the diver is registered.
- 4) The professional title of the diver or, if no such title exists, the name of the training certificate and the Member State in which it was awarded.
- 5) If the diver performs an activity which is subject to VAT, the VAT identification number referred to in Article 22(1) of the sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the

laws of the Member States relating to turnover taxes – Common system of value added tax: uniform basis of assessment.³

- 6) Any insurance agreement or other means of personal or collective protection with regard to professional liability.

Penalty and entry into force, etc.

Section 27. Contraventions of section 1(1), section 19 or section 26 shall be liable to punishment by fine or imprisonment for a period not exceeding 1 year.

Subsection 2. Companies etc. (legal personalities) may be liable to punishment according to the provisions of part 5 of the Penal Code (*straffeloven*).

Section 28. This order shall enter into force on 1 April 2014.

Subsection 2. At the same time, order no. 1360 of 15 December 2009 on diving training programmes shall be repealed.

Subsection 3. This order shall not apply to Greenland.

Danish Maritime Authority, 12 December 2013

Anne Skov Strüver / Palle Kristensen

³ Official Journal L 145 of 13 June 1977, p. 1. Most recently amended by directive 2004/66/EC.