

SCHEDULES

SCHEDULE 2

REGULATION OF THE ESTUARY

PART 4

GENERAL

Diving and underwater swimming

34.—(1) Subject to sub-paragraph (2), a person, other than a duly authorised employee, contractor or agent of the conservancy authority, must not swim underwater or dive in the channels without the written permission of the harbour master.

(2) Sub-paragraph (1) does not apply to persons swimming underwater or diving for the purposes of undertaking repairs to recreational vessels or clearing obstructions to recreational vessels and their anchors.

(3) Subject to sub-paragraph (4), the conservancy authority may only give permission to dive and swim underwater under sub-paragraph (1) to a person who is—

- (a) a member of a club or association which is either—
 - (i) a registered branch of the British Sub-Aqua Club,
 - (ii) a registered club of the Sub-Aqua Association,
 - (iii) a Professional Association of Diving Instructors registered diving school, or
- (b) a member of any other recognised and competent organisation.

(4) Permission for the purposes of sub-paragraph (1) may be given by the conservancy authority to a club or association mentioned in sub-paragraph (3) for the benefit of those of its members specified in the permission.

(5) Any permission granted under sub-paragraph (1) may be given subject to such reasonable terms and conditions, including as to the payment of charges, as the harbour master may consider appropriate.

(6) Any person diving or swimming underwater in the channels must comply with—

- (a) any terms and conditions that are imposed on that person, and
- (b) any directions given to that person,

by the harbour master.