

# SCUBA cylinder petition

“We, the undersigned, request that the New Zealand House of Representatives pass legislation or urge the Government to change regulations in order to increase safety in the diving community, increase consumer choice and reduce regulatory costs by pre-approving the use of imported scuba diving cylinders that are approved for use in trusted jurisdictions such as Australia, the EU and the US.”

**The regulations designed to protect the diving community are instead putting lives at risk.**

**If a cylinder is safe for Europeans to dive with, it's safe for New Zealanders to dive with.**

## Who should sign?

Anyone concerned with safety, choice and costs in the diving community, including:

- Divers
- Diving industry professionals
- Periodic test station staff.

## Why should I sign?

Because it will:

- Make the diving community safer
- Increase consumer choice
- Reduce regulatory costs.

## Where do I sign?

Dive shops around New Zealand have been sent the petition.

- Add your name when you're next in the shop!
- Or print a petition sheet (/petition-v2.pdf) for your club members or dive buddies to sign.

## What does it mean for divers?

### Safety

Currently, New Zealand's regulations for cylinder approval mean that many cylinders from trusted manufacturers cannot be legally filled or tested in New Zealand. Some divers, who cannot find suitable alternatives, ignore the regulations, fill their own cylinders and are unable to have them professionally tested annually. This creates an unacceptable risk in the diving community, especially to those who fill these cylinders. **The regulations designed to protect the diving community are instead putting lives at risk.**

### More choice



Divers will have access to the full range of cylinders available to divers in the EU, US and Australia. This is particularly beneficial to technical divers, sidemount divers and rebreather divers who use specialised equipment.

### Lower costs

Over time divers can expect costs to reduce due to reduced approval fees and more competition.



## What does it mean for dive shops?

### Safety

It is less likely that staff will be pressured by customers to fill cylinders that are out of test.

Divers bringing their own equipment along for dives, especially technical divers, are more likely to have cylinders that meet NZ Adventure Activity and Health and Safety regulations.

### Happier customers

You will be able to offer your customers more choice and you won't have to explain to customers why you cannot test their cylinders.

### More business

Customers will bring you cylinders for testing and filling that they were previously unable to have tested or filled.

## What does it mean for the Government?

The petition does not prescribe how change to the regulations should be implemented.

The Government could amend the regulations to approve the use of cylinders that are approved in named trusted jurisdictions, or to standards in those jurisdictions such as BSXXXX, ISOXXXX, EUXXXX, perhaps also limiting the age of these approved cylinders. The approval process for a cylinder could then follow existing processes so that the cost of change is very low.

The Government could further reduce ongoing bureaucratic costs by allowing Periodic Test Stations to independently approve the use of such cylinders. This would also speed up the process for consumers and dive shops.

In addition, the Government could maintain a blacklist of cylinders, manufacturers or standards about which there are safety concerns.

The advantages and disadvantages of options can be debated by the dive industry and the Government when it reaches the Select Committee stage.

## Why trust the EU, US and Australia?

No-one makes diving cylinders in New Zealand and our market is too small to influence

manufacturers such as Faber and Catalina to comply with New Zealand's complicated and unique regulations.

If a manufacturer goes to the effort of designing and making a SCUBA cylinder, they will make sure it is fit for purpose and go through the necessary approval processes to enter these big markets.

New Zealand recently began to recognise UN marked cylinders, but most cylinders that the diving community needs do not have UN markings.

The processes in trusted jurisdictions, while different from New Zealand, can be trusted to endorse cylinders for use by the diving community here in New Zealand – the regard for human life is similar and the laws of physics are no different in the southern hemisphere!

**If a cylinder is safe for Europeans, North Americans or Australians to dive with, it is safe for New Zealanders to dive with.**

## Who is behind this petition?

This petition was initiated by Franz Ombler with advice from Andrew Simpson, Anthony Blyth, Chris Clarke, Grant Searancke, Jamie Obern, John McMullan, Paul Trainor, Pete Mesley, Richard Taylor, Rob Edward, Steve Bishop and Tim Walshe.

## Who supports this petition?

As well as many individuals, the following organisations and groups have indicated their support for this proposal:

- A to Z Diving (<http://www.atozdiving.co.nz/>)
- Auckland Scuba (<http://aucklandscubadive.co.nz/>)
- Dive Doctor (<http://www.divedoctor.co.nz/>)
- Dive East Hawkes Bay (<http://www.gasworkz.co.nz/>)
- Dive HQ Whangarei (<http://www.divenow.co.nz/>)
- Dive Wellington (<http://www.divewellington.co.nz/>)
- Epic Scuba Ltd (<http://www.epicscuba.co.nz/>)
- Global Dive (<http://www.globaldive.net>)
- Go Dive Marlborough (<http://www.godive.co.nz/>)
- Island Bay Divers (<http://www.ibdivers.co.nz/>)
- Kiwi Scuba Divers (<http://kiwiscubadivers.co.nz>)
- New Zealand Diving (<http://nzdiving.co.nz/>)
- Northland Dive (<http://www.northlanddive.com/>)
- Lust4Rust (<http://www.petemesley.com>)
- New Zealand Underwater Association (<http://www.nzu.org.nz>)
- Scuba Equipment Servicing Limited
- Sidemount Pros (<http://www.sidemountpros.com>)
- Tech Dive NZ (<http://www.techdivenz.com>)
- Underwater Obsession (<http://www.underwaterobsession.com>)
- Wellington Underwater Club (<http://www.wuc.org.nz/>)

Add your organisation (<mailto:info@scubacylinder.nz>) to the list.

## Contrary views

If you have views contrary to those expressed by the petition, we would be more than happy to

present them on this site – please send us (<mailto:info@scubacylinder.nz>) text or a link.

- K.P. Bremer (/Contrary)

## Other issues arising

The following ideas are not specifically part of this petition but are related matters that have emerged that could be addressed in conjunction with this reform.

### Removal of dangerous cylinders from service

Currently, the regulations continue to allow the filling of some types of older aluminium cylinders that have caused serious accidents. The Government has issued safety warnings (<http://tinyurl.com/oldali>) about these cylinders and while some shops already refuse to fill these cylinders, others do not want to turn loyal customers away and have them go to another shop. The Government could increase safety by centrally mandating the removal of these cylinders from service.

**Update:** in response to another Worksafe warning (<http://tinyurl.com/oldali16>) about cylinders manufactured from Alloy 6351-T6, the NZ Underwater Association instructed its members (<http://tinyurl.com/oldali17>) not to test or fill these cylinders – ngā mihi nui ki a Steve Bishop for this bold move!

### Maximum age for cylinders

Some people would like to see a maximum age placed on cylinders, particularly on aluminium cylinders.

### Permitted gases

The regulations are strangely restrictive in the mixes of gases that a cylinder can be filled with, e.g. it would seem that helium may not be used in scuba cylinders, although divers do so in order to make their gases safer to breathe when diving deep, and technical divers often use gas mixes with a higher O<sub>2</sub> content than are permitted by the regulations. Furthermore, some cylinders are approved for air only (even if O<sub>2</sub> cleaned) while others are permitted for a wider range of gases. The regulations should be updated to be congruent with international dive industry practice in these matters.

## Resources

- This site as a PDF (</scubacylinder-nz.pdf>)
- Petition signing sheet PDF (</petition-v2.pdf>)
- Share on Facebook (<https://www.facebook.com/sharer/sharer.php?u=www.scubacylinder.nz>).

Note, an online petition will not be made available because the Office of the Clerk advises that they are not given the same weight as paper-based petitions: an online petition would be considered to have been presented by just one person.

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SCUBA Cylinder Petition – New Zealand, 2016/17 – [www.scubacylinder.nz](http://www.scubacylinder.nz)  
(<http://www.scubacylinder.nz>)