

UNOFFICIAL ENGLISH TRANSLATION

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Order No. 26
of the Director of the Maritime Office in Gdynia
of 18 December 2006
on scuba diving on shipwrecks

(Gdańsk, 18 January 2007)

Pursuant to Article 48 (1) and (2) of the Act of 21 March 1991 on the Maritime Areas of the Republic of Poland and Maritime Administration (Journal of Laws of 2003 No. 153, item 1502, No. 170, item 1652, of 2004 No. 6, item 41, No. 93, item 895, No. 273, item 2703, and of 2005 No. 203, item 1683), and in conjunction with § 7 of the Regulation of the Minister of Sport of 17 August 2006 on safety rules for scuba diving (Journal of Laws No. 154, item 1103), the following is hereby ordered:

§1.

1. This Order regulates scuba diving on shipwrecks within the maritime areas of the Republic of Poland falling under the territorial jurisdiction of the Director of the Maritime Office in Gdynia.
2. The provisions of this Order shall not apply to:
 - 1) the search of shipwrecks or their remains,
 - 2) the search for hidden or abandoned movable monuments, including archaeological monuments.

§2.

1. Scuba diving may be conducted exclusively on shipwrecks listed in the "List of Shipwrecks Made Available for Scuba Diving," available on the Maritime Office website:

<http://www.umgdy.gov.pl>

2. Penetration of the interior of a wreck is prohibited.

§3.

1. Departure of a vessel from a port or a marina designated for sports craft for the purpose of scuba diving is permitted upon obtaining authorization from the territorially competent Harbour Master's Office (or Port Officer's Office), issued on the basis of the "Notification of Departure from Port for Scuba Diving." The template of the said notification constitutes Appendix No. 1 to this Order.

Approval or refusal to issue the authorization shall be recorded on the notification form.

2. The vessel's master is obliged to report the commencement and completion of scuba diving activities on shipwrecks to:

Maritime Safety Centre of the Maritime Office in Gdynia

VTs Gulf of Gdańsk Centre

ul. Polska 2, 81-339 Gdynia

24 hours a day. Tel.: +48 58 6216162, +48 58 6211443, +48 601 991 331

Fax: +48 58 6205363, +48 58 6205328,

E-mail: vtscentrum@umgdy.gov.pl

VHF CH 71

INMARSAT M4:

Tel.: +870.764.562.013

Fax: +870.600.799.655

3. The Harbour Master (Port Officer) is obliged to forward copies of notifications concerning scuba diving on shipwrecks to the territorially competent units of the Border Guard.

4. Authorization for scuba diving on shipwrecks shall be refused if:

- 1) there is a threat to the safety of navigation or pollution of the marine environment;
- 2) the vessel from which the diving is to be conducted is not equipped with facilities enabling the diver's safe entry into and exit from the water, and with equipment for marking the diving position;

- 3) the person conducting organized scuba diving activities on shipwrecks does not possess the appropriate qualifications;
- 4) the area in which scuba diving has been reported has been temporarily closed to navigation.

§4. Any person who violates the provisions of this Order shall be subject to the financial penalty referred to in Article 56(9) of the Act of 21 March 1991 on the Maritime Areas of the Republic of Poland and Maritime Administration (consolidated text: Journal of Laws of 2003 No. 153, item 1502, as amended).

§5. Order No. 21 of the Director of the Maritime Office in Gdynia of 28 December 2004 on scuba diving in maritime waters (Official Journal of the Pomorskie Voivodeship of 2005 No. 3, item 45, Official Journal of the Warmińsko-Mazurskie Voivodeship of 2005 No. 1, item 13) is hereby repealed.

§6. This Order shall enter into force on 1 January 2007 by way of notices posted on the notice boards at the headquarters of the Maritime Office in Gdynia and the Harbour Master's Offices of Gdynia, Gdańsk, Hel, Władysławowo and Elbląg, and shall be published in the Official Journals of the Pomorskie and Warmińsko-Mazurskie Voivodeships.