



Pilotage Act 1987

1987 CHAPTER 21

PART II

GENERAL PROVISIONS CONCERNING PILOTAGE

Rights of pilots

17 Right of authorised pilot to supersede unauthorised pilot

- (1) An authorised pilot may, within the harbour in relation to which or a part of which he is authorised, supersede as the pilot of a ship any unauthorised person who has been employed to pilot it.
- (2) If the master of any ship navigates it in any part of a harbour under the pilotage of an unauthorised person without first notifying the competent harbour authority that he proposes to do so, he shall be guilty of an offence.
- (3) If an unauthorised person pilots a ship within a harbour knowing that an authorised pilot has offered to pilot it, he shall be guilty of an offence.
- (4) If the master of a ship navigating within a harbour knowingly employs or continues to employ an unauthorised person to pilot the ship after an authorised pilot has offered to pilot it, he shall be guilty of an offence.
- (5) For the purposes of this section—
 - (a) a person is an unauthorised person if he is neither an authorised pilot nor the holder of a pilotage exemption certificate in respect of the ship and the area in question; and
 - (b) any person (other than the master or one of the crew of a ship) who is on the bridge of the ship or in any other position from which the ship is navigated (whether on board or elsewhere) shall be deemed to be piloting the ship unless he proves otherwise.
- (6) Any person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding—

Status: This is the original version (as it was originally enacted).

- (a) in the case of an offence under subsection (2) above, level 2 on the standard scale; and
 - (b) in the case of an offence under subsection (3) or (4) above, level 4 on the standard scale.
- (7) Subsections (1) to (4) above do not apply—
- (a) to a ship which a person is piloting or ordered to pilot in a dockyard port (within the meaning of the Dockyard Ports Regulation Act 1865) in the course of his duties as a servant of the Crown; or
 - (b) if the competent harbour authority has directed that those subsections shall not apply to movements in its harbour or a specified part of its harbour for the purpose of changing a ship or a ship of a specified description from one mooring to another or of taking it into or out of any dock, to a ship or a ship of that description being moved in that harbour or that part for that purpose;
- but nothing in paragraph (a) above shall be construed as derogating from any immunity which affects such a ship as there mentioned apart from that paragraph.
- (8) A competent harbour authority shall not give a direction under subsection (7)(b) above unless the area in relation to which it will apply is either—
- (a) an area in relation to which a bye-law under section 38 of the Pilotage Act 1983 (exemptions from compulsory pilotage for ships moving within harbours, docks etc.) was in force immediately before the appointed day; or
 - (b) a closed dock, lock or other closed work which is not in a former pilotage district.

18 Declaration as to draught etc. of ship

- (1) A pilot may require the master of any ship which he is piloting to declare its draught of water, length and beam, and to provide him with such other information relating to the ship or its cargo as the pilot specifies and is necessary to enable him to carry out his duties as the pilot of the ship.
- (2) The master of a ship shall bring to the notice of any person who pilots the ship any defects in, and any matter peculiar to, the ship and its machinery and equipment of which the master knows and which might materially affect the navigation of the ship.
- (3) Any master of a ship who—
- (a) refuses to comply with a request made to him in pursuance of subsection (1) above; or
 - (b) makes a statement which is false in a material particular in answer to such a request, knowing it to be false or being reckless as to whether it is false, or fails without reasonable excuse to correct such a statement made by another person in answer to such a request, although himself knowing it to be false; or
 - (c) without reasonable excuse contravenes subsection (2) above,
- shall be guilty of an offence.
- (4) Any person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding—
- (a) in the case of an offence under subsection (3)(b) above, level S on the standard scale, and
 - (b) in any other case, level 4 on the standard scale.

19 Authorised pilot not to be taken out of his area

- (1) A master of a ship shall not without reasonable excuse take an authorised pilot without his consent beyond the point up to which he has been engaged to pilot the ship.
- (2) A person who contravenes subsection (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level S on the standard scale.

20 Facilities to be given for pilot boarding or leaving ship

- (1) Where—
 - (a) the master of a ship, which is navigating in an area in circumstances in which pilotage is compulsory for it but is not under the pilotage of an authorised pilot or a master or first mate possessing a pilotage exemption certificate in respect of the ship and the area, is offered the services of an authorised pilot; or
 - (b) the master of a ship accepts the services of an authorised pilot in any other circumstances,he shall facilitate the pilot boarding and subsequently leaving the ship.
- (2) If the master of any ship without reasonable excuse contravenes this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.