



Pilotage Act 1987

1987 CHAPTER 21

PART I

PILOTAGE FUNCTIONS OF COMPETENT HARBOUR AUTHORITIES

Agents and joint arrangements

11 Use of agents and joint arrangements.

- (1) A competent harbour authority may arrange for its functions in relation to the provision of pilotage services (other than its functions under sections 2(1), 3(1), 4(2), 6(1)(b), 7(1), 8(1) above or section 28 below or its function of determining the qualifications to be required from persons applying for authorisation under section 3(2) above or any charge to be imposed under section 10(1) or (3) above) to be exercised on its behalf by such other persons as it thinks fit and may establish such companies as it thinks fit to exercise those functions on its behalf.
- (2) A competent harbour authority may arrange for all or any of its functions relating to pilotage other than its duty under section 2(1) above to be exercised on its behalf by another competent harbour authority.
- (3) Two or more competent harbour authorities may arrange to discharge any of their functions relating to pilotage jointly and such arrangements may provide for the discharge of such functions by a joint committee or any other body established by the authorities for that purpose.
- (4) An authority which has entered into arrangements with another authority under subsection (2) or (3) above may withdraw from the arrangements on giving reasonable notice to the other authority.

12 Information and directions as to joint arrangements.

- (1) Where—

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- (a) the harbours of two or more competent harbour authorities fall wholly or partly within a single former pilotage district;
- (b) access for ships to the harbour of a competent harbour authority is customarily available through the harbour of another competent harbour authority;
- (c) there is any person other than the competent harbour authority who carries on harbour operations within the harbour of a competent harbour authority;
- (d) there is any person who carries on harbour operations in a harbour (within the meaning of the ^{M1}Harbours Act 1964) which is not the harbour of a competent harbour authority and access to which is customarily available through the harbour of a competent harbour authority; or
- (e) the harbour of a competent harbour authority and a dockyard port (within the meaning of the ^{M2}Dockyard Ports Regulation Act 1865) for which a Queen's harbour master has been appointed under that Act fall wholly or partly within a single former pilotage district,

the Secretary of State may require any of the authorities or, in the case of paragraph (c), (d) or (e) above, the authority concerned to provide him with such information as he may require concerning the arrangements made or proposed by the authorities or authority in question for the provision of pilotage services and that information shall be provided in such form as the Secretary of State may require.

- (2) If the Secretary of State considers that any arrangements of which particulars are provided under subsection (1) above are not satisfactory he may—
 - (a) direct that they shall have effect subject to such modifications as he may specify in the direction; or
 - (b) direct the authorities or authority concerned to make different arrangements.
- (3) If the statement provided under subsection (1) above is to the effect that no arrangements have been made or proposed by the authorities or authority in question for the provision of pilotage services in the area concerned and the Secretary of State considers that such arrangements should be made, he shall direct the authorities or authority in question to make appropriate arrangements.
- (4) Section 11(4) above shall not apply to any arrangements made or modified by virtue of a direction under this section.

Marginal Citations

- M1** 1964 c. 40.
M2 1865 c.125.

13 Resolution of disputes between authorities.

- (1) Where any dispute arises between two or more competent harbour authorities concerning—
 - (a) arrangements for the provision of pilotage services made by one authority which affect navigation in another authority's harbour;
 - (b) arrangements made by two or more authorities for the discharge of their functions in relation to pilotage jointly; or
 - (c) any statement required to be prepared or arrangements required to be made under section 12 above,

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or between a competent harbour authority and such a person as mentioned in section 12(1)(c), (d) or (e) above concerning arrangements for the provision of pilotage services made by the authority which affect navigation in the harbour of the competent harbour authority or such a statement or arrangement, any party to the dispute may appeal to the Secretary of State.

- (2) On an appeal under subsection (1) above the Secretary of State shall settle the dispute in such manner as he considers appropriate and may in particular direct—
 - (a) that such arrangements as are mentioned in that subsection shall not have effect or shall have effect subject to such modifications as he may specify; or
 - (b) in the case of a dispute between two competent harbour authorities, that one authority only shall exercise functions under this Act in relation to any area in respect of which there is a dispute.
- (3) The arrangements mentioned in subsection (1) above include arrangements concerning which a previous dispute has been settled under subsection (2) above and arrangements made or modified by virtue of that subsection.

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