

PILOTAGE REGULATIONS

PILOTAGE & REGULATIONS

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PILOTAGE REGULATIONS

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Authorised

T Macleod

Harbour Master

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AMENDMENT RECORD

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PILOTAGE REGULATIONS

CONTENTS

1.	PORT LIMITS	4
2.	VESSELS SUBJECT TO COMPULSORY PILOTAGE	4
3.	VESSELS EXEMPTED FROM COMPULSORY PILOTAGE.....	4
4.	DEFINATIONS PILOTAGE REGULATIONS.....	4
5.	PILOTAGE EXEMPTION CERTIFICATES	5
6.	CONDITIONS OF ENGAGEMENT OF PILOTAGE SERVICES.....	6
7.	VESSEL MEASUREMENT	7/7
8.	PILOTAGE DUES AND CHARGES	7
9.	GENERAL DIRECTION TO SHIPPING	7
10.	REPORTING OF INCIDENTS.....	7
11.	COMMUNICATIONS.....	8
APPENDIX A Exemption Certificates - conditions		9/12
APPENDIX B Map of pilotage area		15

PILOTAGE ACT 1987

The Department of Transport has classified the Cromarty Firth Port Authority as a “Competent Harbour Authority” as defined in Section One of the above Act. Section Two of the Act imposes general duties on a Competent Harbour Authority to provide pilotage services within its port area. The Secretary of State announced that the appointed day on which the provisions of the Act would come into force would be 1 October 1988 and the Cromarty Firth Port Authority has therefore assumed full responsibility for the provision of pilotage services within the port area from that date.

These directions are made pursuant to section 7 of the Pilotage Act 1987 as amended and come into force at 0001 hours on the 1 November 2006 and supersede all previous editions. The amendments to the 1987 Act set out in the Marine Navigation Act 2013 sections 1 to 4 have been included in revision 03 of these Pilotage Directions.

PILOTAGE REGULATIONS

1. PORT LIMITS AND COMPULSORY PILOTAGE AREAS

- 1.1 The Cromarty Firth Competent Harbour Authority controls pilotage within the whole port area under the jurisdiction of the Cromarty Firth Port Authority, via-

Inland Limit – a straight line drawn across the Cromarty Firth from Arduillie Point on the north shore to Findon Pier on the south shore.

Seaward Limit – on the north a straight line drawn from the rock which dries 6 feet situated about 0.45 miles 190° from Port an Righ to a position in latitude 57° 42.5' north, longitude 3° 52' west; on the east a straight line drawn from a position latitude 57° 42.5' north, longitude 3° 52' west to a position latitude 57° 38' north, longitude 3° 57' west; on the south so much of a straight line drawn from Navity Chimney to a position in latitude 57° 38' north, longitude 3° 57' west as lies to seaward of the coast (see plan in Appendix B).

- 1.2 Pilotage is compulsory in all such parts of the foregoing area of jurisdiction, which lie to the west of longitude 4° west.

2. VESSELS SUBJECT TO COMPULSORY PILOTAGE

- 2.1 All vessels 60 metres in length or over including fishing vessels other than excepted vessels under section 4.
- 2.2 Any vessel over 20 metres in length carrying over 12 paying passengers except exempt under section 4.3 below.
- 2.3 Any vessel over 40 metres in length carrying hazardous cargo.

3. VESSELS EXEMPTED FROM COMPULSORY PILOTAGE

- 3.1 Vessels in the service of the Crown.
- 3.2 Warships under foreign flag.
- 3.3 Ferry boats and tugs plying as such exclusively within the port limits, subject to the approval of the Authority.
- 3.4 Vessels under the control of the Northern Lighthouse Board.
- 3.5 Pleasure craft, that is to say any vessel not engaged in commercial activity.
- 3.6 Vessels moving along the quay but not entering the navigable channel, or proceeding directly to sea without berthing or anchoring, within the pilotage area, after towing or assisting a vessel into the Firth.
- 3.7 Under special circumstances the Harbour Master may give permission for a vessel to navigate within the pilotage area without employing a licensed pilot.

PILOTAGE REGULATIONS

NOTE Pilotage services will be provided on request to excepted vessels.

4. DEFINITIONS PILOTAGE REGULATIONS

- 4.1 All communications concerning pilotage matters should be directed to the Harbour Master to the Authority at the Port Office, Shore Road, Invergordon, Ross-shire IV18 0HD.
- 4.2 For the purpose of the Pilotage Act 1987 as amended The Cromarty Firth Port Authority is the Competent Harbour Authority and Pilotage Authority in respect of the Cromarty Firth within the jurisdiction set out in section 2 of these directions.
- 4.3 For the purpose of these directions the amendments to the Pilotage Act 1987 as set out in the Marine Navigation Act 2013 shall apply.
- 4.4 An Authorised Pilot shall be a person duly authorised by the Cromarty Firth Port Authority to act as a Pilot for the Cromarty Firth.
- 4.5 "Hazardous cargo" includes any dangerous substance defined in section 3 of the Dangerous Substances in Harbour areas Regulations 1987 SI 1987/37. Excluding substances used in the operation of the vessel but not carried as cargo.
- 4.6 "Passengers" has the same meaning as defined in section 26 of the Merchant Shipping Act 1949 but excludes local passenger vessels operating within the Cromarty Firth waters only.
- 4.7 "Byelaws" mean the Cromarty Firth Port Authority Byelaws 1985 as amended.
- 4.8 "Length" means length overall and includes the length of the tow as defined in the Rules for the Prevention of Collision at Sea.
- 4.9 "Harbour Master" shall be defined as the person appointed to this post under section 8 of the Cromarty Firth Port Authority Confirmation Act 1973 as amended.
- 4.10 "Vessel" for the purpose of these Directions shall be as defined under Part I of the Cromarty Firth Port Authority Byelaws 1985.

5. PILOTAGE EXEMPTION CERTIFICATES

Full details of the conditions of issue of exemption certificates are set out in the Appendix A hereto. The principal conditions are:—

- 5.1 Fees in respect of exemption certificates will be charged in respect of examination fees and administration, a further charge will be levied for administration charges for annual revalidation of an exemption certificate.
- 5.2 An exemption certificate will normally entitle the holder to pilot the vessel of which he is a deck officer at the time of examination. The Authority may, at its discretion

PILOTAGE REGULATIONS

and on application by the holder, extend the certificate to include other vessels of similar class. An exemption holder may be granted an exemption certificate for more than one vessel but must be the bona fide deck officer of the vessel he/she is piloting.

- 5.3 Applications, who must be qualified deck officer, will normally have performed at least six passages (three round trips) in the port within the twelve months preceding application. At least half the trips inwards and outwards should be during the hours of darkness.
- 5.4 Application must be made on the prescribed form available on request from the Harbour Master, Port Office, Shore Road, Invergordon, Ross-shire, IV18 0HD.
- 5.5 Applicants must be proficient in the English language and will be examined on the following subjects:
- General navigation
 - Experience and local knowledge
 - Pilotage in the port area
- 5.6 Certificates are renewable annually and application for renewal should be made at least one month in advance of the expiry date. Under normal circumstances applicants for renewal should have completed at least six pilotage passages (three round trips and at least one in and one out during the hours of darkness) in the last 12 month period whilst holding a current exemption certificate for the named vessel in the position of Deck Officer of the vessel.
- 5.7 Both the application for issue and renewal of certificates must be submitted with a valid medical certificate showing the candidate is fit to be employed in a sea going capacity.
- 5.8 The Port Authority has powers to withdraw certificates in defined circumstances. (see Section 11 of Appendix A)

6. CONDITIONS OF ENGAGEMENT OF PILOTAGE SERVICES

- 6.1 The master of a vessel proceeding to the pilotage district and requiring the services of a pilot shall give to the pilot boarding station not less than 12 hours notice of the vessel's ETA at the pilot Port entrance if practicable; the ETA should be updated 6 hours from the pilot boarding station.
- 6.2 The master of a vessel intending to leave or move within the pilotage district and requiring the services of a pilot shall give to the pilotage authority not less than 2 hours notice of the expected time of departure from the berth or mooring.
- 6.3 The seaward point of boarding or landing a pilot is normally at mid-channel on Longitude 4° west. Boarding or landing will be carried out at the Fairway Buoy on request. At anytime the position of boarding or landing may be varied at the discretion of the duty pilot taking into account such matters as weather conditions, the type of vessel involved and means of access thereto and levels of traffic prevailing at the time.

PILOTAGE REGULATIONS

7. VESSEL MEASUREMENT

- 7.1 Charges relating to certified tonnage will be calculated on –
- The gross tonnage of a certificate issued in terms of the International Convention on Tonnage Measurement of Ships 1969, failing which,
 - The gross registered tonnage of a certificate issued under the Oslo Convention 1947 plus the total of tonnage listed as exempted and/or Unmeasured spaces on the certificate.
- 7.2 Where a vessel, such as a warship, has no certified tonnage as defined in 7.1 above and where a free floating structure, not being a vessel, is in like circumstances then they will be deemed to have a certified tonnage equivalent to 60% of their displacement tonnage.

8. PILOTAGE DUES AND CHARGES

- 8.1 Charges for pilotage services including Boarding and Landing of pilots will be levied as per the Port's published tariff.
- 8.2 The Pilotage Authority may from time to time levy charges for exempt movements under Section 10(3) of the Pilotage Act 1987.
- 8.3 For the purposes of calculating charges the chargeable time will be reckoned from the time of departure of the pilot from the pilot office to the time of his return thereto.
- 8.4 Vessels, which are towing or being towed by another vessel under pilotage and any vessel being led within the pilotage area by a vessel, which is under pilotage, shall pay pilotage dues as if the pilot were on board.
- 8.5 Employees of the Authority undergoing training may from time to time accompany the pilot but no extra charge shall be levied on any vessel in respect of such trainees.

9. GENERAL DIRECTION TO SHIPPING

- 9.1 Except with the specific prior authority of the Harbour Master no vessel shall at any time approach within 100 metres of the Nigg Oil Terminal Jetty.

10. REPORTING OF INCIDENTS

- 10.1 Reports shall be made under the circumstances mentioned in the Cromarty Firth Port Authority Byelaws 1985 section 10 (a), (b) & (c). The report initially shall be made verbally and a written report submitted by the Pilot or exemption holder addressed to the Harbour Master within 24 hours of the incident taking place.

PILOTAGE REGULATIONS

11. COMMUNICATIONS

- 11.1 To contact the pilotage service by radio call “Cromarty Firth Port Radio” on Channels 11 or 16.

PILOTAGE REGULATIONS

APPENDIX A

PILOTAGE EXEMPTION CERTIFICATES – CONDITIONS OF USE

1. GEOGRAPHICAL AREA

Certificates will be issued and examinations conducted for that part of the port area of Cromarty Firth Port Authority lying west of longitude 4 deg west.

The issued certificate may be restricted to certain areas within the pilotage jurisdiction to be determined by the examination panel.

2. FEES

2.1 Issue of a Pilotage Exemption Certificate by examination for the area specified in 1 (See Port published tariff)

2.2 Renewal of Pilotage Exemption Certificate (See Port published tariff).

3. EXTENT OF EXEMPTION

An exemption certificate will normally entitle the holder to pilot the vessel of which he is master or first mate at the time of examination. The Authority may, at its discretion and on application by the holder, extend the certificate to include other vessels of similar class.

4. EXPERIENCE REQUIRED

The extent of local knowledge and experience required by a deck officer before being granted a pilotage exemption certificate will depend upon the size and class of vessel concerned. A candidate for a pilotage exemption certificate will normally have performed at least six passages (three round voyages) within the last year in respect of the port under the supervision of a licensed pilot. At least one passage in and out should be during the hours of darkness. However, applicants with sufficient proven knowledge but with less experience will not necessarily be excluded and there may also be occasions when more experience would be appropriate.

5. APPLICATION FOR A PILOTAGE EXEMPTION CERTIFICATE

Application must be made on the prescribed form F320-6, a copy of which is annexed, and be accompanied by the appropriate supporting documents and the fee.

6. PARTICULARS OF EXAMINATION

Applicants for pilotage exemption certificates are to display a satisfactory working knowledge of the English language and are to make themselves thoroughly acquainted with the following subjects:

6.1 General Navigation

The application to pilotage of: -

PILOTAGE REGULATIONS

- a. International Regulations for Preventing Collisions at Sea.
- b. I.A.L.A. Maritime Buoyage System A – General Principles and Rules.
- c. Bye-laws, Regulations and Directions for Navigating in the District.
- d. Communication Procedures.
- e. 'M' Notices relating to Pilotage.
- f. Relevant Notices to Mariners.

6.2 Experience and Local Knowledge

The candidate's experience will be determined by his ability to demonstrate detailed local knowledge with particular reference to:-

- a. Coastal features.
- b. Navigational Marks.
- c. General direction of tidal streams.
- d. Passage planning and critical areas of navigation.
- e. Traffic movement and patterns.
- f. Pilotage District and Harbour Limits.
- g. Names of wharves, jetties and berths and knowledge of berthing / unberthing manoeuvres and limitations.

6.3 Pilotage in the Area

A detailed knowledge will be required of:-

- a. The names and characteristics of lights, their ranges and arcs of visibility.
- b. The names and characteristics of buoys, beacons and other seamarks.
- c. The names and locations of headlands, points and shoals in the district.
- d. The bearing and distance from one buoy to another.
- e. The courses and distances in the area.
- f. The depths of water throughout the area, particularly at the buoys.
- g. The set, rate, rise and duration of the tides and the use of Tide Tables.

PILOTAGE REGULATIONS

- h. Clearing marks for shoals and points visually by day or night and by radar.
- i. Significant radar patterns of aids to navigation and the use of parallel indexing.
- j. The names or numbers of the anchorages, their position, use and limitations.
- k. Restricted areas and zones.
- l. Vessel handling characteristics of own vessel, squat and interaction with other vessels.
- m. Limitations and restriction of other vessels requiring special consideration.
- n. Local Emergency Plans and procedures.
- o. Dangerous Substances in Harbour Area Regulations 1987.
- p. Any other relevant information at the discretion of the examiners.

7. CONDUCT OF THE EXAMINATION

- 7.1 The examining panel will normally consist of:-
 - The Harbour Master
 - A senior Pilot
 - An independent observer if available, i.e. Ships agent, owners representative, other
- 7.2 The examination will be conducted at a date, time and place determined by Cromarty Firth Port Authority.
- 7.3 The depth of questioning on a particular subject will depend upon the type and size of the vessels for which a certificate is required.

8. CONDITIONS FOR RENEWAL OF CERTIFICATES

- 8.1 Certificates shall be renewable annually and application should be made at least one month in advance of expiry date.
- 8.2 Under normal circumstances renewal will depend on the holder having completed at least six passages (three round trips) in the previous 12 months within the area with at least one trip during the hours of darkness. Holders without that level of experience may apply for renewal but will require to undergo limited examination by nominated officers of the Authority.
- 8.3 Written confirmation of the officer's knowledge of any relevant changes affecting navigation in the areas concerned.
- 8.4 Written confirmation of the officer's continued satisfactory medical condition.

PILOTAGE REGULATIONS

9. MIS-USE OF PILOTAGE EXEMPTION CERTIFICATES

- 9.1 No person other than the official nominated by Cromarty Firth Port Authority shall make any alteration to a pilotage exemption certificate.
- 9.2 No pilotage exemption certificate shall be used by any person other than the duly authorised holder.

10. GENERAL DUTIES OF HOLDERS OF PILOTAGE EXEMPTION CERTIFICATES

Every holder of a pilotage exemption certificate shall:-

- 10.1 On a vessel piloted or to be piloted by him behave with strict sobriety and respect, and use his utmost care and diligence to conduct the vessel safely and to avoid damage to any other vessel or property.
- 10.2 In all respects and at all times obey the bye-laws, rules and regulations of Cromarty Firth Port Authority, and obey and execute all lawful orders or directions given by the Harbour Master or other officer of that Authority relative to the berthing, towing or moving of any vessel being piloted by him.

11. SUSPENSION AND REVOCATION OF PILOTAGE EXEMPTION CERTIFICATES

The Competent Harbour Authority under the 1987 Act may suspend and revoke a pilot exemption certificate issues by them to a deck officer.

The Competent Harbour Authority may by written notice suspend or revoke a person's pilotage exemption certificate in the following cases.

- 11.1 Where an event has occurred as a result of which the Authority is no longer satisfied of the matters specified in section 8(1)(a) of the 1987 Act.
- 11.2 Where the Authority thinks that the person has provided false information to the Authority as to any matter in section 8 of the 1987 Act.
- 11.3 Where the Authority thinks that the person has been guilty of professional misconduct whilst piloting a ship.
- 11.4 a) Pilotage notification was given under section 15(4)(b) in reliance on the person's certificate and
b) In the event, the pilotage was carried out by a person who was neither an authorised pilot nor acting in accordance with a pilotage exemption certificate.

Period of Suspension:

The maximum period for which a pilotage exemption certificate may be suspended is 28 days.

If the Harbour Authority has suspended a person's certificate and is considering whether to revoke it, the Authority may by written notice extend the suspension for a single period up to 28 days.

Revoking a Pilotage Exemption Certificate:

PILOTAGE REGULATIONS

A suspended certificate may be revoked.

Before revoking a person's certificate the Authority will:

- a) Give the person written warning, stating the reasons for the proposed revocation and
- b) Allow the person a reasonable opportunity to make representations.

The Competent Harbour Authority suspending or revoking a certificate may pay compensation to any person who has suffered, or is likely to suffer, loss as a result of suspension or revoking of a pilotage exemption certificate.

PILOTAGE REGULATIONS

Cromarty Firth Port Authority

APPLICATION FOR PILOTAGE EXEMPTION / REVALIDATION CERTIFICATE

1. Name, address and nationality of applicant:

2. Name and address of Owners

3. Name and address of Local Agent

4. Details of vessels for which exemption required (propulsion, thrusters, etc)

5. Extent of experience in the pilotage area in the last three years (number of pilotage passages, name of vessel, daylight/darkness hours)

I hereby apply for **examination for a pilotage exemption certificate / pilotage exemption certificate revalidation* for the nominated area of the Cromarty Firth and for the class and size of vessel specified above. I confirm that I am familiar with the latest international regulations for preventing collision at sea, local regulations, harbour byelaws, local notices to mariners, emergency regulations and (where applicable) the Dangerous Substances in Harbour Areas Regulations 1987.

I certify that the foregoing is correct to the best of my knowledge and belief.

Signed: _____

Date: _____

- Enclosures:
- a) Fee payable as per current CFPA fees and charges (cheque payable to Cromarty Firth Port Authority)
 - b) Evidence of qualification (originals not photocopies)
 - c) Evidence of medical fitness, including eyesight, by a qualified medical practitioner
 - d) **For certificate:* 2 x passport size photographs
 - e) **For revalidation:* Evidence of port pilotage acts over the last year

**Delete as appropriate*

PILOTAGE REGULATIONS

APPENDIX B

