



# **THE BRISTOL PORT COMPANY**

## **GENERAL PILOTAGE REGULATIONS**

EFFECTIVE FROM 1<sup>st</sup> April 2006

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**THE BRISTOL PORT COMPANY** as the Competent Harbour Authority (hereafter referred to as “CHA”) for that part of Bristol’s harbour described as “the designated harbour” in the Port of Bristol Harbour Revision Order 1993 (SI 1993 No. 2974), acting under powers contained in the Pilotage Act 1987, makes the following General Pilotage Regulations to have effect from 1<sup>st</sup> April 2006. These Regulations supersede those issued by the CHA which had effect from 1<sup>st</sup> April 1996.

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# **GENERAL PILOTAGE REGULATIONS**

## **Contents**

1. Pilotage Exemption Certificates
2. Pilots' Authorisations
3. Conditions Governing the Provision of the Service
4. The Ordering of Pilots
5. Pilotage Dues and Charges
6. Passage Planning

# 1. PILOTAGE EXEMPTION CERTIFICATES

(The Pilotage Act 1987, Section 8)

## 1.1 General

Pilotage Exemption Certificates are available for;

- a) Bristol's tidal harbour area excluding the River Avon and the docks and entrances of Avonmouth and Royal Portbury,
- b) The River Avon,
- c) Royal Portbury Dock and entrance,
- d) Avonmouth Dock and entrance.

## 1.2 Fees

Fees are charged as listed in the Schedule of Charges as follows;

- a) For an examination covering all applicable areas,
- b) For the grant of a pilotage exemption certificate,
- c) For the renewal of a pilotage exemption certificate,
- d) For the making of any alteration or addition to a pilotage exemption certificate other than at renewal,
- e) For the replacement of a lost or damaged pilotage exemption certificate.

## 1.3 Experience and Local Knowledge

Eligible applicants are required to satisfy the CHA that they have sufficient experience and local knowledge to be capable of piloting their vessel(s) within the area for which they seek pilotage exemption. Candidates must establish and certify that they have sufficient bridge watchkeeping experience in the area. Pilotage Exemption Certificate holders are not authorised to utilise tug services without having undergone additional training formulated by the CHA. Once additional training has been completed satisfactorily then the Pilotage Exemption Certificate will be endorsed accordingly.

The requirements are;

- a) For vessels other than dredgers;
  - i) For the first grant of a pilotage exemption certificate;  
eight passages (four round voyages) in the year immediately preceding the application, or twelve passages (six round voyages) in the two years immediately preceding the application
  - ii) For the renewal of a pilotage exemption certificate;  
six passages (three round voyages) during the year of currency of the existing certificate.

### b) For dredgers;

Dredgers, through formal risk assessment, have been identified as a special case. This is because of their particular methods of operation and capability. For this reason, there is an alternative means for dredger masters and/or mates to obtain a pilotage exemption certificate. Eligible applicants of dredgers operating in the Bristol harbour area must demonstrate that they are capable of navigating safely there. Their capability is assessed by means of an extensive and enhanced familiarisation and training programme which is laid down in a CHA formal procedure. This procedure will be provided on application. For renewal of a pilotage exemption certificate, the master or mate of a dredger will be assessed by the CHA having due regard for his conduct and experience in the twelve months since the issue of the original certificate.

#### 1.4 Applications

A person who believes that they may be eligible and wishes to obtain a pilotage exemption certificate should apply either directly or through their company to the CHA.

The applicant will then be sent a form on which to;

- a) Declare relevant personal details,
- b) State the area(s) for which the pilotage exemption certificate is sought,
- c) Give details of the vessel(s) in which the pilotage would be performed,
- d) Furnish evidence of medical and visual fitness,
- e) Certify a sufficient knowledge of English to be able to communicate efficiently by VHF radio with other shipping and with the Vessel Traffic Service,
- f) Provide a certified statement of experience and local knowledge.

The applicant will then be informed that:

- i) They may apply for a pilotage exemption certificate examination and how to do so;  
or
- ii) Their application is refused.

In the event of ii) above, section 8(7) of the Pilotage Act 1987 will be complied with.

#### 1.5 Examinations Requirements

The candidate is required to;

- a) Sit a written examination,
- b) Undertake an oral examination,
- c) Undertake a practical assessment whilst navigating in Bristol's harbour.

Examination boards will be composed of the Haven Master, or his deputy, and a senior pilot.

Knowledge requirements are published separately and may be obtained on request.

#### 1.6 Agreement as to use of Pilotage Exemption Certificates

Following successful examination the candidate and his employer will be required to sign an agreement that governs the manner in which the pilotage exemption certificate will be used. A copy of this agreement may be obtained on request.

#### 1.7 Condition for Renewal of Pilotage Exemption Certificates

Certificates are renewed annually from the date they were first granted. Application should be made at least one month before the expiry date of the previous certificate stating or furnishing evidence of;

- a) Any changes in relevant personal details,
- b) Any alterations or additions requested to be made to the pilotage exemption certificate on renewal,
- c) Continuing medical and visual fitness,
- d) Fulfilment of the experience and local knowledge requirement stipulated in 1.3 above. If the required number of passages has not been completed during the eleven months of currency of the existing certificate but probably will be completed during the twelfth month then this should be stated. Certificates issued for dredger operations, due to their particular nature of operation, are not dependant on any fixed amount of passages and holders will be individually assessed by the CHA.

A record of satisfactory performance of the duties of pilotage exemption certificate holders is a pre-requisite of renewal.

## 2. PILOTS' AUTHORISATIONS

### (The Pilotage Act 1987, Sections 3, 15 &17)

2.1

#### Bristol Pilots

Bristol pilots may be authorised to pilot vessels up to a stated size. Different size limitations may apply in different parts of Bristol's harbour and its approaches, dependant on risk assessment.

In addition pilots' authorisations are subject also to maintenance of local knowledge, experience in different parts of the harbour and the satisfactory completion of passage plan pro forma.

Geographic and vessel size limitations, when and where applicable, are stated on pilots' authorisation documents.

2.2

#### Other Authorised Pilots

For the purposes of Section 15 and 17, and within Bristol's harbour, a pilot authorised for those waters by another CHA which can validly claim that they constitute the approaches to that CHA's harbour will be recognised by Bristol as an authorised pilot.

### 3. CONDITIONS GOVERNING THE PROVISION OF THE SERVICE

(The Pilotage Act 1987, Section 7, 10 & 15)

#### 3.1 Pilot Attendance in Fulfilment of an Order.

Pilots will normally be available to attend on board at the required time. If the ship is not then available for them to board they will wait for THREE hours. In practice pilots often arrive early and sometimes elect to wait for longer than they are obliged to, if it would serve some useful purpose.

Pilots responding to a Short Notice Order (See 4.4) may arrive late, depending on the circumstances.

See 3.4 below for the action expected of the vessel when this occurs.

Exceptionally, through circumstances beyond their control, pilots responding to pilotage orders may be prevented from attending or be seriously delayed. See 3.2 below for the action the master of a ship may take when this occurs.

Users of this service should be aware that, with a limited number of pilots meeting a fluctuating demand, the CHA may not always be able to fulfil an order for pilotage or provide a pilot at the time ordered. See 3.2 and 3.3 below for the actions the master of a ship may take if this eventuality arises.

#### 3.2 Non-fulfilment of an Order

If an order for pilotage is accepted and, at the required time, an authorised pilot does not attend on board and offer to take pilotage charge, the master of a ship which is not subject to compulsory pilotage may elect to proceed. Should they do so the relevant pilotage due (or part thereof) or charge would not be payable (or if already paid would be refunded). Should they elect not to proceed the CHA would not be liable for any loss or losses, whether direct or indirect, attributable to the delay.

#### 3.3 Non-acceptance of an Order

If on receipt of an order or within a reasonable time thereafter, the CHA notifies that the order cannot be accepted at the time required the person placing the order may elect to re-order for a new time which would be accepted. Should they do so that new time would become the ordered time for the pilot to attend. Should they not do so the time of the original order would stand and 3.2 above would apply.

#### 3.4 Orders with Inadequate or No Notice

If in respect of a compulsory vessel arriving at Breaksea (or from a port in the estuary east of Breaksea) an order for pilotage has been given with less than the required notice that vessel should comply with Pilotage Direction part 2 and await the arrival of a pilot.

If in respect of a compulsory vessel either sailing or moving within an enclosed dock an order for Pilotage has been given with less than the required notice, that vessel should comply with Pilotage Directions part 2 and await the arrival of a pilot.

#### 3.5 Pleasure Craft

Bristol pilots are under agreement not to offer their services as pilots other than through the CHA. However, recognising that the tariffs and procedures of the CHA are designed with the commercial user of the service in mind, an exception is made in the case of craft of less than

30 metres length overall that are being used for the purposes of recreation and pleasure and not profit. Owners or persons in charge of such craft may make a private arrangement for pilotage with the Bristol Pilots' Partnership (BPP).

3.6 Pilot Attendance on Board a Vessel not Under Way

The CHA makes no provision for a pilot to attend or remain on board a vessel that is not under way and that does not require his services to perform an ordered act of pilotage. If this service is required a direct approach should be made to BPP. If provided, payment would be direct to BPP on the basis of the scale of charges agreed with them.

This order does not sanction the levying of any charge by BPP in respect of any delays that may occur, whatever their cause and however long, in the course of an act of pilotage. However if the master of a vessel and the pilot agree that an act of pilotage is incapable of fulfilment on a particular tide and that the vessel is in or has been returned to a position of safety where the pilot can conveniently be disembarked the pilot may ask to be discharged. If permission for this is unreasonably withheld BPP may seek the CHA's permission to make a charge under this regulation.

3.7 Appropriated or Choice Pilots

Requests by users of this service for one or more named pilots to be provided for their vessel(s), either permanently or on a particular occasion, will not be entertained.

3.8 Pilots Proceeding Out of Area

Requests for pilots to join or leave vessels at ports beyond the seaward limits of the pilots' authorisations will not be considered by the CHA. However, in the event of an unavoidable over-carry of a pilot, a full repayment charge will be made for the expenses incurred by the pilot for his return to Bristol. Attention is drawn to Section 19 of the Pilotage Act 1987.

## 4. THE ORDERING OF PILOTS

### 4.1 An Order for Pilotage

An order for pilotage should state the name of the vessel, her draught, the time and date and place where the pilot is to board and the vessel's piloted destination. The wording should make it clear that the message constitutes an order (or an amended order or a cancellation).

Pilotage for which a pilotage due is payable consists of an ordered act of pilotage from sea to berth and a subsequent ordered act of pilotage from berth to sea.

Within dock pilotage consists of any movement or consecutive series of movements within an enclosed dock with the vessel under way. Non-compulsory vessels may utilize this service, if required, to order pilotage from lock to berth or berth to lock in circumstances where they do not require pilotage in the tideway.

Anticipatory messages giving advance information of ship movements assist planning and are encouraged. However a clear distinction must be made between such advice and a definite order for pilotage. The giving of an ETA (Estimated Time of Arrival) or ETD (Estimated Time of Departure) does not constitute an order for pilotage unless it is also made clear that a pilot is required at that time.

Persons with authority to do so may place an order for pilotage;

1. Through the vessel's agent
2. Telephone: +44(0)117 982 2257
3. Fax: +44(0)117 923 5320
4. Telex: 44240 PBAAM G
5. Telegraph: BRISPILOT Avonmouth
6. VHF Ch 12 to BRISTOL VTS
7. Email: bristolvts@bristolport.co.uk

Verbal orders can be accepted only by Bristol VTS.

Conversations with other officers of the CHA, with the staff of the BPP or with any pilot may be helpful in defining the requirement, but these persons are not empowered to accept or relay orders for pilotage.

An order for pilotage can be made at any time of the day or night.

### 4.2 Advance Notice Required

Orders for pilotage must be received in advance of the requirement with the following basic notice;

- |                         |   |
|-------------------------|---|
| a) TEN HOURS            | For an arriving vessel where the pilot is required to board at Breaksea (or any point east of Breaksea including Sharpness) |
| b) FIVE HOURS           | For a vessel sailing from any of the Bristol docks.   |
| c) ONE AND A HALF HOURS | For within dock pilotage.   |

Once the above basic notice has been given an order may be cancelled or amended without further charge provided the change is notified in advance of the requirement as follows:



4.6 Force Majeure in Respect of Cancellations

Provided that there were no contributory factors which could be attributed to the vessel, her master or crew, or to those acting on the vessel's behalf, the Late Cancellation Charge will be waived in respect of cancellations when a vessel is prevented from locking in or out because of mechanical failure or industrial dispute at the locks concerned, because of the adverse weather preventing or severely limiting the locking operations or because of there being insufficient water over the lock sill arising from a cut in the height of high water.

4.7 Non-Compulsory Vessels - Failure to Embark a Pilot

If, an order for pilotage having been placed and a pilot having attended to take pilotage charge, a vessel arrives or sails without a pilot through not having afforded him a reasonable opportunity to embark, the full pilotage due (or part thereof) or charge will be payable together with any Late Order or Short Notice Order Charge that may have been incurred, at any relevant rate.

## 5. PILOTAGE DUES AND CHARGES

(The Pilotage Act 1987, Section 10)

### 5.1 General

Pilotage dues and charges are those listed in the current Schedule of Charges. The Schedule lists Pilotage Dues and Charges for other Pilotage Services some of which represent in whole or in part a charge levied in accordance with the Pilotage Directions part 2.

### 5.2 Pilotage Dues

The full pilotage due as applicable to the vessel is payable as soon as an order for inwards pilotage is placed. Provided no other pilotage services are utilised which require payment, and provided no other charges are incurred, payment of the appropriate due entitles the vessel to inwards and outwards pilotage under all eventualities. In this connection inwards pilotage means Bristol pilotage from the Breaksea pilot boarding station or from any non-Bristol port in the estuary east of Breaksea to the vessel's allocated berth in any of Bristol's enclosed docks (or to any other required Bristol destination) and outwards pilotage means the reverse. There is no rebate of the full pilotage due if the service of the pilot are dispensed with for the within dock element of the act(s) of pilotage.

Should a non-compulsory vessel have been piloted inwards, and should the master then elect not to place an order for outwards pilotage only 50% of the due is payable or, if the full due has been paid, 50% will be refunded. (See also 3.2)

Pilotage dues are recoverable in like manner as "ship, passenger and goods dues" and arrangements have been made for them to be paid at The Bristol Port Company Dues Counter which is open from 0830 to 1630 on normal working days, Monday to Friday. Unless other arrangements have been made it will be necessary for payment to have been made before a vessel sails. Should a vessel change ownership or shipping agency whilst in port the person assuming responsibility for pilotage dues in the new situation should ascertain that the inwards due has already been paid or is otherwise provided for.

If, for any reason, pilotage dues are not paid in the way described above they will be invoiced in like manner as charges for other services.

### 5.3 Basis of the Charges

Charges will be based on the product of length overall and extreme breadth (using metric units).

Save where it is known that they are incorrect, those dimensions as listed in Lloyd's Register of Shipping will be taken as definitive; otherwise the best available source will be used. The product of the dimensions used will be shown on invoices. If within a calendar year of a vessel's visit to Bristol it is established to the satisfaction of the CHA that incorrect measurements have been used resulting in a wrong assessment of the pilotage due, an adjusting charge will be invoiced or a credit note will be issued.

In the case of a tow of vessels the figure used to assess the charge will be the sum of the product of dimensions of the vessel towing and the product of the dimensions of the vessel(s) towed.

#### 5.4 Charges for Other Pilotage Services

(a) The Schedule of Charges details:

- i) a within dock pilotage charge and
- ii) a standard charge for all other pilotage services payable in circumstances when the pilotage performed is not covered by the pilotage due.

The within dock pilotage charge is payable as a percentage of the appropriate pilotage due for any piloted movements or consecutive series of piloted movements of a vessel wholly within an enclosed dock and with the vessel under way.

(b) The standard charge is payable as a percentage of the appropriate pilotage due for the services of a pilot to perform a pilotage act which takes place wholly or partly in the tideway.

Instances are:

- i) For any single act of pilotage within the area of the pilot's authorisation not involving arriving at or departing from Bristol.
- ii) For inter-dock pilotage on each occasion ordered.
- iii) For pilotage of the River Avon as a separate requirement
- iv) For pilotage of a vessel sailing from Bristol to carry out trials, to calibrate equipment, or for any other purpose provided the vessel remains throughout within the area of the pilot's authorisation and returns to Bristol on completion.
- v) For an aborted act of inwards or outwards pilotage provided all the following criteria are met:
  - The vessel has actually been under pilotage and under way.
  - The vessel returns to her starting point or some other place of safety and disembarks her pilot,
  - The failure to arrive or sail was occasioned by some defect in the vessel or her equipment or was otherwise at the request of or on the orders of the vessel's master, owner or agent.

(It is not intended that this charge will be levied if the act is aborted in force majeure situations unconnected with the vessel, some examples of which are given in 4.6 with relation to cancellations before the act has commenced.

vi) An additional charge will be made for any pilot(s) who are overcarried.

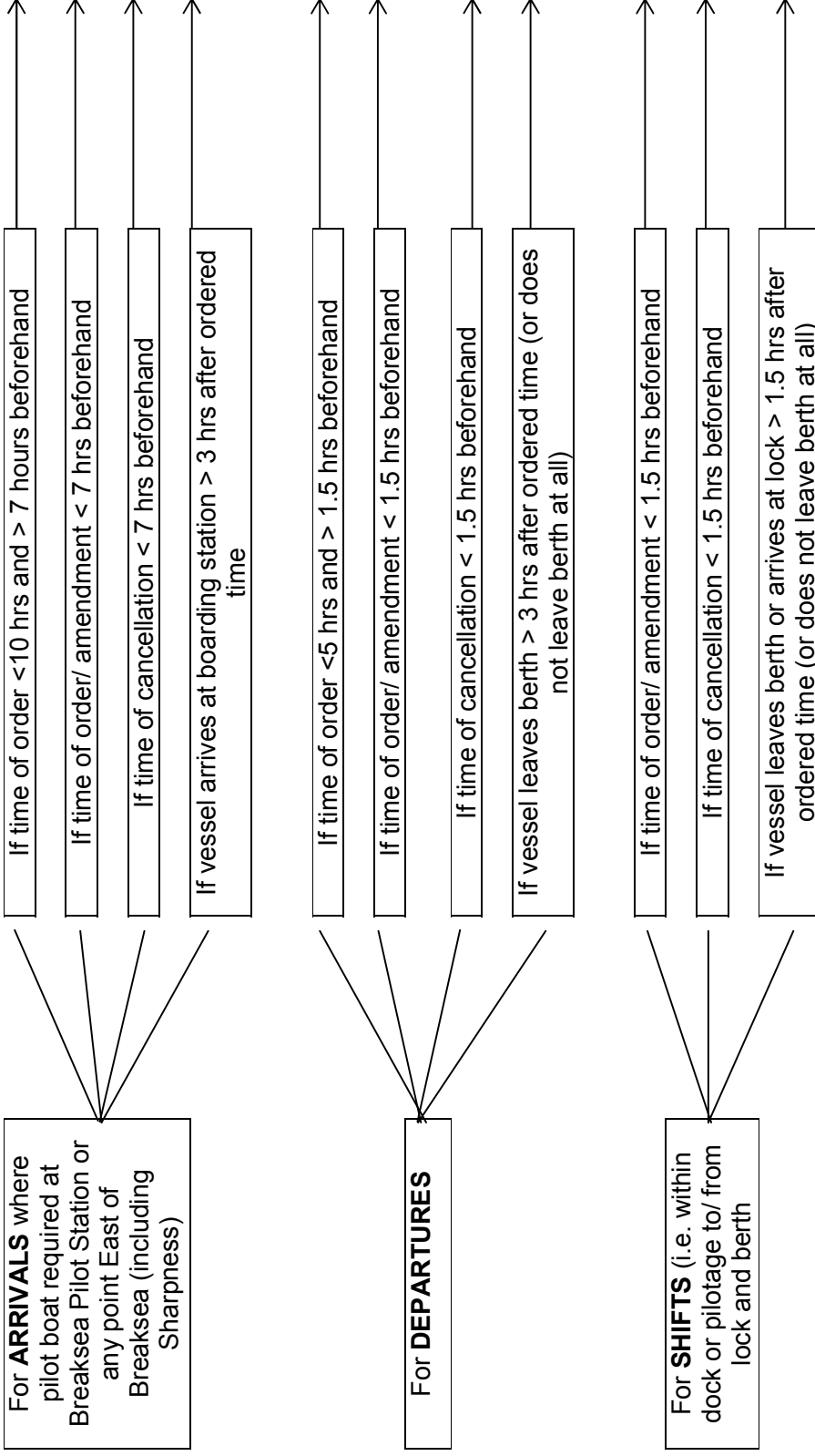
The within dock pilotage charge(s) and/or the standard pilotage charge(s) incurred by a vessel will be invoiced separately by the CHA whether or not the vessel is also liable for a pilotage due.

This section of the Schedule of Charges also deals with charges connected with the service, charges connected with the pilot boat, charges relating to pilotage by pilotage exemption certificate holders (Subsection 10(3) of the Pilotage Act 1987) and fees for the issue etc. of pilotage exemption certificates. It is to be noted that no charge will be levied in respect of pilotage by pilotage exemption certificate holders if the vessel piloted is not subject to compulsory pilotage at all or is not subject to compulsory pilotage at the time the act is performed.

Any such charges applicable will be invoiced separately by the CHA.

**SURCHARGES INCURRED AS A RESULT OF INADEQUATE NOTICE WHEN PLACING OR AMENDING PILOT ORDER**

**SURCHARGE(£)**



**NOTES:**

- 1) The surcharge above applies to both day and night and will be incurred by a vessel once only for each arrival, departure or shift.
- 2) Charges in respect of amendment/ cancellation are discretionary and do not apply if cause cannot be attributed to the vessel/ Master/ Owner/Agent.
- 3) Checks against ordered time refer to original (or latest updated) ordered time.
- 4) **Agents are requested where possible to order/ cancel or amend before 1630 daily.**

## 6. PASSAGE PLANNING

### 6.1 Application

Passage planning is mandatory in Bristol's harbour and its approaches.

### 6.2 Process

The passage plan pro forma is available from the CHA in office hours;

1. Telephone: +44(0)117 9802641
2. Fax: +44(0)117 9381927
3. Email to [marine.admin@bristolport.co.uk](mailto:marine.admin@bristolport.co.uk)

Completed passage plan pro forma must be returned to the CHA as soon as possible after the completion of the passage and in any event to reach the CHA no later than 14 days after passage.

A copy of the executed passage plan should be retained on board for later inspection as required.