



# Pilotage Act 1983

## CHAPTER 21

### PILOTAGE ACT 1983

#### PART I

##### ADMINISTRATION

###### *Introductory*

- 1 Continuation in being of existing organisation

###### *The Pilotage Commission*

- 2 Constitution of Commission
- 3 Payments by pilotage authorities to Commission
- 4 Other financial provisions relating to Commission

###### *Functions of Commission*

- 5 General functions of Commission
- 6 Review of pilotage services and non-compulsory pilotage areas
- 7 Pilots' pension and compensation schemes
- 8 Annual report

###### *Pilotage orders*

- 9 Power of Secretary of State to make pilotage orders
- 10 Procedure connected with making and coming into force of pilotage orders

###### *Powers of Pilotage Authorities*

- 11 General powers of pilotage authorities
- 12 Licensing of pilots

*Status: This is the original version (as it was originally enacted).*

---

- 13 Employment of pilots by pilotage authorities
- 14 Pilotage charges
- 15 Power of pilotage authorities to make byelaws
- 16 Power of Secretary of State as respects byelaws

*Other provisions relating to pilotage authorities*

- 17 Licensing of pilots by pilotage authority not to involve any liability
- 18 Receipts and expenses of pilotage authority
- 19 Returns and statements of accounts of pilotage authorities

*Masters' and First Mates' Certificates*

- 20 Grant of masters' and first mates' certificates by pilotage authorities
- 21 Refusal and revocation of pilotage certificates
- 22 Provision with respect to foreign certificates of competency

*Supplementary Provisions as to Licences and Certificates*

- 23 Form of pilot's licence and production and return of licence to pilotage authority
- 24 Suspension or revocation of a pilot's licence or a pilotage certificate
- 25 Appeal to Secretary of State by pilot, master or first mate, against action of pilotage authority
- 26 Appeal to court by pilot against action of pilotage authority

*Special Provisions as to the Trinity House*

- 27 Trinity House outport districts
- 28 Trinity House Pilot Fund
- 29 Collection of pilotage charges in Port of London by officers of Customs and Excise

## **PART II**

### **PRINCIPAL PILOTAGE PROVISIONS**

*Compulsory Pilotage*

- 30 Compulsory pilotage
- 31 Compulsory pilotage; transitory provisions
- 32 Exemption from compulsory pilotage of ships belonging to certain public authorities
- 33 Provision as to ships calling at a port for the purpose only of taking pilot; transitory provisions
- 34 Construction of references to pilotage district in which pilotage is compulsory; transitory provisions
- 35 Liability of owner or master in case of a vessel under pilotage

*Provisions with respect to Licensed Pilots*

- 36 Right of licensed pilot to supersede unlicensed persons
- 37 Declaration as to draught etc. of ship
- 38 Provision as to ships within a harbour, dock, etc.
- 39 Provision as to ships in closed dock etc.; transitory provisions
- 40 Copies of pilotage provisions to be furnished to pilots
- 41 Licensed pilot not to be taken out of his district

- 42 Limitation of liability of pilots, and of pilotage authorities as employers
- 43 Obligation on licensed pilot to produce his licence to employer
- 44 Penalty on fraudulent use of licence

#### *Pilot Boats and Pilot Signals*

- 45 Approval of pilot boats
- 46 Pilot boats to fly pilot flag
- 47 Display of pilot flag when pilot is on board ship
- 48 Penalty on ordinary boat displaying pilot flag
- 49 Signals to be displayed by ships requiring a pilot
- 50 Obligation to display signal for pilot in certain circumstances
- 51 Facilities to be given for pilot getting on board and leaving ship

#### *Offences by Pilots*

- 52 Penalty on pilot endangering ship, life, or limb
- 53 Penalty on person obtaining charge of a ship by misrepresentation
- 54 Offences by pilots

### **PART III**

#### **LIABILITY OF PILOTAGE AUTHORITIES FOR LOSS OR DAMAGE TO VESSELS OR GOODS, ETC.**

#### *Limitation of liability*

- 55 Limitation of liability
- 56 Limitation of liability where several claims on one occasion
- 57 Power of courts to consolidate claims
- 58 Rights of pilotage authorities as owners of ships
- 59 Exclusion of funds for benefit of pilots etc.
- 60 Exclusion of funds of authorities acting in dual capacity
- 61 Exclusion of funds of certain Trinity Houses

#### *Interpretation*

- 62 Provision for pilotage authority for more than one district

### **PART IV**

#### **MISCELLANEOUS AND GENERAL**

#### *Recovery, etc. of Pilotage Charges*

- 63 Recovery of pilotage charges
- 64 Receiving or offering improper rates of pilotage
- 65 Pilotage rate for leading ships

#### *Supplementary*

- 66 Application of Board of Trade Arbitrations, etc. Act 1874
- 67 Orders, rules and regulations
- 68 Interpretation
- 69 Transitional provisions, savings, amendments and repeals
- 70 Short title, citation, extent and commencement

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

---

## SCHEDULES

### SCHEDULE 1 — Further provisions relating to constitution etc. of Pilotage Commission

#### *Tenure of members*

- 1 Subject to paragraphs 2 to 4 below, a person shall...
- 2 A person shall not be appointed as a Commissioner and...
- 3 (1) A person may at any time resign his office...
- 4 If the Secretary of State is satisfied that a Commissioner—...

#### *Remuneration of members*

- 5 The Commission shall pay to each Commissioner such remuneration and...
- 6 Where a person ceases to be a Commissioner otherwise than...

#### *Proceedings*

- 7 The quorum of the Commission and the arrangements relating to...
- 8 (1) A Commissioner who is in any way directly or...
- 9 The validity of any proceedings of the Commission shall not...

#### *Staff*

- 10 The Commission may employ such persons as it considers are...
- 11 The Commission may— (a) pay, to or in respect of...
- 12 If a person employed by the Commission becomes a Commissioner...

#### *Instruments*

- 13 The fixing of the common seal of the Commission shall...
- 14 A document purporting to be duly executed under the seal...

#### *Interpretation*

- 15 In the preceding provisions of this Schedule " the Chairman...

### SCHEDULE 2 — Transitional and saving provisions

#### *Byelaws*

- 1 Notwithstanding the repeal by this Act of section 8(2) of...
- 2 Notwithstanding the repeal by this Act of section 9(8) of...

#### *Acts confirming pilotage orders*

- 3 Any Act confirming a pilotage order made under an enactment...

#### *Penalties*

- 4 Notwithstanding the repeal by this Act of section 13(4) of...

#### *Licences and certificates*

- 5 Nothing in paragraph (a) of section 20(2) of this Act...

6 Any licence or certificate granted under any enactment repealed by...

*Appointments etc.*

7 Any officer appointed, any body elected or constituted and any...

*Sections 55(4) and 58(2)*

8 Nothing in any order made in pursuance of section 55(4)...

*Orders under sections 18(1), 22(4) and 27(1) of the Pilotage Act 1913*

9 The repeal by this Act of sections 18(1), 22(4) and...

*Periods of time*

10 Where a period of time specified in any enactment repealed...

### SCHEDULE 3 — Amendments

*The Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939*

1 In section 4(4) of the Pensions (Navy, Army, Air Force...

*The Merchant Shipping Act 1950*

2 In section 7(1) of the Merchant Shipping Act 1950, the...

*The Hovercraft Act 1968*

3 The enactments and instruments with respect to which provision may...

*The Finance Act 1971*

4 In Part VI of Schedule 14 to the Finance Act...

*The Offshore Petroleum Development (Scotland) Act 1975*

5 In section 18 of the Offshore Petroleum Development (Scotland) Act...

*The Customs and Excise Management Act 1979*

6 In Part I of the Table in Schedule 4 to...

*The Merchant Shipping Act 1979*

7 In section 50(2) of the Merchant Shipping Act 1979 in...

*The Justices of the Peace Act 1979*

8 In section 33(3) of the Justices of the Peace Act...

*The Magistrates' Courts Act 1980*

9 In Part III of Schedule 6 to the Magistrates' Courts...

*The Finance Act 1980*

10 In section 35(4) of the Finance Act 1980 for the...

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

---

*The Oil and Gas (Enterprise) Act 1982*

11 In section 27(2)(a) of the Oil and Gas (Enterprise) Act...

SCHEDULE 4 — Repeals