



Pilotage Act 1983

1983 CHAPTER 21

PART II

PRINCIPAL PILOTAGE PROVISIONS

Pilot Boats and Pilot Signals

45 Approval of pilot boats

All vessels regularly employed in the pilotage service of any pilotage district (in this Act referred to as " pilot boats ") shall be approved and licensed by the pilotage authority of the district, and that authority may, at their discretion, appoint and remove the masters of those pilot boats.

46 Pilot boats to fly pilot flag

- (1) Every pilot boat shall when afloat fly a flag (in this Act called a " pilot flag ") of large dimensions compared with the size of the pilot boat, and of two colours, the upper horizontal half white, and the lower horizontal half red, to be placed at the mast head, or on a sprit or staff, or in some equally conspicuous situation.
- (2) It shall be the duty of the master of the pilot boat to see that the pilot flag is kept clean and distinct, so as to be easily discerned at a reasonable distance ; and if a master fails, without reasonable cause, to comply with the requirements of this section, he shall be liable on summary conviction in respect of each offence to a fine not exceeding—
 - (a) in England and Wales and in Scotland, level 2 on the standard scale,
 - (b) in Northern Ireland, £50.

47 Display of pilot flag when pilot is on board ship

When a ship is navigating in a pilotage district, and has on board a pilot licensed for that district, or a master or mate holding a pilotage certificate for that district, the master of the ship shall cause a pilot flag to be exhibited; and if he fails, without reasonable

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cause, to do so, he shall be liable on summary conviction in respect of each offence to a fine not exceeding—

- (a) in England and Wales and in Scotland, level 4 on the standard scale,
- (b) in Northern Ireland, £500.

48 Penalty on ordinary boat displaying pilot flag

- (1) A pilot flag shall not be displayed on any ship or boat not having on board a licensed pilot or a master or mate holding a pilotage certificate and if any such flag is displayed on any such ship or boat, the master of that vessel shall, unless he proves that he took all reasonable precautions and exercised all due diligence to avoid displaying the flag, be liable on summary conviction for each offence to a fine not exceeding—
 - (a) in England and Wales and in Scotland, level 4 on the standard scale,
 - (b) in Northern Ireland, £500.
- (2) A flag so nearly resembling a pilot flag as to be likely to deceive shall not be displayed on any ship or boat not having on board a licensed pilot or a master or mate holding a pilotage certificate and, if any such flag is displayed on any such ship or boat, the master of that vessel shall, unless he proves that he had no intention to deceive, be liable on summary conviction for each offence to a fine not exceeding—
 - (a) in England and Wales and in Scotland, level 4 on the standard scale,
 - (b) in Northern Ireland, £500.

49 Signals to be displayed by ships requiring a pilot

- (1) Her Majesty may by Order in Council make rules as to the signals to be used or displayed where the services of a pilot are required on any vessel, and those signals are in this Act referred to as " pilot signals ".
- (2) If a vessel requires the services of a pilot, the master of that vessel shall use or display the pilot signals.
- (3) If without reasonable excuse a master of a vessel uses or displays, or causes or permits any person under his authority to use or display, any of the pilot signals for any other purpose than that of summoning a pilot, or uses or causes or permits any person under his authority to use any other signal for a pilot, he shall be liable on summary conviction in respect of each offence to a fine not exceeding—
 - (a) in England and Wales and in Scotland, level 2 on the standard scale,
 - (b) in Northern Ireland, £50.

50 Obligation to display signal for pilot in certain circumstances

- (1) The master of a ship (other than an excepted ship) shall when navigating in circumstances in which pilotage is compulsory under this Act, display a pilot signal, and keep the signal displayed until a licensed pilot comes on board.
- (2) The master of a ship, whether navigating in circumstances in which pilotage is compulsory or not, which is being piloted in a pilotage district by a pilot not licensed for the district, shall display a pilot signal and keep the signal displayed until a licensed pilot comes on board.

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- (3) If the master of any ship fails without reasonable excuse to comply with this section, he shall be liable on summary conviction in respect of each offence to a fine not exceeding—
 - (a) in England and Wales and in Scotland, level 2 on the standard scale,
 - (b) in Northern Ireland, £50.
- (4) In subsection (2) above, " ship" does not include 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 ; but nothing in this subsection shall be construed as derogating from any immunity which affects a ship apart from this subsection.

51 Facilities to be given for pilot getting on board and leaving ship

- (1) The master of a ship (other than an excepted ship) which, in circumstances in which pilotage is compulsory under this Act, is not under pilotage as required in these circumstances, shall, if a licensed pilot of the district makes a signal for the purpose of offering his services as pilot, by any practical means consistent with the safety of his ship, facilitate the pilot getting on board the ship, and shall give the charge of piloting the ship to that pilot, or, if there are two or more licensed pilots offering at the same time, to such one of them as may, according to any byelaws for the time being in force in the district, be entitled or required to take charge of the ship.
- (2) Where the master of a ship, whether in circumstances in which pilotage is compulsory or not, accepts the services of a licensed pilot, he shall, by any practical means consistent with the safety of his ship, facilitate the pilot and any assistant of his getting on board and subsequently leaving the ship.
- (3) If the master of any ship fails without reasonable excuse to comply with the provisions of this section, he shall be liable on summary conviction in respect of each offence to a fine not exceeding—
 - (a) double the amount of pilotage charges that (disregarding any increase in the charges attributable to failure to comply with the requirements of byelaws in force in the district about requests for pilots) are payable in respect of the ship or would have been so payable if he had complied with those provisions, or
 - (b) in England and Wales and in Scotland, level 4 on the standard scale,
 - (c) in Northern Ireland, £500,whichever is the greater.