



Pilotage Act 1987

1987 CHAPTER 21

PART II

GENERAL PROVISIONS CONCERNING PILOTAGE

Rights of pilots

17 Right of authorised pilot to supersede unauthorised pilot

- (1) An authorised pilot may, within the harbour in relation to which or a part of which he is authorised, supersede as the pilot of a ship any unauthorised person who has been employed to pilot it.
- (2) If the master of any ship navigates it in any part of a harbour under the pilotage of an unauthorised person without first notifying the competent harbour authority that he proposes to do so, he shall be guilty of an offence.
- (3) If an unauthorised person pilots a ship within a harbour knowing that an authorised pilot has offered to pilot it, he shall be guilty of an offence.
- (4) If the master of a ship navigating within a harbour knowingly employs or continues to employ an unauthorised person to pilot the ship after an authorised pilot has offered to pilot it, he shall be guilty of an offence.
- (5) For the purposes of this section—
 - (a) a person is an unauthorised person if he is neither an authorised pilot nor the holder of a pilotage exemption certificate in respect of the ship and the area in question; and
 - (b) any person (other than the master or one of the crew of a ship) who is on the bridge of the ship or in any other position from which the ship is navigated (whether on board or elsewhere) shall be deemed to be piloting the ship unless he proves otherwise.
- (6) Any person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding—

Status: This is the original version (as it was originally enacted).

- (a) in the case of an offence under subsection (2) above, level 2 on the standard scale; and
 - (b) in the case of an offence under subsection (3) or (4) above, level 4 on the standard scale.
- (7) Subsections (1) to (4) above do not apply—
- (a) to 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; or
 - (b) if the competent harbour authority has directed that those subsections shall not apply to movements in its harbour or a specified part of its harbour for the purpose of changing a ship or a ship of a specified description from one mooring to another or of taking it into or out of any dock, to a ship or a ship of that description being moved in that harbour or that part for that purpose;
- but nothing in paragraph (a) above shall be construed as derogating from any immunity which affects such a ship as there mentioned apart from that paragraph.
- (8) A competent harbour authority shall not give a direction under subsection (7)(b) above unless the area in relation to which it will apply is either—
- (a) an area in relation to which a bye-law under section 38 of the Pilotage Act 1983 (exemptions from compulsory pilotage for ships moving within harbours, docks etc.) was in force immediately before the appointed day; or
 - (b) a closed dock, lock or other closed work which is not in a former pilotage district.