



# Pilotage Act 1987

## 1987 CHAPTER 21

### PART I

#### PILOTAGE FUNCTIONS OF COMPETENT HARBOUR AUTHORITIES

##### *Provision of pilotage services*

#### **4 Employment etc. of authorised pilots**

- (1) Subject to subsection (2) below, a competent harbour authority may make such arrangements as it considers appropriate for the provision of the services of authorised pilots in the area in relation to which its duty under section 2(1) above is exercisable (whether under a contract of employment or a contract for services).
- (2) A competent harbour authority shall offer to employ under a contract of employment any person it authorises under section 3 above who is not already employed by it under such a contract ("the new pilot") unless—
  - (a) a majority of the relevant licence holders have agreed during the period beginning six months and ending three months before the appointed day that it need not do so; or
  - (b) a majority of the relevant authorised pilots have agreed on or after that day that it need not do so.
- (3) For the purposes of subsection (2) above—

"relevant licence holders" means—

  - (a) in the case of a competent harbour authority whose harbour falls within more than one former pilotage district, the persons who at the time of the agreement were holders of full licences (within the meaning of section 3(3) above) for the pilotage district in which the area for which the new pilot is authorised falls;
  - (b) in the case of a competent harbour authority whose harbour falls within a former pilotage district in which another such authority's harbour also falls, the persons who at that time were holders of such licences for

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*Status: This is the original version (as it was originally enacted).*

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- that district and, in the opinion of the Pilotage Commission, were then regularly providing their services as pilots within the part of the district in which the first-mentioned authority's harbour is situated;
- (c) in any other case, all the persons who at that time were the holders of such licences for the former pilotage district in which the competent harbour authority's harbour falls; and
- "relevant authorised pilots" means—
- (i) in the case mentioned in paragraph (a) above, the persons who at the time of the agreement are authorised pilots for the area for which the new pilot has been authorised; and
- (ii) in any other case the persons who at that time are authorised pilots for the harbour of the authority.
- (4) A competent harbour authority may refuse to authorise any person who is not willing to provide his services as a pilot in accordance with the arrangements made for the provision of such services in its area.
- (5) A competent harbour authority may pay into any pilots' benefit fund established under paragraph (i) of section 15(1) of the Pilotage Act 1983 such contributions as may be required by the rules governing that fund in respect of any authorised pilot providing his services under such arrangements as mentioned in subsection (1) above.