



Marine Navigation Act 2013

2013 CHAPTER 23

Pilotage

1 Power to remove harbour authorities' pilotage functions

- (1) In section 1 of the Pilotage Act 1987 (meaning of “competent harbour authority”) after subsection (4) insert—

“(4A) A harbour authority in England or Wales is not a competent harbour authority for the purposes of this Act while it is specified in an order of the Secretary of State under this subsection.

(4B) A harbour authority in Scotland is not a competent harbour authority for the purposes of this Act while it is specified in an order of the Scottish Ministers under this subsection.”

- (2) For subsection (5) of that section (power to revoke or amend where circumstances change) substitute—

“(5) An order under this section may be amended or revoked by further order.”

- (3) In subsection (7) of that section (procedure for certain orders) for “this section” substitute “subsection (3) or (4)”.

- (4) After subsection (8) of that section insert—

“(8AA) Before making an order under subsection (4A) or (4B) the person making the order must consult—

- (a) any harbour authority to which the order would apply, and
- (b) anyone else who the person making the order thinks appropriate.

(8B) An order under this section may include transitional, consequential, incidental or supplemental provision.”

- (5) In section 1A(1) (procedure for certain orders: Scotland) after “other than subsection (4)” insert “or (4B)”.

2 Pilotage exemption certificates: grant

- (1) In section 8(1) of the Pilotage Act 1987 (grant)—
 - (a) for “the master or first mate” substitute “a deck officer”, and
 - (b) in paragraph (a) for “master or first mate” substitute “a deck officer”.
- (2) In section 8(5)(a) (renewal) for “the master or first mate of a ship” substitute “a deck officer of a ship”.
- (3) In sections 10(3), 15(1)(b) and 20(1)(a) (pilotage charges, compulsory pilotage and boarding facilities for pilots) for “master or first mate” substitute “deck officer”.
- (4) In section 31(1) (interpretation) at the appropriate place insert—

““deck officer”, in relation to a ship, includes the master and first mate;”.

3 Pilotage exemption certificates: suspension and revocation

- (1) After section 8 of the Pilotage Act 1987 insert—

“8A Pilotage exemption certificates: suspension and revocation

- (1) A competent harbour authority may by written notice suspend or revoke a person’s pilotage exemption certificate in the following cases.
- (2) Case 1 is where an event has occurred as a result of which the authority is no longer satisfied of the matters specified in section 8(1)(a).
- (3) Case 2 is where the authority thinks that the person has provided false information to the authority as to any of those matters.
- (4) Case 3 is where the authority thinks that the person has been guilty of professional misconduct while piloting a ship.
- (5) Case 4 is where—
 - (a) pilotage notification was given under section 15(4)(b) in reliance on the person’s certificate, and
 - (b) in the event, the pilotage was carried out by a person who was neither an authorised pilot nor acting in accordance with a pilotage exemption certificate.

8B Section 8A: supplementary

- (1) The maximum period for which a pilotage exemption certificate may be suspended is 28 days.
- (2) But if a harbour authority has suspended a person’s certificate and is considering whether to revoke it, the authority may by written notice extend the suspension for a single period of up to 28 days.
- (3) A suspended certificate may be revoked (on the same or different grounds).
- (4) Before revoking a person’s certificate a harbour authority must—
 - (a) give the person written warning, stating the reasons for the proposed revocation, and
 - (b) allow the person a reasonable opportunity to make representations.

- (5) A competent harbour authority which has suspended or revoked a certificate may pay compensation to any person who has suffered, or is likely to suffer, loss as a result.”
- (2) In section 8—
 - (a) omit subsection (6) (revocation and suspension of certificates), and
 - (b) in subsection (7) (notice) omit “or suspending or revoking a certificate held by any person”.

4 Pilotage notification

For section 15(3) of the Pilotage Act 1987 (notification by master navigating ship) substitute—

- “(3) The master of a ship commits an offence if—
- (a) the ship is navigated in an area in which a pilotage direction applies to it, and
 - (b) the competent harbour authority which gave the direction has not been given pilotage notification.
- (4) Pilotage notification is notification that the ship will be navigated in an area in which a pilotage direction will apply to it and—
- (a) that an authorised pilot is required to pilot the ship, or
 - (b) that an authorised pilot is not required because the ship will be piloted by a specified person acting in accordance with a pilotage exemption certificate.
- (5) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.”