

CHAPTER 18. No. 3.

PILOTAGE.

G.N.—
 136-1947.
 79-1948.
 189-1950.
 275-1950.

Bye-laws made by the Pilotage Authority under Sections 6 and 7 of the Pilotage Ordinance.

Citation.

1. These Bye-laws may be cited as the Pilotage Bye-laws.

Interpretation.

2. In these Bye-laws, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

“apprentice” means a person serving an apprenticeship to the Pilots’ Association, under the terms approved by the Authority, and who is in training as a candidate for a pilot’s licence;

“the authority” means the Pilotage Authority established by section 4 of the Ordinance;

“Basin” means the dredged portion of the harbour of Port-of-Spain abutting on King’s Wharf but does not include the dredged channel leading to such dredged portion;

“certificated officer” means a master or mate holding a pilotage certificate granted to him by the Authority;

“committee” means a Committee of the Authority appointed by such Authority;

“compulsory pilotage areas” means the areas described in the Second Schedule to the Ordinance;

“Grier Channel” means the dredged channel in Port-of-Spain harbour leading to the Basin and extending in a north-easterly direction from a beacon in latitude 10° 38’ 00” N. and longitude 61° 33’ 65” W. and marked out by other beacons;

“Harbour Master” means the Harbour Master of Port-of-Spain;

“King’s Wharf” means the deep water wharf built on the reclaimed area south of Wrightson Road, Port-of-Spain, and extending from a point on the western prolongation of Marine Square and continuing in a south-westerly direction;

“net registered tonnage” means the net tonnage registered or ascertained in accordance with the tonnage regulations of the Merchant Shipping Act, 1894;

“optional pilotage areas” means the areas described in the First Schedule to the Ordinance;

“Ordinance” means the Pilotage Ordinance;

“out-port” means any of the compulsory pilotage areas in the vicinity of the Trinidad Leaseholds Jetty, the Pitch Point Jetty, the Brighton Jetty or the Point Fortin Jetty;

“pilot” means a person holding a licence granted by the Authority to pilot vessels in one or more pilotage areas;

“pilotage areas” include compulsory pilotage areas and optional pilotage areas;

“pilotage dues” means the payment to be made in respect of the services of a pilot;

“Pilots’ Office” means the premises of the Pilots’ Association at Port-of-Spain;

“Secretary-Accountant” means the person so appointed by the Pilots’ Association with the approval of the Authority.

3. (1) A person shall not be licensed as a pilot unless and until he satisfies the Authority that—

Qualifications of candidates for Pilot's licence.

- (a) he is a natural born British subject;
- (b) he is, at the time a licence is first granted him, more than twenty-five but not more than forty years of age;
- (c) he holds a certificate as Master Mariner issued by the Government of Trinidad and Tobago or an equivalent or higher certificate;
- (d) he has served an apprenticeship of not less than six months with the Pilots' Association under conditions approved by the Authority;
- (e) he has produced certificates of good conduct and sobriety from employers during the three years immediately preceding his application for a licence;
- (f) he has been passed as medically fit by a medical practitioner approved by the Authority;
- (g) he has satisfied the Harbour Master and two first class pilots as to his skill in handling ships, and his knowledge of navigation in each area for which he has applied for a licence;
- (h) he has satisfied the examining committee constituted under these Bye-laws that he has satisfactory knowledge of local conditions and regulations affecting the pilotage areas for which he has applied for a licence including—
 - (i) the courses and distances between any two places within the limits of such pilotage areas;
 - (ii) the rise, velocity and set of the tides;
 - (iii) the depth and character of the soundings;
 - (iv) the best anchorages;
 - (v) the banks, shoals and other dangers;
 - (vi) the buoys and lights in such areas.

(2) Nothing in this bye-law shall invalidate a licence as pilot granted under the Pilots Ordinance, Cap. 120, and in force on December 27th, 1939, or preclude the renewal of such licence under the conditions under which it was originally issued, or preclude the extension of such licence for additional pilotage areas as may be approved by the Authority.

4. A pilot's licence shall remain in force for such period as the Authority may direct.

Duration of licence.

The fees prescribed in Schedule II to these Bye-laws shall be payable to the Authority on the issue or renewal of any licence prescribed in these Bye-laws.

Fees.

5. (1) The number of pilots to be licensed for all areas shall be fourteen, but this number may at any time be varied by resolution of the Authority if the pilotage requirements of shipping calling at the ports of the Colony so warrant.

Temporary licences, and number of pilots.

(2) It shall be lawful for the Authority to grant temporary licences to pilot ships in any areas to one or more pilots in excess of the prescribed number whenever it is established to the satisfaction of the Authority that conditions necessitate such temporary addition to the number of licensed pilots.

(3) A temporary licence granted under this Bye-law shall not be in force for a longer period than three months but may be renewed from time to time for a like period, provided that a temporary licence shall not be renewed after the Authority considers that the conditions, which necessitated the issuance of such a licence, no longer exist.

(4) A person holding a temporary licence shall be subject to all the provisions of these Bye-laws with the exception of sub-paragraphs (b) and (d) of paragraph (1) of Bye-law 3.

(5) Notwithstanding anything contained in these Bye-laws every person to whom a temporary licence is granted shall pay to the Authority a fee of \$10.00 on the granting of the licence and a fee of \$2.50 on each renewal of such licence.

6. Any pilot unable to perform his duties through sickness or other cause shall cause the Harbour Master to be notified immediately.

Sickness to be reported.

Leave for pilots.

7. No pilot shall leave the Colony without the permission of the Chairman of the Authority; such permission shall be in writing and shall not be granted without the approval of the Authority.

Duties of pilots.

8. (1) A pilot shall obey and execute all lawful orders and directions given and issued by the Authority, the Harbour Master, or the Wharf Superintendent. Orders affecting pilots who are members of the Pilots' Association shall be given through the Secretary, and when so given shall be deemed to have been given to the pilot or pilots concerned.

In a harbour or dock, a pilot shall also obey all lawful orders and directions of a Harbour or Dock Master relating to docking, undocking, towing or removing a ship under his charge, so long as such ship shall be within the limits of any such harbour or dock as the case may be.

(2) A pilot shall observe strict sobriety. He shall throughout the time he is in charge of a ship use his utmost care and diligence for her safety and the safety of other vessels or property. He shall, when necessary keep the lead going while the ship is under way.

(3) A pilot shall not lay a ship aground without a written order from the owner or master of such ship, or the agent of the owner.

(4) A pilot shall not leave a ship piloted by him until she is berthed alongside a wharf or jetty or brought to a safe anchorage or, if outward bound, until the appropriate limits referred to in Bye-law 9 have been reached.

(5) A pilot shall before leaving a ship piloted or attended by him hand a Pilotage Note in duplicate to the master, who shall enter thereon in ink all the particulars required, and sign the Note when the services of the pilot are completed, retaining one copy for himself. The Note shall also be signed by the pilot.

(6) A pilot shall not bring a ship alongside any wharf or jetty, should the signal for the wharf or jetty be against him, or if no signal is usually used, unless he shall have first received permission from the person in charge of the wharf or jetty.

(7) A pilot shall behave with due civility towards the owner, master, and officers of any ship under his charge.

(8) A pilot about to take charge of a ship which is outward bound or which is about to be moved from the wharf or jetty where she is lying, shall go on board and report himself to the master or officer in command before the appointed time so as to enable her to be moved out from the wharf or jetty or to proceed to sea or to her destination.

(9) A pilot when on duty shall always have with him a reliable watch, official tide tables for the Colony, a copy of these Bye-laws and directions for the time being in force for the pilotage areas, and his licence.

(10) A pilot before leaving a wharf, or jetty or anchorage in charge of a ship shall enquire of the master or officer in command whether the steering gear is connected and in proper working order, and when clear shall direct that the anchors be ready for letting to. A pilot boarding and taking charge of an inward bound ship shall direct that the anchors be ready for letting go without delay.

(11) A pilot shall not proceed to any port or place outside the pilotage area for which he is licensed for the purpose of piloting any ship into such area without the permission of the Harbour Master.

(12) A pilot shall not attend to give evidence at any trial or enquiry to which he is not a party (unless under *subpoena*) without permission of the Harbour Master, and a pilot *subpoenaed* to give evidence shall at once report the fact in writing to the Harbour Master.

(13) A pilot who notices within the pilotage areas for which he is licensed any alteration in any of the banks or channels, or any buoys or beacons which have been driven away, broken down, damaged or displaced, or any circumstances affecting the safety of navigation, shall forthwith give a correct statement thereof in writing to the Authority.

(14) A pilot, when any accident has happened to, or been caused by, a ship while in his charge, shall as soon as possible report the facts in writing on the approved form to the Harbour Master.

(15) The duties of a pilot in regard to an outward bound ship shall commence as soon as such ship begins to unmoor for the purpose of proceeding to sea.

(16) On inward bound ships the duties of a pilot shall commence when he boards the ship in any position within a pilotage area.

(17) In the event of a pilot refusing to proceed to sea from any anchorage or from any wharf or jetty with any ship which he is qualified to pilot when requested to do so by the master, owner or agent of such ship, he shall at once give his reasons therefor in writing to the Authority if he is not a member of the Pilots' Association or, if he is a member of the said Association, to his Association which shall forward same to the Authority.

(18) If a pilot mislays his licence he shall forthwith give notice thereof to the Authority, stating the circumstances in which the licence was lost, and shall forthwith apply to the Authority for a duplicate licence.

(19) A pilot shall not hold directly or indirectly any share or interest in any tug company, or in any vessel used regularly or occasionally for towing ships in the pilotage areas.

(20) On landing at Port-of-Spain after piloting a ship in or out, all pilots for all pilotage areas shall report their movements without delay to the Pilots' Office. At outports, pilots shall report to the said office by telephone on landing from a ship piloted in or out between the hours of 8 a.m. and 5 p.m. each day.

(21) Pilots for all pilotage areas are to be available at the shortest possible notice and shall be connected by telephone at their residence.

(22) All pilots shall attend frequently at the Pilots' Office to examine the latest charts of the Colony, notices to mariners and other information relating to the waters of the Colony.

(23) A pilot shall supply himself, at his own cost, with, and wear when on duty either ashore or afloat, such uniform (if any) as may be required by the Authority.

9. The limits for pilots boarding or leaving ships shall coincide with the limits specified in bye-laws 13 and 14. Boarding or leaving ships.

10. Pilots shall be allotted to ships in all pilotage areas by the Senior Pilot subject to any special directions of the Harbour Master or Wharf Superintendent. Employment of pilots.

11. No boat shall ply as a pilot boat or carry a pilot flag or pilot boat light or make signals prescribed under Article 8 of the Regulations for the Prevention of Collision at Sea in or near any area prescribed in the First and Second Schedules to the Ordinance unless a pilot is on board. Pilot boats.

Any boat engaged solely for the purpose of embarking or disembarking pilots in ships shall have the words " Pilot Boat " painted on the bow in plain letters.

12. Pilotage dues in respect of pilotage services rendered by licensed pilots in the several pilotage areas shall be calculated in accordance with the rates laid down in bye-laws 13 and 14 and in Schedule I to these Bye-laws. All these rates shall be subject to such surcharge or rebate as may from time to time be fixed by the Authority and approved by the Governor in Council.* Rates for calculation of pilotage dues.

13. (1) Pilotage dues in respect of services rendered by licensed pilots in compulsory pilotage areas shall be calculated as follows— Pilotage dues in compulsory pilotage areas.

(a) the relevant charge prescribed in Schedule I to these Bye-laws shall be made;

(b) an additional charge, based on the maximum draught of the ship, at the time the pilotage services are rendered shall be made in respect of ships navigating the Grier Channel or Basin; such charge shall be twenty-five cents per foot with a minimum draught of ten feet;

* G.N. 275—1950 fixes a surcharge of:—

Sixty per centum on all rates laid down in Bye-laws 13 (1) (a) (b) and 14 (1) and (2).

(c) between the hours of 6 a.m. and 6 p.m. a charge of \$7.00 shall be made in respect of running lines when such operation is carried out with the aid of a pilot's launch or launches.

Between the hours of 6 p.m. and 6 a.m., and on all Sundays and public holidays an additional charge of \$2.50 shall be made for such service.

(2) The pilotage dues calculated in accordance with the provisions of paragraph (1) of this bye-law shall cover pilotage of any ship to or from the Grier Channel and Basin when the pilot boards it, or leaves it at anchor or under weigh, within the limits of Port-of-Spain harbour.

(3) Whenever a ship is shifted in the Basin and the operation necessitates letting go and re-securing at another berth, half the pilotage dues calculated in accordance with sub-paragraphs (a) and (b) of paragraph (1) of this bye-law shall be charged.

(4) Whenever a ship is shifted along the King's Wharf without letting go, a pilot need not be employed. If a pilot is employed the pilotage dues shall be as set out in the next preceding paragraph of this bye-law.

(5) In the case of pilotage at out ports, the pilot shall embark within five miles, but not less than one mile, of the berth.

Pilotage dues in non-compulsory pilotage areas.

14. Pilotage dues in respect of services rendered by licensed pilots in non-compulsory areas shall be calculated in accordance with the following provisions of this bye-law:—

(1) *Within the limits of Port-of-Spain Harbour:*

(a) To and from an anchorage	\$ 7.50
(b) To and from alongside another vessel or hulk	10.00
(c) To an anchorage and then proceeding alongside another vessel or hulk within two hours of anchoring	12.50
(d) To or from Grier Channel, from or to alongside another vessel or hulk (additional to charge in respect of compulsory pilotage)	2.00

(2) *Outside of Port-of-Spain Harbour Limits:*

(a) From outside the Bocas to Carenage, Teteron, Chaguaramas Bay, Port-of-Spain, San Fernando, Brighton or Point Fortin, or <i>vice versa</i> per unit of net registered tonnage	0.01
(provided that the minimum charge shall be)	20.00
(b) from inside the Bocas to Carenage, Teteron, Chaguaramas Bay, Port-of-Spain, San Fernando, Brighton or Point Fortin, or <i>vice versa</i> per unit of net registered tonnage	0.00½
(provided that the minimum charge shall be)	10.00
(c) From Port-of-Spain to San Fernando, Pointe-a-Pierre, Brighton or Point Fortin or <i>vice versa</i> , per unit of net registered tonnage	0.00½
(provided that the minimum charge shall be)	10.00
(d) From Pointe-a-Pierre, San Fernando to Brighton or Point Fortin or <i>vice versa</i> per unit of net registered tonnage	0.00¾
(provided that the minimum charge shall be)	7.50
(e) From Port-of-Spain to Carenage or Chaguaramas Bay or <i>vice versa</i> per unit of net registered tonnage	0.00¾
(provided that the minimum charge shall be)	7.50

(3) The maximum charge for piloting a ship (outside compulsory pilotage areas) within the Gulf of Paria shall in no case exceed the dues which would be payable in respect of a ship the net registered tonnage of which is twelve thousand tons.

15. (1) A pilot shall be entitled to detention money in accordance with the provisions of section 21 of the Ordinance at the rate of one dollar for each hour or part thereof and shall have the like remedy for recovery of the same as is provided in the Ordinance for recovery of pilotage dues.

Payment of pilot when detained on board outward ship.

(2) An attendance fee of \$7.50 in lieu of detention shall be charged in respect of a pilot ordered for a vessel when such order is subsequently cancelled: Provided always that notice of cancellation shall be accepted if received prior to the departure of the pilot afloat when no charge shall be made.

16. If any boat or ship having on board a licensed pilot leads any ship which has not a licensed pilot on board, in a non-compulsory area, when the last mentioned ship cannot through stress of weather or other exceptional circumstances be boarded, the pilot so leading the last mentioned ship, at the request of the master thereof, shall be entitled to full pilotage rates as if he had actually been on board and had charge of that ship.

Cases when pilot cannot board ship.

17. A pilot who is not a member of the Pilots' Association shall collect all fees due to him, and members of the Association shall make arrangements for the collection by the secretary of all fees due to them.

Collection of pilot dues.

18. The Secretary-Accountant shall make an annual audited return to the Authority of all revenue and expenditure of the Association, and when required to do so by the Authority shall render supplementary returns.

Association to make returns to the Authority.

The Secretary-Accountant shall place annually before the Authority an audited statement of the Provident Fund accounts of the Association, and a certificate that all insurances required by Clause 4 of the Articles of Association are in force.

The Secretary-Accountant shall furnish the Authority monthly with a statement giving the following particulars in respect of each pilot for the preceding month:—

- (a) Number and description of pilotage movements performed daily.
- (b) Time involved over each movement.
- (c) Leave and/or sick periods, if any, with dates.
- (d) Stand off periods with dates.

Pilots to give bond.

19. Every pilot on being licensed, and every pilot already licensed, shall execute a bond for five hundred dollars in such form as the Authority may direct with a view to the limitation of his liability for neglect or want of skill to that amount as prescribed by section 24 of the Ordinance.

20. A master or mate of a ship applying for a pilotage certificate shall not be examined unless he holds a certificate as master or mate issued by the Government of Trinidad and Tobago, or an equivalent or higher certificate, and has made six voyages to the compulsory pilotage area for which he applies for a licence.

Qualification of candidates for pilotage certificates.

The application may be made as soon as six voyages have been completed, provided they have been made during the preceding twelve months. No application shall be entertained unless supported by a certificate of good character given by the employers of the applicant; provided that in the case of droghers, masters and mates holding certificates as masters or mates issued by the Government of Trinidad and Tobago will only be required to make six voyages assisted by a licensed pilot within a period of three months to each particular compulsory pilotage area before application for a certificate is made in respect of such area. Such application must also be supported by a certificate of good character as aforesaid.

21. A pilotage certificate shall not be renewed without re-examination unless the certificated officer has made not less than three voyages to the compulsory pilotage area referred to in the certificate during the twelve months immediately preceding his application for the renewal of his certificate.

Renewal of pilotage certificates

22. A master or mate shall not receive a pilotage certificate for any pilotage area until he has passed an examination before the committee appointed under bye-law 26, and unless he satisfies the requirements of sub-paragraphs (a), (g) and (h) of bye-law 3 (1).

Examination for pilotage certificates.

23. The fees to be paid for the issue and renewal of pilotage certificates shall be in accordance with Schedule II to these Bye-laws: Provided that a pilotage certificate shall not be issued or renewed until the applicant has produced a medical certificate from a practitioner approved by the Authority to the effect that the applicant's eyesight is normal as regards form and colour visions.

Fees for pilotage certificates, medical certificate.

Certificated officers to produce certificates.

24. The holder of a pilotage certificate shall produce on demand to any harbour master, pilot, officer of Police or Customs, his pilotage certificate when piloting within an area specified in the Second Schedule to the Ordinance.

Any such person failing to comply with the bye-law shall be liable to a fine of ten dollars.

Certificated officers to fly signals.

25. Every holder of a pilotage certificate when in charge of a vessel in any compulsory area specified in the Second Schedule to the Ordinance shall cause by day the international code flag "H" to be flown from the jumper stay, and by night a white light over a red light in a vertical line not less than six feet apart to be carried in a similar position. Any such person failing to comply with this bye-law shall be liable on summary conviction to a fine of ten dollars.

Examining Committee.

26. A committee of the Authority appointed to conduct examinations under these Bye-laws shall consist of the Harbour Master, who shall be Chairman, and two members of the Authority.

Exempting local trade ships.

27. In addition to ships exempted from compulsory pilotage under section 16 (3) of the Ordinance, all British ships under 600 gross tons trading locally within the meaning of section 16 (4) of the Ordinance and registered under the provisions of the Merchant Shipping Act, 1894, shall be exempted from compulsory pilotage if not carrying passengers.

Meeting of Pilotage Authority.

28. (1) The Pilotage Authority shall meet on the third Monday in each calendar month to transact business: Provided that should that day be a public holiday, the meeting shall be postponed to the following Monday or such other day as the Chairman may appoint.

Should for any reason business be not concluded at a regular meeting, the meeting may be adjourned to such date as the Chairman may decide.

(2) It shall be competent for the Chairman to call by notice in writing an emergency meeting of the Authority at any time, should he consider the business sufficiently urgent.

Duties of the Authority.

29. The Pilotage Authority shall consider at its regular meetings all business placed before it in connection with—

- (a) recommendations to be made for the amendment or alteration of the Ordinance or Bye-laws dealing with pilotage;
- (b) complaints against pilots or holders of pilotage certificates;
- (c) proposals to vary fees for pilotage licences or certificates;
- (d) the disposal of funds accruing to the Authority;
- (e) proposals to engage apprentices to the pilotage service;
- (f) suggestions for the improvement of the pilotage service;
- (g) any business arising under these Bye-laws which is properly before the Authority.

Fees to be credited to Authority.

30. All fees payable under Schedule II of these Bye-laws shall be credited to the Authority and shall be used by them to defray all just expenses lawfully incurred by the Authority provided that any surplus shall be applied as provided under section 6 of the Ordinance.

Pilot boarding and landing fees. G.N. 189-1950.

31. The following fees shall be paid by all vessels on every occasion when under pilotage—

	\$
(i) within the declared limits of Port-of-Spain harbour	5.00
(ii) within the area from the Bocas to the western declared limit of Port-of-Spain harbour and bounded on the south by the parallel of 10° 35' North	15.00

Provided that the payment of fees prescribed at (i) and (ii) shall be optional in the case of vessels proceeding under pilotage from within the declared limits of Port-of-Spain harbour to any out port or *vice versa*, and that the fee prescribed at (i) shall not apply in the case of vessels when shifting berth at the King's Wharf.

32. Any pilot who contravenes or fails to comply with any of these Bye-laws, Penalties, or any order or direction given or requirement imposed under any of these Bye-laws, shall be guilty of a breach of that bye-law, and shall for each such breach, subject to any special provisions contained in these Bye-laws, be liable on summary conviction to a fine of forty-eight dollars (without prejudice to the powers of the Authority under the Ordinance to revoke or suspend his licence).

SCHEDULE I.

Compulsory Pilotage Areas.

NET REGISTERED TONNAGE OF SHIP.	PORT-OF-SPAIN.	OUT-PORTS.
	In or Out and Mooring in Basin.	In or Out.
	\$	\$
Up to and including 1,500 tons	5.00	12.50
Over 1,500 up to and including 2,000 "	6.00	13.75
2,000 do. do. 2,500 "	7.00	15.00
2,500 do. do. 3,000 "	8.00	16.25
3,000 do. do. 3,500 "	9.00	17.50
3,500 do. do. 4,000 "	10.00	18.75
4,000 do. do. 4,500 "	11.00	20.00
4,500 do. do. 5,000 "	12.00	21.25
5,000 do. do. 6,000 "	13.00	22.50
6,000 do. do. 7,000 "	14.00	23.75
7,000 do. do. 8,000 "	15.00	25.00
8,000 do. do. 9,000 "	16.00	26.25
9,000 do. do. 10,000 "	18.00	28.75
10,000 do. do. 11,000 "	19.00	30.00
11,000 and over	20.00	31.25

SCHEDULE II.

Fees payable to the Pilotage Authority on the issue of a pilot's licence:—

	\$
First issue	15.00
Renewal	5.00
Duplicate	2.50

Fees payable to the Pilotage Authority on the issue of a pilotage certificate:—

	\$
First issue	25.00
Renewal	10.00
Amendment of Certificate	5.00
Duplicate	2.50