

No. 24—1941.

Pilotage.

AN ORDINANCE to amend the Pilotage Ordinance,
Ch. 18. No. 3.

[31st December, 1941.]

Commencement

1. This Ordinance may be cited as the Pilotage (Amend-Short title.
ment), Ordinance, 1941, and shall be construed as one Construction
with the Pilotage Ordinance, hereinafter referred to as Ch. 18. No. 3.
the Principal Ordinance.

2. Section 4 of the Principal Ordinance is hereby repealed Section 4 of the
and replaced by the following section:— Principal
Ordinance
repealed and
replaced.

Constitution
of Pilotage
Authority.

4. (1) The Pilotage Authority shall consist of—
- (a) the Harbour Master, who shall be *ex officio* Chairman,
 - (b) a representative of the Shipping Association,
 - (c) two members of the Pilots Association, and
 - (d) a representative of the Petroleum Association of Trinidad.

The representatives and members of the aforesaid Associations shall be appointed by the Governor and shall hold their appointments at the Governor's pleasure.

(2) In case of the temporary absence or incapacity of a member of the Pilotage Authority appointed under this section, the Governor may appoint another member to act temporarily in the place of such member who is absent or incapacitated,

(3) Any act done or decision arrived at by the Chairman and not less than two members (temporary or otherwise) shall be deemed to be an act or decision of the Pilotage Authority.

(4) The appointment, (temporary or otherwise), and the removal of members shall be notified in the *Royal Gazette*.

New section
5A of the
Principal
Ordinance.

3. The Principal Ordinance is hereby further amended by inserting immediately after section 5 thereof a new section numbered 5A as follows :—

Receipts and
expenses of
Pilotage
Authority.

5A. (1) All receipts of the Pilotage Authority, in their capacity as such (other than any money received by them on behalf of and paid over to any pilot, or if the Authority administer a pilots' benefit fund, any sums received by them as direct payments for that fund), shall be paid into a separate fund or account, to be called the pilot fund or account.

(2) All expenses incurred by the Pilotage Authority in the exercise of their powers or performance of their duties as such Authority shall be paid out of the pilot fund or account, and, except so far as may be provided to the contrary by bye-law, subject to the payment of those expenses, the balance shall in each year be applied for the purposes of any pilots' benefit fund, and so far as not required for that purpose shall be applied for the benefit of pilots in such manner as may be determined by the Pilotage Authority with the approval of the Governor.

(3) A separate account shall be kept by the Pilotage Authority of all moneys received by them as payments to any pilots' benefit fund administered by the Authority, or for the benefit of that fund, and money standing to the credit of that account shall not be applicable to any purpose other than the purposes of the fund.

(4) Nothing in this section shall prevent the Pilotage Authority from keeping a separate account in respect of pilot boats owned or hired by the Authority.

4. Subsection (1) of section 6 of the Principal Ordinance is hereby amended—

Section 6 of
the Principal
Ordinance
amended.

(a) by deleting paragraphs (h) and (j) of subsection (1) thereof and by substituting therefor the following paragraphs respectively:—

(h) provide for a deduction being made from any sums received by pilots of any sums required for meeting the administration expenses of the Pilotage Authority, or any contributions required for any fund established for the payment of pensions or other benefits to pilots, their widows or children (in this Ordinance referred to as a pilots' benefit fund);

(j) establish pilots' benefit funds and provide for the direct payment to any such fund of any contributions by pilots towards the fund, or of any part of the ordinary receipts of the Pilotage Authority, and also for the administration of any such fund and for the conditions of participation in any such fund;

(b) by re-lettering the present paragraph (r) as paragraph (s) and by inserting immediately after paragraph (q) a new paragraph (r) as follows:—

Distinctive
marks and
flags of pilot
boats.

(r) prescribe the distinctive marks and flags to be used by pilot boats.

5. Section 10 of the Principal Ordinance is hereby amended by deleting the proviso to subsection (1) thereof and substituting therefor the following proviso:—

Section 10 of
the Principal
Ordinance
amended.

Provided that a pilotage certificate shall not be granted to the master or mate of a ship unless he is a British subject or, if a bye-law under section (6) (1) (l) of this Ordinance is in force prohibiting the grant of pilotage certificates to masters or mates who do not hold at least a mate's certificate of competency recognized under Part II of the Merchant Shipping Act 1894, to a master or mate who does not hold such a certificate of competency.

Section 21 of
the Principal
Ordinance
amended.

6. Section 21 of the Principal Ordinance is hereby amended by inserting immediately after the words "for each hour or part thereof" the words "or at such other rate as may from time to time be fixed by bye-laws made under section 6 of this Ordinance."

Section 28 of
the Principal
Ordinance
amended.

7. Paragraph (i) of subsection (1) of section 28 of the Principal Ordinance is hereby amended by inserting immediately after the words "port or place" the words "within the district for which he is licensed".

New section
25A of the
Principal
Ordinance.

8. The Principal Ordinance is hereby further amended by inserting immediately after section 25 thereof the following heading and section—

Pilot signals.

Signals to be
displayed by
ships requir-
ing pilot.

25A. (1) The Governor in Council may 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 Ordinance 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 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 to a fine of ninety-six dollars.

Section 30 of
the Principal
Ordinance
amended.

9. Section 30 of the Principal Ordinance is hereby amended by deleting in paragraph (v) thereof the words "by this Ordinance".

The Second
Schedule to
the Principal
Ordinance
amended.

10. The Second Schedule to the Principal Ordinance is hereby amended by deleting the description of area (e) therein and substituting therefor the following:—

(e) An area within half a sea mile of the jetty known as Point Fortin Jetty the base of which is on the north shore of Point Fortin and the seaward end is marked by a light beacon in Latitude 10° 12' 04" N. and Longitude 61° 42' 30" W.