

PILOTAGE ACT 1987 NEWHAVEN HARBOUR - PILOTAGE DIRECTIONS

Pursuant to Section 7 of the Pilotage Act 1987 Newhaven Port & Properties Limited as the Competent Harbour Authority for Newhaven Harbour hereby makes the following Pilotage Directions, effective from 1st January 2021:

- 1) Pilotage shall be compulsory for all vessels (unless exempted under Section 7(3) of the Pilotage Act or other applicable legislation) navigating within the Statutory Harbour Limits/Pilotage District as defined in the latest Port Legislation and published on the Port website at www.newhavenport.com that:
 - i) have a length overall (LOA) of 49m and above (*in the case of towed vessels the sum total of the LOA of the towing and towed vessels and tow line shall determine if the criteria for compulsory pilotage is met*) or,
 - ii) are carrying dangerous or polluting goods as defined in the IMDG Code or,
 - iii) have been risk assessed by the Harbour Master as a special case requiring a Pilot in the interests of safety and/or protection of the environment/infrastructure.
- 2) Pilotage Exemption Certificates may be applied for in accordance with the provisions of Section 8 of the Pilotage Act 1987 and Appendix 1 of these directions.
- 3) The Master of any vessel subject to compulsory pilotage will be required to provide the Harbour Master with details of the ship's particulars and all other information, relevant to the ship and its cargo, which may affect passage through the compulsory Pilotage District. In particular the Master must provide details of any known defects or other factors which may materially affect the navigation of the ship or the safety of the Pilot.
- 4) All vessels are required to provide an Estimated Time of Arrival (ETA):
 - i) A minimum 12 hours prior to arrival (via agent or direct to port control Tel: +44 (0)1273 612926), then
 - ii) 1 hour prior to arrival (to port control 'Newhaven Radio' VHF Ch.12), then
 - iii) 20 minutes prior to arrival (to port control 'Newhaven Radio' VHF Ch.12)

(Or at such other times as may be agreed by the Harbour Master).
- 5) It is an offence for the Master of a vessel subject to compulsory pilotage to fail to provide prior notification or to navigate within the Pilotage District without a Pilot.
- 6) All vessels must request permission from Port Control (Callsign "Newhaven Radio") on VHF Ch.12., prior to entry, maneuvering within or departure from the Pilotage District.
- 7) The Pilot boarding position is 1 to 1.5 nautical miles SW of western breakwater, or such other position as may be notified to meet operational requirements.

NEWHAVEN HARBOUR - PILOTAGE EXEMPTION

Pursuant to Section 8 of the Pilotage Act 1987 and the Marine Navigation Act 2013, Newhaven Port & Properties Limited (NPP) as the Competent Harbour Authority for Newhaven Harbour hereby makes the following directions for the granting of Pilotage Exemption Certificates (PEC's):

Pilotage Exemption Certificates shall be granted to the bona fide Master or Deck Officer of a ship provided that :

- 1) The applicant is the holder of a valid Certificate of Competency for the type and size of ship.
(Applicants for ferry PEC's must hold a valid Master Mariners Certificate).
- 2) The applicant provides proof of a valid seafarer's medical certificate.
- 3) The applicant satisfies NPP during oral examination as to his/her ability and experience in handling the ship(s) specified in the application and proof of training undertaken, such as training in Bridge Team Management, Bridge Resource Management, Simulator, etc.
- 4) The applicant satisfies NPP as to his/her local knowledge, and has carried out 30 acts of pilotage within the preceding year i.e. fifteen arrivals & fifteen departures:
 - i) A minimum 15 of which shall have been carried out in the presence of a Licensed Pilot, (the other 15 may be with a valid PEC holder for the vessel(s) concerned),
 - ii) A minimum 10 of which shall have been carried out during the hours of darkness,
 - iii) A minimum 5 of which must have been undertaken during periods of adverse weather conditions i.e. wind speed of 22 knots or above.
 - iv) For ferries, a minimum 7 of which must have been 'head first' departures.
(When conditions in ii), iii) or iv) above cannot be met in full, a 'restricted license' may be issued at the discretion of the Port Authority).
- 5) The applicant has, within the preceding twelve months, visited and is familiar with the workings of the Newhaven Port Control.
- 6) The applicant shows sufficient knowledge of the Pilotage Guidance Notes, Harbour Legislation, Port Marine Operations Safety Management System, Navigational Risk Assessments and the National Occupational Standards for Marine Pilots.
- 7) The applicant possesses sufficient knowledge of the English language to perform the duties of a Pilot.

Based on the assessment of the Harbour Master and Senior Pilot, applicants who are unsuccessful during the oral examination may be assigned further training and re-examination; some applicants may not be regarded as suitable for a PEC.

Holders of PEC's shall comply with all Harbour Legislation and Pilotage Directions relating to Newhaven Harbour and are required to report, within 12 hours, on the appropriate Special Report form any collision, contact, grounding, other dangerous occurrence or near-miss in which they are involved, in addition to statutory reporting to the MAIB and MCA. PEC's may be suspended or revoked at the discretion of the Harbour Master pending inquiry into an incident or following any act of obvious negligence/misconduct, in accordance with the rules specified in the Pilotage Act 1987 and the Marine Navigation Act 2013.

Acts of pilotage, performed by holders of PEC's, shall be charged for at 40% of the full Pilotage rate as published in the Newhaven Port & Pilotage Charges and advertised on the website at www.newhavenport.com or by other agreed special arrangement particular to the cross channel ferries.

The examination fee for a PEC shall be £400.00 and half of which fee shall be paid for renewal or alteration of a certificate.

PEC's shall (if not revoked or suspended) remain in force for a one year from the date of issue and are valid only for those vessels shown thereupon. Such certificates may be renewed on application to NPP provided the holder has performed a minimum 30 acts of pilotage and made a familiarization visit to Newhaven Port Control within the preceding 12 months.

A PEC will be suspended if at any time a minimum 10 acts of Pilotage have not been completed within the preceding four months. Holders of such suspended certificates will be required to perform a minimum 5 acts of pilotage, in the presence of a Licensed Pilot or valid PEC holder (of that vessel or sister ship), prior to re-instatement of their PEC. The Pilot/valid PEC holder will be required to submit a report to the Harbour Master on the competence of the applicant before the certificate is reinstated.

PEC holders will:

- ♦ Be audited by a Licensed Pilot at such times and periods as determined by the Harbour Master.
- ♦ For the ferries, be required to perform a head first departure a minimum once per two weeks and at all times as required by the Wind Speed & Depth Action Charts.
- ♦ Provide a monthly report to the Harbour Master giving details of their Acts of Pilotage.

It is the responsibility of the individual PEC holders to apply for renewal/amendment of his/her certificate in order to ensure validity.

Holders of PEC's that are not renewed prior to expiry will be required to perform additional acts of pilotage, 50% of which must be performed in the presence of a Licensed Pilot and the remainder in the presence of either a valid PEC holder (of that vessel or sister ship) or a Licensed Pilot, as follows:

- Certificates that have lapsed by a period of less than one year - 10 Acts
- Certificates that have lapsed by a period of between one & two years - 16 Acts
- Certificates that have lapsed by a period of between two & three years - 20 Acts

The Pilot will be required to submit a report to the Harbour Master on the suitability/experience of the applicant. (Re-examination of the applicant may also be required in addition to the above).

Due to the specialist nature of their work, Masters and Deck Officers of dredgers conducting maintenance or capital dredging in the Harbour on behalf of the Port Authority may be subject to assessment criteria less onerous than the above at the discretion of the Harbour Master and Senior Pilot.

The Port Authority reserves the right to modify any of the above criteria at the discretion of the Harbour Master and Senior Pilot. All decisions will be based on safety, not commerce.