



# Haven Ports Pilotage Directions 2022



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## Introduction

The Harwich Haven Authority as a Competent Harbour Authority within the meaning of the Pilotage Act 1987, and in exercise of its powers under Section 7 of the Act, gives the following Pilotage Directions to the Masters of vessels in the Haven Ports Pilotage Area.

It is the duty of the Master of a vessel to which a Pilotage Direction applies to comply with these Directions.

Failure by the Master of a vessel to comply with a Direction constitutes an offence, and renders that person liable, on conviction, to a fine up to a level 5 on the standard scale. However, it is a defence for the Master of a vessel to prove that he had reasonable grounds for supposing that compliance with the Direction in question would be likely to imperil their vessel or that they had an acceptable reason for his act or failure to act.

Notes accompanying these Directions are included to explain the legal requirements as laid out in the Pilotage Act 1987.

# Haven Ports Pilotage Directions – pursuant to section 7 of the Pilotage Act 1987

## Commencement

The Harwich Haven Authority, as the competent harbour authority exercising the function of providing pilotage services in its own right and on behalf of the Port of Felixstowe, ABP Port of Ipswich and Harwich International Port within the Haven Ports Pilotage Area hereby:

- revokes the Pilotage Directions 2020; and
- gives the following Pilotage Directions to vessels to be known as the Haven Ports Pilotage Directions 2022.

These Directions shall come into operation on the 01 January 2022.

## I. Compulsory Pilotage

Subject as hereinafter provided, pilotage shall be compulsory for all ships navigating in the Haven Ports Pilotage Area as defined in Schedule 1 hereto (hereinafter referred to as "The Compulsory Area")

## II. Compulsory Pilotage Exceptions

This direction does not apply to the following categories of excepted vessels:

Her Majesty's vessels

Vessels of less than 50 metres in length unless:

- Carrying dangerous substances as specified in The Dangerous Substances in Harbour Area Regulations 1987 – Schedule 3 List of Specified Dangerous Substances (as amended).
- Engaged in towing when the length of the tow, measured from the bow of the towing vessel to the after end of the tow is 50 metres or more.
- Engaged in pushing ahead or towing alongside when the total length is 50 metres or more.

Ship assist harbour towage or assisting vessel providing towage services to another vessel that is already subject to compulsory pilotage, or has engaged the services of an authorised Pilot or PEC.

Vessels warping along berths at any port within the Compulsory Area; provided that the prior permission of the relevant Harbour Master/Port Master has been obtained.

Vessels manoeuvring between river berths within the Port of Ipswich, provided that the prior permission of the Ipswich Harbour Master has been obtained.

*Note: Towage Types*

*There are several different types of towage operations, these can be summarised as:*

- *ship assist harbour towage or assisting vessels underway, typically during entering or leaving and or shifting berth within a harbour;*
- *dead tows or assisting vessels without propulsion including, but not limited to, barges, pontoons, dredgers, rigs which typically involve vessels entering and leaving harbour being towed by a sea-going tug or other vessel;*
- *general towage including towage of smaller barges, pontoons, rigs normally within harbour limits and marine construction equipment; and*
- *project towage including unusual events which require special consideration.*

### III. Special Circumstances

Deviation from these directions may in special circumstances be allowed but only following a formal marine risk assessment of the intended deviation.

## Schedule 1: Geographical Limits

### 1.1 The Haven Ports Pilotage Area (The Compulsory Area)

The area bounded by the following limits:

- As much of the River Orwell as lies below Ipswich Dock.
- As far up the River Stour as the tide flows.
- To seaward of Landguard Point, the area bounded as follows:
  - In an easterly direction as far as 01°24' E
  - In a southerly direction as far as 51°54.5 N
  - In a northerly direction as far as 51°57.4 N

### 1.2 Haven Ports Pilotage Limit

The Harwich Haven Authority will provide pilotage upon request in the area to seaward of the Compulsory Area in an area bounded by the following limits;

- In an easterly direction as far as 01°41'E
- In a southerly direction as far as 51°49'N
- In a northerly direction as far as 52°00'N

Pilotage provided under section 1.2 shall be provided as if the Pilotage was being provided within the compulsory area and the applicable provisions of the Pilotage Act 1987 (as amended) shall apply.

## Schedule 2: Pilotage exemption certificate (PEC) requirements

### 2.1 Issue of pilotage exemption certificates

Any vessel subject to compulsory pilotage as laid down in the Haven Ports Pilotage Directions must be in the charge of an authorised Pilot or an authorised holder of a valid Pilotage Exemption Certificate (PEC) when navigating within the Haven Ports Pilotage Area (“the Compulsory Area”).

Bona fide Masters and Deck Officers of ships may apply for and be issued with Pilotage Exemption Certificates for the Compulsory Area, or for specified parts of the area, subject to qualification both by examination and experience in the appropriate parts of that area.

There are two classes of Pilotage Exemption Certificates (A & B), each may include a dredging restriction or towage restriction.

## 2.2 PEC Application Process

All PEC documentation is available via [www.hha.co.uk](http://www.hha.co.uk)

### Step 1

A PEC applicant will need to complete and return:

- PEC application form;
- Letter of agreement and;
- Provide a copy of valid certificates of competence and appropriate medical certificate.

Once the application paperwork has been processed the PEC candidate will be issued with a PEC number, for example L1234.

### Step 2

The PEC candidate will be required to attend a PEC induction.

### Step 3

The PEC candidate should then start undertaking qualification passages and practical assessments.

The PEC candidate must record each qualification passage and practical assessment on their "Training Record Log" and verbally notify Harwich VTS of their PEC number before each qualification passage and practical assessment.

"Towage Familiarisation" & "VTS Familiarisation" must be recorded on the "Training Record Log" if applicable.

### Step 4

On commencement of practical assessments the candidate may request a time and date for oral examination.

## 2.3 PEC Renewal Process

All PEC forms and documentation are available via [www.hha.co.uk](http://www.hha.co.uk)

A PEC is valid for twelve months from the date of issue. A PEC holder is required to re validate their PEC by completing:

- PEC renewal application form;
- letter of agreement;
- twelve-month revalidation passages (the number of passages that must be completed by a PEC holder to renew their PEC. (See table in section 2.6 Qualification Passage, Practical Assessment & Revalidation)) ;

- Provide a copy of certificate of competence and;
- Provide a copy of appropriate medical certificate.

## 2.4 Pilotage exemption certificate areas

Exemption Certificates may be granted for one or more of the following areas:

Area “F”: Felixstowe and as far up the River Orwell as the Felixstowe berths continue.

Area “H”: Harwich including all berths between Harwich Navyard and Trinity Pier.

Area “P”: Parkeston, including all berths at H.I.P and Parkeston anchorage.

Area “I”: River Orwell / Ipswich from Harwich Harbour up the River Orwell to, and including, the berths at Ipswich.

Area “M”: Mistley Quay and as far up the River Stour, as commercial navigation is possible.

## 2.5 PEC Classes and Restrictions

### 2.5.1 Class A

Applies to vessels of 100 metres LOA and above and to Nominated Hazardous vessels (as defined in the Harwich Haven Authority General Directions for Navigation (as amended)).

For initial issue the applicant will need to be successful in an examination covering the areas for which they have applied and the detailed requirements which are laid out in the syllabus for examination, this is documented in Harwich Haven Authority publication ‘Information for Masters and PEC Holders’.

### 2.5.2 Class B

Applies to vessels between 50 metres and 99.9 metres LOA.

Applies to vessels of less than 50 metres in length engaged in towage where combined length of tug and tow are 50 metres or more.

For initial issue the applicant will need to be successful in an examination covering the areas for which they have applied, and the requirements laid out in the syllabus for examination, this is documented in Harwich Haven Authority publication ‘Information for Masters and PEC Holders’.

### 2.5.3 Dredging Restriction

A dredging restriction is only valid for vessels engaged in dredging operations. Dredging restriction signifies that the PEC holder has a valid PEC but has not undertaken qualification & practical assessment for specific berths or tug familiarisation, therefore dredging restrictions prevent the holder from berthing or un berthing or using harbour towage with the exception of emergency situations.

Dredger means any vessel, which is engaged in dredging, excavating, raising, pumping, eroding or dispersing silt, sand, clay, stone, rock, or any other material. For initial issue the applicant will need to be successful in an examination covering the areas for which they have applied, and the requirements laid out in the syllabus for examination, this is documented in Harwich Haven Authority publication ‘Information for Masters and PEC Holders’.

A PEC holder with a dredging restriction must take a pilot when berthing or un berthing unless they have satisfied the Harbour Master by examination that their skills, experience, and local knowledge are sufficient.

## 2.5.4 Towage Restriction

Towage restrictions are only valid for vessels of less than 50 metres in length engaged in towage that is subject to compulsory pilotage.

## 2.6 Qualification Passage, Practical Assessment & Revalidation

Qualification Passages shall be undertaken under the supervision of a qualified PEC Holder or Pilot.

Practical Assessments must be undertaken under the supervision of a qualified Pilot.

At least 2 qualification passages or practical assessment shall be at night.

At least 1 of the practical assessment trips shall be undertaken under Blind Pilotage conditions (this process is documented in Harwich Haven Authority publication "Information for Masters and PEC Holders").

The number of required passages for the initial issue and/or renewal of a PEC may be increased at the discretion of the Harbour Master, for any vessel if the nature of her physical configuration, or of her cargo, dictates the need for greater experience and/or expertise.

All PEC holders will be required to complete a 5 yearly practical assessment.

### 2.6.1 Definitions of Practical Assessment & Practical Revalidation

A 'Practical Assessment' is an examination of competency for a PEC candidate, on a vessel they are not authorised to legally have conduct of.

A 'Revalidation Assessment' is for a PEC holder who is already authorised and can legally have the conduct of the vessels under their authorisation

All authorised pilots conducting a practical assessment or overseeing a qualifying passage, retain conduct of the vessel and remain legally responsible throughout the pilotage act.

### 2.6.2 Class A: Qualification Passage, Practical Assessment & Revalidation for Areas **Felixstowe, Harwich, Parkston, Mistley**

LOA (m) / Restriction	Familiarisation		Qualification Passage	Practical Assessment		Total	Twelve-Month Revalidation Passage	Five Yearly Practical Assessment
	VTS	Harbour Towage		In	Out			
Nominated Hazardous under 100	1	1	10	2	2	14	12	Yes
Dredger	1	0	10	1	1	12	6	Yes
100 to under 120	1	1	10	2	2	14	12	Yes



120 to under 160	1	1	20	2	2	24	12	Yes
160 +	1	1	24	2	2	28	12	Yes

### 2.6.3 Class A: Qualification Passage, Practical Assessment & Revalidation for Area **Ipswich**

LOA (m) / Restriction	Familiarisation		Qualification Passage	Practical Assessment		Total	Twelve Month Revalidation Passage	Five Yearly Practical Assessment
	VTS / ONS	Harbour Towage		In	Out			
Nominated Hazardous under 100	1	1	16	2	2	20	12	Yes
Dredger	1	0	12	1	1	14	6	Yes
100 to under 120	1	1	16	2	2	20	12	Yes
120 to under 140	1	1	20	2	2	24	12	Yes
140 +	1	1	26	2	2	30	12	Yes

### 2.6.4 Class B: Qualification Passage, Practical Assessment & Revalidation for Areas **Felixstowe, Harwich, Parkston, Mistley**

LOA (m) / Restriction	Familiarisation		Qualification Passage	Practical Assessment		Total	Twelve Month Revalidation Passage	Five Yearly Practical Assessment
	VTS	Harbour Towage		In	Out			
Dredger	1	0	6	1	1	8	4	Yes
Towage Restriction	1	1	6	1	1	8	4	Yes
50m to 100m	1	1	6	1	1	8	4	Yes

### 2.6.5 Class B: Qualification Passage, Practical Assessment & Revalidation for Area **Ipswich**

LOA (m) / Restriction	Familiarisation		Qualification Passage	Practical Assessment		Total	Twelve Month Revalidation Passage	Five Yearly Practical Assessment
	VTS / ONS	Harbour Towage		In	Out			
50m to 99m	1	1	6	2	2	10	4	Yes
Dredger	1	0	6	2	2	10	4	Yes

Towage Restriction	1	1	6	2	2	10	4	Yes
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## 2.7 Examination

The examination will be undertaken orally. The applicant will need to be successful in covering areas for which they have applied and meet the requirements laid out in the syllabus for examination, this is documented in Harwich Haven Authority publication 'Information for Masters and PEC Holders'.

Prior to authorisation the applicant should:

- have completed the requirements specified in 2.6 Qualification Passage, Practical Assessment & Practical Revalidation and;
- submit a set of arrival and departure port passage plans to the Harwich Haven Authority.

## 2.8 Obligations and requirements of PEC holders

Each Pilotage Exemption Certificate granted to any Master or Deck Officer shall be endorsed with the name and description of every vessel, which he/she is authorised to pilot and any endorsement restrictions.

The holder of a Pilotage Exemption Certificate shall not allow any other person to have possession of his/her Pilotage Exemption Certificate for the improper use thereof.

The holder of a Pilotage Exemption Certificate who observes any occurrence that may affect the safety of navigation in the area of exemption shall immediately inform Harwich Haven Authority and/or Ipswich Port Authority.

The holder of a Pilotage Exemption Certificate having conduct of a vessel which has touched the ground, or has been in collision with any other ship or any fixed or floating object or near miss in the area of exemption shall report the occurrence immediately and send a written report of the circumstances to the Harbour Master as soon as reasonably practicable.

The holder of a Pilotage Exemption Certificate shall, in obedience to a summons by the Harbour Master, attend to answer any complaint or charge which may be made against him/her for misconduct. This includes any non-compliance with the General Directions of Navigation or in respect of any marine casualty or marine incident which may have occurred whilst in charge of his/her vessel in the area of exemption.

A Pilotage Exemption Certificate shall remain in force for one year but may be renewed annually pursuant to Section 8(5) of the Pilotage Act 1987.

A Pilotage Exemption Certificate shall not be renewed unless the holder has made sufficient revalidation passages as determined by the Harwich Haven Authority to the exemption areas stated on the certificate during the previous twelve months, holds a valid marine qualification applicable to his/her rank and medical certificate and satisfied Harwich Haven Authority as to the holder's continued knowledge with regard to any changes in navigation or regulations for the exempted areas held and the holder has attended a renewal interview.

All PEC Holders will be required to undertake an assessment trip with an authorised pilot at intervals not exceeding 5 years.

## 2.9 Additions to pilot exemption certificates and changes to vessel characteristics

The addition of a new PEC Area to a PEC will require the PEC Holder to undertake the tripping and assessment requirements and examination for that area, depending on existing experience and areas currently held.

The addition of vessels or change of vessel's characteristics to a PEC will require the PEC Holder to undertake pilotage assessment depending on vessel types and class to satisfy competence for that class of vessel.

The Harbour Master having satisfied himself that the applicant has met all PEC pre-requisites, will issue or renew a Pilotage Exemption Certificate.

## 2.10 Pilotage exemption certificate suspension and revocation

Harwich Haven Authority may by written notice suspend or revoke a person's pilotage exemption certificate in the following cases (reference Marine Navigation Act 2013).

Case 1 is where an event has occurred as a result of which Harwich Haven Authority is no longer satisfied that their skill, experience and local knowledge are sufficient for them to be capable of piloting the ship of which they are a deck officer (of that and any other ships specified in the certificate) within its harbour or such part of its harbour as may be so specified.

Case 2 is where the Harwich Haven Authority thinks that the person has provided false information to the Harwich Haven Authority as to any of those matters.

Case 3 is where the authority thinks that the person has been guilty of professional misconduct while piloting a ship.

Case 4 is where pilotage notification was given that the ship will be navigated in an area in which a pilotage direction will apply to it and that an authorised pilot is not required because the ship will be piloted by a specific PEC holder in the event, the pilotage was carried out by a person who was neither an authorised pilot nor the holder of a PEC.

The maximum period for which a pilot exemption certificate may be suspended is 28 days. But if the Harwich Haven Authority is considering whether to revoke the PEC, the Harwich Haven Authority may by written notice extend the suspension for a single period of up to 28 days.

A suspended certificate may be revoked (on the same or different grounds).

Before revoking a person's certificate a harbour authority must:

- give the person written warning, stating the reasons for the proposed revocation; and
- allow the person reasonable opportunity to make representations.

## 2.11 Appeals

The Pilotage Act 1987 provides a right for an applicant to make representation in the event of a refusal to grant, renew or alter a PEC and in the event of a suspension or revocation of a PEC.

All appeals should be submitted in writing to the Harbour Master.

## Schedule 3: Pilot station / ordering the services of an authorised pilot and regulated vessel reporting regulations

A 'Regulated Vessel', 'Nominated Hazardous Vessel' and the 'Authority's Area' are defined within the Harwich Haven Authority General Directions for Navigation, as are the regulated vessel reporting regulations and movement of nominated hazardous vessels regulations.

It is recognised that this regulation and procedure may not be appropriate for all vessels, especially those running on regular services. Any deviation from this regulation and procedure must be formally submitted and agreed with Harwich Haven Authority.

### 3.1 Inward arrival reporting and ordering the services of a pilot

#### 3.1.1 Twenty-four hours Initial Information Report (or on departure from last port, whichever is sooner)

a) All regulated vessels must submit via Harwich VTS, not less than 24 hours before ETA in the Authority's Area (or on departure from last port, whichever is sooner), a report containing the following:

- Vessel name
- IMO number
- Last port
- Destination
- Draft
- Number of persons on board
- ISPS level
- Pilot required or PEC number
  - ETA at Sunk or Haven Pilot Station
- Any known defects that may affect navigation or manoeuvrability
- For ultra large container vessels (exceeding 310m loa) - calculated lateral windage area including any deck cargo
- Nominated Hazardous Vessel status

#### 3.1.2 Eight hour Initial Information Report (or on departure from last port, whichever is sooner)

All regulated vessels must submit via Harwich VTS, not less than 8 hours before ETA, an update on their initial report.

### 3.1.3 Two to Three hour Final Information Report

- a) All vessels requiring the services of a pilot must report to Sunk / Haven Pilots (VHF channel 09), not less than 2 / 3 hours before ETA at the pilot station, and update on their initial report or;
- b) All regulated vessels not requiring the services of a pilot must report via Harwich VTS (VHF channel 71) not less than 2 / 3 hours before ETA in the Authority's Area, and update on their initial report.

### 3.1.4 Confirmation of Pilot Boarding Arrangements Compliance

The master of any ship boarding or landing a pilot shall make a verbal declaration on VHF channel 09 to 'Sunk Pilots' or VHF channel 71 to 'Harwich VTS' that the pilot transfer arrangements are:

Properly constructed, recently inspected, in good condition and rigged as per SOLAS and IMO requirements.

In the event that such declaration is not forthcoming or the pilot / launch crew detect that the pilot transfer arrangements are not fit for purpose, it is recommended that the transfer does not take place and the ship be diverted to a safe anchorage or holding position until suitable pilot transfer arrangements can be provided.

### 3.1.5 Haven Pilot Station – vessels under 180 metres (length overall)

The Haven Pilot Station is positioned 2 nautical miles East North East of Harwich Approach Buoy (51°57'.0 N; 1°34'.0 E) and provides pilotage service for all the Haven Ports. This pilot station should only be used by vessels under 180 metres length overall.

Communications on the approach and at the Haven Pilot Station will be conducted by Harwich VTS on VHF channel 71. Haven Pilots operate on VHF channel 09.

### 3.1.6 Sunk Pilot Station – vessels of 180 metres and over (length overall)

The use of the Sunk Pilot station is optional for vessels under 180 metres length overall unless directed to do so by the Harbour Master.

The Sunk Pilot Station is positioned 3.8 nautical miles East of Sunk Inner Light Buoy (In Position 51°51.03N 001°34.89E) and provides pilotage service for all the Haven Ports.

Communication on the approach and at the Sunk Pilot Station will be conducted by Sunk VTS on VHF channel 14. Sunk Pilots operate on VHF channel 09.

This pilot station also provides a boarding and landing service for the Port of London Authority and Medway Ports for vessels bound to and from River Thames and River Medway.

Harwich Haven Authority publish passage 'Planning Support Documentation' specifically focused on the use of the Sunk Pilot station.

### 3.1.7 Boarding and landing pilots in adverse weather conditions

The safe boarding and landing of pilots is weather dependant. During periods of adverse weather and in the interest of safety pilots may board or land in alternative locations. Alternative pilot boarding

or landing locations in adverse weather conditions will only be permitted after consultation with the Harbour Master.

Harwich Haven Authority Schedule of Conservancy Dues and Pilotage Charges clarifies charges for 'Over carriage of an Authorised Pilot'.

### 3.1.8 Inward Reporting Points

All regulated vessels must report to Harwich VTS (VHF channel 71) at reporting points as marked on the UK Hydrographic Office charts. As summarised below;

3 miles from North Shipwash Buoy	North approach
North Shipwash Buoy	North approach
Mid Bawdsey Buoy	North approach
1.0 nm SE of South Shipwash Buoy	South approach
Harwich Approach buoy / Cross Buoy	North, South approach
Cutler Buoy	Inshore coastal channel from north
Stone Banks Buoy	Inshore costal channel from south
Wadgate Ledge / No. 7 buoy	Deep water channel inwards
Berth or Anchorage	After berthing or mooring or anchoring
Fagbury Buoy (Change VHF 71 to 68)	Inwards for Ipswich (clearing area)

## 3.2 Outward departure or shift reporting and ordering the services of a pilot

Note: This section applies to regulated vessels departing an anchorage within the Authority's Area.

### 3.2.1 Two to three hour Initial Information Report if requiring the service of a pilot.

All vessels requiring the services of a pilot must submit via Harwich VTS, not less than 2/3 hours before ETD, a report containing the following;

- Vessel name
- IMO number
- Last port
- Destination
- Draft
- Number of persons on board
- ISPS level
- Pilot required or PEC number
  - ETA at Sunk or Haven pilot station
- ETD from Berth
- Any known defects that may affect navigation or manoeuvrability
- For ultra large container vessels (exceeding 310m loa) - calculated lateral windage area including any deck cargo
- Nominated Hazardous Vessel status

### 3.2.2 Thirty-minute notice & information report

All regulated vessels must submit via Harwich VTS, thirty minutes notice before ETD, and an information report containing the following; (Information report does not need to be provided again if it was provided during the two to three hour initial information report).

- Vessel name
- IMO number
- Last port
- Destination
- Draft
- Number of persons on board
- ISPS level
- Pilot required or PEC number
- ETD from Berth
- Any known defects that may affect navigation or manoeuvrability
- Vessels using either the Sunk or Haven Pilot Station
- Nominated Hazardous Vessel status

### 3.2.3 Final departure report

All regulated vessels must obtain traffic clearance to depart from Harwich VTS on VHF 71 before getting underway. Where a vessel for which permission has been given does not get underway within 15 minutes of the permitted time, the vessel must obtain traffic clearance to depart from Harwich VTS.

### 3.2.4 Departure and Transit Reporting Points

All regulated vessels must report to Harwich VTS (VHF channel 71) at reporting points as marked on the UK Hydrographic Office charts. As summarised below;

No. 4 Orwell Buoy (VHF 68)	Outwards from Ipswich
No. 2 Orwell Buoy (Change VHF 68 /71)	Outwards from Ipswich
Un-berthing or mooring	Prior to navigation
Erwarton Beacon	Outwards from Mistley
No. 8 Buoy	Outwards Deep Water Channel
Cutler Buoy	Inshore costal channel to north
Stone Banks Buoy	Inshore costal channel to south
Harwich Approach Buoy / Cross Buoy	Outwards to north or south
Rough Buoy	South channel outwards
Walker Buoy (To Sunk VTS 'VHF 14')	Outward Deep Water Channel
Mid Bawdsey Buoy	Outwards to the north
Berth or Anchorage	After berthing or mooring or anchoring

## Schedule 4: Notes to pilotage directions

### 4.1 Pilotage directions references

The attention of master's and deck officers is drawn to the application of Section 15, 16, 17, 18, 19 and 20 of the Pilotage Act 1987 (as amended), which are reproduced here:

### Compulsory pilotage

15.
  - 1) A ship which is being navigated in an area and in circumstances in which pilotage is compulsory for it by virtue of a pilotage direction shall be:
    - a) under the pilotage of an authorised Pilot accompanied by such an assistant, if any, as is required by virtue of the direction, or
    - b) under the pilotage of a deck officer possessing a pilotage exemption certificate in respect of that area and ship.
  - 2) If any ship is not under pilotage as required by sub-section (1) above after an authorized pilot has offered to take charge of the ship, the master of the ship shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
  - 3) The master of a ship commits an offence if:
    - a) the ship is navigated in an area in which pilotage direction applies to it.
    - b) the competent harbour authority which gave the direction has not been given pilotage notification.
16. 

#### Liability for ships under compulsory pilotage

The fact that a ship is being navigated in an area and in circumstances in which pilotage is compulsory for it shall not affect any liability of the owner or master of the ship for any loss or damage caused by the ship or by the manner in which it is navigated.
17. 

#### Right of authorised pilot to supersede unauthorised pilot

  - 1) An authorised pilot may, within the harbour in relation to which or a part of which he is authorised, supersede as the pilot of a ship any unauthorised person who has been employed to do it.
  - 2) If the master of any ship navigates it in any part of a harbour under the pilotage of an unauthorised person without first notifying the competent harbour authority that he proposes to do so, he shall be guilty of an offence.
  - 3) If an unauthorised person pilots a ship within a harbour knowing that an authorised pilot has offered to pilot it, he shall be guilty of an offence.
  - 4) If the master of a ship navigating within a harbour knowingly employs or continues to employ an unauthorised person to pilot the ship after an authorised pilot has offered to pilot it, he shall be guilty of an offence.
  - 5) For the purposes of this section:
    - a) a person is an unauthorised person if he is neither an authorised pilot nor the holder of a pilotage exemption certificate in respect of the ship and the area in question; and
    - b) any person (other than the master or one of the crew of the ship) who is on the bridge of the ship or in any other position from which the ship is navigated (whether on board or elsewhere) shall be deemed to be piloting the ship unless he proves otherwise.
  - 6) Any person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding:
    - a) in the case of an offence under sub-section (2) above, level 2 on the standard scale; and
    - b) in the case of an offence under sub-section (3) or (4) above, level 4 on the standard scale
  - 7) Sub-sections (1) to (4) above do not apply:



- a) to a ship which a person is piloting or ordered to pilot in a dockyard port (within the meaning of the Dockyard Ports Regulation Act 1865) in the course of his duties as a servant of the Crown; or
  - b) if the competent harbour authority has directed that those sub-sections shall not apply to movements in its harbour or a specified part of its harbour for the purpose of changing a ship or a ship of a specified description from one mooring to another or of taking it into or out of any dock, to a ship or a ship of that description being moved in that harbour or that part for that purpose;  
But nothing in paragraph (a) above shall be construed as derogating from any immunity which affects such a ship as there mentioned apart from that paragraph.
- 8) A competent harbour authority shall not give a direction under sub-section (7)(b) above unless the area in relation to which it will apply is either:
- a) an area in relation to which a bye-law under section 38 of the Pilotage Act 1983 (exemptions from compulsory pilotage for ships moving within harbours, docks etc.) was in force immediately before the appointed day; or
  - b) a closed dock, lock or other closed work which is not in a former pilotage district.
18. Declaration as to draught etc. of ship
- 1) A pilot may require the master of any ship which is piloting to declare its draft of water, length and beam, and to provide him with such other information relating to the ship or its cargo as the pilot specifies and is necessary to enable him to carry out his duties as the pilot of the ship.
  - 2) The master of a ship shall bring to the notice of any person who pilots the ship any defects in, and any matter peculiar to, the ship and its machinery and equipment of which the master knows and which might materially affect the navigation of the ship.
- PART II
- 3) Any master of a ship who:
    - a) refuses to comply with a request made to him in pursuance of sub-section (1) above, or
    - b) makes a statement which is false in a material particular in answer to such a request, knowing it to be false or being reckless as to whether it is false, or fails without reasonable excuse to correct such a statement made by another person in answer to such a request, although himself knowing it to be false, or
    - c) without reasonable excuse contravenes sub-section (2) above, shall be guilty of an offence.
  - 4) Any person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding:
    - a) in the case of an offence under sub-section (3)(b), level 5 on the standard scale, and
    - b) in any other case, level 4 on the standard scale.
19. Authorised pilot not to be taken out of his area

- 1) A Master of a ship shall not without reasonable excuse take an authorised pilot without his consent beyond the point up to which he has been engaged to pilot the ship.
  - 2) A person who contravenes sub-section (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
20. Facilities to be given for pilot boarding leaving ship
- 1) Where:
    - a) the master of a ship, which is navigating in an area in circumstances in which pilotage is compulsory for it but is not under the pilotage of an authorised pilot or a deck officer possessing a pilotage exemption certificate in respect of the ship and the area, is offered the services of an authorised pilot; or
    - b) If the master of any ship without reasonable excuse contravenes this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
  - 2) If the master of any ship without reasonable excuse contravenes this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

