



**PORT OF  
CROMARTY  
FIRTH**

# Pilotage Regulations

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# PILOTAGE REGULATIONS



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### PILOTAGE ACT 1987

The Department of Transport has classified the Cromarty Firth Port Authority (trading as Port of Cromarty Firth) as a “Competent Harbour Authority” as defined in Section One of the above Act. Section Two of the Act imposes general duties on a Competent Harbour Authority to provide pilotage services within its port area. The Secretary of State announced that the appointed day on which the provisions of the Act would come into force would be 01 October 1988 and the Cromarty Firth Port Authority would assume full responsibility for the provision of pilotage services within the port area from that date.

These directions are made pursuant to Section Seven of the Pilotage Act 1987 as amended and come into force at 0001 hours on 01 June 2019 and supersede all previous editions.

# PILOTAGE REGULATIONS

## 1 Definitions

In these Directions and Regulations:

- Authority:** shall mean Cromarty Firth Port Authority trading as Port of Cromarty Firth.
- Authorised Pilot:** shall mean a person duly authorised by the Port of Cromarty Firth to act as a Pilot for the Cromarty Firth.
- Byelaws:** shall mean the Cromarty Firth Port Authority Byelaws 1985 as amended.
- Hazardous cargo:** shall include any goods or cargo as defined in Regulations 3 of the Dangerous Goods in Harbour Areas Regulations (DHAR) 2016, excluding substances used in the operation of the vessel and not carried out as cargo.
- Length:** shall mean length overall and includes the length of the tow.
- Master:** in relation to a vessel, shall mean any person (except a Pilot) having or taking the command, charge or management of a vessel, for the time being.
- Passenger:** shall have the same meaning as defined in section 26 of the Merchant Shipping Act 1949.
- Port Manager:** shall be defined as the person appointed to this post under section 8 of the Cromarty Firth Port Authority Confirmation Act 1973 as amended.
- Vessel:** shall have the same meaning as defined in Part 1 of the Cromarty Firth Port Authority Order Confirmation Act 1973 as amended.

## 2 Port Limits & Compulsory Pilotage Areas

- 2.1 The Cromarty Firth Competent Harbour Authority controls pilotage within the whole port area under the jurisdiction of the Port of Cromarty Firth, via –

**Inland Limit** – a straight line drawn across the Cromarty Firth from Arduillie Point on the north shore to Findon Pier on the south shore.

**Seaward Limit** – on the north a straight line drawn from the rock which dries 6 feet situated about 0.45 miles 190° from Port an Righ to a position in latitude 57° 42.5' North, longitude 3° 52' West; on the east a straight line drawn from a position latitude 57° 42.5' North, longitude 3° 52' West to a position latitude 57° 38' North, longitude 3° 57' West; on the south so much of a straight line drawn from Navity Chimney to a position in latitude 57° 38' North, longitude 3° 57' West as lies to seaward of the coast.

- 2.2 Pilotage is compulsory in all such parts of the foregoing area of jurisdiction, which lie to the west of longitude 4° West, and for vessels boarding/disembarking a Pilot at the outer pilot station; north of a straight line from a position 57° 40.8 North, 004° 00.0' West to a position 57° 39.6' North, 003° 55.3' West which lies on the seaward limit and south of a straight line from a position 57° 41.6' North, 004° 00.0' West to a position 57° 40.21' North, 003° 54.6' West which lies on the seaward limit (see Appendix B). It should be noted that compulsory pilotage will be subject to which boarding/disembarking station is closed.

## 3 Vessels Subject to Compulsory Pilotage

- 3.1 All vessels 60 meters in Length or over including fishing vessels other than excepted vessels under section 4.
- 3.2 Any vessel over 40 metres in Length carrying over 12 passengers.
- 3.3 Any vessels over 40 metres in Length carrying Hazardous cargo.

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### 4 Vessels Exempted from Compulsory Pilotage

- 4.1 Vessels in the service of the Crown.
- 4.2 Warships under foreign flag.
- 4.3 Vessels under the control of the Northern Lighthouse Board and not undertaking work for commercial gain.
- 4.4 Offshore vessels (AHTS or PSV) less than 100m in Length, proceeding directly to sea after towing a vessel into, or attending to a vessel within the compulsory pilotage area.
- 4.5 Under special circumstances the Port Manager may give permission for a vessel to navigate within the pilotage area without employing an Authorised Pilot.

**NOTE:** Pilotage services will be provided on request to excepted vessels. PoCF strongly advise any excepted vessel requesting the use of a tug should also ask for the assistance of a PoCF qualified Pilot.

### 5 Pilotage Exemption Certificates (PEC)

- 5.1 Full details of the conditions of issue of exemption certificates are set out in Appendix A hereto. The principal conditions are:
  - Fees will be charged in respect to an examination and administration, a further charge will be levied in respect to the administration for annual revalidation. Pilotage dues for a vessel, the navigation of which is being conducted by a PEC holder will be as indicated on the PoCF published schedule of charges in force.
  - A PEC will entitle the holder to pilot the vessel of which he or she is a Deck Officer at the time of examination. The Authority may, at its discretion and on application by the holder, extend the certificate to include other vessels of the same class.
  - Applicants, who must be a qualified Deck Officer, will have performed at least twelve passages (six round trips) to the berths and facilities within each of the Zones being applied for within the twelve months preceding application. At least half the trips inwards and outwards will be undertaken during the hours of darkness.
  - Application must be made on the prescribed form available on request from the Port Manager, Port Office, Shore Road, Invergordon, Ross-shire, IV18 0HD.
  - Applicants must be proficient in the English language and will be examined on the following subjects:
    - General navigation
    - Experience and local knowledge
    - Pilotage in the port area
- 5.2 Certificates are renewable annually, subject to meeting the requirements. Application for renewal should be made at least one month in advance of the expiry date.
- 5.3 Both the application for issue and renewal of certificates must be submitted with a valid medical certificate showing the candidate is fit to be employed as a certified Deck Officer in a sea going capacity.
- 5.4 The Authority has powers to withdraw certificates in defined circumstances (see Appendix A, Section 11).

### 6 Conditions of Engagement of Pilotage Services

- 6.1 The Master of a vessel proceeding to the pilotage district and requiring the services of a Pilot shall give to Cromarty Firth Port Radio not less than 12 hours' notice of the vessels ETA at the Port entrance; this ETA should be updated 6 hours and 2 hours from the pilot boarding station. Where possible the Master of a vessel

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should always arrange to provide Cromarty Firth Port Radio with a minimum of 24hours notice of a vessel's requirement for an Authorised Pilot.

- 6.2 The Master of a vessel intending to leave or move within the pilotage district and requiring the services of a Pilot shall give to the pilotage Authority not less than 2 hours' notice of the expected time of departure from the berth or mooring.
- 6.3 The seaward point of boarding or landing a Pilot is normally at mid-channel on Longitude 4° West; however, boarding or landing will be carried out at the region of the Fairway Buoy on request or subject to the size/type of vessel. The position of boarding or landing may be varied at the discretion of the duty Pilot taking into account such matters as weather conditions, the type of vessel involved, means of access thereto and levels of traffic prevailing at the time. Pilots will only be considered to have the conduct of the vessel when inside of the compulsory pilotage area as outlined in Section 2.2 and Appendix B.
- 6.4 The circumstances in which an Authorised Pilot is to be accompanied by an assistant Pilot, shall be determined by risk assessment following consultation with the Port Manager, taking into account the size, characteristics of the vessel, its equipment, cargo, crew, or the meteorological or tidal conditions.

## 7 Vessel Measurement

- 7.1 Charges relating to certified tonnage will be calculated on:
  - The gross tonnage of a certificate issued in terms of the International Convention on Tonnage Measurement of Ships 1969, failing which,
  - The gross registered tonnage of a certificate issued under the Oslo Convention 1947 plus the total of tonnage listed as exempted and/or Unmeasured spaces on the certificate.
- 7.2 Where a vessel, such as a warship, has no certified tonnage as defined in 7.1 above and where a free-floating structure, not being a vessel, is in like circumstances then they will be deemed to have a certified tonnage equivalent to 60% of their displacement tonnage.

## 8 Pilotage Dues & Charges

- 8.1 Charges for pilotage services including boarding and landing of Pilots will be levied as per the Port's published tariff.
- 8.2 The Authority may from time to time levy charges for exempt movements under Section 10(3) of the Pilotage Act 1987.
- 8.3 For the purposes of calculating charges the chargeable time will be reckoned from the time of departure of the Pilot from the pilot office to the time of his return thereto.
- 8.4 Vessels, which are towing or being towed by another vessel under pilotage shall pay pilotage dues as if the Pilot were on board.
- 8.5 Vessel being led within the pilotage area by a vessel, which is under pilotage, shall pay pilotage dues as if the Pilot were on board.
- 8.6 Employees of the Authority undergoing training may from time to time accompany the Pilot, but no extra charge shall be levied on any vessel in respect of such trainees.

## 9 General Direction to Shipping & Local Notices to Mariners

- 9.1 General Directions to shipping and local Notices to Mariners shall be issued and promulgated separately to these Pilotage Regulations, it is the responsibility of Masters, Pilots and PEC holders to maintain their knowledge and understanding of these.

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### 10 Reporting of incidents

- 10.1 Reports shall be made under the circumstances in The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 as amended and associated MCA Marine Notices. In addition, a report shall initially be made verbally to and a written report submitted by the Pilot or exemption holder addressed to the Port Manager within 24 hours of the incident taking place.

### 11 Communications

- 11.1 To contact the pilotage service by radio call "Cromarty Firth Port Radio" on Channels 11 or 16.



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## Appendix A

### PILOTAGE EXEMPTION CERTIFICATES (PEC) – CONDITIONS OF USE

#### 1. GEOGRAPHICAL AREA

- 1.1 Certificates will be issued, and examinations conducted for that part of the port area of Port of Cromarty Firth (PoCF) lying west of longitude 4° West.
- 1.2 The issued PEC will be restricted to the berths and facilities outlined within the following zones:
  - Zone 1: Nigg Energy Park and Nigg Oil Terminal up to Longitude 004° 03.5 West
  - Zone 2: Saltburn Pier up to Longitude 004° 09.0' West
  - Zone 3: Admiralty Pier and Invergordon Service Base up to Longitude 004° 12.0' West
  - Zone 4: Highland Deephaven Jetty up to Latitude 057° 39.7' North

#### 2. FEES

- 2.1 Issue of a PEC by examination (see PoCF's published schedule of charges in force).
- 2.2 Renewal of PEC (see PoCF's published schedule of charges in force).
- 2.3 Pilotage dues for a vessel, the navigation of which is being conducted by a PEC holder (see PoCF's published schedule of charges in force).

#### 3. EXTENT OF EXEMPTION

- 3.1 A PEC will entitle the holder to pilot the vessel, of which he or she is a certified Deck Officer, to the facilities and berths within a particular zone and includes all anchorages within and to the east of that zone and which lie within the Cromarty Firth compulsory pilotage area.
- 3.2 A PEC will not permit the holder to pilot a vessel to a facility within another zone of the Cromarty Firth.
- 3.3 A PEC will not normally be issued for vessels greater than 125m LOA or where another vessel or craft is required to assist in respect to towing and manoeuvring.
- 3.4 The Authority may, at its discretion and on application by the holder, extend the certificate to include other vessels of the same class.

#### 4. EXPERIENCE REQUIRED

- 4.1 The extent of local knowledge and experience required by a Deck Officer before being granted a PEC will depend upon the size and class of vessel concerned.
- 4.2 A candidate for a PEC will normally have performed at least twelve passages (six round voyages) within the last year, in respect of facilities within the zone for which the exemption is being requested, under the supervision of a Authorised Pilot (at least fifty percent of these passages must be undertaken during the hours of darkness). In addition, the applicant must:
  - Have a valid certificate of competency as Deck Officer
  - Be a bona fide Deck Officer responsible for navigation
  - Provide evidence of current medical fitness
  - Have a thorough understanding of own vessel handling characteristics
  - Have knowledge of own vessels squat and interaction
  - Have a satisfactory working knowledge of the English language
  - Be able to prepare, implement and provide pilotage passage plan
  - Be able to prepare and implement a blind pilotage passage

#### 5. APPLICATION FOR A PEC

- 5.1 Application must be made on the prescribed application form, a copy which can be obtained from the Port Office and shall be accompanied by the appropriate supporting documents and fee.

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### 6. PARTICULARS OF EXAMINATION

6.1 Applicants for PEC's are to display a satisfactory working knowledge of the English language and are to make themselves thoroughly acquainted with the following subjects:

#### General Navigation

The application to pilotage of:

- Relevant knowledge of the Pilot Act 1987 and Port Marine Safety Code
- Byelaws, Regulations and Directions for navigating in the compulsory pilotage area
- Cromarty Firth Port Radio
- Communication procedures – VHF channels, reporting points, etc.
- Relevant local Notices to Mariners

#### Experience and Local Knowledge

The candidate's experience will be determined by their ability to demonstrate detailed local knowledge with particular reference to:

- Coastal features
- Navigational Marks
- General direction of tidal streams
- Passage planning and critical areas of navigation
- Traffic movement and patterns
- Pilotage District and Harbour Limits
- Names of wharves, jetties and berths and knowledge of berthing/unberthing manoeuvres and limitations

#### Pilotage in the Compulsory Pilotage Area

A detailed knowledge will be required of:

- Port Radio communications – VHF channels, reporting points, etc.
- The names and characteristics of navigation lights, their ranges and arcs of visibility
- The names and characteristics of buoys, beacons and other seamarks
- The names and locations of headlands, points and shoals in the district
- The bearing and distance from one buoy to another
- Passage courses and distances in the area
- Passage abort positions
- The depths of water throughout the area, particularly at the buoys
- The set, rate, rise and duration of the tides and the use of Tide Tables
- Clearing marks for shoals and points visually by day or night and by radar
- Significant radar patterns of aids to navigation and the use of parallel indexing
- The names or numbers of the anchorages, their position, use and limitations
- Restricted areas and zones, submarine cables, pipelines etc.
- Vessel handling characteristics of own vessel, squat and interaction with other vessels
- Limitations and restriction of other vessels requiring special consideration
- Local Emergency Plans, oil spill contingency plans and procedures
- Restricted visibility procedures
- Any other relevant information at the discretion of the examiners

### 7. CONDUCT OF THE EXAMINATION

7.1 The examining panel will normally consist of the following as a minimum:

- The Port Manager/his delegate
- A suitably qualified Pilot employed by PoCF
- An independent observer if available, i.e. Ships agent, owner's representative, other

7.2 The examination will be conducted at a date, time and place determined by Port of Cromarty Firth.

7.3 The depth of questioning on a particular subject will depend upon the type and size of the vessel for which a certificate is required.

### 8. CONDITIONS FOR RENEWAL OF CERTIFICATES

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- 8.1 Certificates shall be renewable annually and application should be made at least one month in advance of expiry date. Where PEC's are renewed continuously a full reassessment and re-examination will be undertaken every 3 years.
- 8.2 Renewal will depend on the holder having completed at least twelve passages (six round trips) to each of the zones exempted, in the previous 12 months, with at least fifty percent of these being undertaken during the hours of darkness.
- 8.3 Written confirmation of the officer's knowledge of any relevant changes affecting navigation in the areas concerned.
- 8.4 Written confirmation of the officer's continued certificate validation and medical condition.

### **9. MIS-USE OF PECS**

- 9.1 No person other than the official nominated by Port of Cromarty Firth shall make any alteration to a PEC.
- 9.2 No PEC shall be used by any person other than the duly authorised holder.

### **10. GENERAL DUTIES OF HOLDERS OF PECS**

Every holder of a PEC shall:

- 10.1 On a vessel piloted or to be piloted by him or her, behave with the utmost care and diligence in order to conduct the navigation of the vessel safely and to avoid damage to any other vessel or property and be fully aware of the requirements to be met by the Railways and Transport Safety Act 2003 and associated legislation.
- 10.2 In all respects and at all times obey the bye-laws, rules and regulations of Port of Cromarty Firth, and obey and execute all lawful orders or directions given by the Port Manager or other officer of that Authority relative to the berthing, towing or moving of any vessel being piloted by him or her.

### **11. SUSPENSION AND REVOCATION OF PECS**

- 11.1 As the Competent Harbour Authority, Port of Cromarty Firth may suspend or revoke a PEC issued by them. Any such suspension or revocation shall be undertaken in line with the Pilotage Act 1987 (as amended).

Appendix B

