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DUBLIN PORT COMPANY**

**DUBLIN PORT COMPANY
PILOTAGE BYE-LAWS**

1st May 2012

DUBLIN PORT COMPANY

PILOTAGE BYE-LAWS

Dublin Port Company, in exercise of the powers conferred on it by section 71 of the Harbours Acts 1996 hereby makes these Pilotage Bye-Laws.

Interpretation:

1. (1) In these Bye-Laws:

“the Act” means the Harbours Acts 1996(as amended);

“Certificated Officer” means a person who in respect of a ship holds a Pilotage Exemption Certificate applicable thereto;

“the Collision Regulations” means the International Regulations for Preventing Collisions at Sea, 1972; with any subsequent amendments, additions or deletions;

“the Company” means Dublin Port Company (Registered in Ireland with Limited Liability.(Certificate Number 262367)

“Exempted Ships” means the ships described in Bye-Law 2 (2) but excluding the ships described in Bye-Law 2 (3);

Gross Tonnage means Gross Tonnage as defined in the Oslo Agreement 1969

“Harbour Master” means the harbour master of the Company and includes persons authorised pursuant to Section 37 (1)(b) of the Act;

“Length” means the overall length of a ship;

“Notices to Mariners” means Notices to Mariners issued from time to time by the Company, Dun Laoghaire Harbour Company, the Department of Transport, Tourism and Sport and The Commissioners of Irish Lights;

“Passenger Certificate” means a certificate issued by a competent authority allowing the ship to carry in excess of 12 passengers;

“Pilot” means a person employed as a pilot by the Company pursuant to section 56 (1)(a) of the Act and to whom a Warrant has been issued by the Company;

“Pilot Bond”	The Pilot Bond, as provided, is in the form set out in the Second Schedule and is hereby prescribed as being the form of Bond referred to in Section 70(1) of the Harbours Act 1996 and as amended by Section 14 of the Harbours (Amendment) Act 2009.
“Pilotage District”	means the pilotage district as defined in section 57 and Part II of the Third Schedule to the Act;
“Pilotage Exemption Certificate”	means a pilotage exemption certificate issued pursuant to Bye-Law 4;
“Pilotage Exemption Certificate (Restricted)”	means a Pilotage Exemption Certificate (Restricted) issued pursuant to Bye- Law 4 of these Bye- Laws, which is valid for ships only departing from the Port of Dublin and not greater than 135 metres length overall.
“Port”	means all ports and harbours within the Pilotage District from time to time;
“Port Bye-Laws”	means all the bye-laws for the time being in operation in relation to the Port;
“Tonnage Certificate”	means an International Tonnage Certificate issued under the provisions of the International Convention on Tonnage Measurement of Ships, 1969;
VTS	“Vessel Traffic Services” is the Port traffic control station that organises and controls all vessel movements within the jurisdiction of Dublin Port Company. All directions from VTS will (unless the contrary is stated) be presumed to come from the Harbour Master;
“Warrant”	means a warrant issued by the Company to a Pilot pursuant to section 58 (6) of the Act.

- (2) Unless the contrary intention appears, words and expressions contained in these Bye-Laws shall bear the same meaning as in the Act.
- (3) In these Bye-Laws every word importing the singular shall, unless the contrary intention appears, be construed as if it also imported the plural, and every word importing the plural shall, unless the contrary intention appears, be construed as if it also imported the singular.
- (4) In these Bye-Laws every word importing the masculine gender shall, unless the contrary intention appears, be construed as if it also imported the feminine gender and any word importing the feminine gender shall, unless the contrary intention appears, be construed as if it also imported the masculine gender.

- (5) Any reference in these Bye-Laws to, or to any provision of, any enactment, regulations, convention, maritime agreement or any other bye-laws shall be construed, unless the context otherwise requires, as a reference to such enactment, regulation, convention, maritime agreement, bye-laws or such provision thereof as amended, re-enacted or replaced, whether before or after the commencement of these bye-laws, by any other subsequent enactment, regulation, convention, maritime agreement or bye-laws.

Compulsory Pilotage and Exempted Ships:

- 2 (1) Pilotage shall be compulsory for every ship (other than an Exempted Ship) while navigating in the Pilotage District for the purpose of entering, leaving or making use of any part of the Pilotage District, and every ship (other than an Exempted Ship) while navigating in the Pilotage District for such purpose shall be either:
- (a) under the pilotage of a Pilot, or
 - (b) under the pilotage of the master or a Certificated Officer who holds a current Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) in respect of that ship.
- (2) The following classes of ships shall (subject to Bye-Law 2(3)), be Exempted Ships:
- (a) ships owned by the State;
 - (b) pleasure craft and sail training ships when engaged in sail training;
 - (c) fishing vessels not more than 70 metres in length;
 - (d) ships of not more than 70 metres in length;
 - (e) ships of not more than 95 metres in length on departing to sea subject to the prior approval of the Harbour Master;
 - (f) ships the property of or engaged by the Commissioners of Irish Lights, (responsible for the care and maintenance of lighthouses in the State), while engaged in carrying out their duties;
 - (g) ships the property of or engaged by the Company;
 - (h) ships which are moving from one berth within the Port to another berth within the Port but subject to the prior approval of the Harbour Master;
 - (i) tugs, dredgers, hoppers, barges and other similar ships subject to the prior approval of the Harbour Master; and

- (j) ships navigating within the pilotage district but outside the seaward limit of the fairway or Dun Laoghaire Harbour, subject to the prior approval of the Harbour Master.
 - (3) Notwithstanding Bye-Law 2 (2) the following shall not be Exempted Ships:
 - (a) ships over 24 metres in length with a Passenger Certificate; and
 - (b) ships carrying hazardous cargoes in bulk i.e: in tanks which are an integral part of the ship's structure or such ships which are not gas free.
 - (4) The Harbour Master may, in his absolute discretion limit or temporarily suspend Bye-Law 2(1) or 2(2) in whole or in part from time to time, and furthermore may in his absolute discretion require any Exempted Ship whilst entering, leaving or making use of the Pilotage District to be under the pilotage of a Pilot or Master / Certificated Officer who holds a current Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) in respect of that ship.
 - (5) Such ships as are included in sub-paragraph 2 (e), i.e. more than 70 metres but no more than 95 metres and those ships departing with a Pilot Exemption Certificate (Restricted) holder on board shall be liable for pilotage dues at 25% of the appropriate rate.
3. When a Pilot is carried away outside the Pilotage District, the ship owner or his representative shall ensure that the Pilot is returned without delay by the most expeditious means.

4. **Pilotage Exemption Certificates.**

Every applicant for a Pilotage Exemption Certificate or a Pilotage Exemption Certificate (Restricted) must comply with the conditions laid down in section 72 of the Act, 1996 as amended by Section 15 of the Harbours (Amendment) Act 2009. Additionally:

- (1) an applicant for a Pilotage Exemption Certificate or a Pilotage Exemption Certificate (Restricted) shall produce a written statement of sobriety and good conduct from his employer and, if required by the Harbour Master, from all other employers for whom the applicant has served during the twelve months prior to his application;
- (2) a Pilotage Exemption Certificate or a Pilotage Exemption Certificate (Restricted) shall not be granted to an applicant unless the applicant holds the certificate referred to in section 72 (1)(c) of the Act;

- (3) a Pilot Exemption Certificate or a Pilotage Exemption Certificate (Restricted) shall not be granted to an applicant unless the applicant holds a valid “Bridge Resource Management” certificate
- (4) an applicant for a Pilotage Exemption Certificate or a Pilotage Exemption Certificate (Restricted) shall not be examined for or granted a Pilotage Exemption Certificate or a Pilotage Exemption Certificate (Restricted) unless he has, within the 12 months prior to application, made at least six voyages into and six voyages out of the Pilotage District, as a person bona fide acting in charge of a ship. Two voyages (one in and one out) must be carried out during the hours of darkness.
- (5) every applicant for a Pilotage Exemption Certificate must present himself for an examination before the Harbour Master or a person nominated by the Harbour Master and give a correct and seamanlike description of the channels, fairways, harbours, docks, wharves and piers of the Pilotage District, the rise and set of the tides, the depths and character of soundings, the anchorages, the distances and courses between any two places, the banks, rocks, shoals and other dangers, and the land marks, beacons, perches, buoys and lights within or in any manner connected with the Pilotage District. He must also satisfy the Harbour Master and the other examiners (if any) that he has a competent knowledge of the management and behaviour of all classes of ships, mooring, unmooring and getting underway, as well as situations of close quarters, restricted and hampered vessel movements. He must also have a competent knowledge of the Collision Regulations, all relevant bye-laws in force within the Pilotage District, the regulations of the Port, Notices to Mariners, Port operational knowledge, including VHF and VTS procedures and knowledge of the use of tugs
- (6) every applicant for a Pilotage Exemption Certificate (Restricted) must present himself for examination before the Harbour Master or a person appointed by the Harbour Master and give a correct and seamanlike description of the channel, the rise and set of the tides, the depths, the banks, rocks, shoals and other dangers and the land marks, beacons, perches, buoys and lights connected therewith. He must also satisfy the Harbour Master or a person appointed by the Harbour Master that he has a competent knowledge of the management and behaviour of his ship when unmooring and getting underway, as well as situations of close quarters, restricted and hampered vessel movement. He must also have a competent knowledge of the Collision Regulations, all relevant bye-laws in force within the Pilotage District, the regulations of the Port, Notices to Mariners, Port Operational knowledge including VHF and VTS procedures and knowledge of the use of tugs

5. Every person applying for examination for a Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) shall pay the fee stipulated in the Company’s schedule of pilotage charges. Upon the issue, renewal or amendment of a Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted), fees as per the Company’s schedule of pilotage charges shall be paid to the Company by or on behalf of the person to whom the Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) is issued.

6. A Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) shall be in the relevant form specified in the Third or Fourth Schedule to these Bye-Laws.
7. (1) Pilotage Exemption Certificates or Pilotage Exemption Certificate (Restricted) shall be renewed on the first day of August each year.
(2) The renewal of a Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) is contingent on the holder of the certificate producing documentary evidence to support his having completed six voyages into and six voyages out of the Pilotage District in the preceeding twelve months ending 30th June.
(3) Failure to produce such supporting documentation by the 15th July each year will result in the non-renewal of the Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted). There will then be a requirement for the holder to apply for re-examination.
8. Every Certificated Officer shall observe and act in accordance with the Act and these Bye-Laws and shall obey all lawful orders given by the Harbour Master and shall observe and act in accordance with all Notices to Mariners and all bye-laws of the Port.
9. Every Certificated Officer shall, upon being required to do so by a notice signed by the Harbour Master, attend before the Harbour Master or a board of enquiry to answer any complaint or charge that may be made against him.
10. If any accident or damage happens to or is caused by or involves a ship in the charge of a Certificated Officer, the Certificated Officer shall without delay, report the facts in writing to the Harbour Master.
11. (1) A Certificated Officer in charge of a ship shall report his certificate number to "VTS" before he enters, leaves or navigates within the Pilotage District. Any deficiencies, which might affect the safe navigation of the ship, must also be reported to "VTS" as soon as possible.
(2) A Certificated Officer who witnesses the discharge into the waters of the Pilotage district, of any oil, oily water mix or garbage, shall immediately report the same to "VTS" as soon as possible.
12. Whenever a Certificated Officer observes any alteration in any of the banks or channels, or that any of the buoys or beacons are not operating correctly, or are damaged or are out of place or observes any circumstance affecting the safety of navigation within the Pilotage District, he shall immediately advise "VTS" of the facts and as soon as practicable send a statement thereof in writing to the Harbour Master.
13. The Company may suspend, revoke, or refuse to renew the Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) of a Certificated Officer who is in breach of these Bye-Laws. The Harbour Master may, at his sole discretion, suspend a Pilotage Exemption

Certificate or Pilotage Exemption Certificate (Restricted) whilst an investigation is being carried out by the Harbour Master, should he deem it necessary.

14. (1) A Certificated Officer may not pilot any ship within the Pilotage District other than a ship to which his Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) applies.

(2) A Certificated Officer may not add to or in any way alter his Pilotage Exemption Certificate or Pilotage Exemption Certificate (Restricted) or make or alter any endorsement thereon
15. The presence of a Pilot or Pilot Exemption Certificate holder (including Restricted) does not relieve the master or the officer in charge of the navigational watch from their duties and their obligations for the safety of navigation and the safety of the ship.
16. Before the pilotage commences the Pilot or Pilot Exemption Certificate holder, the master and members of the bridge team are to be aware of their respective roles and responsibilities.
17. The role of the Pilot Exemption Certificate holder (including Restricted) while within the Pilotage District is primarily the safe navigation of the vessel. He should not, without valid reason, become directly involved in the steering of the ship.
18. The master and pilot should exchange information regarding navigational procedures, local conditions and rules and the ships characteristics using the Company's standard "Master / Pilot Exchange" form and the ships "Pilot Card". This exchange of information should be a continuous process that generally continues for the duration of the pilotage.
19. Under no circumstances should the master, pilot or pilotage exemption certificate holder (including restricted) be alone on the bridge while the vessel is manoeuvring on / off the berth or while navigating within the pilotage district.
20. The Master must have immediately available, a qualified helmsman to take over the manual steering when it becomes necessary to change over from automatic.
21. Every Pilot and Pilot Exemption Certificate holder (including restricted) must satisfy the Harbour Master as to his medical fitness, particularly regarding eyesight, hearing and physical fitness in that they meet the standards required for the certification of masters and officers in charge of a navigational watch under the international convention on Standards of Training, Certification of Watchkeepers for Seafarers, 1978, as amended.
22. A valid Medical Certificate must be provided each year when applying for the renewal of a Pilotage Exemption Certificate. If and when a Medical Certificate becomes invalid during the intervening period, the replacement Medical Certificate must be supplied to the Harbour Master as soon as is

practicable. Failure to do so, without valid reason, will result in the Pilotage Exemption Certificate being suspended

23. In order to ensure continued proficiency with the latest aids to navigation and maintain up-to-date navigational knowledge for Dublin Port, the Pilots and Pilot Exemption Certificate holders (including restricted) are required to be re-examined by the Harbour Master or Assistant Harbour Master in the requisite knowledge as specified in Section 4 of these bye-laws, at intervals not exceeding five years.
24. Every Pilot Exemption Certificate holder (including Restricted) should make at least two visits per year to the Dublin Port Operations Centre to view the latest hydrographic soundings for the Pilotage district.
25. Every candidate for a “Pilot Exemption Certificate” must be present on the navigating bridge of the vessel for the duration of all the voyages within the pilotage area that he is claiming as a qualifying voyage. He must also have had effective responsibility for the conduct of the vessel during that voyage albeit under the supervision of a Pilot or Pilot Exemption Certificate holder.
26. Every candidate for a “Pilot Exemption Certificate” must record the details of a qualifying voyage in the “Record of Qualifying Voyages” form, as supplied by Dublin Port Company. These details should be signed by the applicant and countersigned by the Pilot or Pilot Exemption Certificate holder present during that qualifying voyage.
27. Prior to being examined for a “Pilot Exemption Certificate” the candidate may need to be assessed regarding his ship handling ability by means of a “Check Ride”, witnessed by the Harbour Master or Assistant Harbour Master. This “Check Ride” shall preferably be inward bound during the hours of darkness and under the supervision of a Pilot or Pilot Exemption Certificate holder.

Pilotage Charges.

28. The master or owner of a ship shall pay the pilotage charges specified in the Company’s schedule of pilotage rates, which schedule may be revised from time to time.

General.

29. (1) Notwithstanding anything else contained in these Bye-Laws, a ship (other than a pleasure craft) shall not be moved or navigated within the Pilotage District without (immediately prior to the move) first obtaining permission from “VTS” to move:

- (a) into or out of or within the Pilotage District;
 - (b) in or across the Port fairway;
 - (c) into or out of or within any dock or basin within the Port; or
 - (d) from berth to berth or along a berth within the Port.
- (2) The Harbour Master may at his absolute discretion from time to time apply Bye-Law 29 (1), by notice to all or any pleasure craft.
- 30.** The Bye-Laws relating to Pilotage, made by Dublin Port Company being the Pilotage Authority for the Dublin Pilotage District made 31st March 2005 and all previous Bye-Laws are hereby revoked
- 31.** These Bye-Laws have come into force on the 01st May 2012

FIRST SCHEDULE



PILOT WARRANT

.....[NAME] is hereby warranted with effect from the
.....] DATE]..... for a period of not more than 5 years, to
discharge the duties of a pilot to all classes of ships, subject to
the limitations specified overleaf, within the Pilotage District of
the Dublin Port Company as provided for in the Harbours Act,
1996, 2000 and the applicable Bye-Laws.

Signature of Pilot :

Given under the Seal of Dublin Port Company

Date:

Chief Executive.....

Secretary

LIMITATIONS

Authorised to pilot any vessel not exceeding 90 metres LOA and a draft in water not exceeding 7.00 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 110 metres LOA and a draft in water not exceeding 7.00 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 135 metres LOA and a draft in water not exceeding 7.00 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 135 metres LOA and a draft in water not exceeding 7.80 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 150 metres LOA and a draft in water not exceeding 7.80 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 170 metres LOA and a draft in water not exceeding 7.80 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 190 metres LOA and a draft in water not exceeding 7.80 metres.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 220 metres LOA.

Date: _____ Signature: _____.

Authorised to pilot any vessel not exceeding 250 metres LOA.

Date: _____ Signature: _____.

Authorised to pilot any vessel.

Date: _____ Signature: _____.

SECOND SCHEDULE

POLICY HOLDER:	Dublin Port Company
TYPE OF POLICY:	Pilots Bond
NEXT RENEWAL DATE:	March of next year

Covering the Pilots' Liability on account of neglect or wants of skill, as per the requirements of the Harbours Act, 1996 (as amended) and subsequent Bye-Laws.

Limit of Liability: €2,500.00 per pilot

Schedule of Pilots: All warranted pilots

RENEWAL

Renewed pursuant to the Harbours Act, 1996 as under:-

Renewed this first day of August, 20	Secretary
Renewed this first day of August, 20	Secretary
Renewed this first day of August, 20	Secretary
Renewed this first day of August, 20	Secretary
Renewed this first day of August, 20	Secretary
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Renewed this first day of August, 20	Secretary
Renewed this first day of August, 20	Secretary

NOTICE TO HOLDER OF CERTIFICATE

The holder of this certificate will receive therewith:-

- (1) A copy of the Harbours Act, 1996 (Part IV) and Harbours (Amendment) Act 2000 and 2009.
- (2) A copy of the Bye-Laws for the regulation of Pilotage in the said Pilotage District and must make himself acquainted with the duties devolving on him as prescribed therein and the penalties attaching to breaches thereof.

Particular attention is directed to the following:-

- (1) The necessity for the annual renewal of a pilotage certificate on the first day of August.
- (2) Sub-sections 4 and 5 of Section 72 of the Harbours Act, 1996 enabling certificates to be extended to other ships to which the holder may be transferred and belong to the same owner.

FOURTH SCHEDULE

DUBLIN PORT COMPANY

PILOTAGE DISTRICT

Note: claiming to pilot his vessel by virtue of this certificate, is required to produce the same to any pilot duly warranted for the navigation hereinafter expressed, or such pilot tendering his services.

No

PILOTAGE EXEMPTION CERTIFICATE **(RESTRICTED)**

Dublin Port Company, in pursuance and by virtue of the powers given to it by Section 72 of the Harbours Act, 1996 having first by itself or by its predecessor the Dublin Port and Docks Board duly examined of aged years, height , colour of hair, colour of eyes, complexion, being the of the ship called of drawing of water, and of tons Gross and tons Net Register whereof is the Owner, (as defined in Section 72 (6) of the said Act) and having upon such examination found to be a fit and competent person to pilot the said ship, subject to the limitations specified below, within the Pilotage District of Dublin Port Company as described in the said Act do hereby certify that he has been found fit to pilot the said ship within those limits.

And this Certificate (if the same shall not have been revoked or suspended in the meantime as in the said Act provided) is to continue in force up to and until the [date] , after which it shall be subject to renewal from time to time by endorsement hereon or otherwise.

Given under the Seal of
Dublin Port Company
this day of

Director

Secretary

<u>LIMITATIONS :</u>	This "Pilotage Exemption Certificate (Restricted)" is only valid for ships
	1. Departing from the Port of Dublin
	2. <u>Not greater than 135 metres Length Overall</u>
	3. Does not include Dun Laoghaire
	4. Passed for draft not exceeding metres

Particulars of other ships, if any, to which the Pilotage Authority have made this Certificate relate in accordance with their powers under section 72 (5) of the Harbours Act, 1996					
Ship's Name	IMO Number	Maximum Draft	Tonnage		Port of Registry
			Gross	Net	

RENEWAL

Renewed pursuant to the Harbours Act, 1996 as under:-

Renewed this first day of August, 20	Secretary
Renewed this first day of August, 20	Secretary
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NOTICE TO HOLDER OF CERTIFICATE

The holder of this certificate will receive therewith:-

- (1) A copy of the Harbours Act, 1996 (Part IV) and Harbours (Amendment) Act 2000 and 2009.
- (2) A copy of the Bye-Laws for the regulation of Pilotage in the said Pilotage District and must make himself acquainted with the duties devolving on him as prescribed therein and the penalties attaching to breaches thereof.

Particular attention is directed to the following:-

- (1) The necessity for the annual renewal of a pilotage certificate on the first day of August.
- (2) Sub-sections 4 and 5 of Section 72 of the Harbours Act, 1996 enabling certificates to be extended to other ships to which the holder may be transferred and belong to the same owner.

