

Fact Sheet

Pilotage, Pilotage Areas and Pilotage Authorities

What is Pilotage and Who does it?

Pilotage is the most important risk control applied to the hazards associated with shipping in ports. Harbours and ports are valuable pieces of infrastructure and require careful management of the risks as ships move in, out and about ports. Virtually every port in the world employs pilots as a risk control.

Pilotage is the conduct of a ship through a navigationally constrained area by a suitably qualified, experienced and licensed expert (the pilot). A licensed pilot is a person who holds a current pilots licence issued by a Pilotage Authority¹.

Pilots not only have intimate knowledge of their home port, but they are also highly trained in the art of ship handling. It is chiefly these two factors – local knowledge and ship handling skill – that contribute to reducing risk to the infrastructure, the environment and the social value of our ports and waterways.

A pilot has been trained and assessed as competent to conduct pilotage in a wide variety of ships (with varied propulsion systems, ship handling characteristics and idiosyncrasies). The pilot has intimate local knowledge of the waterway for which he/she is licenced and has been assessed across the spectrum of likely scenarios; including emergencies.

A ship's master who frequents a port can apply for an exemption from pilotage². He/She must demonstrate two key elements of competence; local knowledge and ship handling skills in the vessel of which they are Captain³. In Darwin this is limited to ships less than 100m in length and using not more than one tug.

Where is Pilotage Required in the NT?

The *Ports Management Act* provides for the the Minister to declare Pilotage Areas⁴. In the NT there are three; Darwin, Gove, and Groote Eylandt⁵.

Each Pilotage Area has a Pilotage Authority⁶ who must set the standards for pilotage and the provision of pilotage services⁷. Darwin is a designated port and consequently the Regional Harbourmaster is also the Pilotage Authority⁸. Neither Gove nor Groote Eylandt has been designated as a port but both have been declared as pilotage areas and Pilotage Authorities have been appointed⁹.

The Minister has appointed a pilotage services provider¹⁰ for the Darwin pilotage area but has not made any appointment for Gove or Groote Eylandt.

The Pilotage Authority

The duties and responsibilities of the Pilotage Authority are described in the *Ports Management Act* and *Regulations*. They include:

- Declaring pilotage as compulsory in the whole or specified parts of a pilotage area¹¹;
- Publish the declaration of compulsory pilotage in in the Gazette if the pilotage authority is a public sector entity or otherwise in a newspaper circulating generally in the Territory¹²;
- May exempt certain vessels or classes of vessel from the requirement for pilotage¹³;
- Where the Pilotage Authority is not a public sector entity, provide a copy of a declaration of compulsory pilotage to the Director¹⁴ within 3 days after its publication¹⁵;
- Make *Technical and Safety Standards for Pilotage and the Provision of Pilotage Services* for the pilotage area, having regard to any Marine Order made under the *Navigation Act 2012* (Cth) and order made under the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* (Cth) and any other relevant law of the Territory or the Commonwealth¹⁶;
- Notify the making of the standards by Gazette notice¹⁷;
- Publish the standards on the Internet¹⁸;
- Provide a copy to the port operator (if applicable) and pilotage service provider for the pilotage area¹⁹;
- Issue, renew, vary or limit pilot licences and pilotage exemption certificates²⁰ on forms approved by the Minister²¹;
- In order to issue a licence, the Pilotage Authority must be satisfied as to the physical and mental fitness of the applicant to carry out pilotage duties and the competence of the applicant to navigate a vessel, of the relevant size or kind, through the pilotage area²²;
- Suspends or cancels pilot licences or pilotage exemption certificates in the event of misconduct²³;
- May initiate an inquiry into misconduct by a pilot²⁴;
- If the Pilotage Authority refuses to issue or renew, or decides to specify or vary a condition of, or suspends or cancels a pilotage licence or pilotage exemption certificate the Pilotage Authority must, as soon as practicable after making the decision, give written notice of it to the person specifying the reasons for the decision and that the person has a right to have the decision reviewed by the Tribunal²⁵;
- Monitors performance of the pilots, pilot exempt masters and pilotage services provider;
- Monitor vessels entering, plying or moving in or leaving the pilotage area and evaluate whether they pose a special risk or danger based on the condition of the vessel and its equipment, the nature and condition of any cargo carried, whether or not there is a nuclear power source on the vessel, and the circumstances of, and the conditions within, the particular pilotage area. Having formed such an opinion, the Pilotage Authority may require the master of a vessel otherwise exempt from pilotage to have on board a licensed pilot²⁶;
- Monitor vessels entering, plying or moving in or leaving the pilotage area and evaluate whether it is necessary, having regard to the safety of the vessel or of a person on board the vessel, for the vessel to be immediately brought into, moved within or taken out of a compulsory pilotage area and provide authorisation for such a vessel to proceed without a licences pilot on board²⁷; and
- Investigate complaints against a licensed pilot²⁸.

¹ *Ports Management Act* (PMA), Section 3

[http://notes.nt.gov.au/dcm/legislat/legislat.nsf/64117dddb0f0b89f482561cf0017e56f/a7d35024001478c169257fd1008395b5/\\$FILE/ATT8JRQ9.pdf/Repp104.pdf](http://notes.nt.gov.au/dcm/legislat/legislat.nsf/64117dddb0f0b89f482561cf0017e56f/a7d35024001478c169257fd1008395b5/$FILE/ATT8JRQ9.pdf/Repp104.pdf)

² PMA, Sections 75 to 77

³ Based on the Technical and Safety Standards for Pilotage and the Provision of Pilotage Services – Port of Darwin v3.1 available at <https://nt.gov.au/marine/for-all-harbour-and-boat-users/port-and-pilotage-standards-and-guidelines>

⁴ PMA, Section 65

⁵ Northern Territory Government Gazette No. S73, 1 July 2015 <http://www.territorystories.nt.gov.au/bitstream/10070/256510/2/S73-2015.pdf>

⁶ PMA, Section 66

⁷ PMA, Section 67

⁸ PMA, Section 66

⁹ NTG Gazette S73

¹⁰ PMA, Section 85

¹¹ PMA, Section 68

¹² PMA, Section 68

¹³ PMA, Section 64

¹⁴ The “Director” being the Chief Executive of the responsible Government department – in this case the Department of Infrastructure , Planning and Logistics

¹⁵ PMA, Section 68

¹⁶ PMA, Section 67

¹⁷ PMA, Section 67

¹⁸ PMA, Section 67

¹⁹ PMA, Section 67

²⁰ PMA, Section 76

²¹ PMA, Section 77

²² *Ports Management Regulations* (PMR), Regulation 5

[http://notes.nt.gov.au/dcm/legislat/legislat.nsf/64117dddb0f0b89f482561cf0017e56f/4c90dbc414cdd82269257f78007e3952/\\$FILE/Repp104R1.pdf](http://notes.nt.gov.au/dcm/legislat/legislat.nsf/64117dddb0f0b89f482561cf0017e56f/4c90dbc414cdd82269257f78007e3952/$FILE/Repp104R1.pdf)

²³ PMA, Section 82

²⁴ PMA, Section 82

²⁵ PMA, Section 84

²⁶ PMA, Section 69

²⁷ PMA, Section 73

²⁸ PMR, Regulation 11