



Pilotage Act 1983

1983 CHAPTER 21

PART I

ADMINISTRATION

Functions of Commission

5 General functions of Commission

- (1) It shall be the duty of the Commission to give to the Secretary of State, and to pilotage authorities, dock and harbour authorities, pilots and shipowners, such advice as the Commission considers appropriate for any of the following purposes, namely—
 - (a) securing by means of pilotage the safety of navigation in ports of, and waters off the coasts of, the United Kingdom ;
 - (b) ensuring that efficient pilotage services are provided for those ports and waters and, in particular, that suitable equipment is provided in connection with those services ;
 - (c) ensuring that the terms of service of pilots providing those services are fair; and
 - (d) promoting standards, in the qualifications which entitle persons to apply for pilots' licences and in the training of pilots, which are uniform for areas which the Commission considers are of the same kind.
- (2) The Secretary of State may by order confer on the Commission such functions, in addition to the functions conferred on the Commission by this Act, as he considers appropriate for any of the purposes mentioned in subsection (1) above.
- (3) Without prejudice to the generality of subsection (2) above, an order in pursuance of that subsection may in particular provide for the making of schemes under which payments may be made by the Commission for the purpose of compensating pilots and their assistants for loss of employment or reductions in earnings suffered by them in consequence of changes in the organisation of pilotage services or of the granting of pilotage certificates to nationals of member States of the Economic Community other than the United Kingdom.

Status: This is the original version (as it was originally enacted).

- (4) The Commission shall have power to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of any of its functions.

6 Review of pilotage services and non-compulsory pilotage areas

- (1) It shall be the duty of the Commission—
- (a) to keep under consideration the organisation of pilotage services at ports of, and waters off the coasts of, the United Kingdom, to consider suggestions for changes in the organisation of those services which are made to the Commission by persons appearing to the Commission to be interested in the organisation of them and to make proposals for such changes in the organisation of those services as the Commission considers appropriate;
 - (b) without prejudice to the generality of paragraph (a) above, to consider what numbers of pilots are needed in order to provide efficient pilotage services in pilotage districts and to make to the pilotage authorities concerned such recommendations about the numbers as the Commission considers appropriate ; and
 - (c) to carry out such investigations as the Commission considers appropriate in order to ascertain whether pilotage should be made compulsory at places in, or off the coasts of, the United Kingdom where it is not compulsory and to make proposals for pilotage to be made compulsory at such places as the Commission considers appropriate in consequence of the investigations.
- (2) If the Commission considers that a pilotage order or byelaws should be made for the purpose of giving effect to such a proposal as is mentioned in paragraph (a) or paragraph (c) of subsection (1) above and that an application for such an order or for confirmation of byelaws which are appropriate for that purpose has not been made to the Secretary of State by a pilotage authority affected by the proposal within a period which the Commission considers reasonable in the circumstances, the Commission may apply to the Secretary of State for a pilotage order for that purpose or, as the case may be, may exercise for that purpose the power to make byelaws which is conferred on the pilotage authority by section 15(1) of this Act.
- (3) It shall be the duty of the Commission before it performs a function conferred on it by subsection (1) above, to consult such persons in the United Kingdom as the Commission considers are likely to be affected by the performance of the function or to consult persons appearing to the Commission to represent those persons.

7 Pilots' pension and compensation schemes

- (1) The Commission may establish and maintain a scheme for the payment of pensions and other benefits to and in respect of pilots and former pilots.
- (2) Such a scheme may include provision for the assets and liabilities of any pilots' benefit fund established by virtue of section 17(1)(j) of the Pilotage Act 1913 or section 15(1) (i) of this Act to become, with the consent of the managers of the fund, assets and liabilities of the scheme instead of assets and liabilities of the fund ; and the managers of any such fund shall have power to give their consent for the purposes of this subsection and to wind up the fund to which their consent relates.
- (3) The Commission may establish and maintain a scheme under which payments may be made for the purpose of compensating pilots and their assistants for loss of

employment or reductions in earnings suffered by them in consequence of incidents over which they have no control.

8 Annual report

It shall be the duty of the Commission—

- (a) to prepare and publish, as soon as possible after the 31st March in each year, a report on the performance of its functions during the period of 12 months ending with that date;
 - (b) to include in the report a copy of the statement of accounts prepared in respect of that period in pursuance of section 4(3)(b) of this Act and a copy of the auditors' report on the statement and on the accounts to which the statement relates ; and
 - (c) to deliver a copy of the report to the Secretary of State before it is published ;
- and it shall be the duty of the Secretary of State to lay before Parliament copies of each report of which he receives a copy in pursuance of this section.