

The Britannia Steam Ship Insurance Association Limited

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1

A Master's Responsibilities When A Pilot Is On Board

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2

The presenters



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Master Mariner, YB, AFNI, HCMM,
Member of the panel of SCR's. Co-
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Marine. Substantial experience in
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Master Mariner, Chartered Master
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Authority for the Chartered Master
Mariner Award. 43 years at sea, 20
years as Master.

3

Summary



- Passage planning, berth to berth – is it dynamic enough?
- Contemporaneous Master & Pilot exchange is essential - what happens if it does not take place?
- Once a Pilot is on board, how should the ship's bridge team interact?
- Master's intervention – when and how?

4

The Passage Plan



5

Passage Planning: a legal requirement

- SOLAS regulation V/34, The STCW Code and IMO Resolution A.893(21)
- The need for voyage and passage planning applies to all ships
- Factors which may impede safe navigation need to be taken into account in the preparation of the plan and in the subsequent monitoring of the execution of the plan.

6

Passage Planning: a legal requirement



- SOLAS Chapter V Regulation 34 - Safe navigation and avoidance of dangerous situations
 - Prior to proceeding to sea, the master shall ensure that the intended voyage has been planned using the appropriate nautical charts and nautical publications for the area concerned, taking into account the guidelines and recommendations developed by the Organization.

- IMO RESOLUTION A.893(21) - Voyage and Passage Planning
 - Appraisal of all information relevant to the contemplated voyage or passage
 - Plan of the whole voyage or passage from berth to berth, including those areas necessitating the presence of a pilot

7

Discussion points



- Passage planning, berth to berth – is it dynamic enough?

- What happens to the passage plan when the pilot boards?

- Does the SMS allow variations? Should it?

8

A contemporaneous Master & Pilot exchange is essential.
 What if it does not happen?



9

The Master and Pilot Exchange

- Each pilotage assignment should begin with an information exchange between the pilot and the Master
 - A960 - Recommendation on training and certification and on operational procedures for maritime pilots other than deep sea pilots*
- ICS - Bridge Procedures Guide
 - Masters are often unaware of the local conditions and pilots are often unaware of the manoeuvring characteristics of the ship

10

Pilot's Authority



- The pilot can only exercise his authority to guide and control the movements of the ship with the full co-operation of the Master, who is in command of the ship and crew
- The Master must advise the pilot on the ability of the ship, its equipment and crew to comply with the pilot's instructions
- It is imperative that both are fully aware of the desired / recommended passage plan

11

Discussion Points



- Contemporaneous Master & pilot exchange is essential
- What happens if it does not take place?
- How should Speed be monitored and managed?
- Risks relating to joining the ship too late or leaving the ship too early – what is the role of the port?

12

The Pilot and the Bridge Team



13

Navigating with a pilot

- The presence of a pilot on board does not relieve the master or officer of the watch from their duties and obligations for the safety of the ship
- Seek clarification if in any doubt as to the pilot's actions or intentions
- If doubt still exists, notify the master immediately and take whatever action is necessary before the master arrives

14

Discussion points



- Once on board, how should the ship's bridge team interact?
- Are checklists useful?
- Does the Master need to be on the bridge for the whole pilotage?

15



The Master's Authority and Intervention



16

SOLAS Regulations



Regulation 34-1: Master's discretion

- The owner, the charterer, the company operating the ship as defined in regulation IX/1, or any other person shall not prevent or restrict the master of the ship from taking or executing any decision which, in the master's professional judgement, is necessary for safety of life at sea and protection of the marine environment

17

Master's Intervention – Pilotage



- Master is equally liable for the pilot's actions
- Positive and Constructive Interaction is essential
- Pre-conditions for the Master's intervention:
 - The Master reasonably perceives that there is a danger of collision, contact or grounding
 - The Master recognises that the pilot's action or failure to act could cause damage or injury

18

ISM - master's responsibility and authority



Chapter 5.2

- The Company shall ensure that the SMS contains a clear statement emphasizing the master's authority



19

Discussion points



- The Master's authority and responsibility – what should this mean?
- Master's intervention – when and how?
- Do you report a pilotage incident or a near miss to your company and the port?

20

Recommendations



- A passage plan must be berth to berth and the actual passage should be monitored closely
- It is usually safer to abort a manoeuvre and try a second time
- A Pilot's knowledge and experience of local conditions must be appreciated
- If local / unfamiliar language is used, ask the pilot to verify what was agreed
- Record any problems or lack of response - if you don't say anything, the VDR will not recording anything

21

Final comments



- The master is always in command and therefore responsible
- Careful monitoring and early action or intervention is essential
- Decide what is practical and realistic, and ensure the bridge team are briefed
- Clearly identify the point at which you will draw the line
- If in doubt, always ask for clarification

22

Loss Prevention publications

- Risk Watch (Claims and Legal)
- Crew Watch
- Posters
- Circulars, Bulletins, eg. CCTV
- Britannia News Summary
- New Knowledge area on:
britanniapandi.com



23

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24

QUESTIONS?



25

Questions from the audience

Would be very interested to know more about master's overriding authority and repercussions, especially regarding speed limits

Are pilots exempted from a ship policy on prohibition of using mobile/ smartphones in bridge during performing pilotage?

26

Questions from the audience



I would like to know the role of local Correspondents in assisting the Master and Owners in overcoming language barriers and other obligatory requirements.

Some comments on ship handling berthing/ unberthing, weather routing in heavy weather

27

Questions from the audience



How does a vessel master deal with overall responsibility issues when the official ENC / pre-arrival information from local agents are found incorrect or insufficient for an inland waterway and the pilot doesn't readily disclose all inaccuracies ?

Some of the ports require master to sign LOU, and the content of the letter, & the terms and conditions are favourable to the ports. Is the pilot free of responsibility if he makes a mistake and it's too late for the master to act to correct due to lack of time.

28

Comments from the audience



Pilot should be more liable than what the present structure has to offer! Master's Responsibility' is a fall guy type of standing when it comes to Master Pilot relationship. Pilot puts the ship in danger and Master has to take responsibility for his actions

*Great initiative! Some great articles in Seaways:
Seaways Nov 2013 (Capt Mladen Scimicic) Feb 2014 (Ed Verbeek) March 2019 (Matt Easton)*

29

Comments from the audience



Pilot who boards the vessel may be on the last assignment for the day, fully exhausted and mentally occupied with previous assignments issues, which may impair his decision making or situational awareness, Master to assesses the situation & act accordingly

Some Pilots do take offence when reminded about the excessive approach speed

30

- “Solis Marine was established in the UK and Singapore in 2012 to provide independent expert advice on maritime and shipping incidents. A third office was opened in Hong Kong in 2013 and in 2017 Solis Marine expanded into China with a first office based in Shanghai followed by Qingdao and Xiamen in 2018. The recently established Rotterdam office provides a global Fire and Chemicals emergency response operation and risk assessment to our services.
- Reconstruction of marine incidents using AIS and VDR data with an in-house Rapid Replay program has also been utilised in Court and Arbitration hearings in a number of jurisdictions when expert oral evidence has been given in collision cases, unsafe port and berths, groundings, submarine cable and pipeline fouling, sanction busting voyages and personal injury and death claims.
- Solis Marine also has three Special Casualty Representatives on the panel at Lloyd’s who have been heavily involved in a number of high profile and politically sensitive wreck removal and salvage operations. Naval architects all have practical salvage and wreck removal experience working both on behalf of vessel owners / insurers as well as for salvors directly.”
- Contact John Simpson : j.simpson@solis-marine.com

31

Thank you

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32



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