

GUIDELINES ON VOLUNTARY PILOTAGE SERVICES IN THE STRAITS OF MALACCA AND SINGAPORE

OBJECTIVE

At the 33rd meeting of the Tripartite Technical Experts Group (TTEG) in October 2008, the Littoral States of Indonesia, Malaysia and Singapore agreed that Pilotage Services in the Straits of Malacca and Singapore should be voluntary, and preserve the right of transit passage through Straits used for international navigation. The following Guidelines serve as a guide for the Voluntary Pilotage Services in the Straits of Malacca and Singapore.

The Voluntary Pilotage Services in the Straits of Malacca and Singapore shall be in accordance with United Nations Convention on the Law of the Sea (UNCLOS), 1982 and subject to the sovereignty of each Littoral State.

The Voluntary Pilotage Services in the Straits of Malacca and Singapore (SOMS) will be implemented in the spirit of cooperation among the littoral States.

1. DEFINITION

- 1.1 Voluntary Pilotage Services in the Straits of Malacca and Singapore (herein after referred as the Straits) as dealt with in these Guidelines consists of providing assistance to masters of ships by pilots (herein after referred to as "Straits Pilots") certified by the respective authority in each of the Littoral States of the Straits, namely Indonesia, Malaysia and Singapore (hereinafter referred to as "Littoral States"). The use of these Voluntary Pilotage Services in the Straits shall be fully left to the discretion of the ship's master or owner. The respective authority of the Littoral States or any other authority shall not impose any requirement or express any expectations or preference for the engagement of Straits Pilots on board ships transiting or bound for any port located within the Straits.
- 1.2 These Straits Pilots are to act solely as advisers to the masters of seagoing ships. The masters of seagoing ships shall be responsible for the safe navigation, conduct and manoeuvring of their ships.
- 1.3 The respective authority of each Littoral State shall take such steps as are necessary, and in accordance with its national laws, to implement these Guidelines. The respective authority of the littoral States shall supervise the implementation of the Voluntary Pilotage Services in the Straits of Malacca and Singapore (SOMS).

2. LIABILITY

- 2.1 A certified Straits Pilot shall not be liable to any person, as a result for any loss or damage caused by act or omission of his that occurs solely in piloting the ship, whilst acting in the capacity as an adviser to the master of a ship.
- 2.2 Exceptions – The limitation on liability herein shall not apply if the act or omission of the certified pilot constitutes willful or deliberate misconduct or gross negligence.

3 QUALIFICATIONS OF A STRAITS PILOT

- 3.1 Candidates shall hold a valid Foreign Going Master's Certificate or Certificate of Competency Class 1 in accordance to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended (STCW 78 as amended) without tonnage limitation or its equivalent with at least six years experience as Master or First Officer while holding their Foreign Going Master's Certificate or Certificate of Competency Class 1.
- 3.2 In lieu of Certificate of Competency Class 1, the candidate shall hold at least a Certificate of Competency Class 2 with at least four years experience as a fully licensed pilot for a pilotage district which includes handling of deep draft vessel and Very Large Crude Carrier (VLCC) in accordance to the rules for vessel navigating through Straits.
- 3.3 Candidates seeking a Straits Pilot Certificate shall provide evidence of having had sufficient practical experience of the waters of the Straits.

Note: The assessment of a candidate's qualification and experience shall be the obligation of the authority of the Littoral State to which the candidate applies for a Straits Pilot Certificate and shall be at its discretion. Due regard shall be given to the size of ships on which a candidate has served in relation to the size of ships which he shall be expected to pilot, when certified.

- 3.4 Candidates shall be required to attend and successfully complete Straits Pilotage training on a Full Mission Shiphandling Simulator, which must include Bridge Resources Management (BRM) and crisis management training.
- 3.5 Candidates shall be in possession of an official medical certificate covering colour vision, general health and minimum standard of eyesight and hearing and certified by a medical doctor that he is fit to perform the duties of a Straits Pilot (in accordance with the provision of section A - I/9 of STCW Code).
- 3.6 Candidates shall produce evidence of good conduct, integrity and reliability of character when applying for or seeking renewal of a Straits Pilot Certificate. Such evidence of good conduct, integrity and reliability of character shall be made by the master of the vessel he had piloted. This shall be attested to by his employers and/or shipmasters for submission to the authority of the Littoral State to which the candidate applies for a Straits Pilot Certificate.

- 3.7 Candidates seeking a Straits Pilot Certificate must be in possession of a Pilot Information Booklet for the waters of the Straits and shall produce it to the authority of the Littoral State to which they are applying for a Straits Pilot Certificate.
- 3.7.1. The Pilot Information Booklet is a navigational notebook recording such information as courses, details of lights, hazards, etc. and incorporating sections of charts. It shall contain (but not be limited to) the following information:-
- 3.7.1.1 The basic information to be that laid down in Paragraph 5 of these guidelines.
- 3.7.1.2 Helicopter Information, if any. 3.7.1.3 Health regulations. 3.7.1.4 Reporting and port entry procedures. 3.7.1.5 A file of current Radio Navigational Warnings for the Straits. 3.7.1.6 Details of Annual Notices to Mariners issued by the authorities of the Littoral States. 3.7.1.7 A copy of the "Standard Marine Communication Phrases (IMO resolution A.918(22), as amended)".
- 3.7.2 The Pilot Information Booklet should provide sufficient information to enable the Straits Pilot to navigate a ship which is not in possession of the latest navigational information. It is envisaged that the Straits Pilot might carry a computer note-book incorporating relevant Electronic Navigational Charts (ENCs) for the Straits. The candidate shall demonstrate to the authority of the Littoral State, to which the candidate applies for a Straits Pilot Certificate, the ability to pilot a ship for both the eastbound and westbound voyages.
- 3.7.3 The above list of contents should be considered as a minimum standard and the Straits Pilot should be free to add additional material as it sees fit.
- 3.7.4 The respective authority of each Littoral State should keep its navigational information up to date so that the Straits Pilot Information Booklet can be checked when the Straits Pilot is re-examined or whenever required by the Littoral States.
- 3.7.5 The respective authority of each Littoral State provides information for its certified Straits Pilots should exercise due diligence and take reasonable care to provide accurate and up to date information.
- 3.7.6 It shall be the responsibility of the Straits Pilot, to keep the Pilot Information Booklet up to date.

4 EXAMINATION

- 4.1 The respective authority of Littoral States shall accept candidates for examination at its discretion, subject to paragraph 3.5.
- 4.2 The authorities of the Littoral States shall jointly agree upon a common syllabus for Straits pilotage, which shall form the basis upon which each authority shall conduct its own examinations and issue certificates.

- 4.3 The respective authority of each Littoral State shall nominate its own panel or committee to conduct the examinations for Straits Pilots whom it is certifying.
- 4.4 The respective authority of each Littoral State shall issue a Straits Pilot's Identification Card to pilots who have been duly certified, according to these Guidelines, as Straits Pilots.

Note:

The text of the Identification Card should be in English and, if required, the national language of the Littoral State which issued the Identification Card. The official emblems or coat of arms of the authority issuing Identification Card of the Littoral State should appear on the Identification Card.

The date of issue and expiry should appear on the Identification Card. However, if the Straits Pilot Certificate is revoked, suspended or not renewed under the provisions of these Guidelines, the Identification Card is also immediately rendered invalid.

- 4.5 The Identification Card should be produced to the respective authority of each of the Littoral State for the annual re-validation by that authority or when directed to do so by the respective authority of the each of the Littoral States.
- 4.6 It is recommended that each respective authority of the Littoral State sends the list of the names of the Straits Pilots who have been issued with Straits Pilot's Identification Card to the respective authority of the other Littoral States. It is also recommended that each respective authority keeps the other two authorities updated of changes to the list.

5 SYLLABUS FOR STRAITS PILOTAGE CERTIFICATES

- 5.1 In the Syllabus, "area" means the waters of the Straits.
- 5.2 Candidates shall be expected to have knowledge, understanding and proficiency of the following subjects:
 - 5.2.1 International Regulations for the Prevention of Collisions at Sea, 1972, as amended.
 - 5.2.2 Systems of buoyage used in the area.
 - 5.2.3 The characteristics of the principal lights and their ranges including angles of visibility, Racons and Aids to Navigation in the area.
 - 5.2.4 The names and characteristics of the fairway channels, headlands, points, and shoals in the area.
 - 5.2.5 The courses and distances in the area.
 - 5.2.6 The depths of water throughout the area including the effect of negative tide surges and sand waves.

- 5.2.7 The positions, names and characteristics of the principal buoys, beacons, structures in the sea and other seamarks in the area.
- 5.2.8 Knowledge of seawards limits of local pilotage areas and pilots embarkation/disembarkation grounds and pilotage communications.
- 5.2.9 Knowledge of communications, international radio telephony procedures, availability of search and rescue facilities, and navigational information.
- 5.2.10 The clearing marks for shoal points by day and night in the area.
- 5.2.11 The anchorages in the area.
- 5.2.12 The general set, rate, rise and duration of the tides and the use of the tide tables for the area.
- 5.2.13 The general appearance of the coast in the area.
- 5.2.14 A working knowledge of navigational bridge equipment and ship-borne navigational aids.
- 5.2.15 A thorough knowledge of the IMO-adopted traffic separation schemes (TSS), and the associated routing measures including the IMO-adopted mandatory ship reporting system In the Straits of Malacca and Singapore (STRAITREP).
- 5.2.16 The systems of radio navigational warning broadcasts, both long-range and local in the Straits.
- 5.2.17 Attend and successfully complete the Straits Pilotage training on a Full Mission Ship-handling Simulator including Bridge Resources Management and crisis management training programmes/courses.
- 5.2.18 Fully conversant with the IMO-adopted Rules for vessels navigating through the Straits.
- 5.2.19 Any other relevant information at the discretion of the Examiners.

6 HOW STRAITS PILOTS MAY WORK

- 6.1 Straits Pilots are required to have adequate rest periods between each act of pilotage and also should agree in advance with the master for adequate rest periods during each passage.
- 6.2 For identification purposes, Straits Pilot shall carry the Identification Card issued by the respective authorities of the Littoral States, under Guideline 4.4. Such Identification Card shall be shown to the ship's master.

7 REQUIREMENTS FOR RENEWAL OF STRAITS PILOT CERTIFICATE

- 7.1 The respective authority of each of the Littoral States shall have the discretion to decide on the renewal of the Straits Pilot Certificate, subject to paragraph 3.5 and 3.6.
- 7.2 Subject to medical recommendation, the validity of each Straits Pilot certificate shall not be more than five (5) years.

8 REQUIREMENTS FOR RENEWAL OF STRAITS PILOT IDENTIFICATION CARD

- 8.1 Every Straits Pilot shall satisfy his authority every year or at such time interval as the authority shall decide that his standards of eyesight, hearing and general health are satisfactory in accordance with the provision of section A-I/9 of STCW Code for the performance of his duties.
- 8.2 The authority may require a medical examination at any time if it has reason to believe that the physical or mental condition of a Straits Pilot has changed.
- 8.3 Every Straits Pilot shall satisfy his authority every year, or as the authority shall direct, that his Pilot Information Booklet and his knowledge of the Straits are up to date. He shall submit to his authority on a yearly basis, a record of movements which he had conducted.

9 THE DISSEMINATION OF INFORMATION ON NAVIGATIONAL HAZARDS ETC., IN THE STRAITS

- 9.1 The Straits Pilots are required to maintain a listening watch on the broadcasts of Vessel Traffic Services – Mandatory Ship Reporting System (VTS – STRAITREP) in the Straits and any relevant navigational broadcast for the area to ensure that he is fully conversant with the existing navigational situation in the Straits.

10 REPORTING OF ACCIDENTS AND FAILURES OF NAVIGATIONAL AIDS

Every Straits Pilot shall report immediately to the relevant authority any accident to the ship which he is piloting. He should also report any change of depth of water which differs from the charted depth, or when he has observed any malfunction or shift of positions of aids to navigation or any other information which may affect the safe navigation of ships.

11 PILOTAGE AREAS

- 11.1 The Pilotage area for Straits Pilots shall cover the entire length of the Traffic Separation Scheme (TSS) including the port approaches within the Straits. There shall be no overlap with the pilotage area or district of any port.

11.2 The boarding and disembarkation points shall not be located within the TSS so as not to impede safe movement of vessels in the TSS or arriving and departing from any port:

11.2.1 Straits Pilots for eastbound and westbound vessels transiting through the Straits shall board the vessels at least 1 hour before such vessels enter the TSS off One Fathom Bank or off Horsburgh Lighthouse. If the Straits Pilot chooses to embark or disembark at other areas, he may do so at any of the precautionary areas.

11.2.2 For vessels that desire the voluntary service of a Straits Pilot, and whose port of commencement or port of destination is within the Straits, the pilot boarding ground and the disembarkation ground for the respective ports shall be designated by the respective Littoral State. The Littoral State may also decide that the Straits Pilot embark or disembark from the vessel whilst in port, at anchorage or alongside the terminal. In any case, the boarding and disembarkation grounds should not be within the TSS.

12 IMMIGRATION

Any Straits Pilot boarding or disembarking a ship within the territory or territorial waters of any Littoral State shall comply with the immigration requirements of that Littoral State.

13. DISCIPLINES

13.1 The respective authority of the Littoral State issuing a Straits Pilot Certificate shall be empowered to suspend or revoke the Certificate, after investigation, in the event of willful or deliberate misconduct or gross negligence by the holder, affecting his capacity as a Straits Pilot. In the case of serious incident or wilful or deliberate misconduct or gross negligence, that authority is also empowered to immediately suspend the certificate.

13.2 An authority receiving information of misconduct in the performance of any Straits Pilot, or where a Littoral State, after investigation into a maritime incident, finds evidence of misconduct by a Straits Pilot, shall report it to the respective authority of the Littoral State which issued the Certificate:

13.2.1 The report from the respective authority who is receiving the information should be provided with evidence.

13.2.2 The respective authority of the Littoral State which issued the Certificate has to conduct investigation to the report.

13.2.3 The investigation taken and any follow-up action should be reported to the Tripartite Technical Experts Group (TTEG) Meeting.

14. REVIEW OF GUIDELINES

The Guidelines on Voluntary Pilotage Services in the Straits of Malacca and Singapore (SOMS) shall be periodically reviewed by the Littoral States, as and when deemed appropriate.