

Having the conduct of the ship

Maritime New Zealand Technical Clarification

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This document clarifies what is meant when the pilot has conduct of the ship.

Pilots play an important role in the maritime transport system. The Maritime Transport Act 1994 (MTA) requires a master to take a pilot on board the ship whenever required by maritime rules, or if directed to do so by the Director of Maritime New Zealand.

Areas of compulsory pilotage are set out in Maritime Rules Part 90. The Pilot's specialised knowledge guides vessels through these areas of higher risk where the local conditions or navigational hazards require particular care.

What we mean by conduct of the ship

Having the conduct of the ship means directing the navigation and movement of the ship. It is more than simply providing guidance or a recommendation. Conduct is the direction of a team or the management of a series of tasks.

The person managing the bridge team, be it the master, officer of the watch or pilot, has the conduct of the vessel. For example, the series of tasks and management of the bridge team during navigation is considered to be "the conduct of the navigation of the ship". In relation to pilotage, this is commonly abbreviated to the term "conduct of the ship". A pilot is not required if a master holds a pilot exemption certificate.

The relationship between the master and pilot

The pilot is an integral part of the bridge team. The master has command and overall responsibility for the safety of the ship, its cargo and crew, and this doesn't change when a pilot is on board. The bridge team, including the master, is always responsible for the safe navigation of the ship. An effective formal master/pilot exchange is essential. After boarding, pilots should provide opportunity for the appropriate exchange of information between the master and the pilot as to matters such as the ship's characteristics, operational parameters and the pilot's intended passage.

Effective communication is a safety critical feature of a good bridge team. The pilot and master should agree systems that clearly signal to the master and all on board when the pilot has conduct of the ship and for the bridge team to acknowledge the transition of conduct between the master and pilot.

The master and bridge team have a duty to support the pilot and monitor his/her actions. This includes querying any actions or omissions by the pilot or any members of the bridge team, if inconsistent with the passage plan, or if the safety of the ship is in any doubt. This includes highlighting any departure from the agreed passage plan, any actions or omissions that are inconsistent with the execution of the plan or principles of good bridge team management, or if the safety of the ship is in any doubt. Bridge procedures and bridge resource management principles still apply when a pilot is on-board.

The function of the Pilot

A pilot's primary duty is to use their skill and knowledge to protect ships from collision or grounding by safely conducting their navigation and maneuvering in pilotage waters. This means the function of a pilot is to have the conduct of the navigation of the ship.

In a compulsory pilotage area the pilot's role is to exercise conduct of the ship, other than in very limited circumstances, such as where the Master has clearly taken conduct away from the pilot. This should only occur in exceptional circumstances. Examples of when it may be appropriate for the Master to take conduct include:

- When the master forms the view that the pilot may be endangering the ship; or
- When it is considered safer for the master to berth the ship

In general terms, the pilot's obligations begin once the ship is in a compulsory pilotage area and the pilot is on board; or remote pilotage has commenced in accordance with Maritime Rules Part 90.23. However, there are practical matters to take into account. These include arrangements for the pilot to board the vessel

A critical factor is clear communication between pilot and master to establish practical procedures or boundaries and achieve the shared mental model.

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Disclaimer:

This guideline provides information and explanations about the requirements set out in MTA the maritime rules, but are not a substitute for the Act or rules themselves, which are the law. Other methods of complying with the rules may be possible; however, MNZ would first need to be satisfied that those alternative methods were of an equivalent standard to the advice in the guidance.

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