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LOCAL NAVIGATION CERTIFICATES

Introduction

The Port of London Authority (PLA) is the statutory harbour authority and also the competent harbour authority for the tidal Thames. As such it is responsible for the overall management of navigational safety and marine operations within the port, and the provision of a pilotage service within the London Pilotage District. To meet these statutory responsibilities, the PLA is empowered to give General Directions for Navigation in the Port of London through the provisions of the Port of London Act 1968 (as amended) to promote or secure conditions conducive to the ease, convenience or safety of navigation. It is also empowered, under the provisions of the Pilotage Act 1987, to direct for which ships, and where within its limits, pilotage shall be compulsory.

General Directions for Navigation in the Port of London require that the Master shall not permit any person to conduct Local Navigation on board his vessel unless such person is a Certificated Person or is a member of the vessel's crew, holding an internationally recognised and current navigational certificate. These terms are defined in the General Directions and in Part A of the Schedule, which forms part of the Directions.

The Schedule lays down the structure and operation of the associated certification regime, the procedures for local navigation certificate application, renewal, and if necessary, suspension and revocation, and the assessment of competency.

This Schedule is to be construed in conjunction with current:

a) Port of London Authority Pilotage Directions;
b) Directions made under section 17 (7) (b) of the Pilotage Act 1987;
c) General Directions for Navigation in the Port of London;
d) Port of London River Byelaws;
e) Port of London Authority Notices to Mariners; and
f) any Special Direction given by a Harbourmaster under Section 112 of the Port of London Act.

Note: *This introduction is for guidance purposes only and does not form part of the Schedule.*

SCHEDULE TO THE GENERAL DIRECTIONS FOR NAVIGATION IN THE PORT OF LONDON 2006

ADMINISTRATION AND USE OF LOCAL NAVIGATION CERTIFICATES

(See General Direction 11)

PART A

DEFINITIONS AND INTERPRETATION

1. DEFINITIONS AND INTERPRETATION

In this Schedule the following words and phrases have the following meanings (and cognate expressions shall be construed accordingly):

a) "the Act" means the Port of London Act 1968 (as amended);

b) "Authorised Pilot" means a person authorised under Section 3 of the Pilotage Act 1987 to act as a pilot for the relevant area within the London Pilotage District;

c) "Berthing Assistance" means the provision of manoeuvring advice and local knowledge during berthing or unberthing operations involving any vessels not subject to compulsory pilotage, between the berth in question and a point in the Thames not more than one nautical mile from that berth;

Note: *In order to acquaint himself or herself with the vessel and to effect an appropriate handover, the person undertaking Berthing Assistance will often need to board the vessel at a distance greater than one mile from the berth, but shall only conduct Berthing Assistance from one mile from the berth.*

d) "Competent Harbour Authority" means the PLA;

e) "Denton Limit" means a line drawn north/south through the eastern extremity of Denton Wharf;

f) "Harbourmaster" means a person appointed by the PLA to be a Harbourmaster and includes the deputies and assistants of a person so appointed and officers in charge at PLA VTS Centres;

g) "IMO" means International Maritime Organisation;

h) "LNG" means liquefied natural gas;

i) "LPG" means liquefied petroleum gas;

j) "Length Overall" means the maximum length of a vessel, including overhanging structure, cargo or equipment, and if a tug and tow, the combination of the tug and the object(s) towed, but not the length of the towing medium;

k) "Local Navigation" means Shifting Pilotage, Voluntary Movement or Berthing Assistance;

l) "Local Navigation Certificate" means a certificate issued by the PLA to an individual permitting that individual to undertake Shifting Pilotage, Voluntary Movements or Berthing Assistance;

m) "Margaretness Limit" means a line drawn across the Thames from the Margaretness Light in a direction 334°T;

n) "Marine Pollutants in Bulk" means products carried as cargo, which are subject to Annexes 1 and 2 of The International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto, better known as MARPOL 1973 - 78, as amended from time to time. In the context of this Schedule "in Bulk" means marine pollutant carried as cargo in tanks which are a structural part of, or permanently attached to, the vessel. Residues of cargo remaining in cargo tanks following the complete discharge of the cargo are not included;

o) "Master" includes every person (except a pilot) having command or charge of a ship and, in relation to a fishing vessel, means the skipper;

p) "Passenger Vessel" has the same meaning as the Merchant Shipping (Survey and Certification) Regulations 1995;

q) "PLA" means Port of London Authority;

r) "Pilotage Directions" means the Port of London Authority Pilotage Directions 2006 or any subsequent Pilotage Directions made by the PLA;

s) "Restricted Visibility" means all circumstances when visibility is less than 0.5 nautical miles;

Note: *Within the Thames a Harbourmaster or his designated deputy may, using all available information, decide that Restricted Visibility pertains in a particular area or at a particular time or is likely to pertain and inform shipping as appropriate.*

t) "STCW" means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers as amended from time to time;

u) "Shifting Pilotage" means the movement of a vessel other than:

- i) Specified Vessels;
- ii) Passenger Vessels of 50m or more in Length Overall;
- iii) vessels carrying Marine Pollutants in Bulk;
- iv) vessels over 230m Length Overall, between the Denton Limit and Queen Elizabeth II Bridge;
- v) vessels over 140m Length Overall, between Queen Elizabeth II Bridge and Margaretness; and
- vi) vessels over 100m Length Overall, between Margaretness and London Bridge;

no more than two nautical miles in the Thames in the area between London Bridge and the Denton limit for the purpose of changing any vessel from one berth, mooring or anchorage to another berth, mooring or anchorage, or of taking it into or out of any dock from or to another berth, mooring or anchorage;

v) "Specified Vessel" means any vessel having on board (including in its slop tanks), quantities of the following (IMO codings in brackets):

- i) Explosives (Class 1, excluding Class 1.4), in excess of 10 kg Net Explosive Quantity;
- ii) LNG in bulk, LPG in bulk or being non-gas free following discharge of these cargoes;
- iii) Flammable liquids and substances in bulk or being non-gas free following discharge of these cargoes (Class 3 of flashpoint <23° C);
- iv) Toxic and corrosive substances in bulk or being non-gas free following discharge of these cargoes (Classes 6.1 and 8.0);

w) "Thames" means so much of the River Thames, the Thames Estuary, rivers, streams, creeks, watercourses and the sea as is within the port limits described in paragraph 2 of Schedule 1 to the Act;

x) "Voluntary Movement" means the provision of onboard practical navigation and manoeuvring assistance and advice to vessels not subject to compulsory pilotage in the Thames not falling within Shifting Pilotage or Berthing Assistance; and

y) "VTS Centre" means the Vessel Traffic Service Centres at Gravesend (Port Control Centre) and Woolwich (Thames Barrier Navigation Centre) – Call Signs 'London VTS' and includes any other VTS control point through which a Harbourmaster's instructions and advice are issued to Masters of vessels by VHF radio and to which vessels report.

PART B

THE CERTIFICATION REGIME

2. LOCAL NAVIGATION CERTIFICATE STRUCTURE

2.1 Local Navigation Certificates

Two types of Local Navigation Certificate may be granted:

Large Vessel Certificate

Allows the holder (subject to the requirements of this Schedule) to undertake Shifting Pilotage of any vessel up to a Length Overall of 230 metres, and Voluntary Movements and/or Berthing Assistance of any vessel not subject to compulsory pilotage.

Small Vessel Certificate

Allows the holder (subject to the requirements of this Schedule) to undertake Shifting Pilotage of any vessel up to a Length Overall of 100 metres, and Voluntary Movements and/or Berthing Assistance of any vessel not subject to compulsory pilotage.

2.2 Operational Categories

A Local Navigation Certificate will authorise one or more of the following categories of operation:

2.2.1 Shifting Pilotage and Voluntary Movements

Subject to meeting the appropriate application, assessment and renewal criteria, (and the wider requirements of this Schedule) a combined Shifting Pilotage and Voluntary Movement Local Navigation Certificate may be granted.

2.2.2 Berthing Assistance

Subject to meeting the appropriate application, assessment and renewal criteria, (and the wider requirements of this Schedule), a separate Berthing Assistance Local Navigation Certificate may be granted.

2.3 Operational Areas

Subject to applicants meeting the appropriate application, assessment and renewal requirements, Local Navigation Certificates may be issued to allow the holder to undertake a type or types in the category or categories of Local Navigation and for which they are certificated under paragraphs 2.1 and 2.2 above, within one or more of three separate areas of the Thames between the Denton Limit and London Bridge as follows:

Eastern Area - Denton Limit to Queen Elizabeth II Bridge;

Central Area - Queen Elizabeth II Bridge to the Margaretness Limit; and

Western Area - Margaretness Limit to London Bridge.

Large Vessel Local Navigation Certificates will not be issued for the Western Area, i.e. between the Margaretness Limit and London Bridge.

2.4 Partial Area Restrictions

A restriction on operation within a part of one or more of the above areas may be applied in cases where the applicant or holder's experience is geographically limited.

2.5 Medical Requirements

2.5.1 In respect of the requirements of paragraphs 3.3.1c) and 3.7.1.c), persons aged 45 years or more will be required to submit to an appropriate medical examination every five years, and to provide the PLA with a valid medical certificate relating to that examination. Failure to present a valid medical certificate will lead to the withdrawal of the person's Local Navigation Certificate under the provisions of paragraph 4.

2.5.2 In respect of the requirements of paragraphs 3.3.1c) and 3.7.1.c), persons aged 65 years or more will be required to submit to an appropriate medical examination annually, and to provide the PLA with a valid medical certificate relating to that examination. Failure to present a valid medical certificate will lead to the withdrawal of the person's Local Navigation Certificate under the provisions of paragraph 4.

PART C

LOCAL NAVIGATION CERTIFICATE APPLICATION, RENEWAL, REFUSAL, SUSPENSION, REVOCATION, APPEAL AND VALIDITY

3. APPLICATION AND RENEWAL

3.1 Application for a new Local Navigation Certificate or the renewal of an existing Local Navigation Certificate shall be made in the form prescribed by the PLA and shall be signed by the applicant. The Local Navigation Certificate, if granted, shall be issued to the applicant. Such applications shall be made at least one month before the Local Navigation Certificate is required or the expiry date of the existing Local Navigation Certificate.

3.2 Local Navigation Certificates will only be granted to applicants who meet the required standards of competence, experience and medical fitness, and who successfully complete the practical and oral assessment requirements.

3.3 **Small Vessel Local Navigation Certificate**

A person applying for or renewing a Small Vessel Local Navigation Certificate must satisfy the following conditions:

3.3.1 a) have held a current Waterman's Licence or appropriately endorsed national Boatmaster's Licence or any other nationally recognised qualification, which is their equivalent, for a period of at least 3 years; and

b) hold a valid ML5 (or ENG 1) medical certificate.

Note: *In respect, of paragraph 3.3.1 a), 'appropriately endorsed' means a generic Tier 1 Boatmaster's Licence with the following endorsements:*

i) Towing and Pushing;
ii) Radar;
iii) Cargo;
iv) Oil Cargo; and
v) Local Knowledge (as appropriate to the tidal Thames).

3.3.2 In addition, for a Shifting Pilotage and Voluntary Movement category Certificate, for each Area of the Thames applied for (other than for the Western Area - Margaretness Limited to London Bridge):

Initial Application:

a) submit a Local Navigation Log Book, which demonstrates experience of Shifting Pilotage and Voluntary Movement of vessels between 75 and 100 metres in Length Overall on the Thames on at least 8 occasions during each year of the previous two year period prior to the initial application, for each Area of the Thames for which application is made.

b) the required experience must have been undertaken, on each occasion, under the direct supervision of a person holding a Large Vessel or Small Vessel Local Navigation Certificate (with a Shifting Pilotage and Voluntary Movement category) for that Area of the Thames, or a PLA Authorised Pilot for that area, who must have endorsed the applicant's Local Navigation Log Book accordingly.

Renewal:

c) submit a Local Navigation Log Book, which demonstrates experience of Shifting Pilotage and Voluntary Movement of vessels between 75 and 100 metres in Length Overall on the Thames on at least 8 occasions during each year of the previous two year period prior to the application for renewal for each Area of the Thames for which application is made.

d) each qualifying movement must be recorded in the applicant's Local Navigation Log Book and be endorsed by the vessel Master.

e) any applicant failing to achieve the experience required for renewal may apply to the PLA for an extension up to a maximum period of two months to make good such shortfall.

f) the movements recorded in a) and c) above must include experience with a range of size and type of vessels and locations appropriate to a Small Vessel Local Navigation Certificate, as determined by the PLA. At least 4 movements must have been undertaken within the hours of darkness.

3.3.3 In addition, for a Berthing Assistance category:

Initial Application:

a) submit a Local Navigation Log Book, which demonstrates experience of providing Berthing Assistance to vessels not subject to compulsory pilotage, between 75 and 100 metres in Length Overall on the Thames on at least 8 occasions during each year of the previous two year period prior to the initial application for each part of the Thames for which application is made.

b) the required experience must have been undertaken, on each occasion, under the direct supervision of a person holding a Large Vessel or Small Vessel Local Navigation Certificate (with a Berthing Assistance category) for that Area of the Thames, or a PLA Authorised Pilot for that area, who must have endorsed the applicant's Local Navigation Log Book accordingly.

Renewal:

c) submit a Local Navigation Log Book, which demonstrates experience of providing Berthing Assistance to vessels not subject to compulsory pilotage, between 75 and 100 metres in Length Overall, on the Thames on at least 8 occasions during each year of the previous two year period prior to the application for renewal for each Area of the Thames for which application is made.

d) each qualifying movement must be recorded in the applicant's Local Navigation Log Book and be endorsed by the vessel Master.

e) any applicant failing to achieve the experience required for renewal may apply to the PLA for an extension up to a maximum period of two months to make good such shortfall.

f) the provision of Berthing Assistance recorded in a) and c) above must include experience with a range of size and type of vessels and locations appropriate to a Small Vessel Local Navigation Certificate as determined by the PLA. At least 4 Berthing Assistance operations must have been undertaken within the hours of darkness.

3.4 Small Vessel Local Navigation Certificate – Western Area (Margaretness Limit to London Bridge)

In addition to the requirements of paragraph 3.3.1, a person wishing to apply for or renew a Small Vessel Local Navigation Certificate in the Shifting Pilotage and Voluntary Movement category for the Western Area must satisfy the following conditions:

3.4.1 a) hold a current Small Vessel Local Navigation Certificate for the Eastern and Central Areas.

b) submit a Local Navigation Log Book, which demonstrates experience of Shifting Pilotage and Voluntary Movement of vessels between 75 and 100 metres in Length Overall through the Thames Barrier on at least 8 occasions during each year of the previous two year period prior to the application or renewal.

3.4.2 Initial Application:

The required experience must have been undertaken, on each occasion, under the direct supervision of a person holding a Small Vessel Local Navigation Certificate (with a Shifting Pilotage and Voluntary Movement category) for that Area of the Thames, or a PLA Authorised Pilot for that area, who must have endorsed the applicant's Local Navigation Log Book accordingly.

3.4.3 Renewal:

a) Each qualifying movement must be recorded in the applicant's Local Navigation Log Book and be endorsed by the vessel Master.

b) The movements recorded in paragraph 3.4.1. b) above must include an experience with a range of size and type of vessels as determined by the PLA. At least 4 Shifting Pilotage movements through the Thames Barrier must have been undertaken within the hours of darkness.

c) Any applicant failing to achieve the experience required for renewal may apply to the PLA for an extension up to a maximum period of two months to make good such shortfall.

3.5 Small Vessel Local Navigation Certificate - Practical Assessments

3.5.1 In addition to the requirements of paragraph 3.3 and 3.4 above, applicants for Small Vessel Local Navigation Certificates or the renewal of existing Small Vessel Local Navigation Certificates will be required to pass a practical assessment, which will take place during the course of an act of Shifting Pilotage, Voluntary Movement or Berthing Assistance operation as appropriate.

3.5.2 Practical assessments will be conducted by one or more officers of the PLA, one of which will be a PLA Authorised Pilot for the Area of the Thames for which the practical assessment is carried out.

3.5.3 Candidates will be assessed both practically and orally in, but not limited to, the following subjects, relevant to the Area of the Thames and category of Local Navigation Certificate applied for:

a) their detailed knowledge and understanding of port regulations applying to navigation;

b) their knowledge and understanding of the manoeuvring and handling characteristics of the types of vessel being moved;

c) their detailed local knowledge of the Thames;

d) their detailed knowledge of the river regime including tide-sets, depths, shoaling, currents, nature of the river bed etc;

e) the characteristics and mooring arrangements at appropriate berths;

f) their understanding of ship operations and management;

g) the effective use of tugs in berthing and unberthing operations;

h) their effective communication skills; and

i) any further specific knowledge, including current regulations and notices, which may be relevant at the time.

3.5.4 A visit by the applicant to the VTS Centres at Gravesend (for the Eastern and Central Areas) and Woolwich (for the Central and Western Areas) and an interview with the district Harbourmaster(s) will also be required before the issue of any Local Navigation Certificate.

3.6 Small Vessel Local Navigation Certificate Assessment – Western Area (Margaretness Limit to London Bridge)

In addition to the subjects covered in paragraph 3.5, candidates for a Shifting Pilotage and Voluntary Movement category or a Berthing Assistance category for a Small Vessel Local Navigation Certificate for the Western Area, will be expected to demonstrate, but not limited to, the following:

a) their detailed knowledge and understanding of the port regulations applying to navigation within the Thames Barrier Control Zone;

b) their detailed knowledge of the tidal conditions normally experienced at and close to the Thames Barrier at all stages of the tidal cycle;

c) their comprehensive knowledge and understanding of the necessary approaches to the Thames Barrier spans for different types and size of vessel, in differing tidal and weather conditions;

d) their competence in navigating through the Thames Barrier at night and in conditions of Restricted Visibility;

e) an understanding of the effects on navigation of single or multiple gate closures and movements;

f) their knowledge of the problems associated with 'bridge forward' vessels navigating through the Thames Barrier.

3.7 Large Vessel Local Navigation Certificate

A person wishing to apply for or renew a Large Vessel Local Navigation Certificate must satisfy the following conditions:

3.7.1 a) have held, as a minimum, a valid STCW 95 Officer of the Watch II/1 certificate of competency for a period of at least 5 years; and

b) hold a valid ENG 1 medical certificate.

3.7.2 In addition, for a Shifting Pilotage category, for each Area of the Thames applied for (other than for the Western Area - Margaretness Limit to London Bridge):

Initial Application:

a) submit a Local Navigation Log Book, which demonstrates experience of shifting vessels between 100 metres and 230 metres in Length Overall on the Thames on at least 12 occasions during each year of the previous two year period prior to the initial application for each Area of the Thames for which application is made.

b) the required experience must have been undertaken, on each occasion, under the direct supervision of a person holding a Large Vessel Local Navigation Certificate for that Area of the Thames, or a PLA Authorised Pilot for that area, who must have endorsed the applicant's Local Navigation Log Book accordingly.

Renewal:

c) submit a Local Navigation Log Book which demonstrates experience of shifting vessels between 100 metres and 230 metres in Length Overall on the Thames on at least 12 occasions during each year of the previous two year period prior to the application for renewal for each Area of the Thames for which application is made.

d) each qualifying movement must be recorded in the applicant's Local Navigation Log Book and be endorsed by the vessel Master.

e) any applicant failing to achieve the experience required for renewal may apply to the PLA for an extension up to a maximum period of two months to make good such shortfall.

f) the movements recorded in a) and c) above must include experience with a range of size and type of vessels and locations appropriate to a Large Vessel Local Navigation Certificate, as determined by the PLA. At least 4 movements must have been undertaken within the hours of darkness.

3.8 Large Vessel Practical Assessments

3.8.1 In addition to the requirements of paragraph 3.7 above, applicants for Large Vessel Local Navigation Certificates or the renewal of existing Large Vessel Local Navigation Certificates will also be required to pass a practical assessment, which will take place during the course of an act of Shifting Pilotage.

3.8.2 Practical assessments will be conducted by one or more officers of the PLA, one of which will be a PLA Authorised Pilot for the Area of the Thames for which the practical assessment is carried out.

3.8.3 Candidates will be assessed both practically and orally in, but not limited to, the following subjects, relevant to the Area of the Thames and category of Local Navigation Certificate applied for:

a) their detailed knowledge and understanding of port regulations applying to navigation;

b) their knowledge and understanding of the manoeuvring and handling characteristics of the types of vessel being moved;

c) their detailed local knowledge of the river;

d) their detailed knowledge of the river regime including tide-sets, depths, shoaling, currents, nature of the river bed etc;

e) the characteristics and mooring arrangements at appropriate berths;

f) their understanding of ship operations and management;

g) the effective use of tugs in berthing and unberthing operations;

h) their effective communication skills; and

i) any further specific knowledge, including current regulations and notices, which may be relevant at the time.

3.8.4 A visit by the applicant to the VTS Centres at Gravesend (for the Eastern and Central Areas) and Woolwich (for the Central and Western Areas) and an interview with the district Harbourmaster(s) will also be required before the issue of any Local Navigation Certificate.

4. REFUSAL, SUSPENSION AND REVOCATION

4.1 Refusal of an Application

The PLA may, at any time, refuse to issue or renew a Local Navigation Certificate, if:

4.1.1 the applicant has been convicted of any criminal offence which the PLA considers relevant to whether or not the Local Navigation Certificate should be granted, which may include instances of bodily harm, save that a conviction must be disregarded if it is spent for the purposes of the Rehabilitation of Offenders Act 1974.

4.1.2 the PLA has reasonable cause to consider the applicant unfit on medical or other grounds.

4.1.3 the applicant does not fulfil the requirements for the grant of a Local Navigation Certificate set out in this Schedule.

4.1.4 any person, for the purpose of obtaining a Local Navigation Certificate for himself or herself, or for others, provides information, which he or she knows is false, forged or otherwise intended to deceive, or withholds any material information.

4.1.5 a Local Navigation Certificate held by the applicant has been revoked in the previous five years ending with the day the application was made.

If the PLA rejects an application it must give the applicant notice to that effect containing the PLA's reasons for rejecting the application.

4.2 Suspension or Revocation of a Local Navigation Certificate

4.2.1 The Chief Harbourmaster may suspend and the PLA may revoke a Local Navigation Certificate if:

a) the Local Navigation Certificate has been obtained by any misrepresentation fraud or concealment of any material circumstances;

b) the PLA, by reason of any new circumstance arising or coming to its knowledge after the grant of a Local Navigation Certificate, is satisfied that a Local Navigation Certificate could not, in pursuance of this Schedule, properly be granted to the holder if he or she were an applicant for a new Local Navigation Certificate;

c) the holder fails to comply with any of the provisions or conditions subject to which the Local Navigation Certificate has been granted;

d) any person, for the purpose of obtaining a Local Navigation Certificate for himself or herself, or for others, provides information, which he or she knows is false, forged or otherwise intended to deceive, or withholds any material information; or

e) following a Chief Harbourmaster's Inquiry, the holder has been found guilty of such incompetence or negligence, as the case may be, while carrying out Local Navigation, as to disqualify him or her from holding the relevant Local Navigation Certificate either for a temporary period or permanently.

4.2.2 In the event of the suspension or revocation of a Local Navigation Certificate the holder shall, within five days after a notice to that effect has been delivered to him or her personally or sent to him or her by recorded delivery post at the last address for the holder shown in the PLA's records, send or deliver the Local Navigation Certificate to the PLA for cancellation or for retention during the time of suspension, as the case may be.

4.2.3 On the removal or ending of a suspension of a Local Navigation Certificate, which has not expired, the PLA shall return the Local Navigation Certificate to the holder.

4.3 Amended Information

Where an applicant for a Local Navigation Certificate or a renewal, is convicted of a criminal offence during the application period, or while a Local Navigation Certificate is in force, he or she must as soon as reasonably practicable notify the PLA of the conviction.

4.4 Damaged or Lost Local Navigation Certificate

A holder of a Local Navigation Certificate shall, if it becomes damaged defaced or is otherwise altered or if any of the information shown on it changes, immediately return it to the PLA for replacement. If the holder of a Local Navigation Certificate loses his/her Certificate, he or she shall immediately inform the PLA.

4.5 Alteration of Information

If the holder of a Local Navigation Certificate's name or address changes or any other information, which he or she has given the PLA in connection with any application changes, he or she shall immediately notify the PLA, in writing, of the change.

4.6 Non-Transference

The Local Navigation Certificate is personal and is not transferable. In the event of the incapacity, illness, injury or death of any holder before the expiry of the period for which the Local Navigation Certificate was granted it shall be returned to the PLA for cancellation.

4.7 Expiry

The holder of a Local Navigation Certificate shall not later than three days after the expiration of the period for which the Local Navigation Certificate was granted (whether or not it has been renewed) deliver it up to the PLA.

5. LOCAL NAVIGATION CERTIFICATE VALIDITY AND CARRIAGE

5.1 A Local Navigation Certificate may be granted for a period of up to two years, and shall remain in force for the whole of that period (unless it is revoked sooner or suspended or it is continued pending the disposal of an appeal) provided that the holder continues to meet the requirements, prescribed by the PLA and may be renewed in accordance with this Schedule for further periods of up to two years at a time. The Local Navigation Certificate ceases to have effect when it is revoked under paragraph 4.2 and it does not have effect during any period when it is suspended.

5.2 Where the holder wishes to surrender his or her Local Navigation Certificate he or she must give the PLA notice to that effect accompanied by the Local Navigation Certificate or if he or she does not, accompany the notice with a statement as to the reason or reasons why not. Where a notice of surrender is given in accordance with this paragraph, the Local Navigation Certificate will lapse on receipt by the PLA of the notice.

5.3 A holder of a Local Navigation Certificate shall carry it with him or her at all times when engaged in Shifting Pilotage, Voluntary Movement or Berthing Assistance and, on demand, produce it to:

a) the Master of the vessel he or she is assisting;

b) a person whom he or she knows or ought reasonably to know is an officer of the PLA;

c) a Police Officer;

d) a person who has been duly authorised as an agent of the PLA;

e) an officer of the Maritime and Coastguard Agency; or

f) an Inspector of the Marine Accident Investigation Branch.

PART D

INCIDENT INVESTIGATION PROCEDURE

6. INCIDENT INVESTIGATION PROCEDURE

Following any navigational incident involving a vessel for which Local Navigation is being carried out by a holder of a Local Navigation Certificate the following procedure shall apply:

6.1 Suspension of the Local Navigation Certificate

The Chief Harbourmaster may immediately suspend the Local Navigation Certificate for the duration, and pending the outcome, of any Harbourmaster's Investigation and any subsequent Chief Harbourmaster's Inquiry.

6.2 Harbourmaster's Investigation

a) The Harbourmaster for the district where the incident took place shall, as soon as reasonably practical, initiate an investigation into the causes and other circumstances of the incident.

b) The purpose of such investigation is to ascertain and record all relevant facts and to determine the cause from a safety of navigation perspective.

c) The Harbourmaster will compile a report on the incident and will submit it (together with any supporting documentation) to the Chief Harbourmaster.

d) If the Chief Harbourmaster is not available or is not in a position to deal with the matter the report shall be sent to his duly authorised deputy or assistant and any reference in this procedure to the Chief Harbourmaster shall be deemed to include a reference to his deputy or assistant.

6.3 Adjudication

a) Having considered the report, the Chief Harbourmaster will consider whether any holder of a Local Navigation Certificate involved in the incident may have been guilty of serious incompetence or negligence.

b) If he considers that the incident appears so serious that, if substantiated, prosecution or revocation of the Local Navigation Certificate might be appropriate, he shall either initiate the criminal prosecution himself, or convene an Inquiry, or both. Conversely, if the seriousness of the incident does not warrant such action, he may give an appropriate reprimand, which may include the suspension or continued suspension of the Local Navigation Certificate for a set period pending re-training or re-assessment, or reinstate a suspended Certificate. He shall give not less than 14 days notice of an Inquiry to any holder concerned.

c) Prior to an Inquiry, written proofs of evidence from witnesses will (whenever reasonably possible) be obtained by a Harbourmaster and copies of the such proofs will be passed to any holder concerned not later than 14 days before the Inquiry. He or she will be called to attend the Inquiry and advised that he or she may bring a legal representative or friend to assist him or her, and he or she will also be warned that the finding of the Inquiry may lead to his or her eventual disqualification from holding a Local Navigation Certificate or criminal prosecution or both. The holder will also be asked to provide a proof of evidence no later than 3 days in advance of the Inquiry.

6.4 Chief Harbourmaster's Inquiry

a) The Chairman of the Inquiry shall normally be the Chief Harbourmaster. Assisting him will be two other officers of the PLA (other than the Harbourmaster referred to in paragraph 6.2 a) above and anyone who assisted him in that investigation), and any other persons as may be determined by the Chief Harbourmaster.

b) At the Inquiry, the proofs of evidence will be read but this does not have to be aloud and a full record will be kept of all additional questions asked and answers given (including oral evidence and submissions). Any holder involved shall be entitled to read or, as appropriate, hear all the evidence, and to ask questions of witnesses (including expert witnesses) and advisers and make representations.

c) Where appropriate, an inspection of the site and any vessel(s) involved should be undertaken before the Inquiry reaches its conclusions.

d) The Chief Harbourmaster's Inquiry will produce a summary record of its findings but without apportioning blame or suggesting any sanction (disciplinary or criminal). The Chief Harbourmaster will then consider what, if any, further action should be taken. If he concludes that a reprimand is all that is required, he shall give such reprimand and have it recorded on file. If he considers a criminal prosecution is appropriate, he shall initiate it and if he considers that the holder's Local Navigation Certificate should be revoked he shall notify the holder that he intends to revoke it and ask the holder if he or she wishes to make any representations by way of mitigation or reasons why this action should not be taken.

e) The Chief Harbourmaster shall consider any representations made by the holder and then make his final decision which he shall notify in writing to the holder.

6.5 Appeal

a) The Local Navigation Certificate holder shall be entitled to appeal against a refusal, or suspension or revocation of his or her Local Navigation Certificate as determined by a Chief Harbourmaster's Inquiry, to the Licensing Committee of the PLA.

b) No person who sat on the Chief Harbourmaster's Inquiry shall sit on the Licensing Committee when it is sitting for any purpose connected with the hearing of any appeal under this paragraph.

c) Notice of appeal must be given within one month of the date, beginning with the date that the appellant was notified by the PLA of the decision appealed against.

PART E

MISCELLANEOUS

7. TRANSITIONAL ARRANGEMENTS

7.1 Persons employed in Local Navigation at the time this Schedule and the associated General Direction No. 11 come into force, and who apply within a period of up to six months thereafter, will, on the submission of substantiated evidence, which demonstrates experience of moving vessels of an appropriate length and type within the defined Areas of the Thames, on at least 10 occasions during each of the previous two year period, and subject to a formal practical assessment and the production of a valid, appropriate qualification and a valid medical certificate, be granted a Local Navigation Certificate of a category appropriate to their experience in the last two years.

Note: *In respect of paragraph 6.1:*

i) The 'formal practical assessment' will be undertaken by a PLA Authorised Pilot and will involve the candidate manoeuvring a vessel on to and off a berth. Both the vessel and berth will be of a size and type, and location, respectively, relevant to the Area of the Thames for which the application is made. If applications are made for different areas, more than one assessment may be necessary.

ii) An example of an 'appropriate qualification' is a full, valid watermen's licence.

iii) A 'valid medical certificate' includes a valid: PLA medical certificate, ML5 or ENG1.

7.2 Thereafter, the renewal of such Local Navigation Certificates, with the exception of the requirement to obtain a STCW qualification in the case of a Large Vessel Local Navigation Certificate, will be subject to the requirements of this Schedule

8. FEES

Reasonable Application, Renewal and Assessment fees will be charged at a level determined by the PLA and set out in its published charges.

9. APPLICATION FORMS

Local Navigation Certificate Application and Renewal forms and Assessment Application forms are available from the following address:

Pilotage Administration Office
Port of London Authority
London River House
Royal Pier Road
Gravesend
Kent DA12 2BG.

Tel: +44(0) 1474 562320
Fax: +44(0) 1474 562378

NOTES TO THE SCHEDULE

OPERATIONAL RESTRICTIONS

1 Shifting Pilotage

1.1 As directed by the Port of London Authority, Shifting Pilotage is excluded from compulsory pilotage between the Denton Limit and London Bridge. This exclusion does not apply to:

a) Specified Vessels;

b) Passenger Vessels of 50m or more in Length Overall;

c) vessels carrying Marine Pollutants in Bulk;

d) vessels over 230m Length Overall between the Denton Limit and Queen Elizabeth II Bridge (Eastern Area);

e) vessels over 140m Length Overall between Queen Elizabeth II Bridge and Margaretness (Central Area); and

f) vessels over 100m Length Overall between Margaretness and London Bridge (Western Area).

1.2 Any person undertaking Shifting Pilotage on vessels not subject to compulsory pilotage shall hold a valid Shifting Pilotage and Voluntary Movement category Local Navigation Certificate for the size of vessel and Area of the Thames concerned.

1.3 Only a person holding a valid Shifting Pilotage and Voluntary Movement category Small Vessel Local Navigation Certificate for the Western Area (between the Margaretness Limit and London Bridge) may undertake Shifting Pilotage through the Thames Barrier.

2 Berthing Assistance

2.1 Berthing Assistance can only be undertaken on vessels for which pilotage is not compulsory as defined in Pilotage Directions made under Section 7 of the Pilotage Act 1987 between the Denton Limit and London Bridge.

2.2 Where the Competent Harbour Authority is unable to provide on request, pilotage services to a vessel for which pilotage is not compulsory, the Master may engage a person holding a valid Berthing Assistance category Local Navigation Certificate for the vessel and Area of the Thames concerned.

3 Voluntary Movements

3.1 Voluntary Movements can only be undertaken on vessels for which pilotage is not compulsory as defined in Pilotage Directions made under Section 7 of the Pilotage Act 1987 between the Denton Limit and London Bridge.

3.2 Where the Competent Harbour Authority is unable to provide on request pilotage services to a vessel for which pilotage is not compulsory then, the Master may engage a person holding a valid Shifting Pilotage and Voluntary Movement category Local Navigation Certificate for the vessel and Area of the Thames concerned.