

**(RULES FOR PILOTS AND PILOTAGE FOR THE PORT OF BASSEIN.)**

**No. 21**

**The 30th December 1872.**

No. 21. - The 30th December 1872. - The following revised rules for Pilots and pilotage for the Port of Bassein are published in supersession of all previous rules :-

**RULES FOR PILOTS AND PILOTAGE FOR THE PORT OF BASSEIN.**

- I. Licenses will be granted by the Master Attendant under the authority of the Chief Commissioner, British Burma, to qualified persons, authorizing them to act as Pilots for the port of Bassein. Provided however, that all Pilots now duly licensed shall be considered to be licensed Pilots within the meaning of these Rules, and shall be subject to them from the date of their publication.
- II. The qualifications for a license are a knowledge of general seamanship, a capability of giving intelligible orders in the English language in working a ship, and a thorough acquaintance with the Bassein River and the channels leading thereto. In addition to this, the applicant must produce certificates of general good conduct and sobriety.  
  
In selecting European candidates, preference will be given to those who possess a Master's or Chief Mate's certificate.
- III. Candidates for the office of Pilot will forward their applications to the Master Attendant of Bassein, who will submit them to the Chief Commissioner, British Burma, through the Deputy Commissioner and Commissioner of Division, who will record their opinion thereon.
- IV. The Master Attendant, under the orders of the Chief Commissioner, British Burma, will nominate a Committee to examine the candidate, of which Committee the Master Attendant shall sit as President. The members shall be at least one Master of a vessel in the harbour, who may be willing to give his services for the purpose, and one of the full draft licensed Pilots belonging to the port of Bassein. The candidate shall be questioned on the pilotage of the river and its approaches, and all replies shall be reduced to writing by the President of the Committee, who should take notice of any incorrect answer given by the candidate.
- V. On a candidate being reported qualified by the Committee, and on the proceedings being confirmed by the Chief Commissioner, he will receive a license, numbered, under the signature of the Master Attendant, in

the form in the schedule (B) appended to these Rules ; and his admission on the Roll of licensed Pilots shall be duly notified for public information in the British Burma Gazette, and he will from that date, be subject to these Rules.

VI. The ordinary place for a Pilot to board or leave an outward bound ship, will be a position about one mile N. E. of Diamond Island, or at the Fair-way buoy. The duty of a Pilot of an inward bound ship will cease on his bringing her to such place as may, from time to time, be appointed for this purpose, by the Master Attendant.

VII. Unless in the opinion of the Master Attendant such appointment should be necessary, no Pilot shall be appointed to an outward bound vessel who has been more than five days in town without the sanction of the Master Attendant, or who has just recovered from the sick list, or who, not being in charge of a ship, has left the outer station with less than half the number of the Pilots who compose his company being there, which number may include Pilots on board of vessels proceeding outwards.

Any licensed pilot who brings a vessel from sea into port, to the satisfaction of the Master, shall, if applied for by the Master, be allowed to have the pilotage of such ship outward, provided that he is available 24 hours before the stated time of departure, and that his license entitles him to pilot vessels of her draught. Provided also, that in the opinion of the Master Attendant, no detention to other vessels will be caused thereby.

VIII. Every Pilot may be required to produce his license to the Master of any vessel requiring a Pilot. He is, when desirous of being employed, to fly his Pilot flag, which he is also to hoist in some conspicuous place while in charge of any vessel.

IX. Every Pilot shall be ex-officio a Preventive officer of Customs, and shall be responsible as Preventive officer for any breach of the Customs law which shall take place when he is in pilotage charge of a ship.

X. The Pilot flag is to be four feet square, red and white, horizontal for European Pilots, and vertical for Native Pilots, and the number of the license is to be shewn on the flag in blue, in figures of two feet in length.

XI. No vessel at sea need be boarded unless the signal for a Pilot be hoisted, in which case it is imperative on a Pilot to proceed on board without delay.

In the event of a Pilot boarding a ship with a Pilot signal flying, the Pilot, if not under draft, shall be entitled to his full pilotage, although the Captain may afterwards bring in his own ship, unless he can

show sufficient cause for having dispensed with the Pilot's services after having demanded them by signal. This applies to a vessel at sea only.

A Pilot, if unengaged, must not pass an inward bound ship in pilotage waters which has a signal for a Pilot flying, without boarding her and offering his services. An unengaged Pilot meeting an outward bound vessel, beyond the limits of the port, must relieve the Pilot in charge of her, if from sickness or some unavoidable cause, such Pilot is unable to perform his duty.

XII. Pilots on the outer station will give preference to the following vessels :-

1. H. M's. Men of War.
2. Troop Ships.
3. Mail Steamers.

XIII. Any Pilot who may demand or receive a higher rate of pilotage than he is entitled to under these rules, will be liable to such suspension or deprivation of his license as he shall be considered by the Chief Commissioner to deserve.

XIV. Any Pilot leaving a ship from any cause (except sickness, default on the part of the ship, or with the Master's consent) before she has been taken to sea or anchored in the river, according to the rules of the Port, will not be entitled to any portion of the pilotage ; and any Pilot leaving a ship under his pilotage charge, unless under a Medical Certificate, or with the permission of the Master Attendant, will be deemed to be guilty of misconduct within the meaning of these Rules.

XV. No Pilot shall take charge of a ship or move her within the port of Bassein, after she has once been moored, without the order of the Master Attendant, which order is not transferrable to any other Pilot, without the sanction of the Master Attendant. Any detention which may occur in carrying out any duty, is to be reported to the Master Attendant. The completion of the duty should also be reported.

XVI. Pilots in bringing ships into port are to pay the strictest attention to the directions of the Master Attendant, as to the places in which they are to moor ; and Pilots shall report their arrival on all occasions at the Office of the Master Attendant in person, within 12 hours after their arrival.

When, however, Pilots have to immediately join any other vessel, they may, instead of personally reporting themselves to the Master Attendant's office, sign their names in the Port Book as having brought the vessel into harbour. Pilots shall also report their departure to proceed to the outer station to the Office of the Master Attendant.

XVII. Pilots shall proceed to the outer station when ordered by the Master Attendant, and any Pilot becoming sick and unfit for duty, is immediately to forward a Medical Certificate to the Master Attendant.

XVIII. The rate of pilotage for vessels is as follows, subject however to modifications according to the situation in which the vessel is boarded, in the manner indicated in Schedule D. Vessels towed by steamers will pay three-fourths of the rate of pilotage.

Steamers drawing under 19 feet, will pay half the rates ; those over that draft, three-fourths.

Steamers having in tow any vessel over 100 tons measurement to pay three-fourths of the rates.

Inward Pilotage.

From Outer station to Dalhousie,

To Enterprise Island, ... ..

To Bassein, full pilotage.

Outward Pilotage.

From Bassein to Enterprise Island,

To Dalhousie ... ..

To Outer station, full pilotage.

XIX. Any Pilot holding a license, who observes any alteration in the position or condition of the sands or channels, or of any buoys or beacons, shall immediately report the fact in writing to the Master Attendant.

XX. Any Pilot who may ground a vessel, shall report the occurrence to the Master Attendant in writing, with as little delay as possible, specifying the place and time, state of the weather, direction and force of the wind, time of tide, period on shore, extent of damage, and every other necessary particular. This report is to be certified by the Master of the vessel.

XXI. When anchors or cables are lost, the Pilot in charge shall report the occurrence in writing, specifying the time and place, particulars of size, and quantity of chain, size of anchor if buoyed, and nearest bearings.

XXII. The Pilots are bound to pay strict attention to the orders of the Master Attendant ; and for grounding a vessel or any other proved misconduct on board a vessel, whilst in pilotage charge, or for any other

neglect of any rule or regulation of the port, or any instructions issued with reference thereto by the Conservator of the Port, or any infringement of, or disobedience of these Rules, a Pilot may be temporarily suspended by the Master Attendant, the circumstances of the case being fully reported through the prescribed channel, to the Chief Commissioner within 24 hours of such suspension, and his license may be suspended, revoked or modified under the orders of the Chief Commissioner.

XXIII. When any charge is preferred against a Pilot of carelessness, misconduct, neglect, or disobedience, or for grounding or otherwise endangering the safety of a ship of which he is in pilotage charge, the Chief Commissioner may direct that an enquiry into such charge shall be held by a Court of Enquiry. In each case an officer shall be appointed by the Chief Commissioner to be President of the Court and one or more Masters of vessels in the harbour, one Merchant and one or more licensed Pilots shall be Members. The Master Attendant or his Deputy, shall conduct the prosecution, but shall not take any part in the finding of the Court. The Court thus constituted shall examine any persons who may be in attendance for that purpose, recording their statements and the explanation or defence of the Pilot, and also the statements of such witnesses as he may produce in his defence, and shall, on the conclusion of the enquiry, submit its proceedings with the opinion of the Members, to the Chief Commissioner. It will also, in recording its opinion, if such opinion be adverse to the Pilot, state what deprivation or suspension it considers the said Pilot should be subjected to, and the finding of the Court may be either confirmed, modified, or reversed, by the Chief Commissioner.

1. Deprivation of license.
2. Reduction from full draft to limited draft for such a period as the Chief Commissioner may think fit.
3. Suspension of license.

In all cases where a Pilot is sentenced to reduction to limited draft, or to suspension for more than six months, he shall be required to appear before an Examination Committee before his license is restored to him. When a Pilot has been found guilty of misconduct, neglect or unskilfulness when in pilotage charge of a vessel, it shall be competent for the Chief Commissioner, in passing an order of deprivation as before provided, to direct that the Pilot shall have no claim against the said vessel in respect of any fees that would otherwise have been claimable, and in the latter case any deposit in the Master Attendant's Office of Pilotage fees, made on account of the said vessel, shall be returned to the party depositing the same.

- XXIV. If however, it shall appear to the Chief Commissioner, to be advisable that the enquiries should be held by a single officer, the Chief Commissioner may appoint an officer to hold an enquiry into such charge, and such officer may proceed to hold an enquiry either with or without the assistance of assessors, and shall record evidence on oath and take the defence of the Pilot or evidence of any person whom he may desire to call in his defence, in the same manner as if the proceedings were held in an ordinary Court of Justice, and shall forward the proceedings to the Chief Commissioner with his finding and a recommendation of the amount of punishment which should, in his opinion, be awarded.
- XXV. In cases when Pilots are suspended from duty, their licenses are to be delivered up to the Master Attendant for the period of their suspension.
- XXVI. A table shewing the names of the licensed Pilots, and the limit of the draft assigned to them and their respective numbers, is, for the information of the public, to be exhibited in the Office of the Master Attendant and in the office of the Collector of Customs, and any change amongst the Pilots, either by the admission of a new Pilot, or by casualty, as also the final orders in the case of any enquiry made into the conduct of any licensed Pilot as hereinbefore provided, shall be duly published in the British Burma Gazette.
- XXVII. Commanders of vessels requiring a Pilot, are to give a written notice at the Master Attendant's Office, specifying the day and date on which he will be required, two days previous to clearing outwards.
- XXVIII. If, after a Pilot has been appointed, the vessel shall not move on the day and date specified, the Pilot having been in attendance, he shall be entitled to sixteen (16) Rupees in the same manner as if the duty had been performed, provided the detention shall not have arisen from desertion of seamen, wind and weather, or tide, or any other cause which could not have been foreseen.
- XXIX. On any case of detention occurring within the limits of the port, the Commander will make a written statement of the reason and deliver it to the Master Attendant, stating whether he requires the Pilot's attendance the following day or not.
- XXX. Any Pilot being detained on board a vessel out of the limits of the port, by the desertion or misconduct of the seamen, or from any unforeseen casualty over which the Commander could have no control, shall be bound to remain with the vessel without any extra remuneration for the space of 24 hours, after which, should the detention continue, the Commander of the vessel will pay sixteen (16) Rupees for every day of his detention, failing which, the Pilot may, after the expiration of 24 hours, leave the vessel, provided the

detention has not been caused by the prevailing winds, weather or tide, for delays owing to which no claim shall be admitted.

XXXI. The Commander of a vessel, on arrival within the limits of the port, may detain the Pilot for 24 hours while waiting for orders, &c., but he must pay such Pilot sixteen (16) Rupees for the detention, in addition to the Pilotage fees.

XXXII. Between the upper boundaries of the port and the Pilot station, Pilots in charge of vessels drawing 12 or more feet of water, are strictly prohibited from keeping them under weigh or moving them during the night between sunset and daylight, except with the special sanction of the Master Attendant.

XXXIII. Pilots absent on leave for more than six months, will not be permitted to resume their duties without being re-examined.

XXXIV. Pilots when posted to outward bound vessels are to see that their port clearances are in order, and are on no account to take them away from the port if their clearances are not properly signed.

J. TALBOYS WHEELER,  
Secretary.

----- Attachment -----

[ ATTACH LIST 1 ] 01 Schedule A. (RULES FOR PILOTS AND PILOTAGE FOR THE PORT OF BASSEIN.)

[ ATTACH LIST 2 ] 02 Schedule B. Form of Pilot's License.

[ ATTACH LIST 3 ] 03 Schedule C. Form of License for Pilot's Boats.

[ ATTACH LIST 4 ] 04 Schedule D. Bassein Pilotage chargeable on Vessels.

[ ATTACH LIST 5 ] 05 Schedule E. (RULES FOR PILOTS AND PILOTAGE FOR THE PORT OF BASSEIN.)

[ ATTACH LIST 6 ] 06 Schedule F. List of Licensed Pilots in the Port of Bassein.