

FINANCIAL DEPARTMENT

BASSEIN PILOT RULES.

NOTIFICATIONS.

No. 45

RANGOON, SATURDAY, AUGUST 29TH, 1885.

No.45. - Under the provisions of sections 3, 5, 10, 11, and 16, of the British Burma Pilots Act, 1883, the Chief Commissioner makes the following rules for the licensing of pilot at the port of Bassein, for the regulation of the conduct of pilots licensed under the Act as the said port in all matters connected with the performance of their duties as such pilots, for the constitution of a special Court for the investigation of charges made against such pilots, and for carrying into effect the provisions of the Act with respect to the special Court:-

SECTION I.

OF THE LICENSING OF PILOTS.

1. There shall be four grades of pilots at the port of Bassein by whom the following duties may be undertaken respectively:-
By pilots of the 1st grade, the piloting of vessels of any draft from town to sea and vice versa.
By pilots of the 2nd grade, the piloting of vessels of a draft of 21 feet or under.
By pilots of the 3rd grade, the piloting of vessels of a draft of 18 feet or under.
By special pilots, the piloting of a particular vessel named in the license.
2. The number of licensed pilots other than special pilots shall not exceed seven without the special sanction of the Chief Commissioner in each case. The Chief Commissioner may reduce the maximum number of licensed pilots after consulting the Commissioner and the Port Officer, when he considers that by reason of the use of steam-launches, or by reason of any change in the character of the trade or of the river, the work can be done by a smaller number of pilots.
3. Every vacancy occurring in the service shall be duly notified in one or more Rangoon newspapers. Candidates for appointment as licensed pilots other than special pilots shall be over 23 and under 30 years of age. Applications for licenses shall be addressed to the Port Officer, and shall be accompanied by

a medical certificate of physical fitness, a master's or mate's certificate, and a certificate or certificates of intelligence, good conduct, and sobriety.

4. The Port Officer shall submit each application with his recommendation thereon to the Commissioner, whose orders as to its acceptance or rejection shall be final.
5. Every selected candidate will be required to present himself for examination as to his fitness for a 3rd grade pilot's license within six months of the acceptance of his application. Before being admitted to examination he will be required to satisfy the Port Officer that he has spent at least three months in acquainting himself, by running on the river, with the approaches, channels and tides, and the navigation thereof.
6. Candidates for pilots' licenses shall be examined by a committee convened from time to time under instructions from the Commissioner. The Committee shall consist of the Port Officer as President, a master of a sea-going ship, and a 1st grade pilot as members.
7. The examination shall be conducted *viva voce*. The proceedings of the Examination Committee shall be recorded in the form given in Appendix A attached to these rules; and shall be submitted by the Port Officer to the Commissioner who, after considering the recommendations of the Committee, shall decide whether the candidate has passed or not, reporting the result to the Chief Commissioner.
8. To a candidate who has successfully passed the examination for a pilot's license of any grade the Port Officer shall grant a license of that grade, provided that a 3rd grade license shall only be granted when the number of licensed pilots other than special pilots is less than the maximum fixed in Rule 2.
9. A candidate for a 3rd grade pilot's license shall be examined in the following subjects:-
 - (1) General seamanship. The candidate shall be required to show a sufficient knowledge of seamanship to handle a steamer or sailing vessel of 18-feet draft and to pilot a sailing vessel of that draft from town to sea and vice versa.
 - (2) The course of the river, the distance and cross-bearings from buoy to buoy and to the principal objects on shore, and the bearings of the several channels and reaches with their respective names.
 - (3) The general outline of the sands and the depth of water over the shoals and at various places in the river.
 - (4) The leading marks and their uses.
 - (5) The influence of the tides during the several phases of the moon, and the sets of the ebb and flood in the different reaches and channels.

(6) The regulations for preventing collisions at sea, and the port and pilot rules for the time being in force.

10. If the candidate is unsuccessful, he shall, at the end of one month, be permitted to present himself again for examination; if he fails at the second examination, it shall be at the discretion of the Port Officer to permit him to present himself a third time for examination at the expiry of a further month. A candidate who fails a third time will not be allowed to present himself again for examination.

11. When a pilot has held a 3rd grade license for six months, he may apply to the Commissioner through the Port Officer for an examination for a 2nd grade license, and the Commissioner may thereupon cause a committee to be convened.

12. The subjects for examination for the 2nd grade license shall be similar to those for the 3rd grade license, but the examination shall be of a more difficult character, and shall include the handling and piloting of vessels of 21-feet draft. In seamanship the candidate shall be examined in the art of "Backing" and "Filling;" also as to how to manoeuvre with a steamer or sailing vessel placed in difficult positions with regard to wind, tide, &c. He shall be required to have a good knowledge of the tides at different seasons of the year, and a thorough acquaintance with all rules and regulations affecting pilots in force at the time of the examination.

13. When a pilot has held a 2nd grade pilot's license for one year, the Port Officer, with the approval of the Commissioner, may, if he is satisfied with his conduct and qualifications, grant him a 1st grade license without further examination.

14. The following fees shall be paid by candidates for examination before a committee is convened:-

	Rs.
For a 3rd grade pilot's examination 25
For a 2nd grade pilot's examination 30
For a special grade pilot's examination 25

15. The licenses shall be in the forms prescribed in Appendix B attached to these rules.

16. To any person who, on the 1st October 1885, holds a license to pilot vessels on the Bassein river, the Port Officer shall, on his application, grant without examination or fee a license under these rules for the grade or for the vessel for which a license is held by him.

17. Special pilots' licenses shall be granted only to commanders of vessels, and shall entitle the holder to pilot the vessel which he commands, and no other, from town to sea and vice versa. Special pilots' examinations may be held from time to time under the orders of the Commissioner and shall be of similar character and difficulty to those for ordinary pilots' licenses, a candidate for a special license for a vessel of 18-feet draft being required to pass an examination similar to that for a 3rd grade license, and so on. It shall be at the discretion of the Commissioner either to admit or to refuse to admit for examination a candidate for a special license.

SECTION II.

OF THE CONDUCT AND DUTIES OF PILOTS.

(a) General.

18. All pilots shall be subject to the control of the Port Officer, and shall obey all lawful orders issued by him.
19. No pilot shall leave Bassein for the pilot station without the permission of the Port Officer; pilots leaving Bassein shall report their departure at the Port Office.
20. No pilot shall leave the pilot-station for Bassein otherwise than to bring up a vessel, without the permission of the Port Officer, unless there are at least four pilots at the station together, in which case so many as are excess of four may return to Bassein, the option of returning being granted in turn to the pilots present in the order of precedence under Rule 30.
21. No pilot shall absent himself from duty unless granted leave by the Port Officer, except in case of sickness, when a medical certificate must at once be forwarded to the Port Officer.
22. A pilot who has obtained leave on medical certificate shall not return to duty until he produces a medical certificate of his fitness to resume duty.
23. Pilots on return from leave shall rejoin at the pilot-station, unless permitted by the Port Officer, for special reasons, to report themselves in Bassein.
24. If a pilot considers himself aggrieved by the conduct of the master of a vessel, he shall transmit his complaint in writing to the Port Officer.
25. Pilots shall at all times conduct themselves in an orderly, decorous manner, and, when on board the pilot-launch, show proper respect to each other.
26. Pilots when at Diamond island shall occupy the quarters provided for them; the senior pilot present shall be in charge and responsible that the house is kept in good order.

27. Pilots shall make themselves acquainted with entries that from time to time may appear in the channel and general order books kept at the Port Office.

28. A first grade pilot shall attend as a member of a committee of examination or assessor to a special Court of Enquiry when summoned by the Port Officer or President of the Court.

29. No pilot shall do any of the following acts:-

- (1) Be asleep when in pilotage charge of any vessel when under weigh.
- (2) Be drunk when in charge of a vessel, or on board the pilot launch, or when on general duty.
- (3) Refuse to take charge of a vessel when ordered to do so by competent authority, or improperly throw up charge of any vessel to which he has been posted.
- (4) Be insubordinate or disrespectful to a superior officer.
- (5) Assault his superior officer when on duty.
- (6) Seek or receive any gratuity from the master, owner, or agent of a vessel, directly or indirectly; or demand or receive a higher rate of pilotage or demurrage fees than he is entitled to under the rules published under section 61 of the Indian Ports Act, 1875.
- (7) Wilfully make a false report of the circumstances attending the grounding, collision, injury, or loss of any vessel, or the stores of any vessel, or on any point connected with his duties as pilot.
- (8) Commit or connive at any fraud or offence against the laws relating to ports, customs, or excise.
- (9) Wilfully disobey any of the rules or orders for the time being in force regulating the duties and conduct of pilots.

(b) In respect of Inward Pilotage.

30. The order in which pilots shall be appointed to inward-bound vessels shall be determined in the following manner:-

[a] A register of pilots, which shall be called the "station register," shall be kept in duplicate by the Telegraph-master at the telegraph office at Diamond island. Each pilot upon his arrival at Diamond island shall enter his name in this register.

[b] The names of pilots shall be entered in the station register upon their arrival at Diamond island in the order in which they pass the Fairway buoy. When two or more pilots arrive by the same vessel the following rules shall be observed:-

- (1) In the busy season the name of the pilot in charge of the vessel shall be entered above the name of any pilot travelling as a passenger.

(2) In the slack season the names of pilots travelling as passengers shall be entered above the name of the pilot in charge of the vessel.

(3) The names of pilots arriving as passengers shall be entered according to the order in which their names stand in the office register.

[Note.- The word “vessel” in the above does not include the pilot launch.]

[c] Pilots shall take charge of inward-bound vessels in the order in which their names are entered on the station register.

Exception.- Pilots specially ordered to the outer station by the Port Officer at one and the same time shall take precedence among themselves according to the order in which their names stand in the Port Office register at the time they were ordered down, provided that no vessel in want of a pilot be thereby detained.

[d] Any vessel signalling for a pilot shall be boarded without delay by the pilot whose name stands highest in the station register of those qualified to pilot her.

(1) Except in order to assist a vessel in distress, the station is never to be left without at least one pilot.
(2) Exchanges of turns shall not be permitted except in order to enable a pilot to return to Bassein for a ship which he has received permission from the Port Officer to take down, and then only if the pilot's services can be dispensed with on the station.

[e] If there is a scarcity of pilots at the station, vessels shall be supplied in the following order:-

- (1) Vessels in distress.
- (2) Her Majesty's vessels and troop ships.
- (3) Mail steamers.
- (4) Merchant steamers.
- (5) Other merchant vessels.

[f] In cases not specially provided for by these rules, or in which there is any doubt as to what pilot should take charge of a vessel, the Port Officer must be communicated with, and will decide, by telegram.

[Note.- The words “busy season” mean the period from the 1st January to the 30th June.]

31. Every pilot, on taking pilotage charge of an inward-bound vessel, shall deliver to the master thereof a copy of the port rules and take a receipt for the same, which receipt shall be filed at the Port Office.

32. Pilots shall call the attention of masters of vessels to section 22 of the Indian Ports Act, 1875, and shall report any infringement thereof to the Port Officer.

33. A pilot, on taking charge of an inward-bound vessel, shall bring to the notice of the master the rules for the medical inspection of vessels entering the port, and shall ascertain whether the vessel has come from a port where plague, cholera, yellow fever, or typhus was prevalent, and whether any case of such disease has occurred during the voyage. If any such case has occurred during the voyage, the pilot shall hoist the flag Q at the main and keep it flying until the Health Officer comes on board, and shall anchor the vessel off the Takaing pagoda and there await further orders. When possible, without unduly detaining the vessel, the pilot shall telegraph particulars to the Port Officer from Diamond island.

34. A pilot, having taken pilotage charge of an inward-bound vessel, shall not leave such vessel until his duty is completed within port limits, by mooring her to the satisfaction of the Port Officer in the stream or otherwise, or until a Customs Officer has boarded her.

35. Pilots in charge of inward-bound vessels shall keep a good look-out for the Customs boat and afford every facility to her in getting alongside.

36. Pilots bringing vessels in for orders shall, without extra fee, moor them in the recognized anchorages and in such positions as not to interfere with the navigation of the river.

37. Pilots discharged from vessels anchoring at Diamond island shall remain on the station, their names being placed in turn at the bottom of the station register.

38. Pilots shall submit to the Port Office, as quickly as possible after arrival in town, certificates attested by the masters containing particulars of the inward draft of the vessels brought into the port by them.

(c) In respect of Outward Pilotage.

39. The order in which pilots shall be appointed to outward-bound vessels shall be determined in the following manner:-

(a) a register of pilots, which shall be called the "office register," shall be maintained at the port office; (b) pilots arriving in town shall report themselves at the port office, and their names shall be entered in the office register in the order of their arrival in town;

(c) pilots shall be appointed to outward-bound vessels by the port officer; they shall take pilotage charge of vessels when so appointed and not otherwise;

(d) pilots shall be posted to ships in the order in which their names are entered in the office register: provided that a pilot shall be allowed to take down, out of his ordinary turn, a vessel which he has brought up, if he is in Bassein within 24 hours of the vessel clearing the Custom-house, and if no

reasonable objection has been made by the master within 24 hours of the arrival of the vessel in Bassein.

40. Pilots on boarding outward-bound vessels shall see that the port clearances are in order, and shall not take such vessels from the port if the clearances are not in order.
41. Should any attempt be made to put goods on board an outward-bound vessel after port clearance has been obtained, and the Preventive Officer has left, the pilot shall remonstrate, and if the attempt is persisted in, shall report the matter to the Port Officer and detain the vessel for further orders.
42. Pilots in charge of outward-bound vessels shall use their best exertions in getting them to sea, and shall take them outside the Fairway buoy. On quitting charge each pilot shall enter his name at the bottom of the station register kept for that purpose at the Telegraph Office.
43. Pilots on quitting outward-bound vessels at the pilot-station shall obtain certificates for outward pilotage attested by the masters, and submit the same as early as possible, after the departure of the vessel, to the port office.
44. Except as specially provided for, no pilot shall quit any outward-bound vessel to which he has been posted, before the completion of duty, without the consent in writing of the master thereof.

(d) In respect of both Inward and Outward Pilotage.

45. Every pilot, when in charge of a vessel, shall hoist his flag in a conspicuous place so that its number may be telegraphed from Diamond island.
46. The pilot flags shall be four feet square, red and white, horizontal for European pilots, and vertical for Native pilots; and the number of the license shall be shown on the flag in blue, in figures of two feet in length.
47. Pilots in charge of vessels under weigh shall strictly conform to all rules regulating the navigation of the port and its approaches.
48. Pilots in charge of vessels shall not move or keep such vessels under weigh after dark or before daylight, without a written request from the master to do so. Discretionary power to comply with such a request rests with the pilot, who shall be under the same responsibility as if he had the vessel under weigh during daylight, and he shall report the circumstances to the Port Officer.
49. A pilot in charge of any vessel under weigh in pilotage waters shall always see that the lead is used when and where required.
50. Every tug whilst towing ahead of a vessel shall be in charge of a pilot.

51. Pilots of steam-tugs, when towing, shall be under orders of the pilot in charge of the vessel being towed in all matters regarding the navigation of the river or approaches.
52. Any pilot detained on board a vessel owing to the desertion or misconduct of the seamen or by stress of weather, tides, or any circumstances over which the master could have no control, shall be bound to remain with the vessel without any extra remuneration for the space of 24 hours.
53. Every case of detention shall be reported to the Port Officer, and the master of the vessel should be requested to send a written explanation of such detention, and an application stating when he will require the pilot's attendance.
54. Every pilot being ex-officio a Preventive Officer of Customs, shall exercise the powers possessed by, and shall discharge the duties imposed on, such officers.
55. Should any attempt be made to remove goods from a vessel in the river, save under section 70 of the Customs Act, the master should be warned by the pilot that he is liable to be fined and that such goods are liable to confiscation under section 167, clauses 2, 5, 11, 28, and 31 of that Act. If, notwithstanding such warning, the removal of goods be persisted in, the fact shall be reported by the pilot to the Port Officer, and the vessel shall be detained until further orders.
56. Every pilot shall make himself acquainted with the rules in force for the time being regarding the importation and exportation of gunpowder, other explosives and inflammable oils, and shall not knowingly permit the said rules to be broken by the master of any vessel of which he is in pilotage charge.
57. Any pilot who observes any alteration in the position or condition of the sands, channels, buoys, or beacons shall, immediately on arrival in town or at the station, report the same in writing to the Port Officer.
58. If a vessel loses an anchor or anchors, the pilot in charge shall as soon as practicable, report the circumstance to the Port Officer. The report shall be attested by the master of the vessel. To enable the Port Officer to identify the lost articles, the report shall give the following particulars:-
 - (a) locality of accident;
 - (b) bearings of any known fixed objects;
 - (c) description, weight, or quantity and distinctive marks.
59. Should a vessel in charge of a pilot ground, collide with any vessel or buoy, or meet with any casualty while under his charge, the pilot shall transmit to the Port Officer, as soon as possible, a report giving the following particulars of the occurrence:-

- (a) locality of accident;
- (b) bearings of known fixed objects;
- (c) vessel's draft of water;
- (d) state of tide;
- (e) time accident occurred;
- (f) circumstances under which it happened;
- (g) damage, if any, sustained;
- (h) the time the vessel was aground;
- (i) quantity of water the vessel made.

He shall request the master either to attest the report or to furnish a separate one. This rule applies to steam-tug pilots when they may have the vessels meeting with such casualties in tow.

60. The pilot appointed to a vessel may decline to move her unless steam-power is supplied sufficient in his opinion for safely towing. If the master is unwilling to accept the pilot's decision, the matter shall be referred to the Port Officer, whose decision shall be final.

SECTION III.

OF THE SPECIAL COURT.

61. On summoning the assessor who is a pilot and the assessor who is a merchant the President shall select the names in rotation from the list in the British Burma Gazette.

62. The assessors shall receive a fee of Rs. 32 each.

63. The proceedings of a Special Court shall be conducted and recorded in the form given in the appendix C attached to these rules.

FINANCIAL DEPARTMENT

----- Attachment -----

- [ATTACH LIST 1] 01 APPENDIX A. PROCEEDINGS OF EXAMINATION COMMITTEE.
- [ATTACH LIST 2] 02 APPENDIX B. FORM OF PILOT'S LICENSE.
- [ATTACH LIST 3] 03 APPENDIX C. (BASSEIN PILOT RULES.)