

PRONOUNCEMENT OF REVISED SERVICE CHARGES
MARCH 24, 2021

GENERAL

The Atlantic Pilotage Authority (the Authority) hereby pronounces revised service charges, Effective April 1, 2021, to be established under Section 33.2 of the *Pilotage Act*, S.C. 1985, c. P-14. This pronouncement sets out the revisions in charges that apply to other charges as they apply to the non-compulsory areas of Newfoundland and Labrador.

The Authority is implementing these other charges in preparation for the current Atlantic Pilotage Tariff Regulations — Newfoundland and Labrador Non-Compulsory Areas to be rescinded.

As these other charges are classified under Section 33 (2) of the *Pilotage Act*, they may be established or revised by resolution. On March 11, 2021, a resolution was passed by the Board of the Atlantic Pilotage Authority to establish these charges.

This pronouncement consists of the following sections:

- (1) Re-establish Other Charges for Newfoundland and Labrador Non-Compulsory Areas at rates currently in Regulation.
- (2) Establish an additional charge for consultation services, if agreed to in advance by the parties.

1. RE-ESTABLISH OTHER CHARGES FOR NEWFOUNDLAND AND LABRADOR NON-COMPULSORY AREAS

A. Schedule of Charges

1. Introduction

These charges apply in respect of pilotage in Canadian waters in and around the Province of Newfoundland that are not in a compulsory pilotage area.

The Authority obtains its revenues in the form of charges levied on vessel operators for the provision of pilotage and other services.

The charging system based on

- The time required to complete the assignment;
- The size, or type, of vessel requiring pilotage;
- Additional services or costs incurred for the transit;
- Contracted services to provide consultation or plan a transit.

Described in the following sections are the charges applicable to a Newfoundland Non-Compulsory assignment, and ancillary charges that may apply.

2. Pilotage Cards

- (1) On boarding a ship, the pilot shall ascertain from the master or officer-in-charge of the ship, the breadth of the ship, depth of the ship, length of the ship, registered tonnage and any other information necessary to complete the pilotage card supplied by the Authority.
- (2) A completed pilotage card shall be signed by the master or officer-in-charge of the ship and by the pilot and shall be delivered by the pilot without alteration to the Authority as soon thereafter as is practicable.

3. Description of Charges

a. Travel Charges

- (1) A pilotage charge of \$39.70 per hour or part of an hour is payable for any travel time of a pilot before and after pilotage up to a maximum of \$476.17 for each 24-hour period.
- (2) For the purposes of subsection (1) above,
 - a) the travel time of a pilot before pilotage
 - i commences when the pilot leaves the place from which the assignment to pilot a ship was received by the pilot, and
 - ii ceases

- A. when the pilot boards the ship to which the pilot was dispatched or at the time for which the services of the pilot are required, whichever occurs later, except where the pilot boards the ship in a compulsory pilotage area, or
 - B. when the ship to which the pilot was dispatched exits the pilotage area in which the pilot boarded the ship, where that area is a compulsory pilotage area; and
 - b) the travel time of a pilot after pilotage
 - i commences
 - A. when the pilot disembarks from the ship to which the pilot was dispatched, except where the pilot disembarks in a compulsory pilotage area, or
 - B. when the ship to which the pilot was dispatched enters a compulsory pilotage area in which the pilot is to disembark, and
 - ii. ceases when the pilot arrives at the pilot's place of residence or is dispatched to another assignment, whichever occurs first.

(2) Pilotage Charges

- (1) A pilotage charge of \$49.61 per hour or part of an hour is payable for pilotage time for a ship.
- (2) In addition to the pilotage charge payable under subsection (1) and subject to subsection (3), a charge of \$327.14, or the product obtained by multiplying \$3.51 by the pilotage unit, whichever is greater, is payable for each of the following categories of pilotage:
 - a) coastal pilotage;
 - b) inward port pilotage;
 - c) outward port pilotage; and
 - d) movage of a ship within a port.
- (3) The pilotage charge payable under subsection (2) for a tug and a barge is calculated by adding together the pilotage units for the tug and for each barge and by multiplying that sum by \$3.51, except that, if the charge so calculated is less than \$327.14, a charge of \$327.14 is payable.
- (4) There is no additional charge for trial trips, compass adjusting trips or safety watches performed in conjunction with one or more of the categories of pilotage referred to in paragraphs (2)(a) to (d).
- (5) For the purposes of subsection (1), pilotage time for a ship
 - a) commences
 - i. when the pilot boards the ship to which the pilot was dispatched or at the time for which the services of the pilot are required, whichever occurs later, except where the pilot boards the ship in a compulsory pilotage area, or
 - ii. when the ship to which the pilot was dispatched exits the pilotage area in which the pilot boarded the ship, where that area is a compulsory pilotage area; and
 - b) ceases

- i. when the pilot disembarks from the ship to which the pilot was dispatched, except where that pilot disembarks from the ship in a compulsory pilotage area, or
- ii. when the ship to which the pilot was dispatched enters a compulsory pilotage area in which the pilot is to disembark.

(3) Standby Time

- (1) The charge payable for the standby time of a pilot is \$39.70 per hour or part of an hour.
- (2) Standby time commences:
 - a) where no transportation services are available to disembark the pilot from a ship to which the pilot was dispatched, at the time the pilot is ready to disembark;
 - b) where transportation services not provided by the pilot are interrupted while the pilot is en route to or from a ship to which the pilot was dispatched, at the time the interruption begins;
 - c) where there is inclement weather, at the time such weather prevents the pilot from travelling to or from a ship to which the pilot was dispatched; or
 - d) where a ship to which the pilot was dispatched is not available for boarding at the port of embarkation, at the time the ship was scheduled to be available for boarding.
- (3) Standby time ends when the pilot is able to commence or recommence travel or board the ship to which the pilot was dispatched, as the case may be.
- (4) Notwithstanding subsections 1(2) and 2(5), no charge is incurred under subsections 1(1) or 2(1) in respect of any period during standby time.

(4) Other Pilotage Charges

A. Travelling and other Expenses of Pilots

- (1) In addition to the pilotage charges set out in this Guide, the travelling and other expenses incurred by a pilot that are directly associated with an assignment to pilot a ship and that are payable as pilotage charges shall be the actual cost of those travelling and other expenses.

B. Cancellations

- (1) If a pilot has been dispatched on an assignment and is subsequently notified that the request for the services of the pilot is cancelled, a charge of \$336.77 is payable in addition to any travel or standby charges payable under this schedule and any other expenses incurred by the pilot that are directly associated with the assignment.
- (2) A postponement of a request for the services of a pilot to a time within 12 hours from the original time for which the services of the pilot were required does not constitute a cancellation for the purposes of subsection (1).

C. Dead or Hampered Ships

- (1) Subject to subsection (2), in addition to charges payable under subsections 2(1) and (2), the charges payable for the pilotage of a dead or hampered ship are
 - a) \$49.61 per hour or part of an hour during which the ship is dead or hampered; and
 - b) the product obtained by multiplying \$3.51 by the pilotage unit, or \$327.14, whichever is greater.
- (2) The pilotage charge payable under subsection (1) for a tug towing a barge is calculated by adding together the pilotage units for the tug and for each barge and by multiplying that sum by \$3.51, except that, if the charge so calculated is less than \$327.14, a charge of \$327.14 is payable.

D. Oil Rigs

- (1) The charges payable for the pilotage of an oil rig are
 - a) \$745.84, if the time taken does not exceed six hours; and
 - b) \$119.38 for each hour or part of an hour in excess of six hours.
- (2) The charges payable under subsection (1) are in addition to any other charges payable under this schedule except those charges payable under section (2) Pilotage Charges.

E. Dry Docks

- (1) In addition to any other charges payable under this schedule, a pilotage charge of \$192.60 is payable if a pilot conducts a ship into or out of a dry dock, floating dock or graving dock or on or off a cradle.

F. Charges per Pilot

- (1) Where the services of more than one pilot are used, the total charge for those services is the aggregate of the charges for the services of each pilot

G. Pilot Boats

- (2) Where a boat pilot is used to embark or disembark a pilot
 - a) in the Halifax compulsory pilotage area, a pilotage charge equal to the basic charge for the Halifax compulsory pilotage area plus \$76.25 is payable; or

- b) in any pilotage area other than the Halifax compulsory pilotage area, a pilotage charge equal to the basic charge for that area plus \$110.91 is payable, except that, if there is no basic charge for that area, the charge payable is equal to the actual cost of hiring the pilot boat.

2. ESTABLISH AN ADDITIONAL CHARGE FOR CONSULTATION SERVICES

Periodically, the Authority may receive a request from a stakeholder to have the Authority provide resources for consulting on projects or other activities. This Consultation fee below sets the maximum rate the Authority may charge for each resource allocated but will be done so within a signed agreement between the parties prior to service.

H. Consultation

- (1) Where a customer decides that it would benefit them to have consultation services provided by the Authority - to plan for an operation or provide support in any way - they may reach a signed agreement with the Authority to provide this service at a negotiated price that is not to exceed \$2,000 per day for each resource provided. These services will be exclusive of any services previously captured in this Guide.