

Memorandum of Understanding (MoU)
of the
Baltic Pilotage Authorities Commission (BPAC)
on
Deep-Sea Pilotage
in the Baltic Sea Area

Adopted on 31 May 2018



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Memorandum of Understanding (MoU) of the Baltic Pilotage Authorities Commission (BPAC) on deep-sea pilotage in the Baltic Sea area

Adopted on 2018-05-31

THE BALTIC PILOTAGE AUTHORITIES COMMISSION,

RECALLING the adoption of the International Maritime Organization (IMO) Resolution A.1081(28) on the 4th of December 2013 of the “Recommendation on the use of adequately qualified deep-sea pilots in the Baltic Sea”,

RECALLING ALSO the adoption of the IMO Resolution MSC.138(76) on the 5th of December 2002 on “Recommendation on navigation through the entrances to the Baltic Sea”, as amended by IMO circular SN.1/263, where certain ships are recommended to use pilotage services locally established by the coastal States,

HAVING NOTED the designation by the IMO Marine Environment Protection Committee by Resolution MEPC.136(53) of the Baltic Sea area as a Particularly Sensitive Sea Area (PSSA) including the establishment of Associated Protective Measures (APMs),

BEING MINDFUL that the Baltic Sea, with the exception of Russian waters and the Russian economic zone, was designated a Particularly Sensitive Sea Area (PSSA) by the International Maritime Organization (IMO). The PSSA status includes special protective measures to control international maritime activities. The Baltic Sea has also been defined as a "special area" according to several annexes to the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), which means stricter requirements for maritime transport in this area,

BEING CONSCIOUS of the sensitivity of the marine environment of the Baltic Sea area and the importance it represents to the people living around it for economic, social, recreational and cultural reasons,

BEING AWARE of the increase in shipping activities, especially the increase in oil transportation, in the Baltic Sea area in recent years has made the use of qualified deep-sea pilots more important in view of special requirements set for maritime transportation by low temperature and ice conditions in winter,

RECOGNIZING the risk of grounding or collision and other hazards associated with navigation in the congested area of the Baltic Sea area,

RECOGNIZING ALSO the difficulties the Baltic Sea area presents to navigation due to narrow straits, shallow depths, archipelago areas and also ice cover during the winter period,

RECOGNIZING FURTHER that the services of competent and qualified deep-sea pilots can make an important contribution to the safety of navigation and the prevention of pollution in the Baltic Sea area,

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BEING CONVINCED of the need for additional measures in order to ensure the safety of navigation in the Baltic Sea area,

HAVING REACHED A COMMON UNDERSTANDING of the following Memorandum of Understanding (MoU) that sets out the procedure of the work within the Baltic Pilotage Authorities Commission (BPAC) and recommended requirements and licensing standards for Baltic deep-sea pilots.

1 General

The Baltic Sea area is a globally unique, sensitive, cold, brackish-water eco-system which is vulnerable to the impact of international shipping and other human activities.

The increase in shipping activities, especially the increase in oil transportation, in the Baltic Sea area in recent years has made the use of licensed Baltic deep-sea pilots more important in view of special requirements set for maritime transportation in narrow and/or shallow waters and by low temperature and ice conditions in winter.

The services of adequately qualified and licensed deep-sea pilots in the Baltic Sea area make an important contribution to the safety of navigation and the prevention of pollution.

Members of the BPAC are the competent pilotage authorities (CPA) of Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Norway, Poland, Russia and Sweden.

1.1 Objectives

The objectives of this MoU are to provide a basis:

- a) for CPA or other relevant authority when setting the requirements for licensing a Baltic deep-sea pilot;
- b) to facilitate uniform standards for Baltic deep-sea pilots;
- c) to facilitate that Baltic deep-sea pilots are trained and qualified to enable them to perform the deep-sea pilotage required in the Baltic Sea;
- d) to set recommendations for harmonized training programmes for Baltic deep-sea pilotage courses necessary to be licensed as a Baltic deep-sea pilot;
- e) to establish standardized identity cards to indicate that the card holder is appropriately qualified to act as a Baltic deep-sea pilot; and
- f) for CPA to regularly verify that licensed Baltic deep-sea pilots meet the recommendations.

1.2 Definitions

The following abbreviations and definitions are used in this document:

BPAC	Baltic Pilotage Authorities Commission
CPA	Competent pilotage authority. The authority legally responsible for the provision of deep-sea pilotage within each country.
Baltic deep-sea pilot	A nautical advisor to a ship's master outside national pilotage areas under all seasonal conditions and licensed by the competent pilotage authority (CPA) of BPAC.
The Baltic Sea area	Refers to the Baltic Sea including the Kattegat, the Sound and the Belts.

1.3 References to International Conventions, Resolutions and Recommendations

STCW	International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978 as amended
IMO Res A.1081(28)	Recommendation on the use of adequately qualified deep-sea pilots in the Baltic Sea
IMO Res A.601(15)	Provision and display of manoeuvring information on board ships, and annex as amended by Res. MSC.137(76) Standards for ship manoeuvrability
IMO Res A.893(21)	Guidelines for voyage planning
IMO Res A.918(22)	IMO Standard Marine Communication Phrases
IMO Res MSC.138(76)	Recommendation on navigation through the entrances to the Baltic Sea[, as amended by IMO circular SN.1/263.]
IMO Res MEPC.136(53)	Designation of the Baltic Sea area as a Particularly Sensitive Sea Area (PSSA) including the establishment of Associated Protective Measures (APMs)
HELCOM Recommendation 25/7	Safety of winter navigation in the Baltic Sea area
HELCOM Recommendation 28E/11	Further measures to improve the safety of navigation in ice conditions in the Baltic Sea
EU Directive 2009/16/EC	On port State control (regarding Article 23 Reports from pilots and port authorities)

2 Terms of Reference for the BPAC

The BPAC is established, composed of representative of each of the CPA.

An advisor from each of the CPA, observers and associates are invited to participate in the work of BPAC and at any other meeting.

The BPAC will meet once a year and at such other times as it may decide. The place of the meeting will circulate between the member countries, and is decided at the meeting one year in advance

The BPAC will:

- a) carry out the objectives specified in this MoU;
- b) be an information forum concerning deep sea pilotage and pilotage in general;
- c) develop and approve recommendations for organizing and performing deep-sea pilotage service under the MoU;
- d) keep under review other matters relating to the operation and the effectiveness of the MoU; and
- e) elect the President of the Baltic Pilotage Authorities Commission from the competent pilotage authorities. The President should be elected by majority for a period of 4 years.

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A secretariat, led by a Secretary-General, is set up and acting under the guidance of the BPAC and within the limits of the resources made available to it, will:

- a) prepare meetings, circulate papers and provide such assistance as may be required to enable the BPAC to carry out its functions;
- b) facilitate the exchange of information and prepare reports as may be necessary for the purposes of the MoU;
- c) carry out such other work as may be necessary to ensure the effective operation of the MoU; and
- d) be responsible for the BPAC homepage.

2.1 Decisions

Any CPA may propose amendments to the MoU. In the case of proposed amendments to sections of the MoU the following procedure will apply:

- a) the proposed amendment will be submitted through the secretariat for consideration by the BPAC and be dealt with at next upcoming meeting;
- b) decisions will be adopted unanimously by the representatives of the CPA present; and
- c) an amendment will take effect 60 days after it has been accepted or at a date determined unanimously by the representatives of the CPA.

3 General Provisions for Baltic Deep-sea Pilotage

3.1 Responsibilities

The CPA or other relevant authority should:

- a) set appropriate training and licensing standards for Baltic deep-sea pilots to meet the recommendations of this MoU;
- b) ensure that the Baltic deep-sea pilots are appropriately trained and licensed as well as have the relevant experience for the route and mission concerned; and
- c) ensure that the provisions for the Baltic deep-sea pilots are followed.

3.2 Principles

Deep-sea pilotage in the Baltic Sea area should only be properly undertaken by deep-sea pilots licensed by a CPA.

A person intending to professionally pilot vessels in the Baltic Sea area outside national pilotage areas should hold a Baltic deep-sea pilot licence (Red Card) issued by CPA. The licence should be shown to the master and/or to the appropriate authorities upon request.

Baltic deep-sea pilots, when communicating to parties external to the ship such as vessel traffic services and tugs when not able to communicate in the English language or a language that can be understood on the bridge, should, as soon as practicable, explain what was said to enable the bridge personnel to monitor any subsequent actions taken by those external parties.

3.3 Master – Deep-sea Pilot Information Exchange

The CPA should ensure that the master and the Baltic deep-sea pilot exchange information regarding navigational procedures, local conditions and rules and the ship's characteristics. This information exchange should start before the deep-sea pilotage begins and it should be a

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continuous process that generally continues for the duration of the deep-sea pilotage. This exchange of information should include, but not be limited to:

- presentation of manoeuvring information¹ (pilot card, wheelhouse posters and manoeuvring booklet);
- discussion of any unusual ship-handling characteristics, machinery difficulties, navigational equipment problems or crew limitations that could affect the operation, handling or safe manoeuvring of the ship;
- general agreement on plans and procedures, including contingency plans, for the anticipated passage;
- discussion of any special conditions such as weather or ice², depth of water, tidal currents and marine traffic that may be expected during the passage;
- agreement on when or where the Baltic deep-sea pilot may take adequate rest periods;
- confirmation of the language to be used on the bridge and with external parties;
- information on the port of destination (if applicable) and any district pilot arrangements;
- information on embarkation or debarkation arrangements; and
- information on the cargo, especially dangerous or polluting goods.

3.4 Reports from Deep-sea Pilots³

The CPA should ensure that there are appropriate measures for the Baltic deep-sea pilots to report apparent anomalies which may prejudice the safe navigation of the ship, or which may pose a threat of harm to the marine environment.

If a Baltic deep-sea pilot, in the course of the normal duties, learn that a ship has apparent anomalies which may prejudice the safety of the ship or poses an unreasonable threat of harm to the marine environment, this information should immediately be reported to the relevant competent authority of the coastal State.

The report should at least contain the following information:

- ship information (name, IMO identification number, call sign and flag);
- sailing information (last port of call, port of destination); and
- description of apparent anomalies found on board.

The CPA or other relevant authority should harmonize the report in accordance with EU Directive 2009/16/EC.

4 Baltic Deep-sea Pilot Qualifications

The CPA should consider the following qualifications and decide the appropriate requirements and procedures for obtaining a Baltic deep-sea pilot licence.

¹ Refers to IMO Resolution A.601(15) *Provision and display of manoeuvring information on board ships and annex as amended by Res.MSC.137(76) Standards for ship manoeuvrability*

² Refers to HELCOM Recommendation 25/7 *Safety of Winter Navigation in the Baltic Sea*

³ Refers to Article 23 of Directive 2009/16/EC on port State control

4.1 Minimum Requirements

The following minimum requirements should be considered for obtaining a Baltic deep-sea pilot licence:

- maritime education, i.e. valid master's certificate according to the STCW⁴;
- previous maritime experience e.g. as a master, chief mate, or licensed pilot, considering appropriate practical experience in the Baltic Sea area, preferably with recent practical experience of navigation in ice as a master, chief mate, or pilot in waters where ice-breaker assistance has been provided;
- appropriate theoretical knowledge of the Baltic Sea area according to the training requirements;
- medical fitness, particularly regarding eyesight; hearing and physical fitness according to STCW;
- any additional requirements or other standards that the CPA considers appropriate.

An applicant for a Baltic deep-sea pilot licence should also be able to demonstrate adequate English language skills with reference to IMO Standard Marine Communication Phrases (SMCP)⁵.

4.2 Training and Licensing Standards

The CPA or other relevant authority is responsible for setting the requirements for training and licensing standards. The standards should enable Baltic deep-sea pilots to carry out their duties safely and efficiently. The training should include both theoretical knowledge and practical experience.

Each applicant for a Baltic deep-sea pilot licence should demonstrate, as a minimum, the following necessary knowledge:

- the main routes of the Baltic Sea area, including the maximum draught permissible for transit through the Sound and the Belts, other narrow passages, and harbour approaches;
- existing traffic separation schemes and other routing measures;
- existing vessel traffic services and ship reporting systems;
- systems and procedures of navigational warning broadcasts in the Baltic Sea area;
- provisions and traffic restrictions on ice-breaking assistance;
- provisions on protection of the environment in the Baltic Sea area;
- search and rescue (SAR) procedures;
- use and limitation of relevant types of tugs, e.g. escort tugs;
- factors affecting ship performance such as temperature, wind, current, ice, water depth, bottom, bank and ship interaction including squat;
- the national areas of pilotage in the Baltic Sea area, pilot boarding positions and pilot order procedures;
- pilot embarking and disembarking procedures;

⁴ Refers to International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW), 1978, as amended

⁵ Refers to IMO Resolution A.918(22) *IMO Standard Marine Communication Phrases*

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- the English language to a standard adequate to enable the pilot to express communication clearly;
- Bridge Resource Management (BRM) and information exchange, e.g. pilot card, between the master and the pilot;
- International Regulations for Preventing Collisions at Sea (COLREG), 1972 as amended; and
- any other relevant knowledge considered necessary by the CPA.

The applicant may preferably produce and present a bridge book for the relevant part of the Baltic Sea area which should include passage plans⁶ and incorporated sections of charts.

5 Providing for Baltic Deep-sea Pilot Training and Examination

The CPA should consider setting requirements for the training organisation providing for Baltic deep-sea pilot training and for the examination of deep sea pilots. In the examination, each applicant for a Baltic deep-sea pilot licence should demonstrate the necessary knowledge according to the requirements under 4.2 Training and licensing standards.

The CPA may play an active role in the training and/or the examination or may consider delegating the training and/or examination to the training organisation providing for deep-sea pilot training.

If the CPA decides to delegate the Baltic deep-sea pilot training and/or the examination, the CPA should ensure that this is delivered according to this MoU and may consist of but not be limited to:

1. quality management system (QMS);
2. approval of the training course;
3. examination procedures, if applicable, and
4. course certificate procedures.

If the applicant has fulfilled the requirements and passed the examination he or she should be granted a licence entitling him or her to act as a deep-sea pilot in the stated area or areas of the Baltic Sea.

6 Baltic Deep-sea Pilot Identity Card (Red Card)

A Baltic deep-sea pilot should hold an appropriate Baltic deep-sea pilot identity card issued by a CPA. The Baltic deep-sea pilot identity card, also called the Red Card, shows that the holder is licensed to act as a Baltic deep-sea pilot.

6.1 Content of the Identity Card

The Baltic deep-sea pilot identity card shall include:

- the holder's name and date of birth;
- the holder's signature;
- a photo of the holder;
- area and limitations (if any);

⁶ Refers to IMO Resolution A.893(21) *Guidelines for Voyage Planning*

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- the number of the identity card (national code and specific numbers e.g. SE-123);
- issue and expiry dates;
- name, signature, address and contact information of the issuing CPA;
- the flag picture of issuing State; and
- the logo of BPAC.

6.2 Format of the Identity Card

The identity card should be in the following format:

- a) the text should be in English and may also be in the national language or languages;
- b) the background colour of the card should be white with black printing and, if possible, with a red marking;
- c) the size of the card should be form of an identity card; and
- d) the card should be sealed in plastic.

An example of the Baltic deep-sea pilot identity card is shown in Annex 1.

6.3 Validity, Renewal of Licence/Identity Card and Continued Proficiency

The validity of the Baltic deep-sea pilot licence should be set by the CPA. The licence may be renewed after application to the CPA.

Before the licence can be renewed a Baltic deep-sea pilot should meet the requirements upon the basis of which the licence has been issued. In order to ensure the continued proficiency of Baltic deep-sea pilots the CPA should ensure that a Baltic deep-sea pilot in particular should continue to:

- possess recent navigational knowledge;
- meet the medical fitness standards; and
- possess knowledge of the current international, national and local laws, regulations and other requirements and provisions relevant to deep-sea pilotage in the Baltic Sea area.

At any time, the CPA may require that a Baltic deep-sea pilot should undergo a medical fitness test.

The CPA should inform the BPAC secretariat of any Baltic deep-sea pilot identity card that has been issued.

6.4 Withdrawal of Licence/Identity Card

The CPA should withdraw a Baltic deep-sea pilot licence when

- a) the holder of the licence does not fulfil the requirements set by the CPA;
- b) the Baltic deep-sea pilot concerned has proved, through repeated and/or gross violation of duty, no longer qualified to carry out deep-sea pilotage; or
- c) the licence has been obtained by fraud, blackmail or bribe.


The Baltic deep-sea pilot should submit the licence and the valid identity card to the CPA in case of withdrawal.

The CPA should inform the BPAC secretariat whenever a Baltic deep-sea pilot identity card has been withdrawn or lost.


ANNEX 1

Example of a Baltic Deep-sea Pilot Identity Card

Front of the card:

<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">[Flag]</div> <div>BALTIC DEEP-SEA PILOT IDENTITY CARD</div> <div></div> </div>	
Deep-sea pilot licence no: [XX-123] Name: _____ Date of birth: [Date Month Year] Signature: _____ Area: [BALTICSEA] Limitations (if any): [None] Issued: YYYY-MM-DD Expiry date: YYYY-MM-DD	<div style="border: 1px dashed black; width: 150px; height: 150px; margin: 0 auto;"> <i>Photo of the holder</i> </div>

Back of the card:

<p>This deep-sea pilot identity card has been issued by <i>[insert issuing CPA]</i> in accordance with agreement of the Baltic Pilotage Authorities Commission (BPAC) to act as an adequately qualified deep-sea pilot in the Baltic Sea. Authorities involved are requested to render the holder aid in the pursuance of pilot duties.</p>	
<div style="border: 1px dashed black; width: 100px; height: 100px; margin: 0 auto;"> <i>Logo of issuing CPA</i> </div>	<div style="display: flex; align-items: center; justify-content: center;">  <div style="border-bottom: 1px solid black; width: 150px; margin-left: 10px;"></div> </div> <p>Signature of the issuing CPA</p>
<div style="border: 1px dashed black; padding: 10px; margin: 0 auto; width: 80%;"> <i>Name, address and contact information of the issuing Competent Pilotage Authority (CPA)</i> </div>	