

# THE PILOT

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## Editorial

During a time normally reserved for festivities, the end of 2004 and the opening of 2005 was a tragic period with distressing images of death and destruction from Asia (and perhaps we should not forget Iraq) severely dampening the holiday mood. Our thoughts are with all those who may have suffered the loss of family or close friends.

In the world of pilotage the end of 2004 saw the decision by the unelected EU commissioners overturn the democratic vote of the Parliament and permit the outgoing transport commissioner Loyola de Palacio to reintroduce the previously rejected Ports Directive. The fight against this has already begun but the EU enlargement may mean that this is going to be a more difficult battle to win this time around. At least in this uphill battle we are supported by the UK Major Ports Group who are also vehemently opposed to the directive.

In the UK the Reviews of the Port Marine Safety Code and the 1987 Pilotage Act continue with the UKMPA representing the interests of pilots with the new team at the DfT. The MCA in its new role as the operational arm of the DfT in matters concerning maritime safety are also now involved.

Following the success of my decision last year to make the January issue the conference issue, this will now become a regular feature even though it means that I have to spend Christmas transcribing the conference tapes!!

Already, following the conference, there are indications that there is going to be resistance from the ports, not just in against legislation that may underpin the PMSC or the 1987 Act but also to the incorporation of pilotage standards into the Code. All the above topics are dealt with in detail in the magazine with latest news updates. 2005 is going to be another very challenging year for the Association so all members should pay careful attention to the debates.

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## 117th UKMPA CONFERENCE

Eastbourne: 17th-18th November 2004

*The 2004 annual conference was held at the T&GWU conference centre in Eastbourne. This was the second time that the UKMPA has used this facility for its conference and being situated on Eastbourne seafront with many of the rooms having balconies overlooking the sea it makes a pleasant venue with good facilities. The centre is also available as a hotel for all T&G members. See details on page 14.*



*For those of you not familiar with the conference format there is a pre-conference session where matters concerning the Pilots' National Pension Fund (PNPF) are discussed. The main conference follows and the agenda items cover all the areas that the UKMPA is involved in. Any pilot who questions the subscription rates should attend a conference in order to appreciate the enormous amount of work undertaken behind the scenes by the Section and sub committees on behalf of members.*

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### PRE CONFERENCE SESSION

#### **PNPF (Richard Williamson, Boston)**

As a SC deputy for Region 2 and PNPF trustee, Richard provided delegates with an overview of the fund, the investment policy and its performance. He answered questions on Advanced Corporation Tax (ACT) and the role of trustees.

Richard was followed by the PNPF Secretary, Debbie Marten whose report appears separately on page 7.

#### **PNPF and the Pilots' National committee for Pensions (PNCP)**

**(Joe Wilson, Tees)**

Joe advised delegates that whilst looking for ways in which to keep costs down the SC had looked at the relevance of the PNCP for UKMPA members. Joe explained

that since the 1995 Pensions Act had incorporated safeguards and rights for pension fund members and pensioners and pension advice was available for all UKMPA members through the specialist pensions department of the T&G. SC had considered that the funds currently allocated to the PNCP for meetings would be more constructively used in permitting an alternate trustee to attend trustee meetings. A debate on this issue saw presentations from Mike Kitchen, Chairman PNCP and Dan Macmillan, the pensioners' representative on the PNCP who both provided the conference with arguments as to why the PNCP should be retained. A subsequent vote saw delegates vote in favour of the disbanding of the PNCP by 24 votes to 22.

Further to this debate, PNCP chairman Mike Kitchen has written a letter to the magazine which appears on page 14.

## MAIN CONFERENCE

Delegates stood in order to observe one minute's silence in memory of the President of EMPA, Gianfranco Gasperini and other deceased colleagues.

The UKMPA President, Lord Tony Berkeley then formally opened the conference and opened his presentation by explaining how the growth in container traffic, was leading to logistic problems in cargo movements. It was now a critical time as to how the infrastructure could cope. The lack of interest by MP's in shipping meant that there was no ports' strategy from the Government and this was holding up development. There was therefore a danger that the UK would be left as a feeder outpost for the rest of Europe.



The revival of the EU ports' directive was a concern for the safety of shipping and safe port operations. Tony acknowledged the validity of concerns by pilots over this directive and also understood the need for the flaws in the 1987 Pilotage Act to be addressed by new legislation. He was prepared to use his position within Parliament to help the UKMPA in any way that he could.

## Chairman's Report (Les Cate)

An updated report appears on page 6.

## Secretary/Treasurer's Report (John Pretswell)

John opened his report by detailing the membership which at 30th September 2004 stood at 493 members from 47 Districts. This figure represented a reduction of 8 over 2003. Neath had withdrawn from membership.

Dundee had reduced from 5 pilots to 3 but the other two pilots had transferred to Perth thus creating a new District.

It was believed that the other 6 pilots who had ceased to be members were from ports where pilots had retired and not been replaced.

John then referred delegates to the printed "Financial Statement and Budget Proposals" contained within the conference papers and available to members from their local Secretary. He then detailed the Budget / Expenditure figures for 2004.

### 2005 budget:

John explained that there had been a change to the insurance cover offered by Navigators & General which, had resulted in N&G removing the 50,000 cover altogether and increasing the premiums payable on the 100,000 cover.

On the basis of the revised insurance figures John had calculated a 2005 subscription rate of £105.

When this was put to the vote the delegates were unable to accept this without a remit from their membership.

Paul Haysom, who was now responsible for the insurance brief was seeking quotes from other insurers and Drew Smith had possibly identified an alternative provider who might provide £50,000 cover. The Chairman therefore suggested that delegates accept the budget with a reservation on the subscription element that could be revised downwards should a cheaper alternative premium quote be achieved.

This was accepted unanimously by delegates (see page 11).

## CHIRP (Confidential Hazard Incident Reporting Programme) (Mike Powell, Maritime Director)

Mike provided an overview of the CHIRP program which was witnessing an increasing number of reports as seafarers became aware of its existence. Of the 121 reports received since the start of the programme in July 2003 two thirds had been processed and 57 had resulted in action being taken to address the issues raised and this was a positive indicator that the programme was working. The quarterly newsletter "Feedback" now had a circulation of 140,000 worldwide.

*The top issues had been:*

- Control of navigation
- Hazards
- SMS
- Fatigue: *This is a major area of concern since reports indicate widespread abuse of official records being completed to indicate compliance but actual hours being dangerously in excess of those permitted.*
- Technical processes (ie design of equipment, quality of manuals etc)

*The top pilotage issues had been:*

- Deep draft navigation in the Dover Straits. *The reports from N Sea pilots on this had been well received by the MCA and CNIS Dover*
- PEC: *This had been the topic least well received by the shipping industry!*
- Bridge Team Management (or rather lack of BTM). *This was an area where CHIRP encouraged reports and it was a relatively easy matter for CHIRP to raise with the company concerned.*
- Mobile phone usage.
- ISPS and access issues

Mike concluded by acknowledging that pilots were in a good position to submit reports and CHIRP welcomed such reports.

### Q&A

*Were the reports received so far indicative of insufficient manning on board?*

Yes. But because of the manipulation of official logs to indicate compliance it was almost impossible to address. Those reporting fatigue were concerned about their jobs but CHIRP was seeking ways to resolve this.

*Is it not possible for the SMS auditors to identify the falsification of working hours records since there were probably many occasions where such records would indicate that the logged compliance would have been impossible?*

Again yes, but the majority of SMS auditors would not have the time or the training to undertake the detailed cross referencing of data to be able to identify non compliance. Unfortunately all the evidence of groundings and collisions meant that everyone was

aware that there was a major problem but no one was prepared to break ranks and address it. The issue of safe manning was on the international agenda for next year and CHIRP would be contributing their data to the debate.

## Health & Safety (Susan Murray, T&GWU)

Susan provided delegates with some background information of the T&G's H&S function. Susan herself worked within the legal department and her main experience had been gained from compensation claims.

The department provided union response to HSC consultations and encouraged involvement and communication from safety officers within the various companies with T&G representatives. They were also involved in many consultation forums and advisory groups.

The departments remit is very large and Susan had been very interested in the issues of fatigue and the falsification of documents revealed by CHIRP. Of particular relevance to pilots was the issue of Personal Protection Equipment (PPE) and the T&G had produced a free book and advice leaflets on H&S and PPE for safety officers.

## The Employment Act 2002

(Fergus Whitty, T&GWU legal director)

Fergus provided a detailed presentation on the new Act which gave unions cause for deep concern in that it had ignored the ACAS Code for handling disputes and had, in the view of Fergus, enhanced the powers of employers in dismissing employees and weakened workers rights to a fair hearing under certain circumstances. Part of the driving force behind the new legislation had been to reduce the number of dispute claims being handled by tribunals by 40,000 per year by seeking to have disputes resolved internally. Only if these internal discussions fail can the matter be referred to an external tribunal. The procedures for an external reference are very specific and in detailing some of these Fergus stressed the point that it was very important that correct procedures were be strictly adhered to otherwise any dispute could be declared invalid or out of time. There is no requirement for the employer to inform the employee of these procedures!

Fergus went on to explain the detail of the new Act and how the procedures failed to offer protection to an employee.

The conclusions from the T&GWU were that on the positive side it was a good idea to hold internal meetings and set out the complaint to the employer before a claim was made to a tribunal.

On the negative side the T&GWU felt that:

- The (old) ACAS Code should form part of the legal disciplinary process
- It was absolutely wrong to dismiss an employee without an investigation
- Wrong for employers not to have to detail the consequences of failure to follow correct procedures
- Wrong for employers not to have to advise on rights of an employee to be accompanied.

## Port Marine Safety Code

(Simon Gooder, Ports liaison manager member of the Navigation Safety Branch of the MCA)

Simon opened this presentation by providing brief details of his background. Following service in the RN where he had become a

navigation specialist he had served from 1995 - 2003 as the Deputy Queen's HM at Plymouth where in addition to the normal responsibilities of a HM he had become a fully qualified VTS operator and been involved in port risk assessment and emergency response. He had joined the MCA in July 2004.

The MCA were now responsible for overseeing implementation and compliance with the PMSC.

Following the introduction of the PMSC in December 2001 an implementation review had been held in 2003 and this had led to the following:

- The MCA adopting responsibility for the operational aspects of the Code
- The DfT retaining responsibility for the policy and legislative aspects of the Code

The MCA ensure compliance, follow up any incidents and chase up any ports revealing a reluctance to comply.

They also act to develop and support the standards accompanying the Code.

One new area being subjected to national standards and guidelines was that of PEC holders.

Simon considered the PMSC to be an evolving document with standards being introduced and it was hoped that by examining the weight of evidence the PMSC could be progressed to ensure enhancement of port safety and introducing the concept of "Assured Compliance". The UKMPA was actively involved as a stakeholder in this process.

## Q&A

During the Q&A session Simon confirmed that the PMSC was currently a voluntary code which was not supported by any legislation.

The point was raised that in the case of a breach of the Act rather than the Code then this Act was law and therefore a plaintiff should be able to take the case to a court. A legal opinion from the floor was that any interested party could present information to a court to commence a prosecution.

## The Humber Dispute

(David Devey, Liverpool pilot & Barrie Youde, Ex Liverpool pilot and Barrister)

David Updated delegates on the latest situation regarding HPL members and the Humber dispute that had led to the withdrawal of their authorisations. Barrie Youde presented delegates on several legal options available to HPL members against ABP and David Fortnum, HPL member, confirmed that HPL members were taking the first steps to launch a legal challenge.

## Technical & Training Committee Report

(John Wright, Chairman and Tees pilot)

John referred delegates to the written report within the conference papers which detailed the work undertaken by the committee on the following topics:

- Personal Protection Clothing & Equipment
- Pilot Transfer Equipment & Pilot Boarding Arrangements
- Pilot Boarding and Landing Code of Practice
- Electronic Aids
- RNLi Technical Liaison
- UK Safety of Navigation Committee

John Wright concluded by announcing that he was now stepping down as chairman and would be replaced by Gareth Rees from Southampton.



## MCA, IMO & MAIB Report

(Don Cockrill, London)

Don referred delegates to the reports on his activities included in the conference papers. Adding to those reports Don reminded delegates of the need to ensure that all the non delegate members throughout the districts were kept fully aware of the activities of the MCA and DfT who, despite being the bodies responsible for safety were also subject to commercial pressures and would invariably succumb to commercial interests over safety issues and avoid any policy which may incur a cost to the shipowner. The current statements from the Chamber of Shipping questioning the need for PEC standards was a prime example of how the agenda could be manipulated to the detriment of pilotage and its skills. The ports' representatives were equally dismissive of the need to specify training and standards for pilots.

## VTS Policy Group

Some had questioned as to why the UKMPA needed to be involved with this group but having attended some of their meetings Don was in no doubt that this was a very powerful lobby group with great influence within the MCA and the DfT and although a token gesture of removing references to "shore based pilotage" within VTS literature had been made, the concept had been reincarnated under the heading of "Navigational Assistance" and plans for promoting such assistance were still firmly on the agenda.

## EMPA (Les Cate, Chairman & Vice President EMPA)

During the last year, in order to participate in EU projects and to be eligible for EU funding it was necessary for EMPA to become a "Non Profit Association" and EMPA is now officially known as EMPA vzw.

Full details of the amendments to the previous structure are contained within the conference papers.

## Maritime Navigation & Information Services: MARNIS Project

This 5 year EU project got underway in September and will shape the ports VTM and pilotage. EMPA is a partner in this project and its objectives are as follows:

- Improvement of safety and the protection of the environment;
- Improvement of security of vessels, coasts and ports;
- Improvement of efficiency and reliability of information flows;
- Furtherance of the economy of sea transport;
- Improvement of the efficiency of legal and organisational aspects regarding enforcing of rules and regulations in the "European maritime zone"

When completed it will form part of the White Paper entitled: *European Transport Policy 2010: Time to decide*



## Ports Directive

Les concluded the EMPA report by explaining the work of the Council of Presidents and how they were in consultation as to how best to fight and once again defeat the revived Port Services Directive.

## DfT

(James Wheedon, Responsible for Port safety & pilotage policy)

James opened this session by explaining the structure of his department and detailed the various responsibilities and the tie-in with the MCA and Trinity House

There was no policy change with respect to the PMSC despite the delegation of monitoring compliance to the MCA and the code remained without legislation and thus, being voluntary, Ministers had no need to impose an external audit on HA's. The MCA would however be required to prove to ministers that standards are maintained and progressed.

James acknowledged that the NOS had become stagnated under PSSL but that the MCA, as the responsible body for progressing NOS, would have to work with PSSL because PSSL had access to the Maritime Skills Allowance Fund. It was probable that funding for the various groups to progress NOS work would come from the MSAF.

The MCA would also be responsible for the technical and operational aspects of the Code but would work together with the Ports Division of DfT to develop policies and initiatives.

Currently work was progressing on a new section of the PMSC dealing with Incident management and expanding the code to include conservancy as well as introducing NOS for hydrographers.

With respect to the future supply of pilots the DfT felt that the traditional route of Master's FG certificate was not sustainable and new routes into positions for maritime professionals working ashore would need to be found. A document covering this, entitled "UK economy's Requirements for People with experience working at Sea" was available on the DfT website.

The DfT recognised that there had been concerns raised over abuse of PECs and consideration was being given to provide guidance and powers to CHA's over what action could be taken to address these abuses. The DfT also agreed in principle to the pilots' view that standards for PEC holders should be equivalent as those for pilots.

A question was asked as to why there was still no legislation to ensure that a CHA complies with the wish of Government and why did the DfT continue to advise ministers that it doesn't feel that it is necessary to enforce CHA's to comply with the PMSC?

The code does actually have reserve power for the Secretary of State to intervene if there was evidence that a CHA was acting unsafely. This would consist of visiting the CHA and reminding them of their responsibilities under the Code, but James confirmed that there were no legal measures that could be invoked by the SoS. In response to the second part of the question James stated that the DfT couldn't advise a minister to do something that was not within his powers.

Les Cate stated that he had understood from Andrew Burr that the SoS had reserve powers of intervention and asked why these hadn't been used. James replied that he did not believe that there were any powers that could be invoked by the SoS but he acknowledged that supporting legislation would be desirable although with the limitations on parliamentary time the chances of a new bill were not great.

## IMPA (Geoff Taylor, Tees and Senior Vice President IMPA)

During the last year IMPA had been involved in the following:

### IMO Resolution A960

This resolution, drawn up by IMPA as a joint project with the

IMO, had been formally adopted by IMO during the year and laid out clear guidelines for pilotage. This resolution represented a considerable achievement for IMPA and it should be supported by all pilots (see report in PILOT 279).

#### **Mandatory Pilotage in International Waters**

This was a new concept since until now only voluntary pilotage could be offered in international waters. However Australia, as a result of concerns over the environment had tabled proposals for compulsory pilotage through the Torres Straits.

This was being fiercely opposed by some IMO members who had concerns that such a move would encourage other states to consider such compulsory pilotage in other sea areas. However, following the *Erika* and *Prestige* disasters there was increasing support for such proposals since member states realised that oil on beaches was a vote loser.

#### **Maritime Safety Commission (MSC)**

#### **Marine Environmental Protection Committee (MEPC)**

#### **Potentially Sensitive Sea Areas (PSSA's)**

There were also many other sub groups and IMPA tried to ensure that pilots were represented at any forum where pilotage interests were being discussed. In addition to the importance for pilots, attendance at these sessions also provided a vital link between the shore representatives / officials and the real world on board ships since the pilots were frequently the only serving mariners present.

The other areas where IMPA had been involved included: Integrated Bridge design, standards for mooring lines, Marking / testing bits and fairleads, standards for new radars, common symbology for navigational equipment.

With respect to on-going work, pilot boarding was being progressed. The poor quality and sighting of AIS units on ships had been acknowledged. Several IMPA members were involved in training and standards and the ETCS project being run by EMPA dovetailed well with similar initiatives around the World.

One new project had been to establish a long overdue dialogue with the P&I Clubs. Although these were run by ship owners there was the obvious common interest of safety of shipping. So far the Clubs had acknowledged the common ground and in particular IMPA was being successful in challenging the widely circulated statistic that "pilot error" was responsible for 30% of claims. Surveys had revealed that 99.96% of voyages were successfully concluded so only 30% of 0.04% of incidents occurred in pilotage waters which were acknowledged to be the highest risk areas. With 95% of world trade being moved by ship this was an admirable safety record. Pilots were effectively professional "risk managers" who statistically achieved nearly 100% successful operations. It was therefore impossible to comprehend why, especially in the UK following the 1987 Pilotage Act, pilots had no independent authority which could challenge the drive by ports to put profit before safety.

One final very important area of lobbying was the proposed EU Directive criminalising seafarers. Although in its early stages, this directive on marine pollution would include pilots with criminal liability in the case of a pollution incident.

#### **IMPA Congress at Istanbul**

This had been very well attended and very successful. Three resolutions were passed

1. Commending to Governments, pilotage authorities and pilots the contents of IMO Resolution A960.
2. Publicise the result of the G8 summit which encouraged the IMO as the appropriate body to develop mandatory pilotage in narrow and congested waterways by means of "strictly regulated systems".

3. VTS and Pilots: "VTS is not pilotage, nor is it a substitute for pilotage and shore based pilotage cannot be a substitute for pilotage performed by a pilot on board."

#### **PENSIONS (Peter Smith, T&GWU National Pensions Officer)**

Peter Smith detailed the provisions of the new Pensions Bill and explained that unfortunately this was a Bill with no coherent policies with many complex anomalies some of which Peter listed. The Financial Assistance and Pension Protection Fund elements to help those deprived of their pensions were totally inadequate and would be means tested to provide undefined "Meaningful Assistance".

The Bill also did not address the various ploys that employers had adopted to reduce pension provisions which had resulted in 65,000 employees losing out on their pension entitlement.

It was hoped that the proposed new Pensions Regulator would be able to use legislation to prevent employers from breaching pension provision agreements.

Overall the TUC were concerned that the new Act would not provide the necessary protection for employees but it was possible that a proposed EU Directive may help.

Peter concluded by reminding delegates that the T&G was available to assist in protecting members' pension entitlements and that no matter how secure a scheme may seem vigilance was required.

Les Cate closed this session by advising delegates that Peter Smith and his department within the T&G could fill any gap left by the loss of the PNCP.

#### **Legal (Mark Foden, Blake, Laphorn and Linnel)**

Mark, having taken over the legal assistance from Michael Nott, opened his presentation by detailing the work that BLL had been involved with on behalf of the UKMPA.

#### **Poole & Gloucester:**

Advice had been given on new provision of service contracts for the self employed pilots and the final documents checked before these were signed.

The employment department had also checked contracts on behalf of employed pilots from other districts.

#### **Milford Haven:**

Following the issue of a new incident report form by the HA, BLL had worked with N&G on the disclosure of information aspect of the form. This sought to retain some control by the pilot involved over disclosure to 3rd parties other than statutory bodies.

#### **Alcohol & Drug testing:**

Advice had been provided on the provisions of the new legislation covering this in order to clarify who could test pilots and under what circumstances.

#### **Review of the 1987 Pilotage Act:**

BLL would be working closely with the Section Committee as the review progressed and this would probably result in a "position paper" being circulated to members.

*This article represents a brief resume of the conference to provide members with an overview of the many areas in which the UKMPA is active. The full minutes will be available to local secretaries later in the year.*

JCB

## **118th Annual Conference**

**Venue: Crowne Plaza Hotel, London Docklands**

**Dates: 10th – 11th November**

# CHAIRMAN'S REPORT

## DfT

The Ports Division of the DfT issued the UKMPA with a document entitled "A Sea Change for Port Safety" in advance of the 20th of January PMSC Compliance Working Group meeting. It was produced in July 2003 and corrected for publication in November 2004. It is a commentary on the Ports Division's view of the progress or lack of it that has transpired since the PMSC was introduced. We have aptly christened it their "Christmas Cracker". The Compliance WG should have been working towards the methodology of the MCA being able to determine on a port by port basis how individual ports compliance with the PMSC would be monitored and where it has not yet been adopted, encouraged/enforced. It appears that this will not now transpire. The only conclusion that can be drawn is that a pre-emptive strike has taken place by parties that you can name for yourselves. Your representatives will continue to challenge this state of affairs and the contents of the document "A Sea Change for Port Safety" that is now available on the DfT website.

A proposed "Port Safety Bill" is expected to be presented to parliament in the form of a Private Members Bill by the Ports Division. On their own admission it has very little chance of being adopted.

To highlight the ineffectual state of the PMSC, I will appraise you of the current situation regarding PEC abuse. The DfT state that it is not their remit to investigate and take action if an offence is committed. The MCA inform me that it is not for them to interfere and it is a matter for the CHA. The CHA have stated that the PMSC does not require them to police a PEC issue. I just hope the last official to leave remembers to switch the light off!

The NOS for Pilots and the Pilot qualification is receiving a lukewarm reception by certain parties.

Following a recent meeting with Lord Tony Berkeley parliamentary questions are being drafted on the above issues and will be presented in the House of Lords. The T&G have been appraised and will become involved in the near future.

## CHIRP

*Confidential Hazardous Incident Reporting Programme*

Full details of this important organisation are available on the CHIRP website at:

<http://chirp-admin.co.uk/chirp-maritime/>

## LEGAL

Contract issues are being studied for Wisbech, Dundee, Belfast, and the Orkneys. An issue relating to over carriage has been successfully dealt with by Blake Laphorn Linnell.

## EUROPE

The EUPP (mark 2) is being opposed by all parties. I have asked for a parliamentary question to be presented to establish the UK Governments stance on the EUPP (EU Port Package).

## EMPA

It was with immense sadness that we acknowledged the death of our much admired President Gianfranco Gasperini. Juha Tullima, (Finland), our senior vice-President, has assumed the President's position until the AGM in Poland.

## ETCS

At a meeting in Paris of the Council of Presidents on the 13th and 14th of January, it was agreed that the UK will take charge of the ETCS project in the person of Gareth Rees (Southampton), Chairman of the T&TC, ably assisted by Brian Wilson (Belfast). It has been agreed that the subject of SBP (Shore Based Pilotage) will not be included in the ETCS project. A progress report will be presented at the AGM in Poland and the project will be completed in time for the AGM in Antwerp 2006 and then sent on to Brussels.

## MarNIS

The problems experienced in the lead up to the commencement of this project have been resolved. The first meeting took place in Venice with the Dutch Pilot company involved and Rhein van Gooswilligen, President of the Dutch pilots Association, leading our delegation. Each meeting of the project will be monitored by an EMPA Board of Director and terms of reference are to be established, including strict financial arrangements. The UK, France, Germany, Holland and Belgium are supplying, two each, 'expert pilots' to scrutinise the project.

It is also regrettable that Harry Tabak has resigned from the Board of Directors and, consequently, the MarNIS project.

## CHIRP

The next meeting is set for Wednesday the 2nd of March on board the *Wellington*.

## CONFERENCE

I would like to take this opportunity of thanking all those who attended the conference in Eastbourne and for the valuable contribution you made.

We look forward to this years Conference that will be co-hosted by London and the Medway.

The dates are the 10th and 11th of November and the venue is London's Docklands, probably the Crowne Plaza Hotel. This will be confirmed later in the year.

*Captain LG Cate  
Chairman, UKMPA*

## TECHNICAL & TRAINING COMMITTEE

John Wright has now stood down as Chairman of this committee. The T&T committee now consists of the following members:

*Chairman:* Gareth Rees  
*Vice Chairman:* Brian Wilson (Belfast)

Kristian Pederson (SE Wales)  
John Freeguard (Bristol)  
Paul Wibbely (Forth)  
Roger Francis (Europilots)  
David Roberts (Liverpool)

*RNLI Liaison:* Kieth Thatcher

Please submit any issues of relevance to:

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email [dgc.rees@ntlworld.com](mailto:dgc.rees@ntlworld.com)

## REMEMBER

It is in your interest, if involved in any accident or injury, however trivial it may seem at the time, to inform:

**Circle Insurances Services**

*(contact details on page 14)*

**WITHIN 30 DAYS**

# PENSION NEWS

*This is a summary of a speech given to the UKMPA at their annual conference held in Eastbourne in November 2004.*

## PENSIONS CRISES

2004 has been a year of media hype and hysteria over the pensions' crises and the Government's attempts to restore public confidence through:

- Financial Assistance Scheme
- Pensions Protection Fund
- Finance Act 2004
- The Pensions Commission Report

And on the 18 November the Pensions Bill received Royal Assent. Most will have an impact on the PNPf, but what are they hoping to achieve?

### THE FINANCIAL ASSISTANCE SCHEME

Although the Pensions Bill makes provision for a Pensions Protection Fund (PPF) to pay pensions when an insolvent employer withdraws from an underfunded defined benefit scheme, this does not come into effect until April 2005. More importantly it does not cover employers of underfunded schemes that commenced wind-up prior to this date.

It is estimated that some 65,000 members face losses of 20% or more of their pension. So after much lobbying the Government agreed to make £400 million available in a Financial Assistance Scheme to provide compensation for the thousands of workers who have lost benefits because their schemes have been wound up while underfunded prior to April 2005. This sum of money is to be spread over 20 years and this scheme is open to the industry to provide further support. According to the Government the pensions industry has an "ethical duty" to contribute towards the FAS to help restore the public's confidence in pensions.

The design of the FAS has not been finalised, however it will be used to top-up benefits in existing schemes. The current expectation is that the legislative framework should be in place by Spring 2005 with the first payment to be made as soon as possible after this date.

### PENSIONS PROTECTION FUND (PPF)

The PPF is one of the provisions covered by the Pensions Bill and is due to be launched in April 2005. It will provide "core" benefits for members of under-funded defined benefit schemes where the sponsoring employer has become insolvent. The compensation fund will cover 100% of benefits for members who have reached the Fund's retirement age and 90% for members below that

age subject to an overall cap of £25,000 p.a.

The pensions protection levy, payable by pension schemes, will comprise two elements, one based on scheme specific factors, such as the number of member and the second based on risk-related factors, such as the funding levels of schemes. In other words the schemes most likely to claim will pay more.

### FINANCE ACT 2004

This Act received Royal Assent on 22 July 2004 and introduces a new simplified tax regime for occupational and personal pension schemes and will be effective from 6 April 2006.

This is the most profound overhaul of tax treatment since the establishment of formal tax approval in 1921. Eight different regimes will be replaced by one single regime. The onus will be on scheme members rather than the scheme for policing the new regime with allowances, one lifetime and one annual, replacing benefit and contribution limits

### The Lifetime Allowance (LTA)

When benefits are put into payment their value must be tested against the LTA, any excess will be subject to a tax charge. The limit is the maximum amount that a member may take from all forms of registered pensions savings. The level of the LTA for the next five tax years starts at £1.5m and moves up to £1.8m for 2010/2011.

### The Annual Allowance

In addition to the lifetime allowance there will also be an annual limit known as the annual allowance. This allowance ranges from £215,000 in 2006 to £255,000 in 2010.

For members who have already reached the LTA limit it will be possible to protect rights accrued within approved arrangements before A-Day provided the benefits are within existing Inland Revenue limits. If members have benefits in excess of these limits and the rights have not been protected then a recovery charge will be applied to the net excess.

*The two types of protection are:*

### PRIMARY PROTECTION

This type of protection can only be used if the member's benefits from all approved schemes of which he was a member are greater than £1.5m on 'A'-day.

### ENHANCED PROTECTION

This type of protection is available to any member with accrued benefits at 'A'-day, however no further benefit accrual or contribution will be allowed into the pension scheme.

Members will have until April 2009 to register claims with the Inland Revenue for primary or enhanced protection.

## PENSIONS BILL

The Pensions Bill received Royal Assent on 18 November 2004 and although the majority of the measures will be introduced from April 2006 the Department for Work and Pensions (DWP) has confirmed that it expects the following measures to be introduced from April 2005.

- The Pension Protection Fund (PPF) and The Pensions Regulator (TPR)
- Pension rights on TUPE transfers
- Change in Limited Price Indexation (LPI) for defined benefit schemes
- Withdrawal of the need to provide LPI for defined contribution schemes

## PENSIONS COMMISSION REPORT

### PENSIONS: CHALLENGES and CHOICES

Adair Turner as Chairman of the Pensions Commission has recently published his interim report on the UK pensions system entitled Pensions: Challenges and Choices. It looks into the adequacy of pension savings and provision in the UK and lays out the choices and challenges facing individuals and society. The report comments that the government has seriously overestimated the level of retirement savings and if the voluntary system is to survive the number of employers contribution to schemes will have to rise.

The interim report's task was to describe the situation and quantify it. In the second report due out in the Autumn of 2005 the Commission will make recommendations and consider what adjustments should now be made.

## PNPF SECRETARIAT

2005 will be a busy year for the Secretariat and the Trustees as well as we all come to grips with the new legislation and how it will affect the PNPf. Added to this a triennial valuation is due as from 31.12.2004 so data will need to be collected and transferred to the actuary during the beginning of 2005.

*Debbie Marten  
debbie@pnpf.co.uk*

## Retirements

*August 2004 - October 2004*

<b>JM Christie</b>	<b>Aberdeen</b>	<b>October</b>
<b>T Crowe</b>	<b>Liverpool</b>	<b>August</b>
<b>KJ Hadley</b>	<b>Gloucester</b>	<b>September</b>
<b>PP Hames</b>	<b>Humber</b>	<b>September</b>
<b>MH Lacey</b>	<b>Liverpool</b>	<b>September</b>
<b>DL Smith</b>	<b>Forth</b>	<b>September</b>

One of the sadder aspects of being the editor of *The Pilot* is the regular receipt of obituaries which frequently reveal remarkable careers undertaken by pilots, especially those who served during the war. Neil MacNeil, whose obituary appears on page 13, was one such pilot who following being torpedoed in the Atlantic survived for 11 days in an open lifeboat prior to reaching the Caribbean island of Tortola. The British Virgin Islanders appear to have offered full hospitality to the survivors and prior to leaving some two weeks later to return home Neil wrote an article for the British Virgin Islands bulletin.

A masterful understatement of what must have been an appalling ordeal, Neil's account provides a vivid description of survival at sea in an open lifeboat. I therefore feel that it is worthy of inclusion unedited. It is somewhat sobering to think that following what must have been two weeks of paradise, the survivors returned to face the rigours of war in the merchant navy for another three years!

"In my school days I often read thrilling adventure stories such as *Treasure Island* and *Robinson Crusoe* but little did I realise then that I would one day have to undergo a somewhat similar ordeal.

The morning of the 11th May was uneventful. Our ship plodded her way through the crystal clear tropical waters of the Atlantic in perfect peace and quietness. As usual I took over my watch at noon from the third Officer and determined the ship's position by Solar observations.

All that afternoon I had a peculiar feeling that something was going to 'happen', although I was almost certain that we were well clear of the real danger area.

At 1450 the ship was shaken by a terrific explosion which flung me fully four feet into the air and landed me flat on the bridge deck. Explosions in war time are a common occurrence and therefore none of us was caught really unawares. Emergency signals were immediately sounded and orders were given to abandon the vessel as it was clear by now that she was sinking fast. Everyone took up his respective station on the boat deck and the two lifeboats were lowered without anyone displaying the least sign of panic. As the last boat pulled away from the sinking ship the long grey hull of a submarine was observed to surface approximately 2000 yards distant. By now the ship was, well down by the head and sinking fast although apparently not fast enough for the Sub Commander. He manoeuvred into a position abeam and opened fire with his 4.7 inch gun on the ship's superstructure until finally the inevitable happened – a tremendous explosion, followed by a huge cloud of thick black smoke – another of Britain's Merchant Ships sent to the bottom or should I say sent to the skies

The sub then steamed slowly towards us with her two machine guns trained on each lifeboat. Everyone thought his fatal hour had come but still no one budged. The bearded, shorts-clad and sun burnt commander stood inside the conning tower. He was a tall, slender and well-muscled individual, of unmistakable Italian origin. As he came closer he hailed us in the most fluent English and asked if there was anyone injured. Fortunately we had no casualties and did not require his services in that respect. He then summoned us alongside and after holding a brief consultation he rather apologetically wished us a safe landfall and then made off



at high speed leaving us at the complete mercy of the wind sea and scorching sun in an open boat some 700 miles from land with no navigational instruments whatsoever at our disposal. There were 18 in our boat, including the Captain, and 19 in the other. This was the entire ship's complement of 37 men.

Before we set sails it was agreed that the boats were to keep within sight of each other as long as possible and so at length we started on our voyage to an unknown destination. The first night passed without incident. The men's spirits were very high as everyone was certain they had a good chance of being sighted by a plane or rescue ship which may have been dispatched in response to the distress message sent out before the ship was abandoned. We reckoned that we had enough food aboard to last 7 days but fresh water was our greatest problem. Soon, however, we settled down to our daily routine and meals of corned beef, hard biscuits and condensed milk. So far the weather had been very favourable to us. A light NE breeze prevailed throughout the night and the next day, enough to give the boat ample steerage-way with full sail set. The sky was of its perennial blue, and the sea was almost flat calm, with a long peaceful swell. About 1030 on the third day Bowyer (our gunner) was sitting up in the bow. Suddenly he said, "I can see a plane right ahead". All eyes immediately turned in that direction. Sure enough it was a plane and heading towards us. He circled round us for fully ten minutes as if checking up on our course. He then swooped close to us and dropped two tins containing emergency rations and a very encouraging message in which he assured us that assistance was en route and would arrive that night or the next morning. I regret to have to say that this assistance never turned up. After the plane flew away we all sat down and indulged in what I may describe as the heartiest meal we had had since we left the ship. It consisted of corned beef, biscuits and chocolate dropped by the plane and of course nearly all the fresh

water we had on board as we were expecting to be picked up that night or the following morning. That night passed and at the first streak of dawn everybody was awake and active in anxious anticipation of the rescue. Eighteen keen eyes constantly scanned the horizon in the hope of seeing any rescue ship or planes but alas our hopes were doomed to disappointment. When that day passed and night fell my heart sank and a moment of deep black fear entered. I fell into contemplation for a while and thought there is a war on – total war. I knew that the American Navy had more to do and contend with than spend their time searching the ocean for one or even two lifeboats with survivors. For us it was a hard pill to swallow but it was simple military logic. Having contemplated all these gloomy possibilities for a while I soon thrust them aside with determined optimism.

The next day predicted a still gloomier outlook. The wind which had so far been in our favour had shifted round and come in from the South West with much greater force. This made it necessary for us to tack in order to make a little headway in the right direction or even hold our own. Dark clouds gathered round us and by noon it was deemed necessary to heave to as it was now blowing a moderate gale. To stop drifting in the wrong direction and keep the boat's head to the wind a sea anchor was put over the bow and an oil bag attached to it. This helped to smooth the frothing billows. During the night we lost our rudder, presumably due to the constant pitching and pounding of the boat. With this the situation became more serious. The boat was now unmanoeuvrable under sail except with the assistance of a steering oar on which we could not greatly rely. We were now of course at the complete mercy of the wind. When it blew from an Easterly direction our spirits rose because we knew that it would eventually blow us to safety but when it shifted-round to the South West, as now, we were depressed for then we were heading for disaster and probably death.

We were now two days hove to and still there were no signs of any assistance forthcoming. The weather had now moderated slightly so it was decided to set sail once again although the breeze was not very favourable. In view of the obvious fact that we were growing weaker and weaker every day we considered it feasible to put

four oars out, and cover as much distance as we could while we were still able to row. It was on this evening that we lost sight of the other boat. On about the eighth day the lack of water began to bother us seriously. The wind had been blowing us along at a fast clip in the general direction of Southwest but we had no rain. Our salivary glands dried up and our mouths were parched, making swallowing difficult. All that morning we had watched showers approaching and then fading away. Hour after hour we sat in the broiling sun. We were surrounded by sharks and didn't dare venture over the side for a swim so instead we kept our clothes soaked with salt water, rewetting them every few minutes to keep our bodies cool. All that morning we sat and waited for rain. We knew that if we did not get any we would not last long and that death by thirst is one of the most terrible forms of torture. Still, most of the men were in fairly high spirits with the exception of one or two who were firmly convinced that we were doomed and that there was no use in trying to put up a struggle. One constantly predicted disaster and neither of them could tell direction from the stars and they would ask every few minutes how she was heading. It was on the morning of the 9th day that someone suggested that we should pray for help. Later that afternoon; the wind shifted abruptly to the North East, a tremendous black cloud appeared overhead and soon, to our great joy and relief, down from the heavens poured the rain. To acquire the full benefit of the deluge we took off all our clothes and sat stark naked. This lasted for about half an hour and we had our first real drink in days.

Just before dark that night I heard a scratching noise on the top of the mast. I looked up and saw what then looked to be a huge black bird hovering around the sail and you may imagine with what admiration everybody on board gazed at this wonderful bird that had come to keep us company. Like most seamen I am inclined to be slightly superstitious. The recent prayer and the resultant rain and favourable wind had made me both more religious and superstitious. My mind wandered back to my school days and Coleridge's Rhyme of the Ancient Mariner, especially the part that goes:

*At length did cross an albatross  
Through the fog it came  
As if it had been a Christian soul  
We hailed it in God's name.  
And a good south wind struck up  
The albatross did follow  
And every day for food or play  
Came to the mariner's halloo*

However, the bird turned out to be of some other species and not an albatross although it followed us faithfully to land.

Next day, what I had been fearing all along happened. We ran into a heavy squall which drove us to the South West. The sky became dark, the rain whistled down around us, the waves roared louder and louder and poured gallons of water into the boat. We thought that this was the end. In our weakness and unhappiness we hardly had strength enough to bale. But somehow, bale we did. There we were I thought, completely returned to the primitive, stark naked in the howling storm, fighting the unbridled forces of nature with little hope of Victory. After the storm the sun came out fierce and burning and our bodies, unprotected by clothes, burned and peeled and burned again. Mostly we lay back in our cramped and uncomfortable positions, not caring much longer what happened. Deep in our hearts we were all beginning to resign ourselves to our fate. Towards afternoon the sky began to cloud over and a cooler and more refreshing breeze blew from the South East. I knew from dead reckoning that we should not be far from land now unless by a stroke of misfortune we had passed through Mona Pass and missed the islands.

On the morning of the eleventh day to my great delight I saw a coconut and a green branch floating by. I remembered reading Christopher Columbus' trials and tribulations on his voyage to an unknown destination in 1492 and that it was the green branch that saved him at a time when his sailors were on the verge of mutiny. Likewise it gave me the impression that land was imminent. Later that forenoon Vincent, an able seaman, who was lying stretched out on the fore thwart said "Second, I think I can see land, I've been watching it now for over half an hour". What I saw then made my heart jump and sing with the greatest joy it has ever known. There lying ahead was a beautiful green island'. "Boys" I exclaimed, "You can thank the Lord. He has delivered you to land, to safety". The boat suddenly burst into activity the men hardly able to stand or sit still in the prevailing infection of excitement. In place of the gloomy atmosphere which had prevailed during the last eleven days could now be heard all the latest songs from New York's studios. Even the Captain, whose face had just previously resembled a minimum sized fiddle with eyes painted on it joined in. All that day we rowed to that beautiful patch of land. Shortly after dark we came across a perilous reef extending in a semi-circle round the South Eastern approaches to the island. Owing to this we were forced to turn out to sea and cruise around till daylight. Early on the twelfth day we set our sail again and made for the land endeavouring to dodge the reefs the best way we could. We did not know what land it was but whether friendly or hostile we were determined to land there.

Shortly afterwards we saw a sailing sloop away on the horizon, and heading towards us. It was decided to wait for this sloop so that we might acquire some information as to our present whereabouts. The sloop turned out to be the *Sparrow* of Virgin Gorda commanded by Captain Robinson O'Neal. We were more than delighted when O'Neal told us that the islands on which we were about to land constituted a part of the mighty British Empire, one of the outposts of Freedom which we are desperately fighting to preserve and will preserve in spite of such brutal attacks as are directed against us by Hitler's, Mussolini's and Hirohito's representatives. The *Sparrow's* crew, treated us right royally. They presented us with tobacco, cigarettes and water which we sorely needed, later they even went to the trouble of cooking fish for all of us and you can just imagine what that fish tasted like to our ravenous appetites. Never in my life did I know or realise the value of fresh water and never again will I underestimate it. The *Sparrow* took us in tow and landed us at Road Town, Tortola about seven o'clock that night, where the Commissioner and nearly all Road Town were down to greet us with open arms. Soon every one of us was comfortably housed and enjoying the remarkable hospitality extended to us from every corner of the island. That night I slept in a real, comfortable, bed in Government House with my body stretched as nearly full length as I could get it after the twelve days of living in the cramped boat. We had gained "terra firma" just in time since a day or two more and the scorching sun would have accomplished what starvation, thirst, wind and sharks had failed to.

*NM MacNeil, 2nd Officer, July 1942  
ex SS Cape Of Good Hope*

#### **Details of the *Cape Of Good Hope***

Shipbuilder: Lithgows Port Glasgow.  
Built: 1925. Tonnage: 4963 grt. Length: 405 feet.  
Owner: Lyle Shipping Company, Glasgow.  
Remarks: Early pioneer in ships' diesel propulsion.  
From: [www.clydesite.co.uk/clydebuilt/](http://www.clydesite.co.uk/clydebuilt/)

#### **Details of the *U-502***

After a bit of research I have discovered that the *Cape of Good Hope* was torpedoed by *U502*. The Commander Jürgen von Rosenstiel, was not in fact an Italian, having been born in Kiel in 1912. He was appointed to the *U502* when she was commissioned in May 1941. He undertook four patrols between 31 May '41 - 5 July '42 during which time he sank 14 ships and damaged 2, placing him in the top 20 U-boat commanders. On 5 July, whilst returning from the successful patrol in the Caribbean which saw the sinking of the *SS Cape of Good Hope, U502* was sunk in the Bay of Biscay by depth charges dropped from a British Wellington bomber from 172 Squadron. All 52 persons on board were lost and *U502* became the first submarine to be sunk by a Wellington bomber. From: <http://luboat.net>

# ETCS (Education, Training, Certification & Standards for maritime pilots)

ETCS is a European project looking to set standards for maritime pilots along the lines of STCW95. Due to the importance of this project I have extracted the report to conference by Brian Wilson and Gareth Rees and updated it with the latest information available.

Brian presented the background to the UK's involvement in ETCS. In the UK, pilotage standards were contained within the PMSC but he questioned how many ports were complying with the code? Without legislation the voluntary PMSC was being largely ignored except by the production of paper procedures which indicated compliance. With respect to training the PMSC proposed a set of standards be drawn up. The UKMPA, in association with British ports Industries Training (BPIT), a sub body of the DfT had previously produced a set of standards to accompany the Code. BPIT was disbanded and responsibility handed to a port run body called Port Skills and Safety (PSS) which promptly shelved the standards and became a dormant body. Nothing has been done by PSS, nothing by UKMPG and nothing by the CHAs.

There is now a revival of the issue with the new review of the PMSC by the MCA and they have been tasked with pilot training and certification.

It was the torpor of the UK ports industry that meant that when the UKMPA learnt of the EU ETCS project they immediately signed up as a partner. By having pilots responsible for managing the project, ETCS will ensure that the agenda is not dictated by anything other than the safety of shipping in pilotage waters. ETCS has members from 12 EU states participating with another 5 expressing an interest. The working group is building on BPIT's document.

The basic concept is that an applicant, upon achieving the requisite entry qualifications will follow basic training criteria after which he will receive an initial EU pilotage certificate. Depending on the port being served, the continuing training and development will result in additional certification and there will also be built in support for pilots including, for example, support for post traumatic stress after an incident.

To date there have been six meetings supplemented by email correspondence and the participation of all the bodies including

port representatives, VTS and Government officials has resulted in very valuable input.

So far the following have been completed:

- Recruitment
- Code
- Guidelines
- Marine pilots' competence chart

The participating members had all approved the documentation and this means that the project is running well ahead of schedule. The drafts would now be prepared and circulated prior to being formalised and presented to the EU Parliament.

Brian then went on to explain how ETCS could be adopted by the UK. The DfT could instruct the MCA to adopt ETCS as the recognised "National Occupational Standards" for pilots within the PMSC. This was the preferred route but if this was not accepted then it was probable that it would be imposed upon the UK by an EU Directive in the future.

Gareth Rees reassured those who were concerned that existing pilots may be subjected to new and on-going assessments, that existing pilots would be issued with a National Qualification Certificate based on their existing competency. New pilots would receive a "generic" qualification with a "local" endorsement. The "generic" qualification would be accepted in any EU state.

Gareth also explained that ETCS required a "Competent Pilotage Authority" to be responsible for overseeing the ECTS implementation and compliance and since the MCA was already the "Competent Authority" for VTS the UKMPA envisaged that the MCA would become the CPA in the UK.

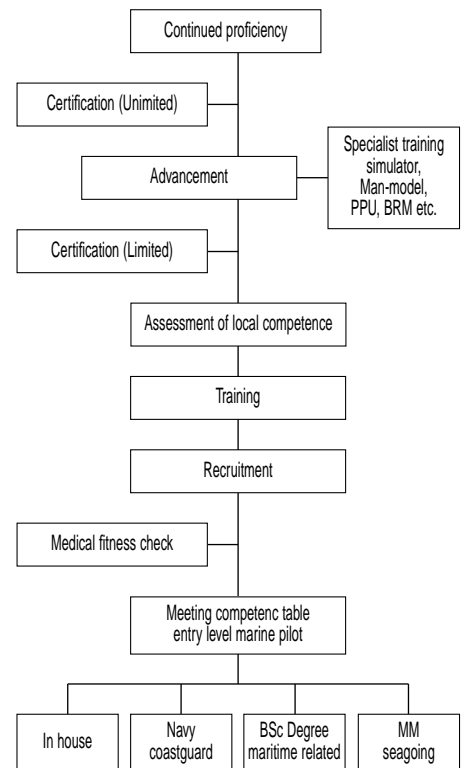
Following a meeting held in January 2005 with the MCA it has become evident that the ports have advised the MCA (thus also the DfT) that they "do not see the need" to include standards for pilots or PEC holders included in the PMSC. The DfT have seemingly accepted this viewpoint without challenge and this means that

the existing standards previously drawn up by pilots and now in the ownership of dormant, port run, Port Skills and Safety (PSS) are unlikely to be incorporated into the PMSC. The MCA therefore seem to have backed away from their conference policy statement that they saw the inclusion of National Occupational Standards for pilots as an integral part of the code and that "doing nothing was not an option"!

This means that ETCS will need to be "imposed" upon the UK Ports Industry. It is therefore vital that this project is completed and incorporated into a new Directive if pilotage standards are to be maintained.

At the EMPA Council Of Presidents' Meeting in January it was agreed that the UKMPA would become the official ETCS project managers and Gareth Rees has been appointed as Secretary/coordinator of the project with Brian Wilson as his assistant.

## ETCS progression stages



## PMSC

**Don Cockrill and Brian Wilson are the SC members responsible for the PMSC brief.**

Members are requested to report any non compliance with the Code identified within any district since this would help to raise specific issues officially at meetings. There is already a correspondence group active in providing a cross flow of information concerning the Code and it has been very valuable for Don & Brian to receive background information from those who had been involved in the original drafting of the Code. All members were welcome to join that correspondence group.

Contact: **Don.Cockrill@tesco.net** or **bj.wilson@btinternet.com**

## REVIEW OF THE 1987 PILOTAGE ACT

*The following is an extract from  
Joe Wilson's conference presentation*

Members are obviously aware that ever since it was introduced the 1987 Pilotage Act has been exposed as possibly the worst piece of legislation on the Statute. There now appears to be movement on behalf of the Government to introduce new legislation to cover pilotage, although at this stage it is not known whether this will be a new Pilotage Act or legislation being incorporated into a Ports Bill. In order that the UKMPA would be prepared for any new legislation, Joe and Dave Devey had met with Mark Foden and identified areas of concern within the existing legislation that effectively encompassed every clause within it!

This matter has now been discussed at Section Committee and all agree that the fundamental problem is the term CHA. Anyone with enough money can become a CHA in for example Liverpool which is currently undergoing a takeover bid from an investment company. Unaccountable and unskilled financiers could gain the ultimate power over pilots without any accountability. SC has therefore decided that rather than try to amend the Act with minor tinkering there needed to be a total overhaul and this was being progressed. Unfortunately there was a lack of Parliamentary time and, perhaps more importantly, a seeming lack of political enthusiasm for a Bill which was not supported by the ports industry.

*Joe Wilson, Tees*

### INSURANCES

**PLEASE NOTE:  
NAVIGATORS & GENERAL  
HAVE DECIDED TO DISCONTINUE COVER  
FOR UKMPA MEMBERS**

At very short notice Paul Haysom has managed to arrange a similar policy with:

### ROYAL & SUN ALLIANCE

Contact: **Drew Smith**  
Circle Insurance Services plc

**Tel: 0141 249 9914**  
**Fax: 0141 249 9915**  
**email drewsmith@circleins.com**  
(Office hours only)

Full details of this policy and how to claim are with your local Secretary

## RETIREMENT

Early this year John Nicholls retired as pilot for the Isles of Scilly, a position he has held since 1989 when the Duchy of Cornwall became CHA for the Islands.

This must be one of the loneliest and remote Pilotage Districts in the country, the Islands being situated 28 miles off the South West tip of Britain.

When John took on the pilotage he had to start from scratch as the previous pilot (Roy Guy) died suddenly at the end of 1988 so there was no hand over or training period. Fortunately John was not only born and bred in the Islands but had been running his own small passenger launch for many years following his return from deep sea. There was also a long period of relief work as Chief Officer on the ferry running between Penzance and the Scillies which gave him much experience in bringing ships in and out the main channels. In fact the only way he could be practically examined was by taking the ferry in and out with the examiner on board! This also meant that he was able to fill the gap when Mounts Bay was without pilotage cover for several years.

The pilotage in the Islands is only part time as there is insufficient trade to keep a full time pilot employed. The main work being the many passenger ships that visit the Islands in the summer months. There have been several other interesting jobs over the years not least of which was the manoeuvring of tugs and tows into remote parts of the Islands to do sea defence work. The odd transatlantic speed race large sailing yachts, landing craft and the occasional ferry run when they operate outside the limits of their PEC all have served to break the monotony.

There have been several changes over the fifteen years of service not least of which was the introduction of a dedicated pilot boat purchased from Harwich. This improved safety tremendously.

Over the time he has been a pilot John has been assisted by Jeremy Phillips, another local Boatman and ex seafarer who has now taken over and is assisted by Stephen Hicks also a local Boatman and FG Master.

Although retired John will not be completely out of the pilotage scene as he remains as pilot examiner and also local licensing examiner for the Islands Council. We all wish John a happy and healthy (sort of) retirement.

*Sam Guy, Fowey*



## PILOTS' GOLFING SOCIETY

The 30th meeting of the Marine Pilots' Golfing Society took place at Westerwood Hotel and golf complex, Cumbernauld, Scotland during the first week of September.

Twenty eight golfers from nine different ports (Forth, Tyne, Tees, Humber, Milford Haven, Liverpool, Manchester, Clyde and Sullom Voe) took part, it was nice to welcome new faces from the Clyde and Sullom Voe.

The weather was extremely kind and everybody enjoyed some good golf and social interaction. Fred Parks (Forth) 84yrs young played all four rounds over the three days, quite some achievement.

Next year we will be at Cave Castle hotel just north of Hull on Sunday 4th September for our usual three days. We are also meeting in the spring for one night at Telford. Sunday 19th May 2005.

<b>Winners were:</b>	Manchester Salver	M Cramond (Forth)
	Wimslow Cup	W Kitching / M Cramond (both Forth)
	Hawkstone Cup	I Leask (Sullom Voe)
	Pilots Cup	J Cahill (Manchester)
	Milford Cup	M Cramond
	Jim Purvis Memorial	P Bean (Tees)
	Nearest Pin	J Cahill

*Peter Ryder*



## OBITUARIES

### Captain Gianfranco Gasperini (1943 - 2004)



It was a huge shock, and it was with tremendous sadness that we heard that EMPA President Captain Gianfranco Gasperini had died after a very short illness at his home in Rome on Saturday 6th November 2004. He died just before his sixty-first birthday, being born on the 16th of November 1943 at Ponte Buggianese (Pistoia), Italy.

How well the members of the EMPA Executive remember his joining us at the Liverpool General Meeting of 1991 as an EMPA vice-President. This quietly spoken man, always smiling, slightly shy, but who immediately and enthusiastically took on the role of EMPA Treasurer. It was my particular good fortune to have had those years on the Executive working with Gianfranco. I particularly appreciated his unstinting support during my term as EMPA President. Not only was he a hard working Executive officer, but he was also an interesting, charming, modest, scholarly man to work with.

But it was not all about work and after our daytime meetings in Antwerp it was also a real pleasure for us to enjoy the social camaraderie of his company during our evenings together. He enjoyed his tennis tremendously and was a good and enthusiastic player. He personified that attribute of most pilots, to be European, not to be parochial, and to mix convivially with his pilot colleagues from all nations.

No one who met him, as many pilots

from the UKMPA did over his years on the EMPA Executive, could but immediately sense the gentle charm and courtesy of this man. Quintessentially Italian by nature he was however quietly and gently spoken and whilst, like all of us, sometimes perturbed at events in the pilotage world he never ever showed his discord by anything other than a slight frowning of his brow and the measured use of a more serious tone of voice.

He proved to be the consummate Treasurer, always producing immaculate accounts, and from the beginning computer generated, as he was a great enthusiast for technological innovation. And at our Executive committees he would always gently steer us in a direction to ensure that we remained within the budget whenever we considered our future activities. This was but a foretaste of his ability to act in the best interest of his European colleagues, which he was to demonstrate further when he later became EMPA President.

Although heavily committed as the Fedepiloti Secretary-General he gallantly allowed his candidature for the post as EMPA President to go forward and was duly elected, unopposed, at the Paris General Meeting in 2001. His Presidency was marked by all the qualities he had shown over his ten years on the Executive and was met by some difficult situations, not least the attempt by the Commissioner to introduce the Port Services Directive. His successful opposition to this ill-judged Directive was a tribute to his untiring efforts on behalf of his pilot colleagues.

Then, latterly, he also became the Fedepiloti President where he ably and enthusiastically represented our friends and colleagues the Italian pilots with a dedication and commitment, which served them so well.

He was an extremely hard working unselfish man who was dedicated to achieving the best for pilots and pilotage all across Europe, and also internationally through his support for IMPA. His contribution to pilotage matters not just in the interests of pilots, but equally in the interests of mariners, shipowners and port authorities will be sorely missed.

His funeral was held on Monday 8th of November at 10.30 in the small Franciscan church of "San Francesco a Ripa", Piazza San Francesco a Ripa, Rome. Secretary-General, Albert Cools, with his wife Mady, and Administrative Secretary, Claire van Lokerens attended the funeral on behalf of EMPA. Unfortunately, due to the very short notice of the funeral, more

representatives of EMPA and the world of pilotage were unable to attend, but I am sure that like me many others were there with his family and friends if only in spirit.

I am sure that you will all share with me in the heartfelt and sincere offer of our condolences to his lovely wife Lydia and their son Paolo, following in his father's footsteps as a pilot, and his beautiful sparkling daughter Serena. A light has gone out in their lives and they will miss him terribly, a husband and father. Our deepest condolences also go to all the staff and pilots of Fedepiloti where his loss will be felt so tremendously after all his dedicated years of service.

We mourn Gianfranco's untimely death, the world of pilotage, and indeed the world in general is the poorer for his passing. We will remember him always with admiration and huge affection as a great ambassador for pilots wherever he went, but most of all; we will remember him just as a lovely man whom it was always huge fun and a privilege to be with.

*Geoff Topp*

### Joseph Thomas Duhig



Joseph Thomas Duhig died peacefully on the 17th October 2004 after a six month illness spent in Darent Valley Hospital, Dartford, Kent.

Born in 1932, Joe spent his early years in South London. At the age of thirteen he went to the London Nautical School and subsequently joined his first ship the *Harpathian* of JC Harrisons, in 1949. The ship had a full Geordie crew and as a raw 16year old he joked that he found the dialect a little difficult, but reckoned he

had got the hang of it after the fourteen month trip was up. Joe subsequently sailed on Harrisons' tramps to many interesting parts of the world. True to character he kept a detailed record of his ships and the ports visited; a record his grandchildren will no doubt value in the years to come.

Joe gained his Masters ticket in 1959 and while waiting to be called to the Trinity House Pilotage Service he sailed as Master on dredgers; his last command being the *Bowqueen*. He was licensed as a London River Pilot in September 1966, and continued through the changes of October 1988 until his retirement in November 1996.

Joe was a modest and quiet man who lived his life at a gentle pace. He was never hurried or stressed; he drove slow ships for a living, drove slow cars for pleasure and could spend all day reading the paper and doing the crossword – he knew how to be busy doing nothing. Ships and the sea were his love, his life and his passion. His other great passion was his family. He held traditional family values and leaves behind a wife, two sons, a daughter and two grandchildren.

Joe was a humble man who always displayed a calm air of contentment about whatever cards life had dealt him- one of

life's gentlemen. It was fitting that he spent the last six months of his life in a ward with a panoramic view of the river he had served for over 30 years. In a simple ceremony attended by his family and some of his close friends Joe's ashes were scattered on the London River from one of the Port of London Authority's river cutters.

Mark Dubig

### Neil MacNeil

It is with sadness that I report the death of Captain Neil MacNeil of Barra on the 12th October at his home in Castle Bay.

Neil was a most respected and well loved person, both in his private life and by his colleagues in the Trinity House Channel pilots service at Gravesend.

He was born on 29th September 1918 and went to sea when he was 17. Whilst serving with Lyle shipping Company as Second Mate on board the *SS Cape of Good Hope* he spent twelve days in an open lifeboat following the ship being torpedoed and sunk in the Atlantic before reaching landfall at the Island of Tortola.

Having concluded his service with Lyle Shipping company on the 12th September



1949, Neil joined the Ben Line where he served until he was licensed as a Trinity house Channel Pilot on 18th August 1953.





Neil leaves a wife and three children having sadly lost two other children in sorrowful circumstances.

Whilst a serving pilot he will be remembered with respect and affection. As a representative at UKPA conferences with suspicion and apprehension!

His overtures to a proposal or referendum, delivered in his soft West Highland lilt, lulled his listeners into a sense of sanguine acceptance, until, arising from a torpor of lunchtime gin and tonics they would realise that they were being led down a road that they had no wish to travel! What an orator, sadly missed.

Donald McLean, Chairman,  
Trinity House Channel Pilots' Society.

Neil MacNeil's dramatic account of his survival in a lifeboat appears on pages 8 & 9.

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## Pensioners Deceased

August 2004 - October 2004

FK Appleton	Manchester
EW Compson	Harwich
JT Duhig	London-Thames
JE Halton	Liverpool
AD Howe	Southampton
HF Lunn	London-Thames
N MacNeil	London West
CG Robinson	Tees

## PNCP - Mike Kitchen

Those of you who read the letter put out with every copy of the October *Pilot* will be aware that the future of the PNCP was likely to be debated at this year's conference. The proposal of the trustees of the PNPf was that they should take over the function of the PNCP with one pre-trustee meeting every year to which the four alternate trustees, independent and pensioner trustees would be invited.

However, events took a different turn and at the pre-conference meeting of the Executive on the 16th November it was decided to put a simple Resolution to Conference, namely: "Is it the wish of the UKMPA membership to continue to have the PNCP as a sub committee of the UKMPA". The trustees, Joe Wilson and Richard Williamson, reported that this was in order to facilitate the attendance of a second trustee at each of the PNPf trustee meetings paid for by the UKMPA out of the original budget of the PNCP. The other alternate trustee's attendance is paid for by the long standing arrangement with the PNPf. The matter was put to a vote after a debate by the full conference later in the day and by a vote of 24 to 22 with 11 abstentions the PNCP ceased to exist.

This is a sad and unnecessary end to a committee that was set up to promote understanding of, and to advise the Section Committee on, pension matters. Indeed the very purpose of the trustees' proposal to provide a second seat at trustee meetings for an alternate trustee would seem to be self defeating in that he cannot participate in that meeting and is strictly an observer. The PNCP provided a forum at which all the alternates met with a trustee, pensioner and independent representatives and at which they could all take part in the debate. They will now attend the same number of meetings in the year but will have no voice.

The PNPf pensioners have now been deprived of a voice as have 50% of the UKMPA membership who are members of pension schemes other than the PNPf. The T&GWU have a policy that the Union should be consulted on all pension matters as outlined by Peter Smith, the T&G pensions officer, on day two of the conference. I am therefore seeking the opinion of the membership on a resolution for next year's conference on the reinstatement of a pensions sub committee on the basis of the PNCP as it stood until the 17th November.

Those of you who feel that this should be formed should write to myself or Dan McMillan along with any helpful suggestions on format etc.

Mike Kitchen, 7 Portlight Close, Mistley Manningtree, Essex CO11 1UD

Dan McMillan, 17 Park Road Gravesend, Kent DA11 7PR

## THE PILOT

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### ATTENTION LOCAL SECRETARIES:

In order to cut down on postage email is recognised as the most efficient and cost effective way of disseminating information. All the circulars are now posted on the UKMPA website in the members' area. If you send Joe Wilson (joe.wilson@ntlworld.com) your email address he will send you an email "alert" when a new circular is issued. This method also makes it easier to circulate information to local members.

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