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The procedure for the issue, renewal, suspension and revocation of a pilot exemption certificate, and the procedure for examination of a master and chief mate and the format of the certificate

Passed 23.09.2011 No. 93

The Regulation is passed under [subsection 57¹ \(9\) of the Maritime Safety Act](#).

Chapter 1. General provision

§ 1. Scope of Regulation

This Regulation establishes the procedure for the issue, renewal, suspension and revocation of a pilot exemption certificate, and the procedure for examination of a master and chief mate and the format of the certificate.

Chapter 2. Issue, renewal, suspension and revocation of a pilot exemption certificate

§ 2. Application for and issue of a pilot exemption certificate

(1) The **Transport Administration** shall issue a pilot exemption certificate on the basis of a written application by the operator of a ship.

(2) The operator shall submit to the **Transport Administration** copies of the record sheet of port visits set out in Annex 1 to this Regulation, and the ship's crew lists, together with the application specified in subsection (1).

(3) A pilot exemption certificate shall be issued on the basis of the examination for free pilotage records complying with the requirements set out in Annex 2 within three working days after the examination for free pilotage is passed.

(4) A pilot exemption certificate issued to the chief mate shall be valid for promotion of a chief mate to master.

(5) The format of a pilot exemption certificate is set out in Annex 3.

§ 3. Application for and issue of a duplicate of a pilot exemption certificate

(1) If a pilot exemption certificate is lost, damaged or becomes unusable, the holder of the document shall submit to the **Transport Administration** a written application. In this application, the circumstances of the document being lost or damaged or becoming unusable shall be described.

(2) A duplicate shall be issued to replace the lost, damaged or unusable document on the basis of the documents in the archives of the **Transport Administration**, and it shall be stamped "Duplicate".

(3) The pilot exemption certificate that has become unusable shall be returned to the **Transport Administration**.

§ 4. Renewal of a pilot exemption certificate

(1) The **Transport Administration** shall renew a pilot exemption certificate on the basis of a written application by the operator of a ship.

(2) The operator shall submit to the **Transport Administration**, together with the application specified in subsection (1), a statement declaring that the continuous period of time during which the master or the chief mate has not exercised free pilotage does not exceed 12 months.

(3) A new pilot exemption certificate shall be issued when a pilot exemption certificate is renewed.

(4) A new pilot exemption certificate shall be issued on the basis of the examination for free pilotage records complying with the requirements set out in Annex 2 within three working days after the theoretical part of the examination for free pilotage is passed.

§ 5. Suspension and revocation of a pilot exemption certificate

(1) A pilot exemption certificate shall be suspended or revoked by a **directive of Director General of the Transport Administration**.

(2) The proposal for suspension or revocation of a pilot exemption certificate shall be made by **Director of the Maritime and Waterways Division of the Transport Administration** on the basis of reports by **heads of the Administration's structural units** or harbour masters.

(3) The operator, the provider of the pilotage service and the harbour master of the relevant port shall be immediately advised of the suspension or revocation of a pilot exemption certificate.

(4) When a pilot exemption certificate is suspended, the operator shall submit the written application specified in subsection 2 (1) to have it renewed, and the master or the chief mate shall take both the theoretical and practical part of the examination for free pilotage.

(5) When a pilot exemption certificate is revoked, the operator may apply for a new certificate after 12 months. A pilot exemption certificate shall be renewed in accordance with § 2.

Chapter 3. Examination of an applicant for a pilot exemption certificate

§ 6. Pilotage qualifications committee

(1) An examination for free pilotage shall be conducted by the pilotage qualifications committee (*hereinafter* the committee) formed by **Director General of the Transport Administration** by issuing a directive. The committee shall be made up of employees of the **Transport Administration** who have the qualifications of a

deck officer of a ship, representatives of the provider of the pilotage service and the harbour master of the port located in the particular pilotage area.

(2) The chairperson and deputy chairperson of the committee shall be employees of the **Transport Administration** and have a Certificate of Competency as master on ships of gross tonnage 3000 or more.

(3) The secretary of the committee shall be an employee of the **Transport Administration** who verifies the compliance of the documents concerning the person taking the examination with relevant requirements, prepares the examination records and organises the administration of the committee.

(4) In the absence of the secretary, the chairperson of the committee may temporarily delegate the responsibilities of the secretary to a member of the committee who is an employee of the **Transport Administration**.

§ 7. Examination for free pilotage

(1) At the examination for free pilotage, knowledge of the subject areas listed in Annex 4 is checked.

(2) In order to pass the computer-based test on the international regulations for preventing collisions at sea (COLREG 1972), the percentage of correct answers must be at least 90.

(3) The theoretical part of the examination shall be either in the oral or written form, at the committee's decision.

(4) Each examinee shall have up to 60 minutes for preparation for the theoretical part of the examination.

(5) The time period between the theoretical and practical part of the examination must not exceed 30 days.

(6) The practical part of the examination shall be observed by one committee member selected by the chairperson, and a pilot.

(7) In order to pass the practical part of the examination, an examinee shall independently manoeuvre a ship. If bystanders intervene, the examination shall be deemed a failure and a corresponding remark shall be entered in the examination record.

(8) If a person fails the theoretical or practical part of the examination for free pilotage, a **date** for re-examination shall be set.

(9) In case the examinee disagrees with the result of the examination for free pilotage, he or she can contest it by submitting to the **Director General of the Transport Administration** a challenge within 30 days from the date of the examination.

Chapter 4. Implementing provision

§ 8. Validity of pilot exemption certificates issued previously

A pilot exemption certificate issued on the basis of Regulation No. 38 of 12 December 2002 of the Minister of Economic Affairs and Communications "Qualification requirements for pilots and the format and conditions for the issue of the pilot certificate and the pilot exemption certificate" shall remain valid until its date of expiry.

Juhan Parts
Minister

Marika Priske
Secretary General

Annex 1 Record sheet of port visits

Annex 2 Data to be entered in the examination for free pilotage records

Annex 3 Format of pilot exemption certificate

Annex 4 A list of subject areas necessary for passing the theoretical part of the examination for free pilotage