**VTS37-5.6.1**

Please comment

by 27 June

**Report of the 1st Session of the Competent Pilotage Authority Forum**

**(CPAF)**

**June 11 to 13, 2013**

***Executive Summary***

* There were 11 attendees at this first session of the CPAF;
* Two USCG members participated via GoToMeeting, which was subject to delays, interference and occasional loss of adequate audio;
* The forum considered 2 input papers;
* The forum produced 3 output papers:
  + the meeting report;
  + revised terms of reference (CPAF1/output/2) (section 7.1);
  + liaison note to IALA, regarding minor errors in the PAF report on best practice for Competent Pilotage Authorities (CPAF1/output/3) (section 6).
* The Chairmanship for CPAF2 was agreed (section 7.2);
* Discussion on risk assessment and decision to pursue the topic (section 7.3);
* Discussion on Pilot Passage Plan exchange the decision to pursue the topic (section 7.4)
* The forum considered aspects of SMCP (section 7.5) and based on the recent experience of the VTS Committee is contemplating the creation of best practice in this area;
* Development of potential work items and agreement on standing agenda items (section 8);
* Decision to meet annually and appoint a Chairperson and a Vice Chairperson (CPAF1/output/1).

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| Competent Pilotage Authority Forum (PAF)  1st Session | 13 June, 2013 |

Report of the 1st Session of the Competent Pilotage Authority Forum

# General

The 1st meeting of the **Competent Pilotage Authority Forum** was held from 11 to 13 June 2013, at IALA and via GoToMeeting, with Arve Dimmen as the Chairman. The Secretary for the meeting was Mike Hadley. Valtteri Laine assumed the Chair for the final morning.

The Chairman said that it was a pleasure to welcome everyone to the 1st session of the CPAF and then introduced himself and provided a brief overview of how the meeting came to be taking place. He then asked those attending to introduce themselves.

# Approval of the agenda

With the addition of two items to agenda item 6, the agenda was approved.

## Apologies

Apologies were received from:

|  |  |  |
| --- | --- | --- |
| **NAME** | **ORGANIZATION** | **COUNTRY** |
| Lars Ahrendtsen | DanPilot | Denmark |
| Jillian Carson-Jackson | AMSA | Australia |
| Yvonne Shields | CIL | Ireland |

It was noted that, in addition, New Zealand, Turkey and State authorities in the USA have shown an interest in joining the CPAF.

## Programme for the week

The Chairman briefly reviewed the plan for the week.

## Administration and safety brief

By means of a presentation, the Secretary provided administrative and safety information.

# Setting the scene

Arve Dimmen gave the background to how the Pilotage Authority Forum had given way to the Competent Pilotage Authority Forum, as a result of a decision taken at the 54th session of the IALA Council. It was emphasised that the intent is that the forum concentrate on pilotage governance (management and regulation) and not pilotage service issues. It was stressed that there is no alternative worldwide forum available to competent pilotage authorities to discuss governance issues of mutual concern and that there is a need for the CPAF to be seen as separate from IALA.

The record of the discussion at the 54th session of the Council was reviewed, as were the initial terms of reference.

Questions arising as a result of the Chairman’s introduction included:

* what is the status of any document produced by the CPAF?
* should the CPAF be aiming to produce documents?
* if so, in what form?

These issues were left open for subsequent discussion within the forum.

# Reports from participants

All the participants reported on developments in their jurisdiction.

## Sweden – Transport Agency (STA)

It was reported that an agency reorganisation has resulted in the maritime department being combined with the aviation department;

## Sweden – Maritime Administration (SMA)

Due to a decline in traffic volume, SMA finds that it has too many pilots for the current pilotage requirements and is planning to close pilot stations and reduce the number of pilots.

## Finland

A departmental reorganisation has combined all forms of transport under one agency.

Some reduction in traffic volume has been noticed.

The introduction of simulation into the examination for PEC appears to be going well although it has increased the cost of obtaining a PEC, much to the chagrin of the ship owners. After two years of learning lessons, the new system has reached the point where it is being ‘fine tuned’. Like other EU countries, the results of the EU study and questionnaire regarding PEC is awaited.

## Denmark

Denmark has approximately 200 pilots both governmental and private.

After the amalgamation of ministries the DMA is now under one roof. Pilotage analysis is still being undertaken.

It is anticipated that compulsory pilotage will be implemented in Greenland water during 2014.

DanPilot has become a solely governmental owned company.

## The Netherlands

All pilots are work for private companies. Current legislation is some 25 years old and is very detailed. A change is being contemplated that may allow some de-regulation.

VTS Authorities award PEC but the conditions under which they are awarded can vary within the different administrative areas. Local port authorities administer compulsory pilotage, although the Ministry retains overall responsibility.

## USA

U.S. Coast Guard (USCG) continues implementation of U.S. National Transportation Safety Board recommendation M-11-15 (Report on Collision of Tankship *Eagle Otome* with Cargo Vessel *Gull Arrow* and Subsequent Collision with the *Dixie Vengeance* Tow dated 27 September 2011) that Coast Guard "[f]acilitate and promote regular meetings for representatives of pilot oversight organizations to communicate information regarding pilot oversight and piloting best practices.” USCG has been invited and plans to attend a meeting of the domestic competent pilotage authorities in Seattle, Washington to discuss governance issues and share best practices at their next convening.

USCG continues work related to a recommendation from the U.S. Great Lakes Pilotage Advisory Committee (GLPAC). GLPAC asked Coast Guard to procure an independent third party to conduct a comprehensive review of the seasonal workload standard and rate setting methodology. This effort will produce a report that provides a series of recommendations and is on schedule to be completed later this summer. The report will help USCG determine if its necessary, and if so, how to modify the methodology and general regulations governing U.S. Great Lakes Pilotage. Any project to change the methodology and general regulations, if needed, will not commence before the fall/winter of 2013 and will likely take several years to complete.

A replacement paragraph will be provided.

## Norway

Norway’s input was provided by a presentation that forms part of the output from the meeting.

# Review of input papers

The list of input papers (CPAF1/4/2) was reviewed and their disposition for consideration and / or action agreed.

# PAF Report on best praCtice for Competent Pilotage Authorities

The Chairman remarked that the PAF report on best practice for CPA Ed1.1 dated June 2012 had served well since it was published and had already been an input to a Norwegian study; it was also known to have been distributed to other authorities. Comments were the invited regarding the document. Three were considered significant enough to be drawn to the attention of IALA.

In paragraph 1.1.2 there are three instances where it is felt that ‘pilotage governance’ would better text than ‘pilot services’, i.e.:

1.1.2 Harmonisation of pilotage services governance

Around the world, nations have developed a variety of pilotage standards and systems that have resulted in a lack of international harmonisation. This lack of uniformity can result in uncertainty about the capability of pilotage services and often raises doubt about passage risk when entering coastal waters or ports.

The provision of maritime pilotage services involves the Competent Pilotage Authority, the Pilotage Service Provider, and the pilot. In some cases, the Competent Pilotage Authority and the Pilotage Service Provider are the same organisation performing both functions. This report is intended to improve and harmonise the quality of pilotage services governance around the world. Harmonisation will make the interface between the ship and the pilotage service as well as the Competent Pilotage Authority and the Pilotage Service Provider more efficient for the users by increased standardisation, transparency and predictability.

IMO Resolution A.159 (ES.IV), a Recommendation on Pilotage, was adopted by the General Assembly at its November 1968 meeting recommending that governments:

*‘should organize pilotage services in those areas where such services would contribute to the safety of navigation in a more effective way than other possible measures and should, where applicable, define the ships or classes of ships for which employment of a pilot would be mandatory.’*

IMO recognised that it should consider working towards international harmonisation of pilotage services, and Resolution 10 of the STCW Convention (STCW 1978, as amended in 1995 and 1997) invites:

‘the IMO to consider developing provisions covering the training and certification of maritime pilots, ship traffic service personnel and maritime personnel employed on mobile offshore units, for inclusion in the 1978 STCW Convention, or in such other instrument or instruments as may be appropriate.’

This led to development of Resolution A.960(23) Recommendations on Training and Certification and on Operational Procedures for Maritime Pilots other than Deep-Sea Pilots, which revoked the IMO Resolution A.485(XII) On Training, Qualification and Operational Procedures for Maritime Pilots Other than Deep-Sea Pilots.

This did not address the provisions for Competent Pilotage Authorities and Pilotage Service Providers, but the scope section of Resolution A.960 (23) notes that:

*‘Governments should encourage the establishment or maintenance of competent pilotage authorities to administer safe and efficient pilotage systems.’*

The Competent Pilotage Authority is tasked with the assessment of experience, qualifications and suitability of an applicant for certification or licensing, as a pilot. It is noted that this should be done in cooperation with the local or national pilots association.

At its 39th Council meeting of IALA it was decided to establish a Pilotage Authority Forum (PAF) to provide a forum with the aim of harmonising pilotage services governance on an international basis.

The report is the result of the work of that forum, and it provides guidance for Competent Pilotage Authorities and Pilotage Service Providers to provide safe pilotage services in their waters that could not be developed under STCW.

In paragraph 1.4 there are two instances where IMO recommendation should be replaced with IMO Resolution and where an incorrect IALA reference was quoted, i.e.:

**1.4 Relationship to IMO Recommendation Resolution A.960 (23)**

This report is written pursuant to the authority contained at section 3.2 of the IALA PAF Terms of Reference, *which states that the PAF, working within the framework set out by IMO, [shall] identify and, if appropriate, produce one or more IALA documents to provide guidance for Competent Pilotage Authorities;*

IMO Recommendation Resolution A.960(23) constitutes an important part of the IMO framework on pilotage. The PAF report on best practice for CPA IALA 1080 provides guidance for Competent Pilotage Authorities when considering implementing recommendations of IMO Resolution A.960 (23) to national legislation.

The Secretary was asked to bring these amendments to the attention of IALA for administrative action.

Action item

The Secretariat is requested to forward (CPAF1/output/3) for IALA’s attention with regard recommended administrative action over three proposed amendments to the text of the PAF report on best practice for CPA.

# Discussion

## Terms of Reference

The initial terms of reference were reviewed, revised and circulated for comment. The meeting was grateful to AMSA for being able to provide comment during the meeting. The agreed terms of Reference are at CPAF1/output/2.

Action item

The Secretariat is requested to circulate the agreed terms of reference of the CPAF (CPAF1/output/2) to all CPAF members and to the IALA Council to note.

## Chairmanship

Arve Dimmen proposed that a new Chairperson and a Vice Chairperson be elected from within the meeting attendees. He also considered it necessary that the Chairperson and Vice Chairperson come from widely different geographic locations. The logic for this suggestion was accepted.

With regard to the Chairmanship, however, it was felt that continuity is important for one further meeting and so Arve Dimmen accepted to continue as Chairperson until the end of CPAF2, when a new Chairperson will be elected. It was agreed that a vice-chair be chosen from a location geographically distant from the Scandavian countries. Mr. Rajiv Khandpur from the USCG was nominated, but was unable to accept at this time. The selection of a Vice Chairperson is still pending..

Arve Dimmen and Rajiv Khandpur agreed to draft task descriptions for the Chairperson and Vice Chairperson of the CPAF.

Action item

Arve Dimmen and Rajiv Khandpur are requested to draft task descriptions for the roles of CPAF Chairperson and Vice Chairperson for circulation to CPAF members for comment by 15 August 2013.

## The use of Risk Analysis when determining limits for mandatory Pilotage

Replacement text to be provided.

There was a suggestion that the current criteria, which tend to be size, ship type and difficulty of the fairway are still suitable for judging the need for implementing mandatory pilotage. However, it was observed that risk assessment is not a precise science and is seen as a support to decision making. This means that a final decision based on risk analysis could be challenged.

For that reason any new process that were to be developed would need to be transparent. It would need to be associated with a cost / benefit analysis and take account of intangible criteria, such as poor public opinion that might follow an accident, especially if associated with pollution. Other considerations would include discussion of use of improved technology and increased VTS coverage. Alternatively, embarking a pilot or operating with VTS coverage could be viewed as added insurance to having a pilot on board.

It was also commented that with increasing use of LNG as a vessel fuel administrations may be forced to review their legislation about dangerous cargoes.

A study recently conducted in Norway by DNV, the report of which is still circulating for consultation, was then presented.

### Norwegian study

DNV on behalf of the NCA analysed the risks associated with the approach in a variety of fairways along the Norwegian coast. The risk has been assessed by establishing a risk model that describes the risk with respect to oil spills caused by navigational accidents, i.e. grounding impact, for a given fairway. The result will further be used as a basis for evaluation of the special conditions and restrictions on the use of pilot exemption certificate or implement other risk mitigation measures to ensure safety at sea.

Moreover, DNV compared to the minimum requirements to be executing the pilotage and to be able to be issued a pilot exemption certificate, then the effect of any differences to the parameters in risk model. The aim was to assess which of the parameters in the risk model pilot and / or Pilot Exemption Certificate may affect and to what extent. Based on the results it has been the intention that should be able to make judgments about particular / specific requirements to be implemented differently for pilot and PEC.

The risk model is based mainly on the following risk parameters as the basis for describing the relative risk they represent different fairways: Density of traffic, crossing traffic, seasonality, particularly narrow / constricted locations, course changes, aids to navigating, length, breadth, backlight, night sailing, currents, general wind conditions, extreme wind, waves, fog, ice, vessel traffic service (VTS) traffic separation scheme (TSS), human factors ‘Human Error’ and technical errors, and environmental vulnerability.

### Subsequent discussion

The CPAF members recognised a need to look into the matter of how to stipulate relevant parameters to determine for what vessel and in which areas the use of pilotage should be compulsory.

During recent years the question of use of a risk based approach to the use of pilots has been raised by the shipping industry. The industry claims that the improvement in a vessel´s equipment should be reflected in regulations that require pilotage. A need for pilotage shall only be applied to the vessels and the areas where the largest probability of accidents may occur, or their consequences are significant.

A way to meet such views is to introduce tools and parameters for risk assessments into the decisions about pilotage. One tool might be the Formal Safety Assessment method as recommended by IMO. Also the IALA Risk Toolbox, which includes PAWSA, IWRAP Mk2 and simulation, may be developed in this regard.

It was suggested that the CPAF might work towards a more uniform approach to this matter.

### Conclusion

Following discussion it was agreed that the CPAF should investigate a risk-based approach to determine a harmonised, transparent process by which a decision about pilotage and the granting of a PEC could be made.

It was noted that nomination of where mandatory pilotage is required and the method of granting PEC is a legislative function and that a risk based approach should be designed to support the decisions taken by legislators.

## The implications and opportunities of e-Navigation on Pilotage

It was considered that the CPAF needs to include the topic of Pilot Passage Plan exchange in its Work Programme. This was accepted but it was felt that the forum members needed to be better briefed on the issue before they could commence any work. It was noted that the anticipated work would not touch on technical issues but rather focus on the user needs.

On the understanding that there are several existing examples on which to draw, it was agreed that members would circulate relevant information before CPAF2 or provide it as input to the meeting.

In discussion it emerged that the USCG is attending meetings of the e-NAV2025 project and is involved in talks with the Canadian Coast Guard regarding e-Navigation in general.

Members were asked to consider, before CPAF2, whether there are any other issues involving e-Navigation that touch on pilotage.

Action items

Forum members are requested to circulate information relevant to Pilot Passage Plan exchange to other forum members before CPAF2 or provide it as input to the meeting.

Forum members are requested to consider, before CPAF2, whether there are any other issues involving e-Navigation that touch on pilotage.

## SMCP

Recognising that the current SMCP is of little help in communications between pilots and tugs and that IMO is loathe to update the document, the meeting discussed how matters might be improved. It was suggested that, following the path being taken by the IALA VTS Committee, the forum might wish to consider the creation of its own best practice in this area, noting that the International Harbour Masters’ Association (IHMA) have already done some work on this topic. It was agreed that any work would have to be in English.

The Nautical Institute’s publication ‘Tug use in ports’ was noted as a useful reference.

It was indicated that Norway has taken a local initiative in this matter and is finding the initial results beneficial.

A concern was that if such work were to be undertaken then how would the relevant stakeholders be encouraged to use the outcome. The initial answer is to disseminate the outcome to stakeholders and to work co-operatively with the relevant bodies. Further thoughts can be developed.

With existing work known to exist, members were asked to provide relevant information about existing work on standardised phrases used between pilots and tugs and any applicable procedures before, or as an input to, CPAF2, so that a better evaluation of the potential task can be made.

Action item

Forum members are requested to provide relevant information about existing work on standardised phrases used between pilots and tugs and any applicable procedures before, or as an input to, CPAF2

## Rapporteurs for VTS and e-NAV Committees

The Secretary explained that at the 54th session of the IALA Council, the VTS and e-NAV Committees had been asked to monitor the activities of the CPAF. The Chairman then remarked that he had received an e-mail from the VTS rapporteur. Part of this e-mail read:

I would welcome your views on the issues below:

* The terms of reference of the CPAF with regard to the work of the VTS Committee;
* The way in which the CPAF wish to share its VTS-relevant outcome with the VTS Committee;
* How we can communicate such that my reports to the VTS Committee duly reflects the outcome of the CPAF.

It was agreed that the rapporteur for both IALA Committees should be included on the distribution for the report and that they should be invited to CPAF2.

The rapporteur for the VTS Committee is Raymond Seignette, Port of Rotterdam. The e-NAV Committee has yet to appoint its rapporteur.

## EU PEC study and questionnaire

The overarching EU White Paper is COM(2011) 144 – Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system, which has one of the initiatives at ANNEX I – Establish a framework for the granting of Pilot Exemption Certificates in EU Ports. The URL is:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0144:FIN:EN:PDF>

Within this context, three aspects of EU policy were discussed.

The report of the study on pilotage exemption certificates, completed in 2012 can be found at:

<http://ec.europa.eu/transport/modes/maritime/studies/doc/2012-09-18-pec.pdf>.

A resulting questionnaire was produced with a deadline for responses of 9 May 2013. The outcome of this questionnaire is awaited.

The study is seen as very informative about of the granting of PEC is managed within the EU member states and was compiled from an original questionnaire that was completed by competent pilotage authorities and port authorities. The following questionnaire was more widely aimed, embracing various stakeholders. It is understood that the driving force behind the study is the desire, on the part of the Commission to harmonise the process by which PEC are granted.

An EU webpage, describing the approach to Pilotage Exemption Certificates can be found at:

<http://ec.europa.eu/transport/modes/maritime/short_sea_shipping/pilotage_exemptions_en.htm>.

There are a number of associated links on this page.

A proposal for a Regulation of the European Parliament and of the Council establishing a framework on market access to port services and financial transparency of ports, which contains issues regarding pilotage, can be found at:

<http://ec.europa.eu/danmark/documents/alle_emner/transport/130523_296_havne.pdf>.

At the moment it is not clear what the outcome of this initiative may be.

# Review of discussion

In his summing up, the Chairman said that three potential tasks had been identified and that each ought to have a forum member to act as leader / focus for further work. Thus it was agreed that:

1. Risk assessment should be monitored by Swedish Transport Agency (STA).
2. Pilot passage plans exchange by Finnish Transport Safety Agency (TRAFI).
3. SMCP by Norwegian Coastal Administration (NCA).

Some standing agenda items were identified:

1. Accident review (lessons learned).
2. Input from IALA Committees.
3. Sharing best practice.
4. Current developments:
   1. Pilot training and education:

The limitations of GoToMeeting for a long meeting were recognised and it was agreed that the CPAF would be better served by meeting face to face, whenever possible. However, the use of GoToMeeting may still be a serviceable option, depending on the agenda.

# Any other Business

No other business was raised.

# Date and venue for next meeting

The next meeting (CPAF2) will be held between 13 and 15 May, 2014 at IALA.

# Review of output and working papers

The output papers were reviewed and their disposition agreed.

# Review of session report

The report of the meeting (CPAF1/output/1) was reviewed and approved by the Forum.

Action item

The Secretariat is requested to distribute the report of CPAF1 (CPAF1/output/1) to CPAF members and forward it to the IALA Council, to note, once a decision on the Vice Chairmanship has been reached.

# Closing of the meeting

The Chairman thanked the members for their hard work and putting up with the vicissitudes of the Air Traffic Control strike before, wishing everyone a safe journey home.

# List of Annexes

1. Agenda

A copy of the agenda is at ANNEX A.

1. Participants

A list of participants is at ANNEX B.

1. Input Papers

A list of input papers is at ANNEX C.

1. Output and Working papers

A list of output and working papers is at ANNEX D.

1. Action Items

A list of action items is at ANNEX E.

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7. Discussion
   1. Terms of Reference
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   3. The use of Risk Analysis when determining limits for mandatory Pilotage
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9. Any Other Business
10. Date and venue of next meeting
11. Review of output documents
12. Review of draft meeting report
13. CPAF1 Participants

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1. CPAF1 Input Papers

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| --- | --- | --- | --- | --- | --- |
| All papers are posted on the FTP server and the Committee website | | | | | |
|  | | | | | |
| Meeting | Agenda Item | Number | Title / Author (if required) | Presented by | Posting |
|  |  |  | CPAF input paper template | All |  |
| CPAF1/ | 1 | /1 rev1 | Agenda | Chair |  |
| CPAF1/ | 4 | /2 | 1. Papers’ List (Finalised at meeting) | Secretary |  |
| CPAF1/ | 5 | /3 | 1. PAF report on best practice for Competent Pilotage Authorities | Chair |  |
| CPAF1/ | 5 | /4 | 1. IMO Resolution A.960(23) Recommendations on Traiing and Certification and on Operational procedures for maritime pilots, other than deep-sea pilots | Chair |  |

1. List of Output and Working Papers

Output documents are submitted for review by a body other than the Forum initiating the document.

|  |  |  |
| --- | --- | --- |
| Number | Title | Status |
| CPAF1/output/1 | Draft Report | 1. To CPAF members   To IALA Council to note |
| CPAF1/output/2 | Revised Terms of Reference | 1. To CPAF members   To IALA Council to note |
| CPAF1/output/3 | 1. Suggested amendments to the PAF report on best practice for CPA | To IALA for consideration |

Working papers are documents that will remain within the Forum for further review.

|  |  |  |
| --- | --- | --- |
| Number | Title | Status |
| CPAF1/WP1 |  |  |

1. Action Items

Action Items for the IALA Secretariat

1. The Secretariat is requested to forward (CPAF1/output/3) for IALA’s attention with regard recommended administrative action over three proposed amendments to the text of the PAF report on best practice for CPA. 7
2. The Secretariat is requested to circulate the agreed terms of reference of the CPAF (CPAF1/output/2) to all CPAF members and to the IALA Council to note. 7
3. The Secretariat is requested to distribute the report of CPAF1 (CPAF1/output/1) to CPAF members and forward it to the IALA Council, to note, once a decision on the Vice Chairmanship has been reached. 11

Action Items for Members

1. Arve Dimmen and Rajiv Khandpur are requested to draft task descriptions for the roles of CPAF Chairperson and Vice Chairperson for circulation to CPAF members for comment by 15 August 2013. 7
2. Forum members are requested to circulate information relevant to Pilot Passage Plan exchange to other forum members before CPAF2 or provide it as input to the meeting. 9
3. Forum members are requested to consider, before CPAF2, whether there are any other issues involving e-Navigation that touch on pilotage. 9
4. Forum members are requested to provide relevant information about existing work on standardised phrases used between pilots and tugs and any applicable procedures before, or as an input to, CPAF2 9