

引航员管理法规汇编

中华人民共和国辽宁海事局 编

大连海事大学出版社

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前 言

港口引航是国家主权的象征,为确保港口、船舶和设施的安全,多数国家实行强制引航。我国也属于强制引航的国家。随着我国国民经济持续、稳定和健康发展,港口快速发展以及船舶交通流量逐步增加,交通运输部、各港口行政管理部门、海事管理机构已充分认识到引航安全管理工作重要性并给予高度关注。

引航员管理是引航安全管理工作的关键环节。目前,我国共有引航机构 40 家、引航员 1 400 多名,占世界引航员总数的 1/7 以上。引航员对保证船舶和港口的安全,防止船舶造成水域污染,促进港口的健康发展起到了积极的作用。

近年来,我国引航员管理立法步伐明显加快,法规体系日臻完善。但是,一直缺少一部全面、系统的引航员管理法规汇编,给相关的管理工作带来不便。编辑一部引航员管理法规汇编是相关单位、部门以及管理人员长期以来的心声!

《引航员管理法规汇编》由辽宁海事局编辑,侯景华局长主编,船员管理处孙广处长、饶滚金高级工程师参加了编辑工作。

本法规汇编是我国首部关于引航员管理相关法规的汇编,主要包括涉及相关国际公约,我国引航员管理的相关法律、法规、规章及其他规范性文件。本法规汇编可作为我国海事管理机构、港口行政管理部门、引航机构、航海类院校、引航员及相关管理人员了解、学习引航员管理法规的参考资料。

由于时间仓促和编者水平有限,资料收集和编辑中难免出现疏漏和错误,敬请广大使用者批评指正。

编者

二〇〇八年十月

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有引航员在船时航行应遵循的原则

(STCW 公约节选——中英文)

STCW Code Part A/Part 3

PART 3 - WATCHKEEPING AT SEA

PART 3 -1 PRINCIPLES TO BE OBSERVED IN KEEPING A NAVIGATIONAL WATCH

Watch arrangements

Navigation with pilot on board

49 Despite the duties and obligations of pilots, their presence on board does not relieve the master or officer in charge of the navigational watch from their duties and obligations for the safety of the ship. The master and the pilot shall exchange information regarding navigation procedures, local conditions and the ship's characteristics. The master and/or the officer in charge of the navigational watch shall co-operate closely with the pilot and maintain an accurate check on the ship's position and movement.

50 If in any doubt as to the pilot's actions or intentions, the officer in charge of the navigational watch shall seek clarification from the pilot and, if doubt still exists, shall notify the master immediately and take whatever action is necessary before the master arrives.

第 3 部分 海上值班

第 3 - 1 部分 航行值班应遵循的原则 值班安排

有引航员在船时的航行

49 尽管引航员有其职责和义务,他们在船引航并不解除船长或者负责航行值班驾驶员对船舶安全所负的职责和义务。船长和引航员应交换有关航行程序、当地情况以及船舶特性的信息。船长和/或负责航行值班驾驶员应和引航员密切合作,并对船位和船舶动态保持准确的核实。

50 如对引航员的行动和意图存在任何怀疑,负责航行值班驾驶员应要求引航员予以澄清,如仍有怀疑,则应立即通知船长并在船长到达前采取任何必要的行动。

STCW 公约 1995 年修正案决议 10

(STCW 公约节选——中英文)

STCW Convention/Res. 10

CONFERENCE RESOLUTION 10

TRAINING OF MARITIME PILOTS, VESSEL TRAFFIC SERVICE PERSONNEL AND MARITIME PERSONNEL EMPLOYED ON MOBILE OFFSHORE UNITS

THE CONFERENCE,

HAVING ADOPTED the 1995 amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978,

BEARING IN MIND the contribution made to safety of life and property at sea and to the protection of the marine environment by maritime pilots, vessel traffic service personnel and maritime personnel employed on board mobile offshore units,

NOTING that time constraints have prevented full consideration to be given to the possibility of including provisions on the training and certification of such personnel in the amendments to the 1978 STCW Convention adopted by the Conference,

INVITES the International Maritime Organization to consider developing provisions covering the training and certification of maritime pilots, vessel 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.

STCW 公约决议 10

大会决议 10

海上引航员、船舶交管人员和在移动式近海 装置上服务的海事人员的培训

大会，

通过了《1978 年海员培训、发证和值班标准国际公约》1995 年修正案，

牢记海上引航员、船舶交管人员和在移动式近海装置上服务的海事人员对海上人命和财产的安全以及海洋环境保护的贡献，

注意到由于时间紧迫未能充分考虑在本次大会通过的 1978 年 STCW 公约修正案中包括这类人员培训和发证的规定，

敦请国际海事组织(IMO)考虑在 STCW 78 公约或其他可能的类似文件中制定海上引航员、船舶交管人员和在移动式近海装置上服务的海事人员培训和发证的规定。

关于深海引航员以外的海上引航员的培训、 发证和操作规程的建议

(IMO 第 A. 960(23) 号决议——英文)

RESOLUTION A. 960(23)

(Adopted 5 December 2003)

RECOMMENDATIONS ON TRAINING AND CERTIFICATION AND ON OPERATIONAL PROCEDURES FOR MARITIME PILOTS OTHER THAN DEEP-SEA PILOTS

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECOGNIZING that maritime pilots play an important role in promoting maritime safety and protecting the marine environment,

BELIEVING that maintaining a proper working relationship between the pilot, the master and, as appropriate, the officer in charge of a navigational watch is important in ensuring the safety of shipping,

NOTING that, since each pilotage area needs highly specialized experience and local knowledge on the part of the pilot, IMO does not intend to become involved with either the certification or the licensing of pilots or with the systems of pilotage practised in various States,

RECOGNIZING ALSO the high standards of pilotage services already established in many States and the need for these standards to be maintained,

CONSIDERING that in those States that are developing pilotage services, the establishment of practical minimum training standards, certification requirements and operational procedures to provide effective co-ordination between pilots and ship personnel, taking due account of ship bridge procedures and ship equipment, would contribute to maritime safety,

HAVING CONSIDERED the recommendation made by the Maritime Safety Committee at its seventy-fifth session,

1. ADOPTS:

- (a) The Recommendation on Training and Certification of Maritime Pilots other than Deep-sea Pilots set out in Annex 1 to the present resolution;
- (b) The Recommendation on Operational Procedures for Maritime Pilots other than Deep-sea Pilots set out in Annex 2 to the present resolution;

2. URGES Governments to give effect to these Recommendations as soon as possible;

3. REQUESTS the Maritime Safety Committee to keep the Recommendations under review and to amend them as necessary in the light of experience gained from their implementation;

4. REVOKES resolution A.485(XII).

ANNEX 1

RECOMMENDATION ON TRAINING AND CERTIFICATION OF MARITIME PILOTS OTHER THAN DEEP-SEA PILOTS

1 Scope

1.1 It is recognised that pilotage requires specialised knowledge and experience of a specific area and that States with many diverse waterways and ports have found it appropriate to administer pilotage on a regional or local basis.

1.2 The maritime pilots referred to in this Recommendation do not include deep-sea pilots or shipmasters or crew who are certificated or licensed to carry out pilotage duties in particular areas.

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

2 Competent pilotage authority

2.1 Competent pilotage authority means either the national or regional Governments or local groups or organizations that by law or tradition, administer or provide a pilotage system. Governments should inform competent pilotage authorities of the provisions of this document and encourage their implementation.

2.2 The assessment of the experience, qualifications and suitability of an applicant for certification or licensing, as a pilot, is the responsibility of each competent pilotage authority.

2.3 The competent pilotage authority in co-operation with the national and local pilots' associations should:

- . 1 establish the entry requirements and develop the standards for obtaining a certificate or licence in order to perform pilotage services within the area under its jurisdiction;
- . 2 enforce the maintenance of developed standards;
- . 3 specify whatever prerequisites, experience or examinations are necessary to ensure that applicants for certification or licensing as pilots are properly trained and qualified; and
- . 4 arrange that reports on investigations of incidents involving pilotage are taken into account in maritime pilots' training programmes.

3 Pilotage certificate or licence

Every pilot should hold an appropriate pilotage certificate or licence issued by the competent pilotage authority. In addition to stating the pilotage area for which it is issued, the certificate or licence should also state any requirements or local limitations that the competent pilotage authority may specify such as maximum size, draught or tonnage of vessels that the holder is qualified to pilot.

4 Medical fitness

4.1 Each pilot should satisfy the competent pilotage authority that his or her medical fitness, particularly regarding eyesight, hearing and physical fitness meets the standards required for certification of masters and officers in charge of a navigational watch under the international Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978, as amended, or such other standards as the competent pilotage authority considers appropriate.

4.2 If a pilot has experienced a serious injury or illness, there should be a re - evaluation of his or her medical fitness prior to return to duty.

5 Training and certification or licensing standards

5.1 The competent pilotage authority is responsible for training and certification or licensing standards. The standards should be sufficient to enable pilots to carry out their duties safely and efficiently.

5.2 Standards for initial training should be designed to develop in the trainee pilot the skills and knowledge determined by the competent pilotage authority to be necessary for obtaining a pilot certificate or license. The training should include practical experience gained under the close supervision of experienced pilots. This practical experience gained on vessels under actual piloting conditions may be supplemented by simulation, both computer and manned model, classroom instruction, or other training methods.

5.3 Every pilot should be trained in bridge resource management with an emphasis on the exchange of information that is essential to a safe transit. This training should include a requirement for the pilot to assess particular situations and to conduct an exchange of information with the master and/or officer in charge of navigational watch. Maintaining an effective working relationship between the pilot and the bridge team in both routine and emergency conditions should be covered in training. Emergency conditions should include loss of steering, loss of propulsion, and failures of radar, vital systems and automation, in a narrow channel or fairway.

5.4 Initial and continuing training in the master-pilot information exchange should also cover;

- .1 regulatory requirements governing the exchange;
- .2 recognition of language, cultural, psychological and physiological impediments to effective communication and interaction and techniques for overcoming these impediments; and

- . 3 best practices in the specific pilotage area.

5.5 Competent pilotage authorities should be encouraged to provide updating and refresher training conducted for certified or licensed pilots to ensure the continuation of their proficiency and updating of their knowledge, and could include the following:

- . 1 courses to improve proficiency in the English language where necessary;
- . 2 sessions to enhance the ability to communicate with local authorities and other vessels in the area;
- . 3 meetings with local authorities and other responsible agencies to envisage emergency situations and contingency plans;
- . 4 refresher or renewal courses in bridge resource management for pilots to facilitate communication and information exchange between the pilot and the master and to increase efficiency on the bridge;
- . 5 simulation exercises, which may include radar training and emergency shiphandling procedures;
- . 6 courses in shiphandling training centres using manned models;
- . 7 seminars on new bridge equipment with special regard to navigation aids;
- . 8 sessions to discuss relevant issues connected with the pilotage service including laws, rules and regulations particular to the pilotage area;
- . 9 personal safety training;
- . 10 techniques for personal survival at sea; and
- . 11 emergency first aid, including cardio – pulmonary resusci-

tation (CPR) and hypothermia remediation.

6 Continued proficiency

6.1 In order to ensure the continued proficiency of pilots and updating of their knowledge, the competent pilotage authority should satisfy itself, at regular intervals not exceeding five years, that all pilots under its jurisdiction:

- .1 continue to possess recent navigational knowledge of the local area to which the certificate of licence applies;
- .2 continue to meet the medical fitness standards of paragraph 4 above; and
- .3 possess knowledge of the current international, national and local laws, regulations and other requirements and provisions relevant to the pilotage area and the pilots' duties.

6.2 Possession of knowledge required by subparagraphs 6.1.1 and 6.1.3 may be proved by an appropriate method such as personal service records, completion of continuing professional development courses or by an examination.

6.3 Where a pilot in cases of absence from duty, for whatever reason, is lacking recent experience in the pilotage area, the competent pilotage authority should satisfy itself that the pilot regains familiarity with the area on his or her return to duty.

7 Syllabus for pilotage certification or licensing

7.1 In the syllabus, area means the waters for which the applicant is to be certified or licensed. Each applicant for a pilot certificate or license should demonstrate that he or she has necessary knowledge of the following:

- .1 limits of local pilotage areas;
- .2 International Regulations for Preventing Collisions at Sea,