

TABLE OF CONTENTS

CHAPTER A

	PAGE
LEGISLATION.....	3
1. Law and Regulations.....	3
Preamble.....	3
(1) Canadian Pilotage Legislation Applicable in the Great Lakes System.....	5
(A) Analysis of Part VIA C.S.A.....	5
(a) Creation of the Great Lakes pilotage area.....	5
(b) Compulsory pilotage.....	6
(c) Exemptions.....	6
(i) Exemptions to vessels.....	7
(ii) Personal exemptions.....	8
(d) Registered pilots.....	8
(e) Qualified officers and certificate of qualification.....	10
(f) Pilotage fees and examination fees.....	10
(g) Powers delegated by statute.....	11
(h) Penal sanctions.....	12
(B) Great Lakes Pilotage Regulations.....	12
(a) Definition of designated waters.....	12
Great Lakes District No. 1 (Sector One).....	13
Great Lakes District No. 2 (Sectors Two, Three and Four)..	14
(i) The Welland Canal (sector two).....	14
(ii) Lake Erie western end (sector three).....	15
(iii) Detroit River, Lake St. Clair and St. Clair River (sector	15
four).....	15
Great Lakes District No. 3 (Sector Five).....	15
(b) Registered pilot's qualifications.....	16
(c) Registration.....	18
(i) Licensing authority.....	18
<i>Comments</i>	19
(ii) The right to be appointed registered pilot.....	20
(iii) Registration certificate—limitation as to territorial	20
competency.....	20
(iv) Registration certificate—limitation as to competency.....	21
(v) Registration certificate—duration.....	21
(vi) Registration procedure.....	22
(d) Certificates of qualification.....	22
<i>Comment</i>	23
(e) Reappraisal powers and procedure.....	23
(f) Examination fees.....	24
(g) Pilotage fees.....	24
(c) Applicability of the Provisions in Part VI and of Other Pilotage	25
Provisions in the Canada Shipping Act.....	25
(2) United States Great Lakes Pilotage Legislation.....	30
(A) Great Lakes Pilotage Act of 1960.....	31
(a) Creation of the Great Lakes system.....	31

	PAGE
(b) Compulsory pilotage.....	32
(i) Foreign vessels.....	33
(ii) United States vessels.....	33
(iii) General exemptions.....	34
(c) Registered pilots.....	35
(d) Regulation-making authority and powers.....	37
(e) Direction and organization of the provision of services.....	38
(f) Co-ordination of legislation applicable to regulations and of pilotage organization and administration with Canada.....	39
(g) Advisory Committee.....	39
(h) Penal sanctions.....	40
(B) Regulations Made by the President of the United States.....	40
(C) Regulations Made by the Secretary.....	41
(D) Regulations Made on behalf of the Secretary.....	42
(a) Great Lakes Pilotage Regulations.....	43
(i) Registration of pilots.....	43
(ii) Establishment of pools.....	45
(iii) Rates, charges and conditions for pilotage service.....	45
(iv) Penalties for operating without a registered pilot.....	46
(b) Great Lakes Pilotage Rules and Orders.....	46
(i) Registration of pilots.....	46
(ii) Establishment of pools.....	47
2. History of Legislation.....	48
(including references to Aide-Mémoire and Memorandum of Arrangements)	

CHAPTER B

BRIEFS.....	69
(1) Federation of the St. Lawrence River Pilots, on behalf of the Corporation of the Upper St. Lawrence Pilots.....	70
(2) Corporation of Professional Great Lakes Pilots.....	71
(3) American Pilots of Great Lakes District No. 2.....	73
(4) Lake Superior Pilots Association, Inc.....	73
(5) Shipping Federation of Canada, Inc.....	74
(6) Canadian Shipowners Association.....	75
(7) St. Lawrence Seaway Authority.....	76
(8) Toronto Harbour Commissioners.....	76
(9) Hamilton Harbour Commissioners.....	77
(10) Kingston Industrial Commission.....	77
(11) International Association of Great Lakes Ports.....	78
(12) Civil Service Association of Canada.....	79
(13) Capt. Norman S. Johnston.....	79
(14) Great Lakes District International Organization of Masters, Mates and Pilots.....	81

CHAPTER C

	PAGE
EVIDENCE.....	83
1. General Description.....	83
(1) Great Lakes System Limits, Physical Features and Main Ports.....	83
(a) Lake Superior.....	84
(b) St. Marys River—Designated Pilotage Waters (District No. 3).....	85
(c) Lakes Michigan and Huron and the Straits of Mackinac.....	86
(d) St. Clair River, Lake St. Clair and Detroit River—Designated Pilotage Waters (District No. 2—Western Sector).....	87
(e) Lake Erie.....	89
(f) Welland Canal—Designated Pilotage Waters (District No. 2—Eastern Sector).....	90
(g) Lake Ontario.....	91
(h) St. Lawrence River, Kingston to Cornwall—Designated Pilotage Waters (District No. 1).....	92
(i) Cape Vincent to Brockville.....	93
(j) Brockville to Prescott.....	94
(k) Prescott to Snell Lock.....	94
(2) Maritime and Pilotage Traffic.....	96
(3) Aids to Navigation and Maintenance of the Channel.....	105
Wolfe Island Cut Dispute.....	105
(4) Radio Communications.....	106
(a) Mandatory Use of Radiotelephone for Navigation Purposes.....	107
(i) General requirement: “Promotion of Safety on the Great Lakes by Means of Radio”—1954 treaty.....	108
(ii) Regional requirements: St. Lawrence Seaway “Marine Traffic Control and Information Service” and “Marine Information Ontario”.....	109
(b) Seaway Marine Traffic Control and Information Service.....	110
(c) Marine Information Ontario.....	112
(5) St. Lawrence Seaway Regulations.....	113
(6) Rules of the Road for the Great Lakes.....	113
(7) Shipping Lanes.....	114
(8) Radar.....	114
2. Nature of Pilotage Service.....	114
(1) Designated Waters Pilotage.....	114
(2) Undesignated Waters Pilotage.....	118
(3) Port Pilotage.....	119
(a) Port Pilotage Organization, Hamilton Harbour.....	125
(b) Port Pilotage Service, Toronto Harbour.....	129
(c) Port Pilotage Service, Other Ports.....	133
(i) Ports situated on the fringe of designated areas.....	134
(ii) Port Weller and Port Colborne.....	135
(iii) Kingston harbour.....	136
(4) Personal Exemptions (“B” Certificates).....	138
(5) Waivers.....	142
Comments.....	145

Study of Canadian Pilotage

	PAGE
3. Organization.....	146
Preamble.....	146
(1) Central Authority.....	148
(2) Provision of Services.....	150
(3) Direction of Pilotage Operations.....	151
(a) Great Lakes District No. 1.....	152
(i) Kingston Pilotage District General By-law.....	154
(ii) Working Rules and Despatching Procedures.....	158
(b) Lake Ontario—Undesignated Waters.....	162
(c) Great Lakes District No. 2.....	165
(d) Lake Huron/Lake Michigan—Undesignated Waters.....	171
(e) Great Lakes District No. 3.....	173
4. Pilots.....	175
(1) Number of Pilots.....	175
(a) District No. 1.....	179
(b) District No. 2.....	181
(c) District No. 3.....	182
(2) Recruiting and Apprenticeship.....	183
<i>Comments</i>	184
(3) Pilots' Organizations.....	185
(a) District No. 1.....	186
(i) St. Lawrence Seaway Pilots Association, Inc.....	186
(ii) Corporation of the Upper St. Lawrence Pilots.....	186
<i>Comments</i>	195
(b) Lake Ontario Sector.....	195
(c) District No. 2, Lakes Huron/Michigan Sector and District No. 3.....	196
(i) Corporation of Professional Great Lakes Pilots.....	196
(ii) Lakes Pilots Association, Inc.....	197
(iii) Lake Superior Pilots Association, Inc.....	197
(4) Status of Pilots.....	199
Preamble.....	199
(a) Prevailing Rate Employees.....	201
(b) <i>De Facto</i> Employees.....	207
(c) Pre-season and Post-season Pilotage.....	208
(5) Reappraisal and Discipline.....	208
Preamble.....	208
(a) Summary of Provisions Affecting Discipline.....	209
<i>Comments</i>	211
(6) Shipping Casualties.....	212
5. Pilotage Operations.....	214
Preamble.....	214
(1) District No. 1.....	216
(a) Cape Vincent Pilot Vessel Service Dispute.....	217
<i>Comments</i>	220
(b) Wolfe Island Cut Dispute.....	220
(c) Despatching Operations.....	221
(d) Workload.....	227

	PAGE
(2) Lake Ontario.....	238
Preamble.....	238
(a) Working Rules and Despatching Procedures.....	240
(b) Workload.....	242
(3) District No. 2.....	249
(a) Undesignated Waters Pilotage Problem.....	249
(b) Port Weller Boarding Area Problem.....	250
(c) Welland Canal and Lock 7 Change-point.....	253
(d) Port Colborne Boarding Station.....	253
(e) Loss of Pilots' Time in the Western Sector.....	254
(f) Port Huron Boarding Station.....	256
(g) Operational Re-organization, 1969.....	256
(h) Working Rules and Despatching Procedures.....	257
(i) Pre-season and Post-season Pilotage.....	259
(j) Workload.....	260
(4) Lake Huron/Lake Michigan Sector.....	267
(a) Operational Procedures.....	267
(b) Workload.....	268
(5) District No. 3 and Lake Superior.....	273
(a) Despatching Operations.....	274
(b) Workload.....	275
(c) Problem of Equitable Sharing of Workload.....	278
<i>Comments</i>	279
(d) Complaint by District No. 3 Administrative Authority Concerning Lack of Direct Communication with the Canadian Authority.....	280
6. Financial Administration, Rates and Pilots' Remuneration.....	281
Preamble.....	281
(1) Cost to Governments.....	281
(2) Cost to Shipping.....	283
(a) Rate Structure.....	283
(i) Trip rates.....	286
(ii) Berthing charges.....	287
(iii) Movages.....	287
(iv) Travelling expenses (including pilot boat charges).....	288
(v) Indemnity charges.....	289
(vi) Two-pilot rates.....	289
(vii) Navigation of dead ships and tug and tow "navigation units".....	290
<i>Comments</i>	290
(b) Rate Increases.....	293
(c) U.S. and Canadian Currency Problems.....	293
<i>Comments</i>	293
(d) Aggregate Cost to Shipping.....	294
(i) By sector.....	294
(ii) By groups of pilots.....	301

	PAGE
(3) Financial Operations.....	302
(a) Operating Expenses District No. 1.....	309
(b) Operating Expenses Lake Ontario Pilots.....	311
(c) Operating Expenses—District No. 2 Pilots.....	312
(d) Operating Expenses—Lake Huron/Lake Michigan Pilots....	314
(e) Operating Expenses—District No. 3 Pilots' Pool.....	314
(4) Pilots' Remuneration.....	316
Preamble.....	316
(a) District No. 1 Pilots.....	318
(b) Lake Ontario Pilots.....	322
<i>Comments</i>	323
(c) District No. 2 Pilots.....	323
(d) Lake Huron/Lake Michigan Pilots.....	327
(e) District No. 3 Pilots.....	328
 CHAPTER D 	
RECOMMENDATIONS.....	329
Recommendations Affecting the Pilotage Areas of the Great Lakes System.....	329
Preamble.....	329
1. The General Provisions of the Proposed Canadian Pilotage Act Also to Apply to the Canadian Waters of the Great Lakes System and Separate <i>ad hoc</i> Legislation to Be Avoided; However, Provisions of Exception to Be Embodied in the New Statute to Cover Special Circumstances, Such as Those Resulting from the Binationality of the Pilotage Waters on the Great Lakes.....	329
2. Compulsory Pilotage in the Existing Designated Waters of the Great Lakes System to Be Maintained Subject to Certain Adjustments in Sector Limits; the Pilotage Service Provided in Each Sector under Canadian Control to Be Classified an Essential-Public-Service.....	331
3. Compulsory Pilotage in the Undesignated Waters of the Great Lakes to Be Abolished and the Existing Publicly Organized Pilotage Services in the Open Waters of the Great Lakes to Be Discontinued.....	332
4. Establishment of Port Pilotage Services in Great Lakes Ports Situated outside Designated Pilotage Waters to Be Left to Local Port Authorities; Such Services in Canadian Ports to Be Classified Private Services.....	335
5. The Principles of U.S. and Canadian Participation at All Levels of Pilotage Administration and Parity in the Number of Pilots to Be Abandoned.....	337
6. The Principle of Two Distinct Canadian and United States Great Lakes Pilotage Administrations to Be Retained, but Their Respective Jurisdiction to Be Limited to Specific Zones of the Great Lakes System: the Area East of Lake Erie under Canadian Control and the Area West of Lake Erie under United States Control.....	337
7. The Pilotage Organization in the Great Lakes Zone under Canadian Control to Be Integrated with Pilotage Elsewhere in Canada and Operated on the Same Principles and Procedures.....	339
8. The Two Designated Waters Sectors Contained in the Proposed Great Lakes Zone under Canadian Control to Become Separate Canadian Pilotage Districts.....	340

	PAGE
9. A Pilot Boarding Station to Be Established at the Western End of Lake Erie.....	340
10. All Pilots, Irrespective of Their Nationality, Within a Group and Sharing the Same Workload to Be under the Complete Control of the Same Central and Local Authorities.....	341
11. The Status and Method of Remuneration of All Pilots Sharing the Same Workload to Be Uniform.....	342
12. Billing and Collecting Pilotage Fees to Be in the Currency of the Nationality of the Pilotage Administration Controlling the Service, Regardless of the Nationality of the Pilots Concerned.....	343
13. In the Great Lakes Zone under Canadian Control, Direction of the Pilotage Service to Be the Sole Responsibility of the Pilotage Authority of Each District; the Equalization of Trips System Which Is Now Being Followed in District No. 1 to Be Abandoned; Assignments to Be Made According to a Regular Tour de Rôle Based on Availability for Duty with Due Regard for Safety of Navigation.....	344
14. In the Great Lakes Zone under Canadian Control, in Any District Where the Pilots' Remuneration Is Not a Fixed Salary, the District Pilotage Authority to Institute and Operate Pooling of the Pilots' Earnings, and Arrange Sharing on the Basis of Availability for Duty without Regard to Nationality; Pilots' Corporation Expenses to Be Financed through Membership Dues Deducted at Source from Each Pilot's Share in the Pool.....	345

CHAPTER E

APPENDICES.....	347
A. Statistical Report Great Lakes Pilotage 1968.....	348
B. (1) Shipping Casualties, Accidents and Incidents with a District No. 1 Pilot on Board:	
<i>Table a.</i> Comparative statistical analysis during the years 1964-1969 inclusive.....	373
<i>Summary b.</i> Detailed analysis for the year 1964.....	375
(2) Shipping Casualties, Accidents and Incidents with a Lake Ontario Pilot on Board:	
<i>Table a.</i> Comparative statistical analysis during the years 1964-1969....	377
<i>Summary b.</i> Detailed analysis for the year 1967.....	378
(3) Shipping Casualties, Accidents and Incidents with a District No. 2 Pilot on Board:	
<i>Table a.</i> Comparative statistical analysis during the years 1964-1969....	379
<i>Summary b.</i> Detailed analysis for the year 1965.....	381
(4) Shipping Casualties, Accidents and Incidents with a Lake Huron/Lake Michigan Pilot on Board:	
<i>Table a.</i> Comparative statistical analysis during the years 1964-1969....	385
<i>Summary b.</i> Detailed analysis for the year 1966.....	386
(5) Shipping Casualties, Accidents and Incidents with a District No. 3 Pilot on Board:	
<i>Table a.</i> Comparative statistical analysis during the years 1964-1969....	387
<i>Summary b.</i> Detailed analysis for the year 1966.....	388