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## ANNOUNCEMENT ESTABLISHING PILOTAGE CHARGES

October 22, 2020



Administration de pilotage des Laurentides  
Laurentian Pilotage Authority

Canada 

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## **GENERAL**

Pursuant to [section 33.4 of the \*Pilotage Act\* \(R.S.C., 1985, c. P-14\)](#), the following document provides announcement establishing (the “**Announcement**”) of the Laurentian Pilotage Authority’s (the “**Authority**”) proposed pilotage charges which will come into effect on **December 21, 2020**, except as otherwise noted. The Authority establishes these pilotage charges for the reasons described in the Notice, published on September 21, 2020, and in the Details and Principles document.

Persons interested in making a notice of objection regarding the establishment of the Authority's pilotage charges may do so by filing an application to the Canadian Transportation Agency. The application must be filed within ninety (90) days after the published date of this Announcement, pursuant to [section 34\(1\) of the \*Pilotage Act\*](#). A pilotage charge is not suspended or prevented from taking effect by reason of a notice of objection.

Pursuant to [section 34\(3\) of the \*Pilotage Act\*](#), a notice of objection may be filed only if

- a) the pilotage charge was not established or revised in accordance with the charging principles referred to in [subsection 33.2\(1\) of the \*Pilotage Act\*](#); or
- b) the Authority did not comply with the requirements set out in [section 33.3 or 33.4 of the \*Pilotage Act\*](#).

Pursuant to section 33.4(2) of the *Pilotage Act*, this Announcement provides a summary of the written representations received under paragraph 33.3(2)(b) of the *Pilotage Act* and the Authority’s analysis of the issues and concerns brought to its attention, including how it considered those issues and concerns in its decision.

**This Announcement consists of two sections:**

1. [Establishment of pilotage charges rates](#)
2. [Summary of the written representations received under paragraph 33.3\(2\)\(b\) of the \*Pilotage Act\* and the Authority’s analysis](#)



## 1. ESTABLISHMENT OF PILOTAGE CHARGES RATES

These are the first pilotage charges to be established by the Authority under the amended *Pilotage Act*. The Authority's goal is to take the tariff rates, definitions, and associated schedules currently in force under the [Laurentian Pilotage Tariff Regulations \(SOR/2001-84\)](#) ("**Tariff Regulations**") and adopt them as charges in accordance with the amended legislation. In other words, the Authority's charges will not change in 2020, with the exception of the method of publication. The methodology and pilotage charges outlined in this document do not include any increase or modification of the charges currently applicable under [Tariff Regulations](#).

The chart herein below set out the established pilotage charges effective **December 21, 2020**.

### Pilotage charges' chart

Column	1	2	3	4	5	6	7	8
Item	Pilotage service	District	Basic charge	Charge per unit	Charge per time factor	Charge per hour or part of an hour	Minimum charge	Maximum charge
1	Trip	1	N/A	\$46.80	\$23.03	N/A	\$2,394.65	N/A
		2	N/A	\$28.20	\$16.24	N/A	\$1,885.91	N/A
2	Movage	1	\$538.70	\$17.75	N/A	N/A	\$2,394.65	N/A
		1.1	\$495.69	\$16.32	N/A	N/A	\$2,203.48	N/A
		2	\$513.05	\$16.89	N/A	N/A	\$2,280.62	N/A



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Column	1	2	3	4	5	6	7	8
Item	Pilotage service	District	Basic charge	Charge per unit	Charge per time factor	Charge per hour or part of an hour	Minimum charge	Maximum charge
3	Anchorage during a trip or a moorage	1	\$416.56	\$4.48	N/A	N/A	N/A	N/A
		1.1	\$383.29	\$4.13	N/A	N/A	N/A	N/A
		2	\$396.73	\$4.28	N/A	N/A	N/A	N/A
4	Docking of a ship at a wharf or pier at the end of a trip	1	\$318.84	\$3.29	N/A	N/A	N/A	\$619.92
		2	\$303.64	\$3.13	N/A	N/A	N/A	\$590.41
5	A docking or undocking performed at the request of a master, owner or agent of a ship, by a pilot designated by the Corporation	1	\$513.05	\$11.60	N/A	N/A	\$1,885.91	N/A
		2	\$513.05	\$11.60	N/A	N/A	\$1,885.91	N/A
6	Detention of a pilot at a pilot boarding station or on board ship	1	N/A	N/A	N/A	0.00 for the first half-hour, \$124.26 for the second half-hour and \$248.52 for each subsequent hour	N/A	N/A
		1.1	N/A	N/A	N/A	0.00 for the first half-hour, \$114.33 for the second half-hour and \$228.66 for each subsequent hour	N/A	N/A
		2	N/A	N/A	N/A	0.00 for the first half-hour, \$118.32 for the second half-hour and \$236.64 for each subsequent hour	N/A	N/A
7	Compass adjustment by pilot	1	\$538.70	\$17.75	N/A	N/A	N/A	N/A
		1.1	\$495.69	\$16.32	N/A	N/A	N/A	N/A
		2	\$513.05	\$16.89	N/A	N/A	N/A	N/A



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PILOTAGE CHARGES**

Column	1	2	3	4	5	6	7	8
Item	Pilotage service	District	Basic charge	Charge per unit	Charge per time factor	Charge per hour or part of an hour	Minimum charge	Maximum charge
8	Cancellation of a request for pilotage services if the pilot reports for pilotage duty	1	\$668.30	N/A	N/A	0.00 for the first hour, \$248.52 for the second hour and \$124.26 for each subsequent hour*	N/A	N/A
		1.1	\$614.95	N/A	N/A	0.00 for the first hour, \$228.66 for the second hour and \$114.33 for each subsequent hour*	N/A	N/A
		2	\$636.46	N/A	N/A	0.00 for the first hour, \$236.64 for the second hour and \$118.32 for each subsequent hour*	N/A	N/A
9	Carrying a pilot on a ship beyond the district for which the pilot is licensed	1	N/A	N/A	N/A	\$124.26	N/A	N/A
		1.1	N/A	N/A	N/A	\$114.33	N/A	N/A
		2	N/A	N/A	N/A	\$118.32	N/A	N/A
10	Except in the case of a pilot having to be relieved after an accident, a move or departure that occurs, at the request of a master, owner or agent of a ship, before that set out in the notice required by section 8 or 9 of the <i>Laurentian Pilotage Authority Regulations</i>	1	\$2,780.78	N/A	N/A	N/A	N/A	N/A
		1.1	\$2,558.77	N/A	N/A	N/A	N/A	N/A
		2	\$2,648.36	N/A	N/A	N/A	N/A	N/A



\* The number of chargeable hours of service is calculated from the later of the time when the pilotage services are requested and the time the pilot reports for pilotage duty until the time of cancellation.

### Conditions

1. The definitions in this section apply to the [Pilotage charges' chart](#) herein above:

**Berth** means a wharf, pier, anchorage or mooring buoy, and includes a berthed ship or a ship at anchor. (poste)

**Breadth**, in respect of a ship, means the number of metres, measured to the second decimal place, that represents the maximum distance between the outside edges of the shell platings of the ship. (largeur)

**Composite unit** means a ship consisting of a tug rigidly connected to the stern of a barge. (unité composite)

**Corporation** means a body corporate with which the Authority contracts pursuant to [subsection 15\(2\) of the Pilotage Act](#) for the services of licensed pilots in District No. 2. (Corporation)

**Deck Watch Officer** means a person who has the immediate charge of the navigation and safety of a ship, but does not include a pilot. (officier de quart à la passerelle)

**Depth**, in respect of a ship, means the number of metres, measured to the second decimal place, that represents the vertical distance at amidships from the top of the keel plate to the uppermost continuous deck that extends fore and aft and to the sides of the ship, with the continuity of the deck not being considered to be interrupted by a tonnage opening, engine space or a step in the deck. (creux)

**District No. 1** means all waters between the northern entrance to Saint-Lambert Lock and a line running across the St. Lawrence River at longitude 71°08' W. (circonscription no 1)

**District No. 1-1** means all waters between the northern entrance to Saint-Lambert Lock and a line running from east to west across the St. Lawrence River at the northernmost tip of Sainte-Thérèse Island. (circonscription no 1-1)

**District No. 2** means all waters between a line running across the St. Lawrence River at longitude 71°20' W and a line running across the St. Lawrence River bearing 121° (True) at latitude 48°20'48" N and longitude 69°23'24" W, including the Saguenay River. (circonscription no 2)

**Draught**, in respect of a ship, means the number of metres, measured to the second decimal place, that represents the greatest vertical distance, at the time pilotage services are performed, from the water surface to the most submerged part of a ship. (tirant d'eau)

**Length**, in respect of a ship, means the number of metres, measured to the second decimal place, that represents the distance from the foremost to the aftermost point of the hull of a ship, excluding the bowsprit. (longueur)

**Movage** means the movement of a ship within the geographical limits of a harbour set out in [section 10](#), whether the ship is moved from one berth to another or is returned to the same berth, but does not include

- a) the manoeuvring of a ship that is leaving the wait wall at Saint-Lambert Lock to enter the lock or is leaving the lock to go to the wait wall, unless a pilot boards the ship for the purpose of carrying out the manoeuvre; or
- b) the warping of a ship from one berth to another solely by means of mooring lines attached to a wharf if the warping is over a distance less than the length of the ship and the wharf between the two berths is straight, unless the services of a pilot are used. (déplacement)

**Pilot Boarding Station** means a place where a pilot embarks or disembarks from a ship at Les Escoumins, Saguenay (La Baie, Quai Lepage and Port-Alfred), Saguenay (Chicoutimi and Grande-Anse), Québec, Trois-Rivières, Sorel-Tracy, Lanoraie or Montréal. (station d'embarquement de pilotes)

**Tariff Length**, in respect of a ship, means the lesser of

- a) the length, and
- b) the breadth multiplied by 7.5. (longueur tarifaire)

**Time Factor** means the result obtained by multiplying the draught of a ship by the number of hours, or parts of an hour, during which the ship is underway under the conduct of a pilot, but does not include any period during which charges are payable in accordance with item 6 or 9 of [Pilotage charges' chart](#). (facteur temps)

**Trip** means the piloting of a ship from one point to another within the region of the Authority, but does not include a movage, a docking or an undocking. (voyage)

**Unit** is the number obtained by multiplying the tariff length of the ship by its breadth and depth, dividing by 850 and rounding to the second decimal place. (unité)

### **Pilotage Charges Generally**

2. (1) A pilotage charge payable to the Authority for a pilotage service set out in column 1 of the [Pilotage charges' chart](#) that is provided in a district set out in column 2 of that chart is calculated based on the information provided on the pilotage service form under [subsection 7\(1\)](#) and is equal to the sum of the following:
  - a) the basic charge set out in column 3,
  - b) the charge per unit set out in column 4,
  - c) the charge per time factor set out in column 5, and

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- d) the number of chargeable hours of service multiplied by the charge per hour or part of an hour set out in column 6.
- (2) The pilotage charge is subject to the minimum charge set out in column 7 of [Pilotage charges' chart](#) and the maximum charge in column 8.
- (3) Subject to subsections (4) to (6) and [section 4](#), a pilotage charge is multiplied by the number of pilots assigned to perform the pilotage service.
- (4) A pilotage charge is determined on the basis of the services of a single pilot in respect of the following pilotage services:
- a) an anchoring;
  - b) a movage;
  - c) a docking;
  - d) an undocking; and
  - e) a compass adjustment.
- (5) A pilotage charge is determined on the basis of the services of a single pilot if a second pilot is assigned for the sole purpose of responding to one of the following circumstances:
- a) it is likely that, between the time the pilots embark and the time they disembark, the ship will be underway in District No. 1 for more than either 10 consecutive hours for trips starting between 05:00 and 19:59, or 8 consecutive hours for trips starting between 20:00 and 04:59;
  - b) it is likely that the ship will be underway for more than 11 consecutive hours in District No. 2; and
  - c) the ship is underway in winter navigation conditions at any time during the period that starts on March 16 and ends on December 31.
- (6) A pilotage charge is determined on the basis of the services of a single pilot if
- a) a second pilot is assigned for the sole reason that the ship will likely be underway for more than 10 consecutive hours in District No. 2; and
  - b) the second pilot is assigned to board the ship at any time during the period that starts at 19:00 and ends at 00:59.
- 2.1. A charge of \$39.64 is payable for each pilot assignment for the administration of the *Pilotage Act*, in force since July 6, 2020.
3. A pilotage charge is adjusted in accordance with [subsection 7\(4\)](#) if there is a discrepancy between the information provided on a pilotage service form and the information contained in the documents listed in that subsection.

#### **Pilotage Charges for Towing and Pushing Operations**

4. (1) In the event that a tug pulls or pushes one or more barges attached in a non-fixed manner, pilotage charges are payable, on the one hand, for the tug which is under the control of a pilot according to its own units and its time factor or the minimum according



to this [Pilotage charges' chart](#), and, on the other hand, for each barge pulled or pushed according to its units and time factor or the minimum according to the [Pilotage charges' chart](#), regardless of the number of pilots assigned to the towing operation.

- a) However, the deduction is applicable for each pilot;
- b) Docking and mooring fees are applicable to the barge. These fees apply to the tug if it is individually subject to compulsory pilotage.
- c) In the case of a displacement, the charges payable are the greater of the amount provided for in the [Pilotage charges' chart](#) using a single base amount and the sum of the units of the tug (s) and of the (s) barges

**(2)** In the case of a towing operation where a tug is pushing a barge, and which is coupled for the duration of the trip in a fixed manner to the rear of the barge in composite unit, as if it were a single vessel, pilotage charges are payable for all units considering the length of the tug and barge coupled, the maximum width and the strongest hollow and a single time factor according to the strongest draft water or the minimum according to the [Pilotage charges' chart](#).

- a) However, the deduction is applicable to a single pilot;
- b) Mooring charges are applicable using a single base amount and units considering the length of the tug and barge mated, the maximum width and the strongest hollow;
- c) Docking fees are applicable only once to the whole unit;
- d) In the case of a displacement, the charges payable are the highest of the amount provided for in the [Pilotage charges' chart](#) using a single base amount and the units considering the length of the tug and barge coupled, the maximum width and the strongest hollow.

**(3)** In the case of a towing operation where one or more tugs pull or push one or more dead vessels, pilotage charges are payable, on the one hand, for each tug under the pilot's control according to their own units and their time factor or the minimum according to the [Pilotage charges' chart](#), and, on the other hand, for each vessel pulled or pushed according to their respective units and time factor or the minimum according to the [Pilotage charges' chart](#).

- a) However, the deduction is applicable for each pilot;
- b) Docking and anchoring costs are applicable to the dead vessel. These charges apply to the tug if it is individually subject to compulsory pilotage;
- c) In the case of a displacement, the charges payable are the highest of the amount provided for in the [Pilotage charges' chart](#) using a single base amount and the sum of the tug units.

#### **Pilotage Charges for Travel and other Expenses**

5. **(1)** A pilotage charge of \$261.73 is payable if a pilot is required to embark on or disembark from a ship at a place other than a pilot boarding station but within the compulsory pilotage area.

- (2) If a pilot is required to embark on or disembark from a ship outside the compulsory pilotage area, travel and other expenses reasonably incurred by the pilot are payable as a pilotage charge.

#### **Pilotage Charges – Transshipment fees**

6. When providing a transshipment service serving to embark or disembark a pilot including at a pilot boarding station, a pilotage charge in an amount equal to the cost incurred by the Authority in providing the service is payable.

#### **Pleasure Craft Under Eight Units**

- 6.1. Except for those fixed under [section 6](#), the pilotage charges payable for services rendered to a pleasure craft under eight units are reduced by 15%.

#### **Pilotage Service Form**

7. (1) With the assistance of the master or the deck watch officer of the ship, the pilot must complete the pilotage service form provided by the Authority.
- (2) The pilot must then submit the pilotage service form to the Authority as soon as possible.
- (3) If a discrepancy occurs between the information provided on the pilotage service form and the information contained in the following documents, the particulars of a ship are those contained, in order of priority, in
- the official papers of the ship;
  - the Register of Ships published by Lloyd's Register of Shipping; or
  - a publication by any classification society other than Lloyd's Register of Shipping.

#### **Trip Rules**

8. (1) Subject to [subsection \(3\)](#), a trip begins from the time that a ship is underway and one of the following events occurs:
- the ship enters the region of the Authority after the pilot has embarked;
  - the ship leaves a berth in a harbour or leaves a place within the region of the Authority after the pilot has embarked at the harbour or place, except if the ship is in transit and there is a change of pilot at Trois-Rivières, Sorel-Tracy or Montréal;
  - a pilot embarks to replace a pilot who has performed a moveage;
  - a pilot embarks to replace a pilot who has performed an undocking as a result of a request by a master, owner or agent of the ship for a pilot designated by the Corporation to perform an undocking;
  - the ship leaves a wharf or pier to which it was secured in a harbour, or another ship to which it was secured, after the pilot referred to in paragraph (a) or (b) has embarked; or

- f) the ship weighs anchor after having used Saguenay (La Baie, Quai Lepage and Port-Alfred) as a port of call, in the case of a passenger ship.
- (2) Subject to [subsection \(3\)](#), a trip ends when one of the following events occurs:
- a) the ship enters Saint-Lambert Lock;
  - b) the ship leaves the region of the Authority;
  - c) the pilot referred to in paragraph (1)(a), (b), (c) or (d) leaves the ship, except if the ship is in transit and there is a change of pilot at Trois-Rivières, Sorel-Tracy or Montréal;
  - d) a pilot embarks the ship to perform a docking as a result of a request by a master, owner or agent of the ship for a pilot designated by the Corporation to perform the docking;
  - e) the ship is secured at a wharf or pier in a harbour, unless the ship is secured at the wait wall at Saint-Lambert Lock;
  - f) the ship is secured to another ship;
  - g) the ship is anchored or is unable to move on account of ice while waiting for a berth within the limits of a harbour if the ship is later moved within the limits of the same harbour; or
  - h) the ship uses Saguenay (La Baie, Quai Lepage and Port-Alfred) as a port of call, in the case of a passenger ship.
- (3) A change of pilots at Trois-Rivières, or the anchoring or securing of the ship, on the pilot's advice, at a wharf or pier at Trois-Rivières owing to navigational restrictions, does not have the effect of beginning or ending a trip.

### **Detention Rules**

9. (1) For the purposes of determining if a pilotage charge for the detention of a pilot, as described in item 6 of the [Pilotage charges' chart](#), is payable, a pilot is detained if
- a) the pilot whose services have been requested reports to the pilot boarding station and is delayed there; or
  - b) the pilot is on board a ship that is
    - (i) at anchorage, or moored to a wharf, a pier, a mooring buoy or a berthed, anchored or grounded ship
      - (i.1) in the Saint-Lambert Lock or moored to its approach wall,
    - (ii) unable to move on account of ice or for any other reason,
    - (iii) compelled to remain stopped as a result of a mechanical breakdown, or
    - (iv) waiting for a berth at the end of a trip.
- (2) When the pilot is detained for more than one hour, the charges set out in item 6 of the [Pilotage charges' chart](#) for each subsequent hour are reduced by half if the detention is caused by a docking, an anchoring, ice conditions that force the ship to stop, weather conditions, a change in the expected time of arrival of the ship, delays associated with pilot boat services, the delay of a replacement pilot, a shortage of pilots, delays at wharf or at



anchor as a result of maritime traffic management by the competent authorities, or the grounding of the ship.

### **Harbours and Their Geographic Limits**

**10.** For the purposes of the definition of movage in [section 1](#) of the current section for pilotage charges, the harbours and their geographical limits are as follows:

**a) Bécancour**

All waters located within the following boundaries: latitude 46°24'01" N and longitude 72°22'46" W; latitude 46°24'18" N and longitude 72°23'51" W; latitude 46°25'04" N and longitude 72°22'29" W; and latitude 46°24'07" N and longitude 72°22'27" W;

**b) Contrecoeur**

All waters located within the following boundaries: latitude 45°49'36" N and longitude 73°17'16" W; latitude 45°49'48" N and longitude 73°17'34" W; latitude 45°50'30" N and longitude 73°16'45" W; and latitude 45°50'18" N and longitude 73°16'27" W;

**c) Gros-Cacouna**

All waters located within the following boundaries: latitude 47°52'28" N and longitude 69°32'58" W; latitude 47°53'16" N and longitude 69°35'42" W; latitude 47°59'42" N and longitude 69°31'58" W; and latitude 47°57'32" N and longitude 69°27'06" W;

**d) Montréal**

All waters between the northern entrance to Saint-Lambert Lock and a line running east and west across the St. Lawrence River at the northernmost tip of Sainte-Thérèse Island;

**e) Pointe-au-Pic**

All waters located within the following boundaries: latitude 47°40'36" N and longitude 70°03'45" W; latitude 47°40'00" N and longitude 70°02'36" W; latitude 47°35'00" N and longitude 70°08'17" W; and latitude 47°35'56" N and longitude 70°10'06" W;

**f) Québec**

All waters located between a line running across the St. Lawrence River bearing 345° (true) at latitude 46°43'40" N, longitude 71°20'08" W and a line running across the St. Lawrence River bearing 350° (true) at latitude 46°49'42" N, longitude 71°07'48" W;

**g) Rivière-du-Loup**

All waters located within the following boundaries: latitude 47°46'02" N and longitude 69°36'40" W; latitude 47°46'48" N and longitude 69°39'25" W; latitude 47°52'16" N and longitude 69°35'42" W, and latitude 47°52'28" N and longitude 69°32'58" W;

**h) Saguenay (Chicoutimi and Grande-Anse)**

All waters located westerly of a line bearing 011° (true) and running across the Saguenay River at latitude 48°22'59" N, longitude 70°45'00" W;

**i) Saguenay (La Baie, Quai Lepage and Port-Alfred)**

All waters located westerly of a line bearing 315° (true) and running across the Saguenay River at latitude 48°20'58" N, longitude 70°42'06" W;

**j) Sorel-Tracy**

All waters located between a line running across the St. Lawrence River bearing 285° (true) at latitude 45°58'00" N, longitude 73°11'30" W and a line running across the St. Lawrence River bearing 317° (true) at latitude 46°06'55" N, longitude 72°57'09" W; and

**k) Tadoussac**

All waters located northerly of a line bearing 090° (true) and running across Tadoussac Bay at latitude 48°08'08" N, longitude 69°42'59" W;

**l) Trois-Rivières**

All waters located between a line running across the St. Lawrence River bearing 333° (true) at latitude 46°17'06" N, longitude 72°35'06" W and a line running across the St. Lawrence River bearing 352° (true) at latitude 46°22'35" N, longitude 72°26'21" W.

**2. SUMMARY OF THE WRITTEN REPRESENTATIONS RECEIVED UNDER PARAGRAPH 33.3(2)(b) OF THE *PILOTAGE ACT* AND THE AUTHORITY'S ANALYSIS**

The Authority has received written representations on the proposal for the establishment of pilotage charges from two industry associations. Both associations recognize that the Authority is not making any changes to the tariffs currently in force and is simply converting the existing tariffs into pilotage charges.

The comments received by these associations were essentially the same as those made during the pre-consultation meetings. At that time, the comments were taken into consideration and some adjustments and modifications were subsequently made. The comments namely pertain to the criteria for determining fair and reasonable pilotage charges. Considering that there is no rate increase proposed in the establishment of the pilotage charges, despite a significant financial loss anticipated for 2020, the Authority considers that the charges fully meet the requirements of the *Pilotage Act* in this regard.

Other comments received related to considering the cost effectiveness and efficiency of pilotage services and reasonable reserves when in establishing and revising pilotage charges. These elements were also considered, and the proposal is consistent with the requirements of the *Act*.



The Authority has considered and analyzed all the written representations received and concluded that the proposed pilotage charges are in accordance with its explicit methodology and meets the requirements of the *Pilotage Act*.

As a result, the Authority's decision is to maintain the establishment of the charges as published on September 21, 2020 in the Notice of Establishment of Pilotage Charges.