

UNITED KINGDOM MARITIME PILOTS' ASSOCIATION

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To: ALL UKMPA MEMBERS
Via Local Secretaries
(Please distribute ASAP)

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Dear Colleague,

Liability for Trainee Pilots: Insurance Cover

Employed Districts

In districts where pilots are employed it is probable that the induction of a trainee into a training regime will be undertaken by the CHA as employer and the trainee will be taken onto the payroll of the CHA. The trainee will therefore benefit from the UK employment laws. If during the training period a trainee were to suffer death or bodily injury he or she will be covered under the Employees Liability insurances required by Statute and taken by any CHA.

Self-Employed Districts

If a trainee was inducted into a training regime in a self-employed district, whether paid or unpaid a trainee might not benefit from the statutory employment laws and it is highly probable that these self-employed districts do not carry Employees Liability insurance. As a consequence, the local pilot organisation and more particularly the pilot nominated for the tripping of the trainee owe a duty of care under Common Law. If the trainee whilst tripping, were to suffer death or bodily injury resulting from an accident caused by the tripping pilot, then he or she avails themselves to the potential of a lawsuit seeking damages against the local pilotage organisation or the individual pilot by the trainee or his or her dependents.

If any district or individual pilot be in any doubt about the status of the trainee and who is liable for the trainee whilst tripping, they should seek clarification from the CHA. as to whether they assume responsibility or whether responsibility falls upon the local pilotage organisation or individual pilot. If the CHA accept responsibility written confirmation should be sought.

If written confirmation is not forthcoming, you are strongly advised to consider securing an insurance policy to cover liability for the period of training. Further details and advice are available from Ken Pound, RFIB Group Ltd. T. 0207 621 8260 M. 0798 515 9584 E. ken.pound@rfib.co.uk

John Pearn
Chairman UKMPA