

CAPTAIN  
KAROLINA CIRJAK

# Pilots are not advisors to Masters

- ▶ Master Mariner with 17 years of sea-going experience on most types of dry cargo vessels.
- ▶ After coming ashore in 2011, worked as a Senior Lecturer at UTT.
- ▶ Since 2014 worked as Consultant Master Mariner at Waves Group in London.
- ▶ KC Maritime Consultancy Ltd. provides a range of maritime consultancy services since 2021; from advising on casualties and claims investigations to charter party disputes.

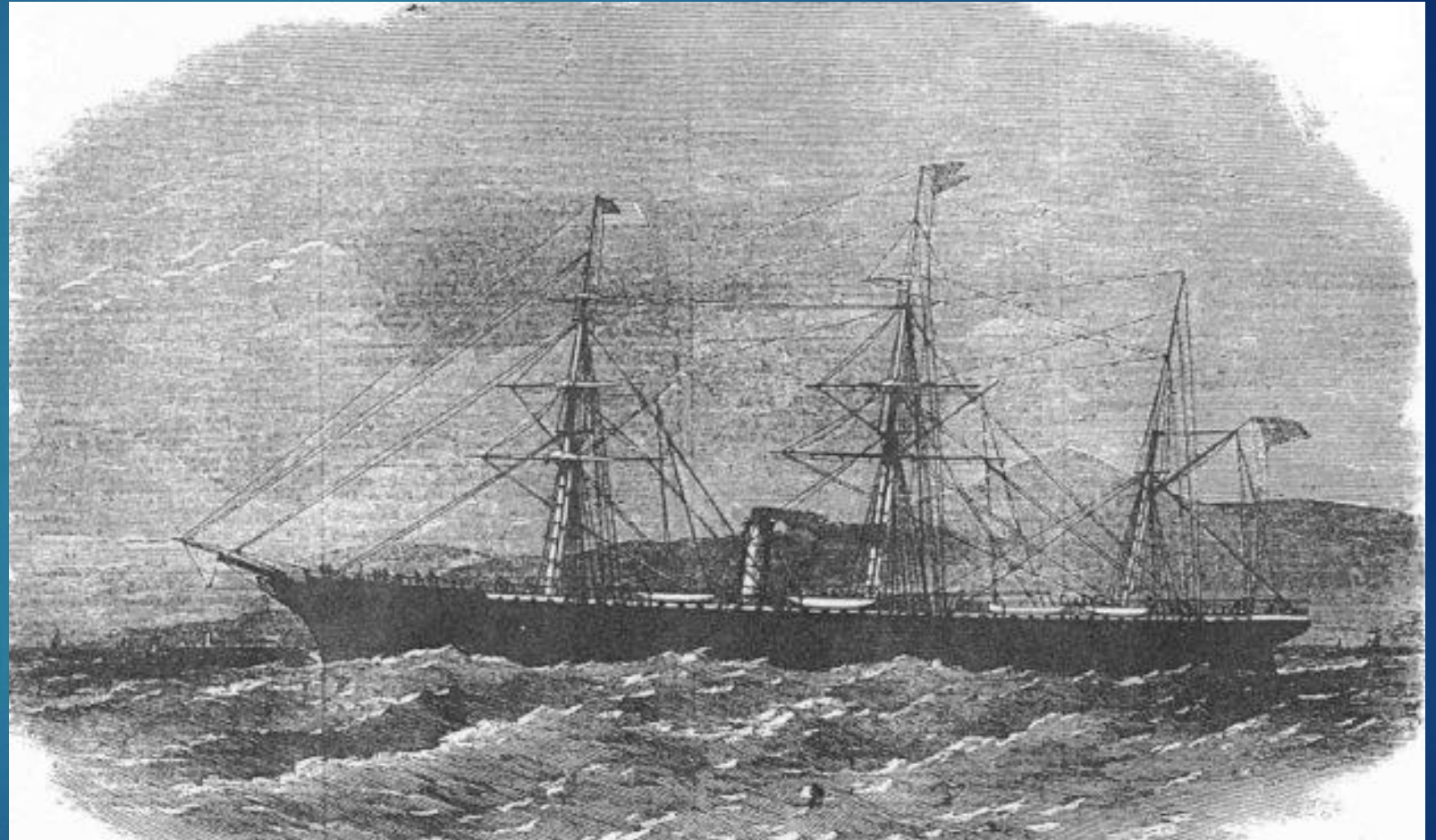
# Professionalism, experience, skill...



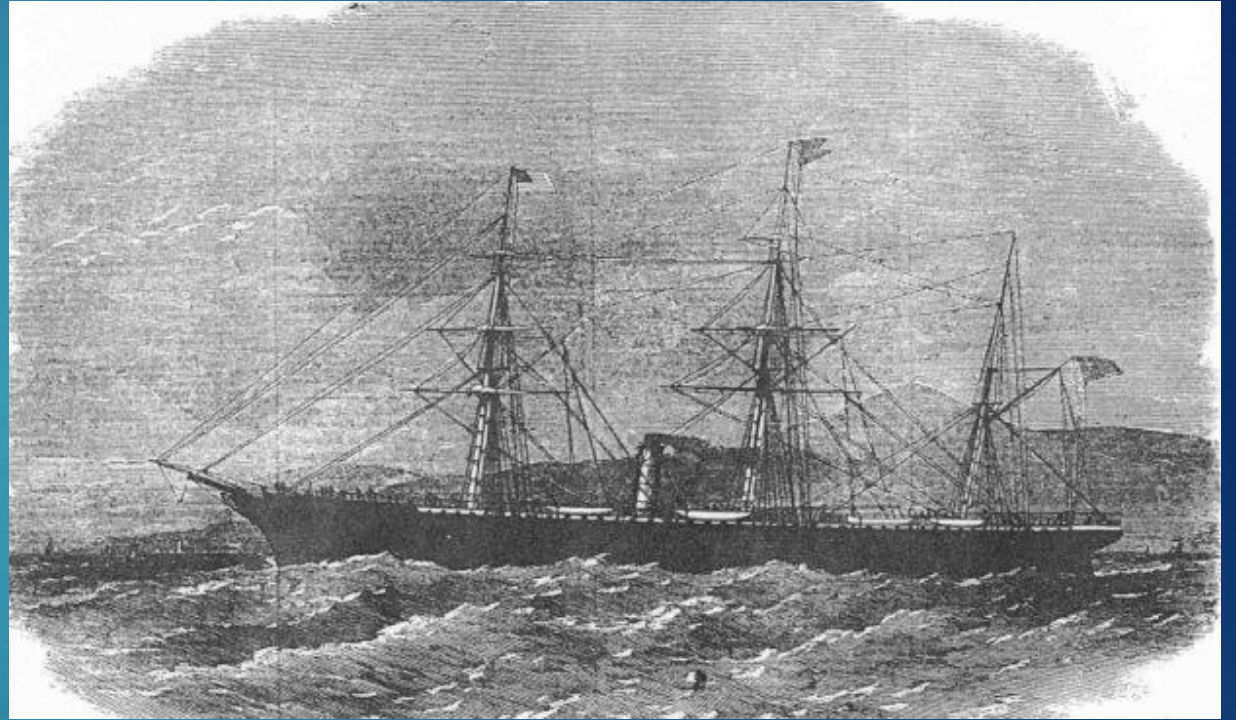
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# The China, legal case 1863.



Was the ship  
compelled to take  
a Pilot?



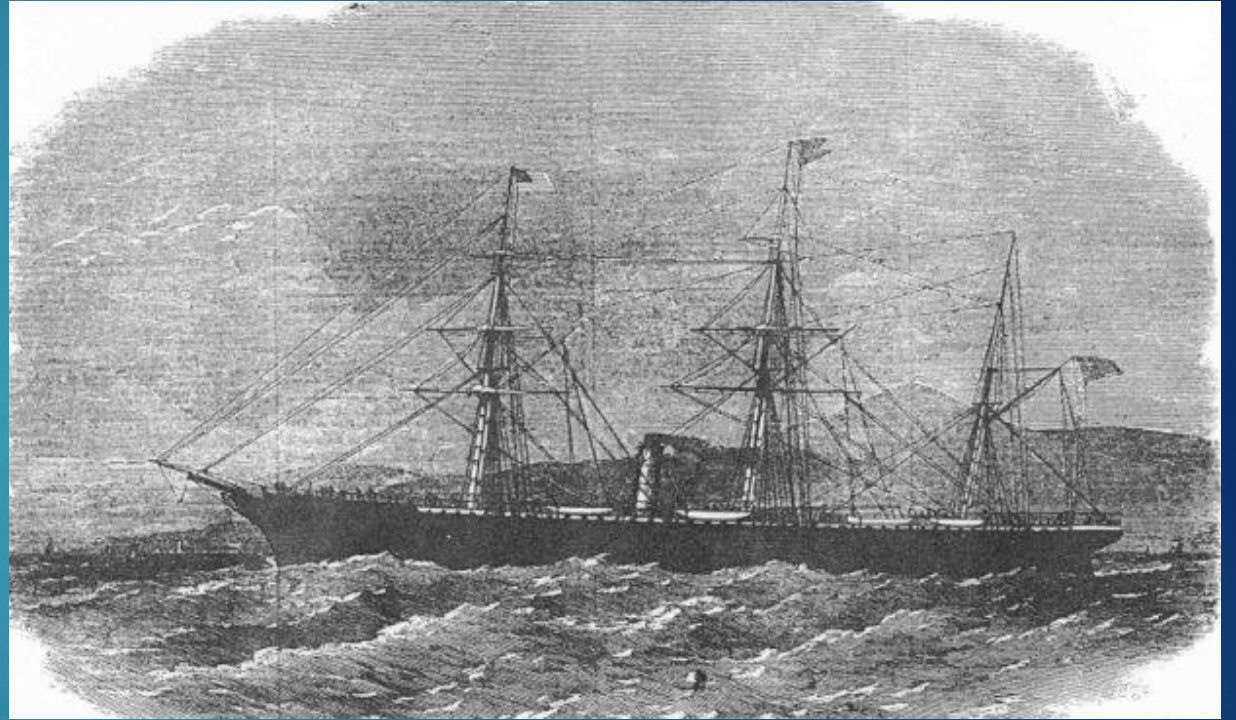
Even if Pilotage is compulsory...

The Master does not:

- surrender the navigation of his ship to the licensed pilot
- stop being in command of his ship.



Does the fact that  
the law compelled  
the Master to take  
the pilot,  
exonerate the  
vessel from  
liability?





The parties who suffer are entitled to have their remedy against the vessel that caused the damage...



The law is 'fruitful of injustice'

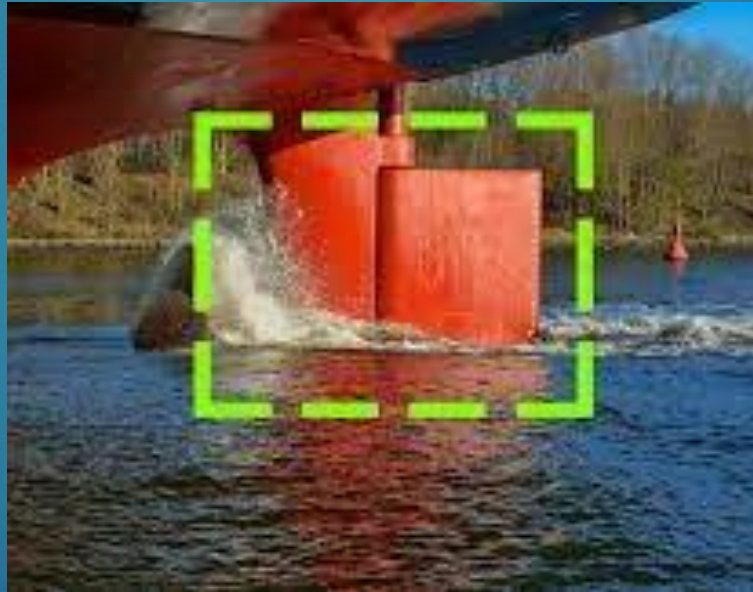


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# The China decision

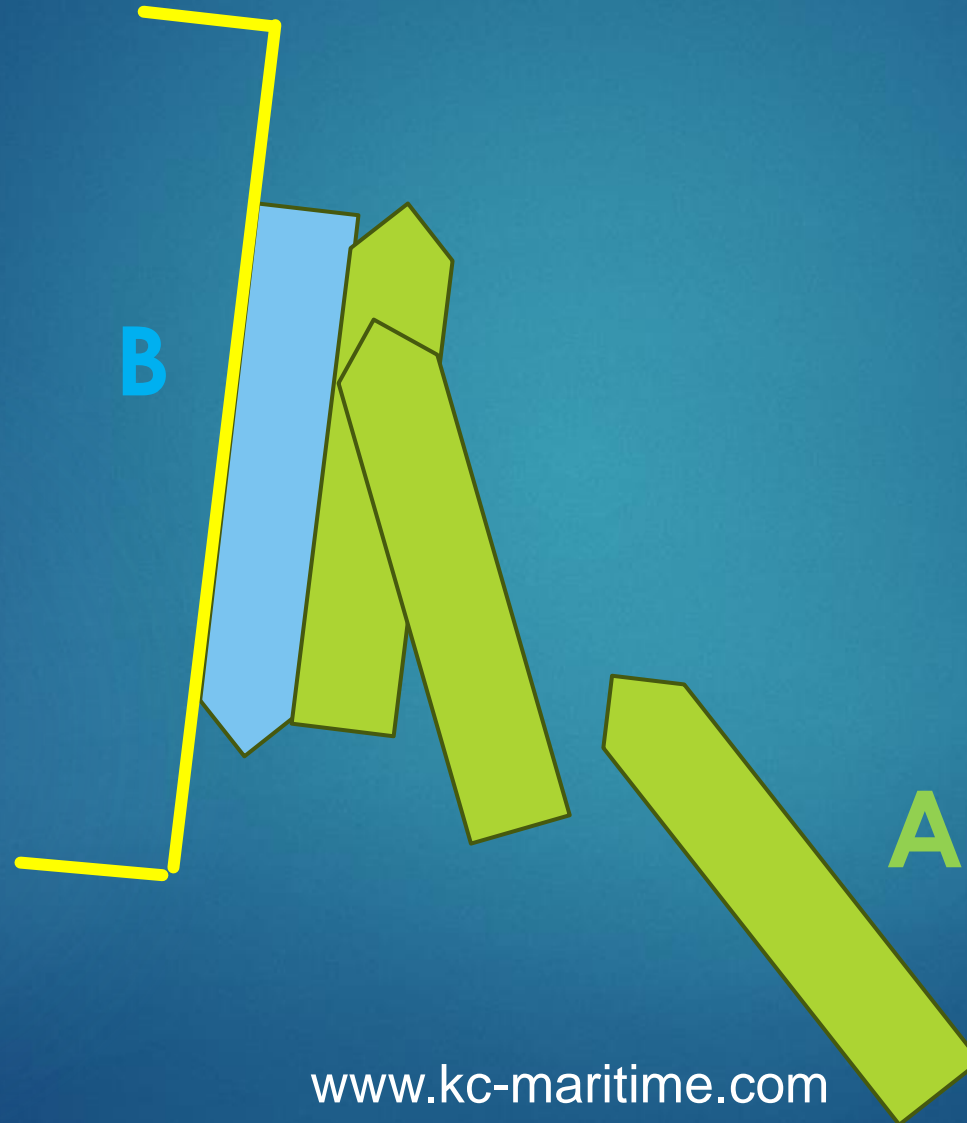
1. The injured party's right to compensation.
2. The exemption is to apply only if the Pilot is solely at fault.
3. The Master has the duty to interfere.
4. The law of the place makes ships liable.

# My rudder does not work properly...





# Vessel A c/w Vessel B



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The law is unjust...



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# Post casualty...



Solution...





*“So many Maritime rules were created that in the end, no rules were clear. This led to confusion in operation and policy, but complete clarity in hindsight and prosecution”.*

*US Coast Guard Investigator*

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Thank you.