



# Seafarers Wages Act 2023

## 2023 CHAPTER 8

### *Enforcement powers*

#### **13 Provision of information by harbour authorities**

- (1) The Secretary of State may by notice require a harbour authority to provide information to the Secretary of State for the purpose of establishing whether, or to what extent, the authority is complying with its duties under this Act.
- (2) The information referred to in subsection (1) may in particular include information about—
  - (a) the services provided by ships that use the harbour,
  - (b) equivalence declarations requested by, or provided to, the harbour authority,
  - (c) surcharges imposed or received by the harbour authority, and
  - (d) decisions by the harbour authority to refuse or not refuse access to its harbour pursuant to section 11.
- (3) Subsection (1) does not require a harbour authority to provide information to the extent that doing so would cause the authority to breach the data protection legislation (but in determining whether providing information would cause the authority to breach that legislation, the requirement imposed by subsection (1) is to be taken into account).
- (4) A notice under subsection (1) may require the information to be provided in a manner, and within a period, specified in the notice.
- (5) A harbour authority is guilty of an offence if it—
  - (a) fails to provide, in the manner and within the period specified under subsection (4), information required by the Secretary of State under this section,
  - (b) provides information so required that is false or misleading, or
  - (c) provides information so required that becomes false or misleading and fails to inform the Secretary of State within four weeks that it has become so.
- (6) A harbour authority guilty of an offence under subsection (5) is liable on summary conviction—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in England and Wales, to a fine, or
- (b) in Scotland and Northern Ireland, to a fine not exceeding level 5 on the standard scale.