



Seafarers Wages Act 2023

2023 CHAPTER 8

National minimum wage equivalence declarations

3 Request for declaration

- (1) Subsection (2) applies where a harbour authority has reasonable grounds to believe that ships providing a service to which this Act applies will enter, or have entered, its harbour on at least 120 occasions during a relevant year.
- (2) The harbour authority must, within such period as is determined by regulations, request that the operator of the service provide the authority with a national minimum wage equivalence declaration (in the rest of this Act, an “equivalence declaration”) in respect of the service for the relevant year.
- (3) The duty under subsection (2) is subject to any direction given by the Secretary of State under section 16(1)(a).
- (4) A harbour authority which fails to comply with subsection (2) is guilty of an offence and liable on summary conviction—
 - (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.
- (5) Regulations may make provision—
 - (a) as to the period within which equivalence declarations are to be provided;
 - (b) as to the form of equivalence declarations;
 - (c) as to the manner in which equivalence declarations are to be provided.
- (6) In this Act, “relevant year” means—
 - (a) the period of 12 months beginning with a date specified in regulations, and
 - (b) each successive period of 12 months.