



Seafarers Wages Act 2023

2023 CHAPTER 8

Surcharges

9 Surcharges: general

- (1) The amount of a surcharge is to be determined by a tariff of surcharges specified in regulations.
- (2) A duty to impose a surcharge is subject to any direction given by the Secretary of State under section 16(1)(a).
- (3) A harbour authority which fails to comply with a duty to impose a surcharge 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.
- (4) Regulations may make provision as to—
 - (a) how the imposition of a surcharge is to be notified to the operator;
 - (b) the period within which a surcharge must be paid;
 - (c) the manner in which a surcharge must be paid;
 - (d) notification of the imposition of a surcharge to the Secretary of State;
 - (e) publication of the fact that a surcharge has been imposed.
- (5) Regulations may make provision requiring a harbour authority that has imposed a surcharge to notify the Secretary of State if so much of the period within which the surcharge must be paid as is specified in the regulations has expired without the surcharge having been paid in accordance with regulations under subsection (4)(c).
- (6) A harbour authority may retain a surcharge paid under this section and apply it for the purposes of shore-based welfare facilities for seafarers.
- (7) References in the Harbours Act 1964 or the Harbours Act (Northern Ireland) 1970 to ship, passenger and goods dues do not include a surcharge.
- (8) In this Act, “surcharge” means a charge under section 6, 7 or 8.