

Seafarers' Wages Bill [HL]

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 1

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDEKSON

Page 1, line 8, at end insert –

“(c) a service performed by a ship which is not required to have a national minimum wage equivalence declaration.”

Member’s explanatory statement

This amendment seeks to clarify the scope of the bill from the outset.

Clause 3

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDEKSON

Page 2, line 13, leave out “ships providing the” and insert “a ship providing a”

Member’s explanatory statement

This amendment seeks to clarify that the scope of the Bill is individual ships rather than services provided by different ships.

Clause 7

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDEKSON
LORD BERKELEY

Page 5, line 36, leave out from “the” to end of line 38 and insert “Secretary of State in accordance with regulations.”

Member’s explanatory statement

This amendment, and the consequential amendments in the name of Baroness Scott of Needham Market, switch the duty for setting a tariff of surcharges from harbour authorities to the Secretary of State.

Page 5, line 39, leave out from first “by” to end of line 40 and insert “the Secretary of State must be published in such manner as they think fit.”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Baroness Scott of Needham Market to page 5, line 36.

The above-named Lords give notice of their intention to oppose the Question that Clause 7 stand part of the Bill.

Member’s explanatory statement

This amendment removes Clause 7 (Imposition of surcharges) from the bill. This, coupled with the new Clause 9 in the name of Baroness Scott of Needham Market, would replace the imposition of surcharges and refusal of harbour access with a more conventional regime of inspections, fines and detention of vessels as a deterrent for non-compliance with the bill, in an attempt to improve its effectiveness.

Clause 8

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDERSON
LORD BERKELEY

Page 6, line 12, leave out “a harbour authority” and insert “the Secretary of State”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Baroness Scott of Needham Market to page 5, line 36.

Page 7, line 2, leave out “a” and insert “the”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Baroness Scott of Needham Market to page 5, line 36.

Page 7, line 4, leave out “direct the harbour authority to”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Baroness Scott of Needham Market to page 5, line 36.

BARONESS SCOTT OF NEEDHAM MARKET
LORD BERKELEY

The above-named Lords give notice of their intention to oppose the Question that Clause 8 stand part of the Bill.

Member’s explanatory statement

The removal of Clause 8 of the bill is consequential on the removal of Clause 7, and seeks to improve the effectiveness of the deterrents available for non-compliance with the bill.

Clause 9

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDERSON
LORD BERKELEY

Leave out Clause 9 and insert the following new Clause –

“Detention of vessels for repeated contravention

A ship providing a service to which this Act applies may be detained by a person appointed by the Secretary of State for the purposes of this section if the operator of a service contravenes any of the provisions in this Act more than once in any 24-month period.”

Member’s explanatory statement

This amendment, along with the amendments to leave out Clauses 7 and 8, would replace the imposition of surcharges and refusal of harbour access with a more conventional regime of inspections, fines and detention of vessels as a deterrent for non-compliance with the Act, in an attempt to improve its effectiveness.

Clause 11

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDERSON

Page 8, line 7, at end insert –

“(1A) The Secretary of State must give guidance to harbour authorities as to how to determine whether ships providing a service to which this Act applies are likely to meet the threshold set out in subsection 3(3).”

Member’s explanatory statement

This amendment seeks to probe whether the Government intends to provide guidance to harbours when seeking to determine whether ships using their ports will fall within scope of the Bill.

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDERSON
LORD BERKELEY

Page 8, line 7, at end insert –

“(1A) The Secretary of State must give guidance as to how harbour authorities might avoid any conflict of interests arising from the use of their powers under this Act.”

Member’s explanatory statement

This amendment seeks to prevent any conflict of interests arising from the use of powers available to harbour authorities under this Act.

Page 8, line 12, leave out subsection (3)

Member’s explanatory statement

This amendment is consequential on the removal of Clause 8 of the bill.

Page 8, line 16, leave out “harbour authority’s” and insert “Secretary of State’s”

Member’s explanatory statement

See explanatory statement for the amendment in the name of Baroness Scott of Needham Market to page 5, line 36.

Page 8, line 25, leave out “or section 8(8) or (10)”

Member’s explanatory statement

This amendment is consequential on the removal of Clause 8.

Clause 12

LORD TUNNICLIFFE

Page 8, line 36, at end insert—

“(2A) Regulations under this Act may not reduce the range of services to which this Act applies.”

Member’s explanatory statement

This amendment would prevent regulations which would reduce the services which this Act applies to.

Clause 14

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDEYSON
LORD BERKELEY

Page 9, leave out line 32

Member’s explanatory statement

This amendment is consequential on the removal of Clause 7.

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8 September 2022
