

Seafarers' Wages Bill- Committee Stage

The Seafarers' Wages Bill is designed "to give British ports new statutory powers to refuse access to regular ferry services that do not pay their crew the national minimum wage." (Source Secretary of State for Transport statement to House of Commons 30 March 2022).

In order to achieve this a threshold of 120 calls per year has been included to determine whether a service is in scope. This means any service, as opposed to vessel, that calls more than 120 times annually in a UK port is required to pay UK minimum wage equivalent while the vessel is in UK waters.

Below is a fictional example of how the legislation will work where multiple vessels are used on the service.

Service from Dover to Calais	Number of UK port calls in 12 months
Vessel 1	40
Vessel 2	40
Vessel 3	40
Total number of calls	120

Despite each vessel making less than 120 calls as the service made 120 calls each of the three vessels is in scope.

Concerns were raised at Second Reading that the 120 threshold was too low and would allow ferry companies to alter calling patterns, by for example switching port. There were also concerns that some ferry services would remain out of scope.

The below data shows the calling patterns for international passenger ferry routes from the UK. The data, except where specifically highlighted is for between December 2021 and November 2022 and as such, due to Covid-19 travel restrictions, is likely to underplay the number of crossings that would normally take place.

Ferry Route	Number of UK port calls	Number of vessels in scope
UK to France		
<i>Dover to Calais</i>		
DFDS	4702	Six vessels*
Irish Ferries	4182	Three
P & O Ferries	3895	Four
<i>Dover to Dunkerque</i>		
DFDS Dover to Dunkerque	3644	Six vessels*
<i>Newhaven to Dieppe</i>		
DFDS	836	Two
UK to Republic of Ireland		
<i>Holyhead to Dublin</i>		
Irish Ferries	1571	Two
Stena Line	1414	Two
<i>Liverpool to Dublin</i>		
P & O Ferries	816	Three

Ferry Route	Number of UK port calls	Number of vessels in scope
<i>Fishguard to Rosslare</i>		
Stena Line	616	Two
<i>Pembroke to Rosslare</i>		
Irish Ferries	645	Two
UK to Netherlands**		
<i>Hull to Rotterdam</i>		
P & O Ferries	354	Two
<i>Harwich to Hook of Holland</i>		
Stena Line	724	Two

*vessels shared across the Dover to Calais and Dover to Dunkerque routes

** based on 2023 timetable data

Note: Services operated by Brittany Ferries have been excluded. Brittany Ferries operates under the French flag regime meaning seafarers operating on its ferries are already subject to French minimum wage and working conditions. The French minimum wage is comparable to the UK and the CEO of Brittany Ferries has previously said the company welcomes the drive to “set minimum wage requirements for ferry workers”. Any routes that run from the UK to France would also be covered by planned UK/France bi-lateral agreements.

What this data shows

Key ferry routes are in scope

As shown by the data above major ferry international ferry routes from the UK fall within the scope of the legislation, including all P & O Ferry services.

Operators cannot port-hop to avoid falling within scope

Ferry services require specific infrastructure that is only available at certain ports and as shown by the above data international ferry services from the UK are frequent and the availability of this infrastructure cannot be guaranteed.

More practically ships operating on the Dover to Calais route would all need to find upwards of 30 additional ports each to come in under the threshold.

Consequences of widening the scope of the Bill

120 calls per year ensures that the scope of the Bill is wide enough that regular ferry services are within scope as set out by the then Secretary of State in March last year.

Any changes to this figure would bring in a range of additional services into scope that were never intended to be due to their lack of ties to the UK. Most of these services will be calling in UK ports as part of a wider irregular international calling.

Bringing these vessels into scope of the Bill, as well as legislating beyond what was originally intended, would significantly increase the burden of monitoring a large and diverse portfolio of vessels. This is highly likely to increase the administrative burden on ports.