



Welsh Government  
Consultation Document

## Vessel Monitoring Systems for fishing boats in Wales

Consultation on the introduction of Vessel Monitoring Systems for all licensed British fishing boats under 12 metres in length operating in Welsh waters and all Welsh fishing boats under 12 metres wherever they are operating.

Date of issue: 8 February 2019  
Action required: Responses by 3 May 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

## Overview

This consultation seeks to gain public views on the proposal to introduce Vessel Monitoring Systems (VMS) for all licensed British fishing boats under 12 metres in length operating in Welsh waters and all Welsh fishing vessels under 12 metres wherever they are operating (including outside of Welsh waters). The Welsh Government proposes to make this a legislative requirement by means of a statutory instrument. This consultation seeks to establish any potential business impacts of introducing VMS to under 12m vessels. This consultation will be of particular interest to owners and operators of licensed British fishing boats under 12 metres in length operating in Welsh waters however, this public consultation is open to anyone who may wish to contribute their view on the proposed policy. This consultation is the principal means by which we will gather views on the proposal.

## How to respond

Responses can be submitted by email, post or via an online form on the Welsh Government at [www.gov.wales/consultations](http://www.gov.wales/consultations).

E-mail/postal responses should be sent to the address below to arrive by 3 May 2019 at the latest. Please insert 'VMS consultation' in the e-mail subject box.

**By email:** [MarineAndFisheries@gov.wales](mailto:MarineAndFisheries@gov.wales)

### **By Post:**

VMS Consultation  
Tim Croucher  
Marine & Fisheries Division  
Welsh Government  
Sarn Mynach  
Llandudno Junction  
Conwy  
Wales  
LL31 9RZ

## Further information and related documents

**Large print, Braille and alternative language versions of this document are available on request.**

**Contact details**

For further information:

Tim Croucher

Address:

Marine & Fisheries Division

Welsh Government

Sarn Mynach

Llandudno Junction

Conwy

Wales

LL31 9RZ

email:

[tim.croucher@gov.wales](mailto:tim.croucher@gov.wales)

telephone:

03000258757

## General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

## Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data holds about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ

e-mail:

[Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745 or  
0303 123 1113

Website: <https://ico.org.uk/>

## **What is the reason for this consultation?**

The purpose of this public consultation is to seek views on the proposed introduction of legislation to make it a statutory requirement to have a functioning Vessel Monitoring Systems (VMS) on all licensed British fishing boats under 12 metres in length operating in Welsh waters and all Welsh fishing boats wherever they are operating (including outside of Welsh waters). The reason for this is that we recognise there is more we can do to improve data gathering. By implementing the roll out of a vessel monitoring system we will collect high quality information for use by both the industry and Government to ensure a sustainable and prosperous fishing industry in Wales.

The consultation will be of particular interest to owners and operators of British fishing boats under 12 metres in length which operate in Welsh waters and all Welsh fishing boats under 12 metres in length. In practice this means Scottish, English and Northern Irish boats fishing in Welsh waters as well as those of the Crown Dependencies. For the purposes of this proposal Welsh waters means the Welsh Zone<sup>1</sup>.

## **What is VMS?**

VMS records the location, speed and heading of a vessel using a secure tamper resistant system. It sends this information at set intervals to an established national centre. Where there is no signal to transmit the reports VMS units store reports and transmit when in range.

## **Where are we now?**

Since 2012, it has been a statutory requirement for all European fishing vessels over 12m in length to have a functioning VMS system on board (Council Regulation (EC) No 1224/2009). These systems are widely used as a monitoring and management tool. In 2012 legislation was also introduced requiring fishing boats operating in the Welsh scallop fishery to use VMS (Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012 (SI 2012/2729 (W.292)).

## **What are we proposing to do?**

We are proposing that an approach similar to the VMS that already exist for 12 metres and over vessels, should also be applied to under 12 metre vessels. The under 12 metre VMS solution will differ from existing VMS solutions for the over 12 metre fleet because it will use a cheaper method to transmit data rather than satellite technology. The initial cost and installation of the VMS unit would be funded by the Welsh Government using the European Maritime and Fisheries Fund (EMFF). Devices would have at least a three year warranty and we would seek to cover the transmission costs for at least the first year. As a result, the cost to industry would be limited to future reporting costs and repair and replacement outside of the warranty cover. There may also be an option of purchasing an extended warranty once the initial warranty has expired.

Prior to this public consultation, the Welsh Government held a series of workshops on the proposals throughout Wales. All owners of licensed fishing vessels registered in Wales were invited to the workshops where the proposals were presented and industry was given the opportunity to feedback.

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<sup>1</sup> The Welsh Zone is the area of sea adjacent to Wales as defined by the Welsh Zone (Boundaries and Transfer of Functions) Order 2010.

Defra have also consulted on similar proposals in relation to England and the English fishing fleet.

### **Why do we need to introduce VMS for the under 12 metre fleet?**

Of the 408 licensed Welsh fishing vessels, only eleven are over 12m and are currently being tracked using VMS as per EU legislation requirements. We are seeking to bring the requirements for the under 12 metre fleet into alignment with those for the larger fleet to provide a fuller picture of where fishing is taking place. The Welsh Government is also assessing catch reporting system options for the under 10 metre fleet which will provide information on what is being caught. This type of system combined with VMS would give a more complete picture of current fishing levels in Wales and will assist with ascertaining whether they are sustainable. We need to create sustainable fisheries for the future through more effective enforcement and informed management.

### **What are the Industry benefits of introducing VMS ?**

The introduction of VMS for under 12metre vessels operating in Wales will provide the following benefits for industry:

- Enable fishermen to demonstrate evidence of fishing activity which can be used to respond to proposed developments in the marine environment that may have an impact their business
- The tracking functionality could assist with recovery and swifter payment of insurance claims in case of loss or damage of vessel at sea.
- The provision of additional safety features aimed to provide protection for single handed fishers.

## **Consultation Response Form**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

### **Consultation questions**

**Question 1:** Do you agree with the proposal that VMS is needed on under 12m vessels? Yes / No / Unsure, please provide comments below in support of your view.

**Question 2:** What alternative approaches could be taken to achieve the same aim?

**Question 3:** What are your views on the costs and benefits as set out in the draft Regulatory Impact Assessment, do you agree with them? Yes / No, please provide comments below in support of your view.

**Question 4:** Do you agree with the analysis of the costs and benefits as set out in the draft Regulatory Impact Assessment - Yes / No, please provide comments below in support of your view.

**Question 5:** Are there any costs or benefits that have not been identified in the draft Regulatory Impact Assessment. What evidence do you have to support this?

**Question 6:** We recognise that the introduction of this new technology onto vessels provides an opportunity to deliver some additional benefits to industry outside the scope of our proposals. We would welcome your suggestions for any additional safety or vessel management features (eg – man over board, bilge alarms etc) which may be able to be incorporated onto any systems that are developed?

**Question 7:** We would like to know your views on the effects that the introduction of VMS would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

**Question 8:** Please also explain how you believe the Welsh vessel monitoring system could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

**Question 9:** We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

## **Next Steps**

The consultation period closes on the 3 May 2019. We will produce a summary of responses to this consultation and use its findings to develop the VMS and associated policies

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: