



Llywodraeth Cymru
Welsh Government

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Marine, Fisheries and
Biodiversity Division
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Briefing on the Suitability of Maritime Systems devices to comply with Welsh Vessel Monitoring (iVMS) Regulations for under 12m vessels.

Background

1. In February 2022 you introduced the Sea Fishing Operations (Monitoring Devices) (Wales) Order 2022 which prohibits licensed under-12 metre fishing boats from undertaking fishing operations in the Welsh zone unless the vessel has an operating vessel monitoring system (VMS). This system transmits the geographical position, date, time, speed and course of the vessel to Welsh Government, at least once every 10 minutes while undertaking fishing operations. (MA/LG/014622 refers).
2. As part of the implementation of this requirement, a free VMS device was offered to all Welsh registered under 12m licensed fishing vessels. These devices were procured from a single supplier, Applied Satellite Technology (AST).
3. The costs of Vessel Monitoring for under 12 metre vessels in Wales including the cost of setting up the system, purchasing VMS devices for the Welsh under 12 metre fishing fleet and providing a 3-year warranty with each device was funded jointly through the EU Transitions Fund and the European Maritime and Fisheries Fund (EMFF).
4. Any fisher who joined the Welsh fleet after the Coming into Force date of the legislation, or any Welsh fisher who chose not to accept the free AST iVMS device offered by Welsh Government, was required to purchase a suitable iVMS device from AST or another supplier at their own cost.
5. Any iVMS device used to comply with the 2022 Order must provide the following information to Welsh Government at least once in every 10 minutes:

- The most recent geographical position of that boat using coordinates of latitude and longitude on the World Geodetic System 1984, with a position error of less than 10 metres.
 - The date and time expressed in Co-ordinated Universal Time of any geographical position of that boat.
 - The speed and course of that boat at that time.
6. The 2022 Order sets out that if the monitoring device on board the fishing boat becomes incapable of transmitting the required information, the person in charge, must ensure the fishing boat does not undertake any further fishing operations until the monitoring device is capable of transmitting the relevant information and notice of that fact has been given the Welsh Ministers.

Issue

7. The Marine Management Organisation (MMO) has been working to introduce similar iVMS regulations for English Waters. The MMO chose to use a 'Type Approval' approach rather than a single supplier procurement. In November 2021, MMO approved four devices for use in English Waters, considering them all to meet the technical specifications, for the reporting of location, heading and speed by under 12 metre fishing vessels.
8. Between December 2021 and November 2022 type approved devices were rolled out to English Fishers. Each fisher chose which device to purchase and install and was able to reclaim up to £650 of the cost from an English grant funding scheme financed through European Maritime & Fisheries Fund (EMFF).
9. In November 2022 MMO received feedback to suggest that some of their Type Approved devices may not be compliant with their Type Approval specification. In response, MMO undertook an independent testing process to provide additional assurance. The iVMS devices were tested on their performance, security, robustness and stability, both physically and from a signal standpoint. This assurance testing is due to conclude shortly and we understand from verbal communications with MMO staff that one of the four English iVMS suppliers, Maritime Systems, is likely to have their MMO Type Approval revoked due to issues identified with the device. Most notably, the tests for:
- REDACTED
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10. This information has been shared with us commercial in confidence.

Implications of Wales

11. The vast majority of Welsh registered fishers are using the AST iVMS devices supplied by Welsh Government to comply with the 2022 Order. However, there are a small number of vessels that have a Maritime Systems Device. Officials are aware of REDACTED fishing vessels that solely have a Maritime

Systems Device onboard, either because they have handed back their AST device or they never owned one. There are REDACTED vessels that are understood to have both an AST and a Maritime systems iVMS device onboard, and there are a further REDACTED Maritime Systems devices that can be seen on land in Wales on the VMS tracking system, which are not yet associated with a vessel. In total there are REDACTED Maritime Systems devices in Wales that officials are aware of.

12. It is understood that Maritime Systems very actively marketed themselves in Wales to win business and in some cases provided the iVMS device for free. Welsh Government officials do not have details of the costs incurred by these fishers as the purchase was a commercial decision by the fisher directly with the iVMS supplier with no input or financial support from Welsh Government. Maritime Systems currently markets the devices on their website for £399 + vat.

13. The requirement to purchase a 'Type Approved' device only applies to English fishers, however the results of the testing have implications for Welsh fishers that own a Maritime Systems device. It is our interpretation REDACTED. Undertaking fishing operations without submitting the required information is an offence.

Action

14. When MMO announce that the Maritime Systems device had failed their testing and Type Approval is revoked, officials will issue comms (letter/email) to all Welsh registered under 12m fishers. This will notify them that the device does not meet the requirements of the Welsh iVMS Order and is not suitable for use by Welsh fishing vessels or by any vessel fishing in the Welsh Zone. Messaging will also be updated on the iVMS pages of the Welsh Government website, the comms team will be informed and UK and Crown Dependency Fishing Authorities will be notified of the decision.

15. Any fisher that is currently relying on a Maritime Systems iVMS device to comply with the 2022 Order will be required to purchase a new iVMS device at their own cost to undertake further fishing operations. This could be purchased from AST or another iVMS device supplier. Welsh Government will not provide any financial support to affected fishers as free AST iVMS devices were offered to all Welsh fishers prior to the legislation coming into force.

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