

Consultation on the introduction of Inshore Vessel Monitoring Systems (iVMS) for all licensed vessels under 12 m overall length operating in the Isle of Man territorial sea

The Department is seeking your views on the introduction of Inshore Vessel Monitoring Systems ('iVMS') for fishing vessels under 12 metres in length licenced to operate in Manx waters.

Overview

This consultation seeks to gain public and sectoral views on the proposal to align with English iVMS requirement for under 12 metre vessels operating in Manx waters (irrespective of administrative nationality). The Department proposes to make this a legislative requirement by means of a statutory instrument, with potential temporary exemptions for vessels under 6 m overall length.

This consultation seeks to understand any potential business impacts of introducing iVMS to under 12m vessels, as well as any applications of the spatial data that may be seen as a benefit to the fisheries sector and marine conservation. The Department previously consulted on proposals to introduce iVMS in 2019, which received broad support providing that the costs were partially met by the Department in respect of Isle of Man registered vessels.

Under 12 m vessels that are allocated authorisations to fish for king scallop and queen scallop are already subject to Vessel Monitoring System (VMS) requirements. These vessels shall also be subject to the new provisions; however the 'airtime' (operating) costs are substantially lower than the existing VMS systems.

Spatial data, when captured at an appropriate resolution, is considered to be essential for effective fisheries management and marine conservation. Spatial data is subject to GDPR and Data Protection laws, as well as being subject to careful considerations around issues of commercial sensitivity.

This consultation will run for a period of six weeks from Tuesday 01st March 2022 to Monday 11th April 2022.

You can respond to the consultation by email to: fisheries@gov.im; or by using the link here to the Consultation Hub; or by post to:

iVMS CONSULTATION

DEFA Fisheries Division
The Slieau Whallian,
Foxdale Rd,
St John's IM4 3AS

Responses must be submitted or received no later than 1700 on Monday 11th April 2022.

If you have any enquiries, or wish to receive hard copies of the consultation documents, please contact us by using the details shown above.

We will summarise all responses and place this summary on our Consultation Hub website. This summary will include a list of the names of organisations that responded, except where anonymity was explicitly requested. It will not list personal names, addresses or other contact details (for either organisational or individual responses).

Introduction

The purpose of this public consultation is to seek views on the proposed introduction of legislation to make it a statutory requirement to install Inshore Vessel Monitoring Systems (iVMS) for all licensed vessels under 12 metres in length operating in Manx waters. The reason for this is that we recognise there is more we can do to improve data gathering to create sustainable fisheries for the future through more effective enforcement and informed management.

The consultation will be of particular interest to owners and operators of fishing vessels under 12 metres in length operating in Manx waters. In practice this means that, in addition to Manx registered vessels, UK registered vessels fishing in Manx waters will be subject to the under 12 m iVMS requirements, as well as vessels registered in the other Crown Dependencies, and the European Union.

What is iVMS and what is the Department proposing?

iVMS devices record the location, speed and heading of a vessel using a secure tamper resistant system. It sends this information to an established UK national centre using mobile telephone technology.

Vessel monitoring systems using satellite technology have been used by all European fishing vessels over 15 metres in length since 2003. In 2013, a vessel monitoring system using satellite and mobile phone options was introduced in the UK and Isle of Man for vessels of 12 metres and over in length; however, under-15 m vessels engaged in the Islands scallop fishery had been subject to a requirement for a VMS transponder since 2006. These systems are widely used as a monitoring and management tool.

In 2021, the UK Marine Management Organisation ('MMO') undertook a type-approval procurement exercise, which can be read in detail here: <https://www.gov.uk/guidance/i-vms-type-approval-programme>. The type-approval programme resulted in four iVMS units being approved for installation, and the UK Government Department for Environment, Food and Rural Affairs ('Defra') and MMO has set out a schedule to install these devices across the English registered fleet, offering support of up to £650 per vessel. UK Defra intend to introduce a statutory instrument to make iVMS a legal requirement in English waters in late-2022. The statutory provisions expected, but still subject to confirmation, in English waters are likely to include:

- Reporting at a minimum of 3 minute intervals across all of English waters, via mobile network.
- All English vessels must obtain a device that has been Type Approved by MMO, non-English vessels (including Isle of Man) can use any device so long as it meets basic reporting requirements and technical specifications:
- Spatial reporting error of less than 10 metres and a confidence interval of 95%.
- Devices are fixed to vessels.*

*Defra are considering an exemption for smaller vessels (under 6 m) without lockable wheelhouses; however this is unconfirmed.

Similarly, the Welsh Government has introduced a statutory requirement for vessels under 12 m operating in Welsh waters through the Sea Fishing Operations (Monitoring Devices) (Wales) Order 2022. It is expected that Marine Scotland and the Department of Agriculture, Environment, and Rural Affairs (Northern Ireland) may also launch consultations on introducing similar requirements in their respective jurisdictions.

The Department is proposing to introduce the same, or similar requirements to those being introduced later this year in England. The Department is also considering allowing temporary exemptions to be established for very small vessels (under 6 m overall length without a cabin), in consideration of the technical and operational challenges associated with carrying and maintaining electronic equipment on such vessels. The temporary exemptions are proposed to be put in place for those vessels on the current licence-list (i.e. all new vessels must be capable of carrying iVMS equipment), and shall

terminate when the ownership of the vessel transfers to a different person, i.e. the exemptions shall be phased-out.

What is iVMS and what is the Department proposing?

Of the 173 vessels licensed to fishing in Manx waters, 138 are currently being tracked using VMS as per Manx legislation requirements. These vessels are 12 metres or over in length, or under-12 m vessels fishing for king scallops and queen scallops. These vessels tend to operate mobile-gear and have greater fishing capacity, and catch a significant proportion of fish and shellfish in Manx waters, hence they were prioritised for VMS on a risk-based approach.

We would like to extend the requirements for spatial data to the entirety of the under 12 metre fleet, and align with those requirement being introduced in English waters. Of the 35 vessels without VMS, 29 are Manx registered vessels, and 6 are registered in the UK. The extension of spatial data requirements to this sector of the fleet comes as a result of a need to increase the quality of spatial data relating to fishing in the territorial sea. Better quality spatial data will help the Department, its independent Fisheries Science contractors, and the fishing industry themselves develop evidence-based solutions to emerging challenges and issues, which need to be addressed to develop effective sustainable fisheries management. iVMS is also expected to provide benefits to the fishing industry, including but not limited to:

- Utilise finer scale management to assist in maximising fishing opportunities, such as zoned management within Marine Protected Areas (MPAs), and create a more responsive management system.
- Provide consumers with improved information of catch locations which may improve consumer confidence when purchasing local fish.
- There may also safety at sea implications, and the tracking functionality may assist with recovery and swifter payment of insurance claims in case of loss or damage of vessel at sea.
- Prove that we are taking appropriate steps to fish more sustainably and as a result the industry is able to market it as such.
- Enable the data captured to be used by fishermen to develop their business plans.
- Enable fishermen to demonstrate they have a track record in catching a certain species of fish e.g. in areas that may be of interest to other marine users, such as offshore energy developers.
- Provide fishermen with data with which they can engage in consultations on Offshore Windfarms, Marine Nature Reserves / Marine Protected Areas / Closed Areas, and marine infrastructure developments which have been increasing over the last decade impacting on inshore fishing fleets.
- Achieve a culture of compliance within the fishing industry.

Management benefits include:

- Assisting in the management of Marine Nature Reserves;
- Providing valuable data that will assist in making future policy, regulation and enforcement decisions more effective and proportionate; and
- Delivering intelligence to improve risk based and targeted inspections.

Who will be affected by the changes?

The statutory provisions will apply to all fishing vessels under 12 m overall length operating in the Isle of Man territorial sea.

How and when are we going to make these changes?

We propose to introduce a Statutory Instrument that will make it a requirement for all licensed fishing vessels under 12m operating in Manx waters to have an iVMS device installed. To help manage the process, we are planning to make a device available for Isle of Man registered vessels, which shall include two years operating costs 'airtime'; however, the installation costs shall need to be met by the vessel owner. Airtime is estimated to cost £120 per year thereafter.

Following trials on the FPV Barrule, the Department has selected the Succorfish SC2 GEN-2 iVMS device as the preferred option, which is the device that shall be offered to Isle of Man registered vessels. Vessel owners may opt to purchase and install a different device from the MMO type-approved list, should they wish, in order to meet the statutory requirement. UK and EU registered vessels are responsible for meeting the statutory requirements without assistance from Isle of Man Government.

The Department proposes to introduce the statutory provisions at a similar time to Defra (Q4 of 2022), in order to ensure coherence; however, the Department has the flexibility to introduce the provisions at any time and is interested to hear stakeholder views on this.

Consultation Questions

1. Do you agree with the proposal that iVMS is needed on under 12m vessels?

2. Do you agree that a temporary exemption should be included for vessels under-6 m overall length?

3. Do you agree that such an exemption (2) should be subject to a phase-out policy, i.e. non-transferable?

4. Do you agree that the iVMS statutory provisions should align with the requirements being introduced in English waters?

5. What alternative approaches could be taken to achieve the same aim?

6. What are your views on the operating costs, and the impact on businesses?

What are your views on the potential benefits of iVMS?

When should the statutory provisions be scheduled for introduction?

Do you have any other comments in relation to this proposal?