

Consultation on requirement for vessel monitoring systems on under 12 metre fishing vessels

Departmental response



Department of
**Agriculture, Environment
and Rural Affairs**

An Róinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

***Sustainability** at the heart of a
living, working, active landscape
valued by everyone.*

Contents

Part 1	Executive Summary	2
Part 2	Introduction	3
•	What is IVMS?	4
•	IVMS developments elsewhere	6
•	Marine Protected Areas and Scallop Enhancement Sites	8
Part 3	Responses and Confidentiality	9
Part 4	Synopsis of responses to the consultation	10
Part 5	Departmental Response	14

Part 1 Executive Summary

1. In March 2022, the Department of Agriculture, Environment and Rural Affairs (DAERA) held a public consultation on proposals for all registered fishing vessels under 12 metres in length, licensed to fish and operating in Northern Ireland waters, to have installed and operational, an inshore vessel monitoring system (IVMS). The proposal also applied to Northern Ireland registered under 12 metre fishing vessels wherever they fish.
2. The consultation was hosted on NI Direct Citizen Space, the Government's online consultation platform and the link to the consultation was shared with the fishing vessel owners/skippers in the Northern Ireland fleet. Details of the consultation were shared with key industry stakeholders on DAERA's Inshore Fisheries Partnership Group (IFPG) which are representative of the inshore fisheries stakeholders in Northern Ireland.
3. The consultation also sought views on the type of product the skippers/owners of under 12 metre vessels would prefer to have installed on their vessel. The options under consideration were a range of IVMS products (such as in England) or a bespoke IVMS product (such as in Wales).
4. A number of local meetings were arranged in ports in Northern Ireland to discuss this proposal with representatives of the inshore fishing sectors and individual fishers.
5. This paper analyses the consultation responses and sets out DAERA's position going forward in regard to this policy proposal.
6. In summary, DAERA intends to make it a requirement for all fishing vessels under 12 metres fishing in Northern Ireland waters (and for Northern Ireland

fishing vessels wherever they fish) to have IVMS operating when conducting fishing operations.

7. This requirement will be consistent with IVMS policies in the other UK fisheries administrations and the Isle of Man, and recently introduced IVMS requirements in the European Union.
8. The intent is for a package of financial support for IVMS to be available for existing vessels in the Northern Ireland fleet through a future DAERA financial assistance scheme for marine and fisheries.
9. The intention is for the IVMS requirement to be phased in, with adequate time taken to facilitate the installation and testing of devices on approximately 170 vessels in the Northern Ireland under 12 metre fleet, before subordinate legislation comes into effect to prohibit fishing unless IVMS is operating.

Part 2 Introduction

1. The United Kingdom is an independent coastal state and its fisheries administrations (including DAERA) can determine its fisheries management strategies to support a sustainable and profitable industry for future generations while conserving its vital marine environment.
2. The purpose of this consultation was to seek views on a proposal for all vessels under 12 metres in length that are licensed to fish and are operating in the Northern Ireland zone (and to Northern Ireland registered vessels operating outside of this zone) to have installed and operational a vessel monitoring system (IVMS)¹ when conducting fishing operations.
3. The majority of the Northern Ireland fishing fleet is made up of vessels which are less than or equal to 12 metres in length. Unlike the over 12 metre fleet which is regulated through assimilated EU regulations, the under 12 metre fleet is not currently required to have a vessel monitoring system operating when conducting fishing activities.
4. As a consequence, there is a significant evidence gap in terms of the spatial and positional data for the majority of the inshore fleet.
5. The Fisheries Act 2020 provides a framework for the UK fisheries administrations to manage its fisheries as an independent coastal state. This Act commits the UK to preparing fisheries management plans (FMP) which will deliver sustainable fisheries for current and future generations.
6. DAERA is committed to preparing an inshore FMP for Northern Ireland for its key commercial shellfish stocks and in doing so IVMS will be a key instrument

¹ IVMS – Inshore Vessel Monitoring System – most of the under 12 metre vessels will be fishing in the inshore area.

in addressing the evidence gaps that exist, and assist DAERA in collaboration with the fishing sector and other stakeholders deliver on that commitment.

What is IVMS

7. The Inshore Vessel Monitoring System (IVMS) devices are similar to the VMS tracking devices used by fishing vessels of 12 metres and greater. IVMS devices monitor inshore fishing activity by under 12 metre vessels, to help improve the management and sustainability of our marine environment, ensure proper fishing practices and prevent illegal fishing to help protect and enhance the livelihoods of fishers.
8. Using GPRS mobile phone signals, IVMS devices provide positional information (such as latitude and longitude, course, speed and date and time of each positional report) which is sent to the UK VMS Hub. When a device is located outside GPRS range, the device will continue to store the positional information and submit the data once GPRS coverage next becomes available. This is different to the VMS devices used by larger vessels, which transmit data via satellite and can become expensive.
9. The IVMS proposal would address the lack of data for the inshore fleet and good quality IVMS data would support evidence based fisheries management policy decisions for Northern Ireland's inshore fisheries. The data from IVMS systems when linked to other sources, such as landing information will allow DAERA to better manage fishing effort, fishing restrictions and permits, and evidence track records and activities which will in time allow for stronger evidence to be presented to support fisheries and potentially reduce or refine regulation.
10. IVMS is a tool that will enable a better understanding of scale, location and seasonality of fishing activity. This additional information will assist DAERA's understanding of fishing and will allow DAERA to respond more swiftly to any

emerging issues. It will also enable DAERA to better target its risk-based, intelligence-led visits and inspections. In time, it may enable steps towards self-regulation for fishers who demonstrate a consistently high level of compliance.

11. Data about the location, scale and seasonality of fishing effort from the majority of Northern Ireland fishers will be beneficial to the inshore fishers in Northern Ireland by providing information and evidence that they can use when presenting their case for example, in planning consents for marine development, fisheries management or resolution of gear conflict with other marine users.
12. The monitoring of IVMS could increase safety for smaller vessel operators as it could provide timely and accurate detail to inform search and rescue efforts if necessary. It will enable more precise delineation between fishing grounds and protected areas meaning a better balance between keeping fishing grounds open and protecting sensitive marine habitats and species. It will also enable improved control of all non-Northern Ireland vessels in Northern Ireland waters as the current requirement is only for over 12 metre vessels to have a vessel monitoring device operating.

IVMS developments elsewhere

13. The requirement for IVMS on fishing vessels less than or equal to 12 metres has gained significant momentum in the United Kingdom and elsewhere in recent years.
14. In Wales, where over 90% of its fleet are less than 12 metres, the Sea Fishing Operations (Monitoring Devices) (Wales) Order 2022 came into force in February 2022. This required all fishing vessels under 12 metres in length regardless of their country of registration to have an IVMS when operating in Welsh waters.

15. The Welsh Government provided financial assistance for Welsh registered vessels to assist with the implementation of the new requirements. This assistance included the cost and installation of the device including a 3 year warranty and data charges for the first year. Three types of the one IVMS device (fixed, solar or rechargeable) were offered to suit the range of vessels in the Welsh under 12 metre fleet.
16. Following a consultation in 2018, the Department of Environment, Food and Rural Affairs (DEFRA) and the Marine Management Organisation (MMO) announced plans to introduce an IVMS requirement for the under 12 metre fishing fleet in England.
17. The many vessel owners in the English under 12 metre fleet were eligible to apply for assistance to purchase one of two “type-approved” devices. Over the past 18 months, the MMO have been phasing in the installation and testing of the IVMS devices for the English fleet. The installation and testing phase of the IVMS programme in England is due to conclude shortly and DEFRA is finalising the draft Statutory Instrument to give effect to this IVMS requirement. This is due to come into force later in 2024.
18. In August 2023, Marine Scotland opened a consultation on the requirement for its under 12 metre fleet to have IVMS and is now currently considering its options. The Bute House Agreement between the Scottish Government and the Scottish Green Party Parliamentary Group committed to extending tracking requirement to under 12 metre Scottish vessels within this current parliamentary session in Scotland.
19. Elsewhere, in the Isle of Man the Manx Government introduced legislation which came into operation in April 2023 which required all of its under 12 metre

vessels and all other under 12 metre vessels (including a number of Northern Ireland registered vessels who have Manx fishing licences) to have IVMS operational when conducting fishing activities in Isle of Man waters.

20. As a member State of the European Union, the Republic of Ireland remains part of the Common Fisheries Policy and must comply with the fisheries control legislation that applies across the bloc. Until recently EU legislation provided that vessels in the over 12 metre fleet must have vessel monitoring systems operating when fishing.
21. However, new rules for a reinforced fisheries control system in the EU came into force on 9 January 2024. The revised EU fisheries control regulation updates most of the rules for controlling fishing vessels to bring them in line with technological developments and make EU fishing more sustainable. The new rules provide that all under 12 metre vessels across its member States must have IVMS. Transitional provisions allow for the necessary time for the fishing authorities across all of the EU's member States to adapt the new IVMS requirements.

Marine Protected Areas and Scallop Enhancement Sites

22. From 30 November 2020 to 31 March 2021 DAERA consulted on the proposed development of fisheries management measures for marine protected areas and the establishment of scallop enhancement sites in the Northern Ireland inshore region. That consultation also sought opinion on the requirement for IVMS for vessels operating in the protected areas. DAERA's response to that consultation acknowledged that further consultation would be required.
23. From January 2023, legislation came into operation which prohibited fishing using demersal mobile gear in the marine protected areas within the Northern

Ireland inshore zone. At the same time legislation prohibited fishing using demersal mobile gear in four new scallop enhancement sites.

24. Fishing vessels under 12 metres in length who might operate within the boundaries of the existing marine protected sites and the scallop enhancement sites are not currently required to have IVMS. The Northern Ireland Scallop Association has called for IVMS to assist with the monitoring of the four scallop enhancement sites.

Part 3 Responses and Confidentiality

1. DAERA received **31** responses to this consultation.
2. Organisations who responded to the consultation were:
 - Anglo North Irish Fish Producers' Organisation/Sea Source;
 - Emerald Mussels Ltd
 - Dougolds Mussels Ltd
 - North Coast Shellfish Fishermen's Association
 - Northern Ireland Fish Producers' Organisation (NIFPO)
 - North East Lobster Co-operative
 - Royal Society for the Protection of Birds (Northern Ireland).
3. The remaining responses were received from named individuals or in respect of individual fishing vessels.
4. Any information provided in response to the consultation, including personal information, may be subject to publication or disclosure in accordance with access to information legislation (primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).
5. Under the General Data Protection Regulations, for those responses that contained personal information, such as individual's names, addresses and email addresses, DAERA will only share information where it is necessary for DAERA to carry out lawful business activities and only then with the person's approval to do so.

Part 4 Synopsis of responses to the consultation

1. The consultation asked if there was support for the IVMS proposal. There were **31** responses.

Option	Total	%
Yes	13	41.94%
No	18	58.06%

2. Of those 13 responses received which were in favour of the proposal, the main comments were that it would provide safety for both the boat and skipper/crew and that it would help to inform better fisheries management policy decisions going forward.
3. It is important to note the responses from organisations, which represent most of the commercial fishing fleet, which supported the proposal. These included the Anglo-North Irish Fish Producers Organisation (ANIFPO), the Northern Ireland Fish Producers’ Organisation (NIFPO), North-East Lobster Co-operative (NELCO) and the North Coast Lobster Fishermen’s Association (NCLFA). This weighted support should be taken in the context of those responses who didn’t support the proposals, which were from some individual fishers.
4. Aside from some responses questioning the need at all for IVMS on the under 12 metre fleet, other responses which were not supportive of the IVMS proposal raised issues in regard to cost, practicality and security.
5. In terms of cost, the responses sought clarification on whether financial support would be available from DAERA for the device, its installation and maintenance.

- 6. Some concerns were expressed around the installation of a sustainable power source for IVMS devices on the smaller open boats and the security arrangements in many of the smaller ports.
- 7. Another response suggested that the IVMS requirement should not be legally enforceable on the Northern Ireland fleet until after a trial has been conducted to check the reliability of the IVMS devices.
- 8. The consultation asked whether there was a preference for an IVMS product from a single supplier (as is the case in Wales) or a “type-approved” product which might offer vessel owners a number of options to choose from (as in England). There were 15 responses to this question.

Option	Total	%
Bespoke IVMS product	5	33%
Range of "type-approved"	10	67%

- 9. A majority of the responses stated a preference for the range of “type-approved” devices, with the main comments suggesting that each vessel should be able to source whichever IVMS product was best suited for that vessel.
- 10. Those responses which expressed a preference for a bespoke IVMS product suggested that if there was a fault with the product then you would only have one supplier to contact and this would simplify the process.

11. A number of responses suggested that the total cost of devices and airtime charges should be covered by the Department and that any IVMS system should be guaranteed to work in the shorter boats in the inshore fleet that do not have a wheelhouse. It was also suggested that upon installation, assistance and training should be given to vessel operators to familiarise them with the operation of the devices.
12. Similar issues in relation to data privacy and content, poor signals, and reliability of devices were raised during meetings with representatives of the fishing industry and individual fishers in a number of ports around Northern Ireland including Ardglass, Kilkeel, Portavogie, Rathlin Island and Portrush.
13. In regard to data privacy, the data will be accessible to DAERA. However, it may be shared, depending on circumstances, with other UK Fisheries Administrations in England, Scotland and Wales, AFBI, the National Maritime Information Centre and the Marine and Coastguard Agency. It will not be available to other fishers or the general public, as is the case for the Automatic Identification System (AIS) VMS for vessels greater than 12 metres.
14. The AIS is not considered a suitable fishery monitoring system for under 12 metre vessels. AIS was developed for a different purpose to IVMS and is intended, primarily, to allow ships to view and be seen by marine traffic in their area. AIS is an open-source system, which means all data is publicly accessible including the vessel's location, direction of travel and type of vessel.
15. The IVMS data will contain positional information. In all cases this will include the device identification number, date, time, latitude, longitude, speed and course. It will also report changes in events such as battery status, data stored etc. The data will transmit at regular intervals via GPRS.

16. There are areas of Northern Ireland waters where GPRS coverage may be poor and will impact the sending of a signal and recording of a vessel's location in real time. However, IVMS devices will be capable of storing a cache of data and then transmitting the stored information once the vessel returns to an area with a stronger GPRS signal.

Part 5 Departmental Response

1. In summary, DAERA intends to make it a requirement for all fishing vessels under 12 metres fishing in Northern Ireland waters (and for Northern Ireland fishing vessels wherever they fish) to have IVMS operating when conducting fishing operations.
2. Notwithstanding that any under 12 metre fishing vessel fishing within UK waters outside the Northern Ireland zone will be required to have IVMS, this IVMS policy for Northern Ireland is (and will be) be consistent with IVMS policies in the other UK fisheries administrations and the Isle of Man, and indeed the IVMS regulations recently in force in the European Union.
3. The intention is for the IVMS requirement to be phased in, with adequate time taken to engage further and work with industry stakeholders in order to source the most suitable IVMS devices that will meet the specific needs of the range of inshore vessel types within the Northern Ireland fishing fleet, and to facilitate the installation and testing of devices on approximately 170 vessels in the Northern Ireland under 12 metre fleet.
4. Upon completion of the installation and testing phases, DAERA will bring forward subordinate legislation to give effect to the prohibitions for fishing without IVMS in Northern Ireland waters.
5. DAERA is currently developing its new scheme of financial assistance for marine and fisheries under powers in Schedule 6 to the Fisheries Act 2020. The intent would be for a package of financial support for IVMS devices, to be included in this financial assistance, and to be developed and made available for existing vessels in the Northern Ireland fleet.

For further information:

Sea Fisheries Policy and Grants Branch
Rathkeltair House
Market Street
Downpatrick
Co. Down
BT30 6LZ

Tel: 028 44618111



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

INVESTORS IN PEOPLE®
We invest in people Standard