

1. Privacy Notice: Inshore Vessel Monitoring System

The [MMO Personal Information Charter](#) is available to view.

This privacy notice sets out how we will process your personal data in compliance with data protection requirements.

Inshore Vessel Monitoring System (I-VMS) is a tool that will help gather more information on the activity of the inshore fleet. I-VMS will become a legal requirement on all under-12m fishing vessels that operate in English waters and is expected to come into force in late 2022.

I-VMS sends positional data - Latitude, Longitude, Course and Speed every 3 minutes to the UK VMS Hub. The system is jointly managed by UK Fisheries Administrations. We will process I-VMS data for a range of purposes including but not limited to providing a more complete picture of all fishing in English waters, to support decisions and assessments around activity in bylaw areas, compliance activities, law enforcement, statistical and scientific analysis.

2. Who is collecting the data?

The data controller are: Marine Management Organisation (MMO)

You can contact the MMO Data Protection Manager at:

Data Protection Manager,
Marine Management Organisation,
Lancaster House,
Hampshire Court,
Monarch Road,
Newcastle upon Tyne, NE4 7YH

Email: dataprotection@marinemanagement.org.uk

Any questions about how we are using your personal data and your associated rights should be sent to the above contact.

The contact details for the data controller's Data Protection Officer (DPO) are:

DPO
Defra
Department for the Environment, Food and Rural Affairs
2 Marsham Street
London
SW1P 4DF

Email: DefraGroupDataProtectionOfficer@defra.gov.uk

3. Purpose of the processing and the legal basis for the processing

Article 6(1)(e) of the GDPR - Public Task: the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller to gather fishing vessel positional data as stipulated in the Statutory Instrument - The Sea Fishing (Monitoring Devices Order).

Following the introduction of the statutory instrument the MMO will process I-VMS data for purposes including compliance with legal obligations, archiving purposes, scientific or historical research purposes or statistical purposes. MMO generates yearly statistics providing a broad picture of the UK fishing industry and its operations. This publication includes data on the structure, activity and landings of the UK fleet alongside additional information on overseas trade, exploitation of stocks and the world fishing industry.

Furthermore, where such data relates to the possibility of a criminal offence, this data is further processed under Part 3 of the Data Protection Act 2018 ("The Act") which states that competent authorities may process personal data for law enforcement purposes, as defined under Section 31 of the Act.

Section 31 of the Act defines law enforcement purposes as "the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against, and the prevention of threats to public security".

The Marine Management Organisation is a competent authority as referred to in Part 3 of the Act where its statutory functions are set out in the Marine & Coastal Access Act 2009, the Fisheries Act 2020 and associated legislation as referred to in those Acts.

3.1 Data Collected:

- Fishing vessel positional data

4. How the data will be used:

4.1 Fishing vessel positional data

I-VMS sends positional data - Latitude, Longitude, Course and Speed every 3 minutes to the UK VMS Hub. The system is jointly managed by UK Fisheries Administrations (UKFAs) consisting of:

- Marine Management Organisation (MMO)
- Marine Scotland
- Department of Agriculture, Environment and Rural Affairs (Northern Ireland)
- Department of Environment, Food and Agriculture (Isle of Man)
- Welsh Government

MMO are sharing the I-VMS data with IFCAs via a data sharing agreement.

Inshore Vessel Monitoring System (I-VMS) is a tool that will help gather more information on the activity of the inshore fleet and will support the aim of sustainable exploitation of UK commercial activities. Examples of how the I-VMS data will be processed include but are not limited to:

- Accurate spatial and temporal information on fishing effort to provide an evidence base for a responsive and effective fisheries management regime;
- Finer scale management to assist in maximising fishing opportunities, such as zoned management within Marine Protected Areas (MPAs);
- Accurate information of catch locations which may improve consumer confidence when purchasing local fish;
- Information on important fishing grounds which will inform future planning and development proposals;
- Enable fishermen to demonstrate track record; and
- Ability to prove that the UK is taking appropriate steps to fish more sustainably and as a result the industry can market it as such.
- To monitor fishing vessel activity in relation to adherence to fishery legislation and licence conditions, including spatial restrictions

5. How the data will be stored:

5.1 Fishing vessel positional data

Your positional data is transmitted from the device to the supplier and subsequently forwarded to UK VMS Hub via secure transmission channel. It is then stored in a government secure database accessible only by official personnel.

6. The Legal basis for processing this data is:

6.1 Fishing vessel positional data

Article 6(1)(e) of the GDPR - Public Task: the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller to gather fishing vessel positional data as stipulated in the Statutory Instrument - The Sea Fishing (Monitoring Devices Order)

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7. Any recipient or categories of recipients of the personal data [Who will my data be shared with?]

The MMO may share I-VMS data with other partners, such as departments and agencies where this is necessary to perform a task in the public interest or official functions, this could be where there is a clear basis in law or where for example sharing helps fulfil MMOs functions or those of another government Department such as Defra.

As regulators, the MMO follow the Regulators Code. The Code was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ("the Act"). As a regulator whose functions are specified by order under section 24(2) of the Act the MMO will have regard to the code when undertaking activities such as:

- Developing policies and operational procedures that guide our regulatory activities
- Setting standards or giving guidance which will guide regulatory activities of other regulators
- Requesting and sharing information including about compliance and risk from those we regulate – following the principle of "collect once, use many times"
- Where the law allows agreeing secure mechanisms to share information with other regulators about businesses and other bodies we regulate, to help target resources and activities and minimise duplications

Under Freedom of Information Act, your positional data may be published or disclosed in an anonymous and/or aggregated form, to other organisations, bodies or persons for the purpose of scientific research, stock assessment or academia.

The MMO currently share your data with the following organisations. In future the MMO may share data with additional partners, such as departments and agencies.

- Defra
- Devolved Fishing Authorities
- Inshore Fisheries and Conservation Authorities (IFCAs):
- National Maritime Information Centre (NMIC) for the purpose of data gathering and analysis with other locational information such Automatic Identification System (AIS) data
- Maritime & Coastguard Agency (MCA) for the purpose of safety at sea, search & rescue activities and environmental protection.

In addition we will share your data upon request to other agencies for law enforcement purposes including but not limited to UK Police, HMRC, UKBF and MCA

9. Retention period or criteria used to determine the retention period [How long will my data be held for?]

Your personal data will be kept by us to inform activity of the inshore fleet and support the aim of sustainable exploitation of UK commercial activities. We shall hold and process personal data only for so long as is necessary for the fulfilment of the stated purpose or when legally required to do so. For example, as long as a vessel is in service as a fishing vessel we will retain records of current and previous owners in order to facilitate our work as a regulator. We review our policies regularly.

10. Whether the provision of personal data is part of a statutory or contractual requirement or obligation and possible consequences of failing to provide the personal data. [What will happen if I don't provide the data?]

Failure to provide your positional data during installation of I-VMS device may mean that you lose the opportunity to receive an EMFF funded device. Following the implementation of the Statutory Instrument - The Sea Fishing (Monitoring Devices Order) it will become a legal requirement for under 12 vessels operating in English waters to submit I-VMS data.

11. The existence of automated decision making, including profiling and information about how decisions are made, the significance and the consequences. [Will my data be used for automated decision-making or profiling?]

The information you provide is not connected with individual decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual). Your personal data will not be used in any automated decision making.

12. Details of transfers to third country and safeguards [Will my data be transferred outside of the EEA? If it will, how will it be protected?]

12.1 Fishing vessel positional data

Your data will not be transferred outside of the EEA.

12.2 Contact Details

Your contact details will not be transferred outside of the EEA.

13. The existence of each of data subject's rights. [What are my rights?]

The UK GDPR provides rights for individual. These rights vary under the basis for processing. The MMO are processing I-VMS data:

Article 6(1)(e) of the GDPR - Public Task: the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller to gather fishing vessel positional data as stipulated in the Statutory Instrument - The Sea Fishing (Monitoring Devices Order).

Where such data relates to the possibility of a criminal offence, this data is further processed under Part 3 of the Data Protection Act 2018 ("The Act") which states that competent authorities may process personal data for law enforcement purposes, as defined under Section 31 of the Act.

More information surrounding data subject rights under the UK General Data Protection Regulation, the Data Protection Act 2018 (DPA 2018), is accessible at:

[Information commissioner's Office](#)

14. The right to lodge a complaint with a supervisory authority. [How do I complain?]

In the first instance you can direct queries to the MMO Data Protection Manager at:

Data Protection Manager,
Marine Management Organisation,
Lancaster House,
Hampshire Court,
Monarch Road,
Newcastle upon Tyne, NE4 7YH

Email: dataprotection@marinemanagement.org.uk

Any questions about how we are using your personal data and your associated rights should be sent to the above contact.

The contact details for the data controller's Data Protection Officer (DPO) are:

DPO
Defra
Department for the Environment, Food and Rural Affairs
2 Marsham Street
London
SW1P 4DF

Email: DefraGroupDataProtectionOfficer@defra.gov.uk

If you believe that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113

Email: casework@ico.org.uk