

Privacy Notice

Template: LIT 65152

Published: 12/01/2024

Audience: Marine Management Organisation (MMO) and Users of I-VMS

I-VMS Privacy Notice

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 for all under-12m fishing vessels that operate in English waters and is expected to come into force in early 2024.

I-VMS devices send positional data - latitude, longitude, course and speed every 3 minutes to the UK VMS Hub. The system is jointly managed by UK Fisheries Administrations. MMO will process I-VMS data at this time for the purpose of ensuring that the systems are working correctly, but once The Sea Fishing (Monitoring Devices Order) 2024 ("the SI"), has been laid, MMO will use the information 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 byelaw areas.
- Compliance activities, protection of HMPAs and MPAs.
- Law enforcement.
- Statistical and scientific analysis.
- Data may also be used to access activity of fishing operations for fisheries management purposes and to formulate future compliance and assurance plans.

Who collects your personal data?

The data controller is: 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

What personal data we collect and how it is used

MMO collects the following data:

- Vessel Position Data - This is collected as a legitimate interest to ensure that the systems are running correctly ahead of the SI that will come into place in early 2024. At this point this privacy notice will be updated to reflect the new legal basis for gathering the data. This information will tell MMO the device ID, latitude, longitude, course, speed and status code.

How your personal data has been obtained, if from a third party

The data will be collected directly from the company which fits and tracks the type approved I-VMS monitoring system, which has been selected by the individual to whom this privacy notice is applicable.

Lawful basis for processing your personal data:

The lawful basis for processing your personal data is:

Article 6(1)(e) of UK GDPR - Legitimate Interest

This is due to MMO currently collecting data to ensure that the I-VMS systems that are in place are in working order ahead of the SI coming into force in 2024.

This privacy notice, at the point at which the SI comes into force, will then be updated accordingly and all affected individuals will be updated on this change.

Consent to process your personal data:

The processing of your personal data is not based on consent. You cannot withdraw it.

Who we share your personal data with:

MMO may share the personal data collected under this privacy notice with the following:

- Devon & Severn Inshore Fisheries and Conservation Authority, this will only include vessels affected by their byelaw requiring the transmission of positional data.

- Wales Devolved Administration (DA), this will only include vessels fishing in Welsh waters.
- Other UK Devolved Administrations and Crown Dependencies will have access to vessel data, but not to personal data.
- MCA for the purposes of Search and Rescue capability.
- Jersey and Guernsey Crown Dependency (CD) and any other CD that passes a law prior to the SI being laid; this will only include vessels affected by their laws requiring the transmission of positional data.
- This may include any other Inshore Fisheries and Conservation Authority where a byelaw requiring the transmission of positional data comes into force prior to the SI being laid.
- Collecte Localisation Satellites (CLS) are the data processor contracted to MMO and Devolved Administrations for the provision of the UK VMS Hub to process all VMS data regardless of the type.
- A copy of the data is forwarded to the Centre for Environment, Fisheries and Aquaculture Science (CEFAS). The data is stored in a central repository in CEFAS and retained to be used for statistics which in turn is used for scientific assessment and quota management.
- Or, with the individual the personal data adheres to, to comply with a Subject Access Request (SAR).
- MMO may also share your data with third parties when responding to access to information requests. In doing so, the MMO will respects your personal privacy and will only share information when necessary to meet the statutory requirements of the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.

How long Defra holds personal data?

Data will be held for at least three years by the MMO to be able to ensure the I-VMS tracking system is operational and effectively monitoring under 12 metre vessel activity within the 12-mile radius and this point we would review the requirement to hold this data. Any information collected prior to the SI being laid will not be eligible to be used for anything other than the purposes stated above after the SI is in place.

What happens if you do not provide the personal data?

Prior to the SI being laid there will be no formal action taken by MMO for not providing this information, however, where an IFCA byelaw or where Welsh DA legislation is in place, there is a legal requirement to provide this data and therefore action may be taken by these bodies where such legislation is breached. Once the SI is in place then there will be a legal requirement to provide this data to MMO when undertaking fishing activity. Failure to do so could mean the vessel is fishing illegally and could be subject to enforcement action.

Use of automated decision-making or profiling

The personal data you provide will not be used for:

- Automated decision making (which means any deciding by automated means without any human involvement).
- Profiling (automated processing of personal data to evaluate certain things about an individual).

Transfer of your personal data outside of the UK

MMO will only transfer your personal data to another country that is deemed adequate for data protection purposes.

Prior to the SI being laid, there will be no sharing outside of the UK for any reason other than to abide by your rights.

Your rights

Find out about your [individual rights](#) under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

Complaints

You have the right to [make a complain](#)t to the Information Commissioner's Office at any time.

MMO personal information charter

MMO's [personal information charter](#) explains more about your rights over your personal data.

The previous privacy notice can be found here: [I-VMS-Privacy-Notice-Pre-2024.docx](#)