

Marine Management Organisation (MMO) Privacy Notices

These are the privacy notices associated with the MMO that explain how your personal data is used.

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Who controls your personal data?

The Marine Management Organisation is the controller of the information that you provide.

The MMO's [Personal Information Charter](#) offers further information on how we handle personal data with a view to being transparent under the Data Protection Act 2018.

The charter sets out what you can expect from use when we ask for, hold, or use, your personal data and includes the contact details when you wish to exercise one of your rights.

The [Information Commissioner's Office \(ICO\)](#) lists your rights under GDPR and the Data Protection Bill/Act 2018.

About our Privacy Notices

Once we have gathered your information as part of the business activities listed below, we retain the right to share your data with the Department for Environment, Food and Rural Affairs, its Executive Agencies, and the European Union and are obligated to.

We may also share your information with other organisation that are listed below for each business area within the MMO. This means that we do not require your permission to do so once you have

acknowledged this privacy notice.

The data you provide will not be transferred outside of the European Economic Area.

Keeping your personal data

We will keep your personal data in line with our data protection policy and is reflected in the individual schemes listed below.

However, we may extend this if it is necessary to carry out a task that is in the public interest or as is required of the data controller.

Examples includes:

- Appeal
- Audit activity
- Complaint
- Irregularity
- Historic value, as determined by the Public Records Act
- Legal action
- A formal request for information
- If it sets a precedent.

Where possible personal data will be redacted or access restricted.

What happens if you decline to supply the data that we request

If we ask for personal information and you do not give it to us, you may not meet the requirements of the scheme you are claiming payment under, and penalties may apply.

In addition, it will mean that we will not be able to fully perform the contract we have entered with you, or we could be prevented from complying with our legal obligations, such as ensuring what RPA remains an accredited paying agency.

How your data is processed

Your personal data is processed by relying on decision making by human involvement.

How to raise a complaint

You have the right to make a complaint to [The Information Commissioner's Office \(ICO\)](#) at any time.

How the MMO handles personal data

Where processing is based on your consent, you have the right to withdraw that consent at any time. However, as a public body carrying out public functions, MMO generally does not rely on consent. We process most information as part of public tasks that we have an obligation to provide.

The MMO has determined that it is necessary to use personal information to manage the business functions listed below, so that tasks can be carried out in the public interest or as is required of the data controller.

Privacy Notices

Electronic Recording System

The Electronic Recording and Reporting System (ERS) is used to record, report, process, store and send fisheries data (catch, landing, sales and trans-shipment). It provides at regular intervals electronic logbook data of fishing vessels to the fisheries authorities of the Member States. These data allow monitoring behaviour and catch amounts of fishing vessels in real-time, in particular for control purposes. The data are mainly managed by the Member States' Fisheries Monitoring Centres (FMCs). For ease of exchanging ERS data between the FMCs, a central system hosted on the Commission servers is used. In specific cases ERS data are addressed to the Commission.

At the Commission, the data are processed under the responsibility of the Head of Unit MARE/D4 (Directorate-General for Maritime Affairs and Fisheries, Directorate D: Mediterranean and Black Sea), acting as the Controller.

The legal bases for such processing are in particular the following:

- Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance

with the rules of the common fisheries policy, in particular Art. 111 (1) and (2).

- Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy, in particular Art. 43 (1) and Art. 45 (3).
- in the context of international agreements:
- for NAFO: the Council Regulation No 538/2008 amending the Regulation 1386/2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation;
- for NEAFC: the Regulation No 1236/2010 of the European Parliament and the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries.

As ERS data processed and managed by the Commission may involve personal data, [Regulation \(EC\) 45/2001](#), of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, is applicable.

The ERS data processed contain the name of the vessel master declaring the logbook information and in some cases the vessel master's postal address. If the ERS data is combined with data available in the Fleet Register, it is possible to identify the name and address of the vessel owner and agent related to the ERS declarations.

ERS data are mainly managed by the Member States' Fisheries Monitoring Centres. In specific cases data are addressed to the Commission. Then only authorised staff members of DG MARE have access to ERS data.

In the context of international agreements, ERS data are exchanged via secured channels with third countries and international organisations (Regional Fisheries Management Organisations -

RFMOs) and are only managed in secure systems and solely used for inspection and surveillance purposes.

Your personal data processed by the central system will remain in the database until the transmission of ERS message is finalized (successful transmission takes a couple of seconds; in case of malfunctioning system, the transmission will be repeated up to a week).

In case of ERS data addressed to the Commission, the data are stored for duration of the processing and analysis but no longer than two years for specific cases unless there are on-going legal proceedings in which the data are needed to support the findings.

Fishing Effort

Data Collected: Vessel activity data from logbooks, sales notes and VMS records. Vessel activity intelligence provided directly from stakeholders.

How the data will be used: Forecasting effort uptake, monitoring compliance, reporting effort uptake to the EU Commission and stakeholder engagement.

How the data will be stored: All models and report stored on a secure SharePoint folder with access limited to those staff members required to have access to the information.

The Legal basis for processing this data is: Public Task.

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 data controller. The UK must comply with the Western Waters and Sole Recovery Zone effort management schemes under the Common Fisheries Policy. In order to do this your data is being processed by the MMO to ensure that the limits set out in license conditions and/or authorisation documents are adhered to. In order to set effort limits that maximise effort uptake while minimising the risk of over-utilisation of effort the MMO processes your data to forecast likely patterns of uptake in the future. Anonymised aggregates of these forecasts are shared with stakeholder groups to allow stakeholder feedback on the proposed limits before they are formally set.

Your personal data will be kept by us for as long as necessary for statutory compliance, audit purposes, operational decision making, modelling future activity or reviewing past activities.

Harbour Orders

Data Collected: Personal data provided in relation to the representation given.

How the data will be used: The representation will be provided to the applicant of the Harbour Order applicant in order to engage on issues with the application.

How the data will be stored: Data will be stored on internal database systems.

The Legal basis for processing this data is: Public Task

Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. 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 data controller.

Processing is necessary to ensure members of the public have the opportunity to provide comment on Harbour Order applications.

No other data will be shared or disclosed to any other party outside the MMO without your explicit consent.

Illegal, Unregulated and Unreported Fishing

In carrying out our statutory functions we may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title and address
- Vessel details including name of owner and master
- Details relating to fishing activities submitted as a 'catch certificate' by yourself or a third party that may list details of who they purchased fish stocks from

- Evidence of fishing activity requested by other EU member states or the European Commission under the Mutual Assistance Programme
- Evidence of your right to work in the UK/immigration status
- We will also collect, store and use the following "special categories" of more sensitive personal information:
- Information about criminal convictions/allegations and offences

The European Union (EU) is a signatory to international agreements set up to eradicate Illegal, Unregulated and Unreported (IUU) fishing activities.

Under EU law any consignment of fishing products exported from the United Kingdom to certain countries must be validated to show that it has been fished in accordance with the Common Fisheries Policy. This means that we have to demonstrate that the fish was landed by registered fishing vessels using compliant fishing gear. The certificate that is used is called a Catch Certificate.

Under the IUU Regulation we are required to provide statistical data on fishing landings that are exported to certain third countries and also to third countries who may process that product to be re-exported back into the European Union. This data is generally anonymised and presented to the European Commission on a biennial basis.

We keep records relating to all requests for verification from third countries and the Commission because we use this to demonstrate our compliance with European Union rules and regulations.

If a consignment is refused entry we are required to provide details to the European Commission and the European Fisheries Control Agency to show why the consignment was refused.

The Registered Buyers and Sellers (RBS) legislation provides a framework for ensuring traceability of the sale of fish products. In order to be registered as an RBS operator, buyers of first sale fish must provide information relating to what records they keep and where those records are stored. They must also only buy fish from commercial fishermen or registered auction sites and retain appropriate records to demonstrate this.

To enable more efficient systems to check the authenticity of documents submitted to us we may use automated decision making tools which can cross-check landings against information we manage on behalf of commercial fishermen without human intervention.

Marine Conservation: Wildlife Licenses

Data Collected: Name, Email, Telephone, Address

How the data will be used: The data you provide will be used to validate and determine your application for a marine wildlife licence, and to communicate with you about the application and licence.

How the data will be stored: Your data will be stored on our Marine Consents Management System

The Legal basis for processing this data is that the processing is necessary for us to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. This task is for us to determine your application for a marine wildlife licence.

Your personal data will be shared by us with consultees as part of the marine wildlife licensing process. Consultees are Natural England, the Joint Nature Conservation Committee (JNCC), the Centre for Fisheries and Aquaculture Science (Cefas).

No other data will be shared or disclosed to any other party outside the MMO without your explicit consent.

Your personal data will be kept by us for seven years and then deleted.

Failure to provide this information will mean that we may not be able to determine your application for a marine wildlife licence.

Evidence Team

We may receive personal information in 2 of the Evidence team processes. Firstly from the outputs of work where we are commissioning suppliers to conduct research on behalf of the MMO and secondly where we receive documents asking us to support academic projects.

We will only use this personal data for the purposes it was supplied for.

Your personal data will not be shared or disclosed to any other party outside MMO without your explicit consent.

In the case of a commissioned project your personal data will be kept by

us for 1 year from the project publication in case there is a challenge to the final evidence product. In the case of personal data being supplied to support a project proposal it will be kept no longer than necessary to make a decision.

Marine Licensing

The Marine Management Organisation (MMO) has gathered information from a number of existing sources to support marine planning, marine licensing and associated functions of the MMO. The MMO is continuously adding to the evidence base to support future decision making, with the aim to ensure a sustainable future for our coastal and offshore waters.

A new marine plan led system of marine management will set the direction for decision making on marine use and will:

- guide marine users to the most suitable locations for different activities;
- manage the use of marine resources to ensure sustainable levels; and
- consider all the benefits and impacts of current and future activities that occur in the marine environment.

The MMO would like your permission to use any of the data you submit in a digital format that can be entered into a geographical information system. This data may be used to inform MMO functions.

Under section 101 of the Marine and Coastal Access Act 2009 the MMO must maintain a register of activities where it is the appropriate licensing authority. Information contained within or provided in support of this application will be placed on the MMO's Public Register unless:

- The Secretary of State determines that its disclosure would be contrary to the interests of national security; or
 - The MMO determines that its disclosure would adversely affect confidentiality of commercial or industrial information where such confidentiality is provided by law to protect legitimate commercial interest.
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Fishing Vessel Licensing

The Marine Management Organisation (MMO) is a [registered data controller](#) under the information Commissioners Office (ICO), our registration number is Z2205091. For more information about the MMO, please check the [MMO Home page](#).

This notice explains how we use your data and how we protect your privacy when you use our website and contact us by telephone and email. As our services develop, we will continue to update and review this statement to comply with both the law and customer feedback.

Purpose for Processing

Under section 4 of the Sea Fish (Conservation) Act 1967 and the Sea Fish Licensing (England) Order 2015 the MMO is responsible for the licensing and regulation of fishing vessels/entitlements in England.

Fishing vessels registered in the UK must have a fishing vessel licence (FVL) to fish for sea fish that will be sold. The purpose of the licensing system is to restrict the size of the UK fleet and control UK fishing opportunities to stay within regulated quota limits. The MMO manages the English licensing system, administering and managing licences/entitlements on behalf of the Secretary of State.

Details of the English Licensing system can be found at <https://www.gov.uk/guidance/do-i-need-a-fishing-vessel-licence>

Personal Data in FVL systems are in pursuance of public purposes supported by primary legislation. The MMO will use personal data in

these systems to record the ownership of vessels, licences and entitlements and to contact individuals when business needs require. Details will be used to inform individuals of changes to licences/entitlements and any regulatory changes as required.

The Information

For FVL the following information is collected, stored and processed by the MMO:

- Your name, date of birth, address, full contact details and Identification documents when required;
- Vessel ownership and registration details including historical vessel ownership;
- Company documents and business contact details associated with vessels;
- Previous transactions with the MMO; and
- Compliance and enforcement documents (active and historical).

How Information will be used

The MMO will use your personal information to assess your application for a FVL/entitlement and to monitor all activities associated with the ownership of a fishing vessel, licence or entitlement.

Security

All information collected under this privacy notice will be processed in line with the principles set out in HM Government Security Policy Framework, issued by the Cabinet Office, when handling, transferring, storing, accessing or destroying information.

We will hold the information collected under the FVL process while there is an ongoing business need or regulatory requirement to retain the information and in compliance with our retention scheme.

Your Rights

If you wish to see a copy of the personal data we hold about you, including the information collected under the FVL processes, you can ask the MMO at any time, and we must respond within 1 month. You will not have to pay a fee to access your personal information. However, we may

charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You can apply by email to:

<mailto:accesstoinformation@marinemanagement.org.uk>

accesstoinformation@marinemanagement.org.uk Subject:
Access request

Or in writing to

Access to Information

Marine Management Organisation

Tyneside House

Skinnerburn Road

Newcastle upon Tyne

NE4 7AR

United Kingdom

Further information on access to information we hold about you can be found here: [Access to information we hold about you](#)

Your personal information cannot be removed once you have submitted an application for a FVL/entitlement as there is a legal obligation to retain this information in accordance with section 4 of the Sea Fish (Conservation) Act 1967, the Sea Fish Licensing (England) Order 2015 and EU Regulation 1224/2009.

Under certain circumstances, you also have the right to:

- Request the correction of the personal information that we hold about you.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- Object to the processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

- Request the transfer of your personal information to another party.

You can make a request in relation to any of the rights set out by contacting:

Access to Information,
Data Protection Manager
Marine Management Organisation
Tyneside House
Skinnerburn Road
Newcastle upon Tyne
NE4 7AR
United Kingdom

Or alternatively you can email:

accesstoinformation@marinemangement.org.uk

Or call 0300 123 1032

Full details of your individual rights are available at Information Commissioner's Office website: [ICO](#)

If you wish to make a complaint about how we are processing your personal information you have the right to make a complaint at any time to the ICO. You can find out how to contact the ICO on their [website](#)

For further information on how the MMO processes your personal data and your rights as defined by Article 13 and/or 14 of the General Data Protection Regulations, the Data Protection Act 2018 and the Law Enforcement Directive, please check our [personal information charter](#)

Contact

If you have any questions about the FVL processes, please contact us by using the below details:

Fisheries Management Team
Marine Management Organisation
Tyneside House
Skinnerburn Road
Newcastle upon Tyne
NE4 7AR
United Kingdom

Email: fishingvessellicensing@mar

inemanagement.org.uk

Telephone: 0300 123 1032

If you have any questions about this privacy notice, please contact our Data Protection Officer by using the below details:

Defra Group DPO Office
4th Floor
Seacole Marsham
Street
Westminster
London
SW1P 4DF

Email: DefraGroupDataProtectionOfficer@defra.gov.uk

Changes to this Privacy notice

We keep this privacy notice under review, and we reserve the right to update this privacy notice at any time.