



Llywodraeth Cymru  
Welsh Government

PUBLICATION

# Privacy Notice for Vessel Monitoring System: location data

Explains how we use the data you have provided to us.

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The Inshore Vessel Monitoring System (IVMS) is a GPS-based monitoring system which at regular intervals provides data to the Fisheries Authority on the location, course and speed of vessels. The device collects data to monitor behaviour of fishing boats in real-time. The installation of monitoring devices is necessary for any fishing boat of less than 12 metres in length operating within Welsh waters under the Sea Fishing Operations (Monitoring Devices) (Wales) Order 2022.

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# Why we need to process your personal information?

In order to ensure your vessel complies with the Order, the Welsh Government needs to process some personal information about you. The processing of the information enables Welsh Government to carry out its public task and to exercise its official authority. The Welsh Government will be Data Controller for personal information processed in relation to the iVMS.

The data transmitted by the monitoring device is:

- the monitoring device's unique serial number
- geographical position
- date and time at each geographical position
- speed and course of boat at that time

This data is recorded on a database maintained by a Supplier on behalf of Welsh Government. A register of device serial numbers and vessel identifiers will be housed on the same platform.

# What will we use your personal information for?

The Welsh Government will collect and process your data to undertake fisheries monitoring, enforcement, science and management for the purpose of the Administrations' statutory and policy functions. The exchange of personal data between Administrations is for the purposes of marine and fisheries management, planning, science and law enforcement in the United Kingdom.

# What is the legislative basis for this change?

The legislative basis for this change is section 5(1) of the Sea Fisheries Act 1968, which allows Welsh Ministers to, by order, make provision for regulating

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the conduct of, and safeguarding, fishing operations and operations ancillary thereto, including provision with respect to the identification and marking of fishing boats and fishing gear. The Sea Fishing Operations (Monitoring Devices) (Wales) Order 2022 will be introduced on 15 February 2022 to that end.

## Who will be able to access my personal information?

- Your positional data may be disclosed to Welsh Government's authorised agents, other fisheries departments/regulators in the UK and other government departments, relevant authorities in the European Commission, other Member States and third countries.
- Your positional data will be made available, on request, to the UK coastguard for search and rescue purposes.
- Your positional data may also be published or disclosed in an anonymous and/or aggregated form, to other organisations, bodies or persons for other purposes, including scientific research.
- An anonymised and aggregated version of the data will be added to the Marine Planning Portal, which is publically available.
- UK Fisheries Monitoring Centre have the ability to request positional reports on ad hoc basis and interrogate reports held in the VMS device's internal memory for monitoring and enforcement purpose.

Vessel location data may be shared with the Directorate-General for Maritime Affairs and Fisheries (DG-MARE) EU Commission in specific cases, e.g. monitoring fisheries activities in a wider international context or as part of a specific investigation.

In the context of international agreements, VMS 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.

In the event that your VMS device stops functioning, WG will seek to inform the skipper or the owner. Instead of removing your device for repair or replacement,

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the issue can sometimes be resolved remotely, therefore your contact details would be shared with the device supplier to diagnose the issue with the skipper or owner.

Before the system goes live, your device may communicate anonymised test data from time to time.

## How long will my personal information be kept for?

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

## Your rights

Access to IVMS data is strictly controlled. However, under the [Data Protection Act 2018](#) vessel owners can request access to their IVMS data. Representatives of vessels, including masters, can also request IVMS data if they have the owner's consent to do so.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

## Contact information

For information about how Welsh Government manages your personal information contact our Data Protection Officer:

Data Protection Officer

Welsh Government, Cathays Park, CARDIFF, CF10 3NQ

Email: [DataProtectionOfficer@gov.wales](mailto:DataProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Information Commissioner's Office – Wales

2nd Floor

Churchill House

Churchill Way

Cardiff

CF10 2HH

**Telephone:** 029 2067 8400

**Fax:** 029 2067 8399

**Email:** [wales@ico.org.uk](mailto:wales@ico.org.uk)

## Changes to this policy

The Welsh Government may make changes to this privacy policy at any time and you will be notified of any changes immediately.

## About this document

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