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PROCEDURE NOTE 008a: Applications for fisheries and ecological scientific survey work in Isle of Man territorial waters.

The Isle of Man Government welcomes requests from organisations to carry out scientific survey work in its territorial waters. The marine environment is still relatively unexplored and understood, and obtaining additional data will help inform our responsible management of our waters for both ecological and economic gain.

The Isle of Man has a number of fisheries within its territorial waters, notably king and queen scallops, crab, lobster, whelk and *Nephrops*, and herring. Survey work must therefore be managed to avoid damage and disadvantage to those involved in these fisheries. Surveys should also be designed to minimise impact on the marine environment and on other users of the waters.

This Procedure explains what to do if you wish to carry out fisheries and ecological survey work in Isle of Man territorial waters. It is designed to ensure a streamlined process for conducting surveys while allowing timely communication with those who might be affected by such work. It also allows time for the relevant scientific permits to be prepared, issued and agreed to authorise the work.

This Procedure applies to scientific surveys of living marine resources, excluding protected species. Research on protected marine species (basking sharks, all marine mammals, turtles and eelgrass) requires a licence under the Wildlife Act 1990, which can also be issued by DEFA Fisheries (Marine Biodiversity Officer).

For intrusive survey work to inform commercial or industrial uses of Isle of Man territorial waters, (for example seismic surveys and grab sampling for aggregate prospecting), applicants should contact the Department for further information as additional licences/permission would be required. Where surveys require equipment that is not fishing gear to be anchored to the seabed, applicants should also contact the Department of Infrastructure Harbours Division.

Requirement for a Scientific Permit

Under the Fisheries Act 2012, section 75, scientific permits are required to allow a number of activities to be undertaken. These are, in general, for the purposes of:

- Artificial propagation or transplantation of fish;
- Stocking, restocking or improvement of a fishery, or
- For some scientific purpose.

Scientific Permits may authorise any of the following:

- (a) to catch fish of any kind specified in the permit
- (b) to have in his or her possession fish of that kind

In respect of catching fish, it would cover:

- (i) having, erecting and using any fishing engine of a kind specified in the permit
- (ii) having and using any substance of a kind so specified
- (iii) to buy or sell fish of any kind specified in the permit
- (iv) to dispose of fish taken in accordance with the permit in such manner and on such terms as may be so specified.

Applying to DEFA to carry out scientific survey work

You should contact the Fisheries Division via the above contact details at least 30 days in advance of a proposed survey.

To make application for a scientific permit you should explain:

- The purpose of the work, sufficient to enable the Division to determine the need for a Scientific Permit and therefore approve the work or not;
- The name of the scientific research group conducting the survey, the vessel to be used, name of the vessel master and that of the scientist in charge of this work;
- The planned dates and times of the work;
- The methodology to be used;
- The expected outputs from the work; and

The location, giving latitude and longitude, of the areas of sea which will be surveyed. These may be indicative, but sufficient details must be provided at least 14 working days before commencement of the survey so that marine environment users can be notified. **When you provide co-ordinates please specify whether these are given in decimal degrees or degree decimal minutes.**

If the survey work is on a large scale or over an extended period of time, additional notice to the Department and to stakeholders may be required so please contact the Fisheries Division well in advance to discuss your survey.

It is understood that survey work is dependent on a number of factors, including weather, but you should notify DEFA of any changes as soon as you are aware of these.

Please note that permission for survey work is unlikely to be given if it is requested at the last minute and does not allow for adequate communication with affected stakeholders.

We ask that survey details are made available to DEFA at least 14 working days before the start of the survey. They should be sufficient to enable static-gear fishermen to understand whether or not they need to lift pots or for others to decide whether they need to change their fishing activity (see below: Personal Information and notification of surveys online).

Any last minute changes must be notified to DEFA to consider whether agreement can be given to proceed. Applicants should note that DEFA Fisheries Division normal office hours apply in considering applications or amendments, which are Monday to Friday, 9am to 5pm.

If DEFA agrees to issue a scientific permit, it will send you a scientific permit within 10 working days of receipt of your application or within 5 working days once any outstanding queries have been resolved. Queries will be notified to you within 5 working days of receipt of your application.

Note: The scientific permit issued by DEFA will set out specific conditions to be adhered to. It is your responsibility, as applicant, to inform the Department ahead of surveying should you not be able to comply with any requirement. Copy of this procedure note should be supplied.

If DEFA does not agree to issue a Scientific Permit, it will notify you of the reasons within 10 working days of your application or within 5 working days once any queries have been resolved – any queries will be notified to you within 5 working days of receipt of your application.

Terms & Conditions

A condition of the provision of a Scientific Permit is that you provide a data summary report to DEFA one month after the end of the survey, and additionally full results of research undertaken and any other data obtained shall be made available to the Department on request.

Extension of survey work

Written request must be made to the Department should you wish to extend the survey dates or times, and requires approval by the Department. Contact should be made with the Department at the earliest opportunity if an extension is required.

Personal Information and notification of surveys online

The Department of Environment, Food & Agriculture (DEFA) is a controller under the Data Protection Act 2018 and will hold your personal information supplied for a scientific permit in the public interest under the Fisheries Act 2012. A record of the summary report or additional research reports you provided to DEFA post-survey, in connection with your application for the scientific permit, is retained for 25 years. Further, some information you provide may be shared in accordance with our privacy notice, which is online at www.gov.im/fisheries or contact us for a hard copy.

As stated in our privacy notice, we give notification of permitted scientific surveys on our website at <https://www.gov.im/surveysinIOMwaters>.

This information will remain publically available on our website for the duration of the survey, and will be removed within one month post-survey. The notification online will include the research institute name, reason for the survey, the research vessel name/fishing vessel name and PLN, and the co-ordinates/location of the survey.

DEFA will send notice, via email, of the survey to Isle of Man sea fishing licence holders (commercial fishermen) to make them aware of the scientific work within Isle of Man waters. This notice will advise of the survey and to see the survey details online. In addition, DEFA may send a SMS message to sea fishing licence holders referring them to the survey details online.

If an extension to survey work is granted, notice will be published online, and notice sent out by email/SMS message, as above.

If you have any concerns or questions on the above our Data Protection Officer can be contacted at +44 162686781 or E-mail: DPO-DEFA@gov.im