



Department of the Environment

HM Government of Gibraltar

Marine Protection Regulations 2014

What you need to know..



Introduction

The Marine Protection Regulations 2014 provide for the regulation of fishing, diving and other marine related activities within British Gibraltar Territorial Waters (BGTW). The Regulations will be effective as from the **1st January 2015**.

The Department of the Environment is the lead authority that will manage the permitting process under these Regulations. There are 10 different classes of permits, each subject to its own conditions.

Permits are issued by the Department of the Environment and it is an offence to try to imitate or alter them. All permits are non-transferable and lending or allowing another person to use your permit is an offence.

The Department of the Environment may, at any time, limit the number of permits issued under any class if it is satisfied that it is necessary in order to protect the marine environment and resources from significant harm. Similarly it may revoke or suspend issued permits under certain conditions.

You must carry your permit on you at all times within BGTW and produce it when requested by a police officer or warden. Failure to do so, or to adhere to any of the conditions of your permit will constitute an offence.

Summary of Permit Types

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Class A - Fishing with longlines

Who is allowed to fish with these?

Anyone with a Class A permit is permitted to fish with longlines. The permit is only for the listed owner of the vessel and only for use from that same vessel.

Once I have a Class A permit, are there any restrictions on how I can fish with longlines?

The use of longlines is allowed subject to the following technical requirements:

- Maximum hooks allowed on a long line are as follows:
 - ⇒ Hook sizes 14-12 (max 600) or;
 - ⇒ Hook sizes 11-8 (max 600) or;
 - ⇒ Hook sizes 4-7 (max 300) or;
 - ⇒ Hook sizes 3-2 (max 300).
- Live baiting is not allowed save that this condition may be waived in relation to certain species, such waiver being set out in the permit itself;
- Maximum Soak time is 12 hours;
- Long lines must use a buoy to allow specific identification of the vessel deploying the long line;
- Transhipment of catches between vessels is prohibited.

What is a total allowable catch and what does this mean for me?

A total allowable catch (TAC) will be set for individual species. This is the total catch for that species which has been deemed sustainable by the Department of the Environment in consultation with the Nature Conservancy Council, for any given year. This figure will be reviewed in the light of data collected by the Department of the Environment. Once the TAC has been reached, no more fishing for that species will be allowed.

How will the Authority keep track of what is being caught?

You must keep a record of every fish caught using longlines and report this to the Department of the Environment at the end of each month. All catches must conform to minimum sizes as set out in Schedule 4 of the Regulations. There is to be no transfer of catches between vessels.

Permit application requirements

- Identification
- Photograph (compliant with passport standards)
- Evidence that the applicant is 16 or over
- Vessel documentation

Class B

Recreational fishing with rod & line

Do I need a permit to fish with recreational fishing methods such as rods or lines?

Yes. Fishing with rods or lines from the shore or from a vessel requires a class B permit.

Resident and non-resident permits

Residents may apply for a full Class B permit whereas non-residents may apply for temporary Class B permits.

Full class B Permits are valid for a period of 3 years.

Temporary permits are valid for a period of 2 weeks. Upon expiry, applicants will not be able to re-apply for a period of 3 months. A total of 20 Class B permits will be in operation at any one point in time.

Permit application requirements

- Identification
- Photograph (compliant with passport standards)
- Evidence that the applicant is 14 or over
- Vessel documentation (if applicable)

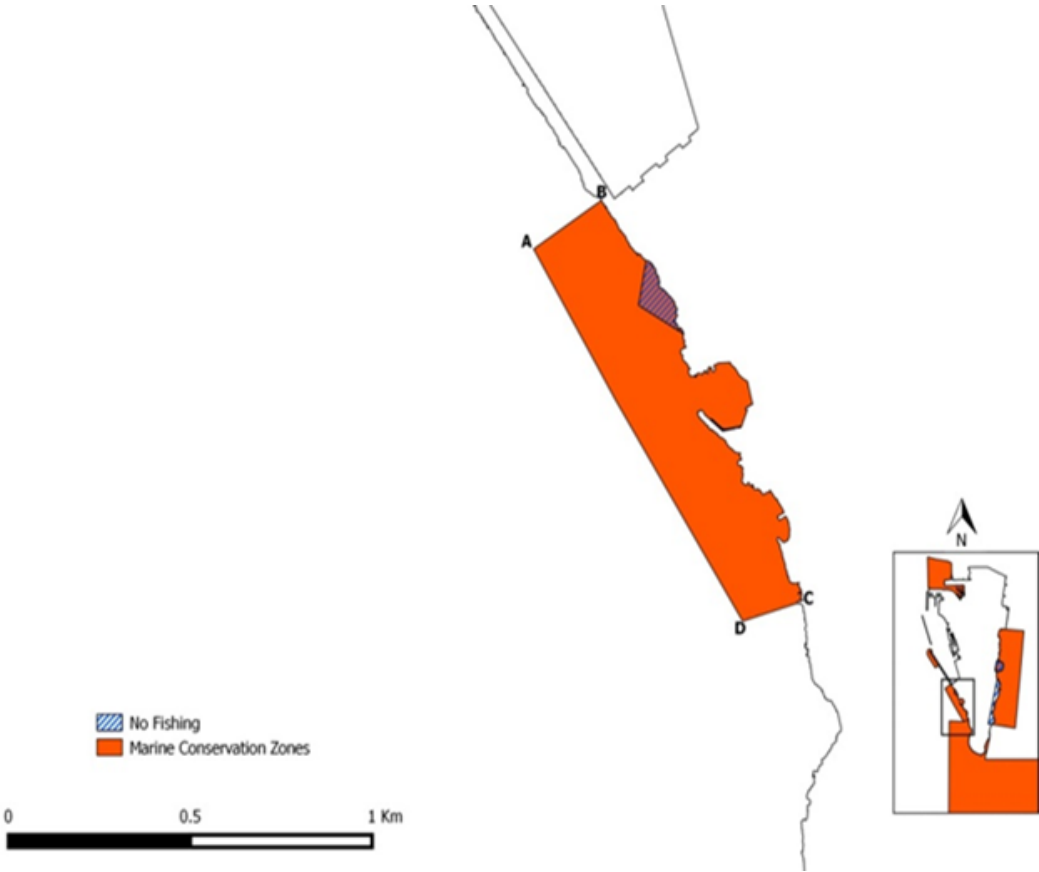
Conditions

A Class B permit shall be subject to the following conditions:

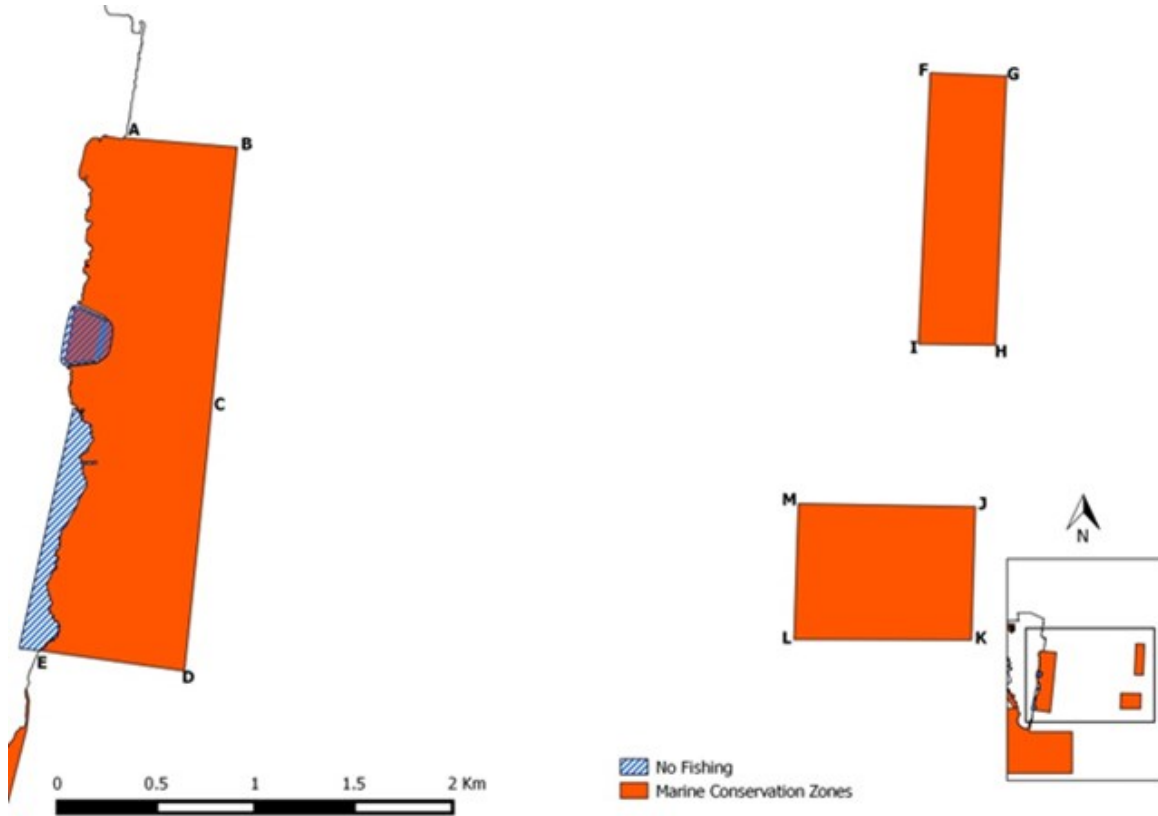
- the maximum length of a fully assembled rod must not exceed 5 metres;
- no more than:
 - ⇒ 2 rods or lines may be used at any one time per permit holder;
 - ⇒ 6 rods or lines may be used from a vessel at any one time;
- there shall be a maximum number of 12 hooks in total, with the exception of lures, save that this condition may be waived in relation to certain species, such waiver being set out in the permit itself;
- all catches must conform with the minimum fish sizes stipulated in Schedule 4. These are contained in the Species Identification Booklet;
- such conditions as are imposed in relation to the collection of species in need of special protection measures;
- no more than 2 electric reels shall be allowed;
- a record of fish caught or taken shall be kept by the permit holder and made available for inspection by the Authority on request;
- fishing in the hatched areas within the Marine Conservation Zones is prohibited (see no fishing zones overleaf).



No fishing zone - Rosia Marine Conservation zone



No fishing zone - Eastside Marine Conservation Zone





Class C - Spearfishing

Anyone with a Class C permit is allowed to fish with spearfishing equipment. There are strict conditions and requirements on these permits as set out below.

Resident and non-resident permits

Residents may apply for a full Class C permit whereas non-residents may apply for temporary Class C permits.

Full class C Permits are valid for a period of 3 years.

Temporary permits are valid for a period of 2 weeks. Upon expiry, applicants will not be able to re-apply for a period of 3 months. A total of 5 temporary Class B permits will be in operation at any one point in time.

Conditions

If you are carrying out spearfishing you must use a demarcation buoy and you are not allowed to use breathing apparatus.

Spearfishing is not allowed between sunset and sunrise.

Spearfishing is not allowed in public beaches from the 15th April to the 15th October.

Fishing in the hatched area within the Rosia Marine Conservation Zone is prohibited.

Permit application requirements

Class C permits will only be issued upon receipt of:

- Identification
- Photograph (compliant with passport standards)
- Evidence of a valid medical certificate and insurance cover
- Evidence that the applicant is 16 or over
- Vessel documentation (if applicable)

Class D - Fishing Competitions

Bona fide fishing competitions may be allowed within BGTW subject to the entity being in possession of a Class D permit. Proof of affiliation to a local fishing club is required when applying for a fishing competition.

Permit application requirements

Class D permits will be issued on a case-by-case basis. Evidence of affiliation to a local fishing club is a requirement along with any other details requested by the Department of the Environment.

Class E - Sports fishing operator

Do I need a permit to be a sports fishing operator?

Yes. Sports fishing operators will require a Class E permit in order to continue their business within British Gibraltar Territorial Waters.

In order to obtain a Class E permit you must demonstrate to the Department of the Environment that you have registered under Gibraltar law to provide such services.

Permit application requirements

- Identification
- Photograph (compliant with passport standards)
- Vessel documentation
- Insurance
- ETB registration
- Tax documentation
- Employee details (if applicable)

Class F - Diving Permit

Do I need a permit to go diving?

Yes. Diving within BGTW is only allowed when in possession of a Class G permit or under the license of a diving operator.

A full Class F permit will only be issued upon proof of residency in Gibraltar or proof of affiliation to a local diving club.

Temporary permits are valid for a period of 14 days.

Permit application requirements

- Identification
- Photograph (compliant with passport standards)
- Vessel documentation (if applicable)
- Insurance
- Medical certificate
- Qualifications





Class G - Dive Operators

Do I need a permit to operate a diving business?

Yes. Dive operators will require a Class G permit in order to continue operating their business within British Gibraltar Territorial Waters.

In order to obtain a Class G permit you must demonstrate to the Department of the Environment that you have registered under Gibraltar law to provide such services.

Permit application requirements

- Identification
- Photograph (compliant with passport standards)
- Vessel documentation
- Insurance
- Qualifications
- Trade license
- Tax documentation
- Employee details (if applicable)

Class H - Dolphin tour operators

Dolphin tour operators require a Class H permit to conduct their business within British Gibraltar Territorial Waters.

In order to obtain a Class H permit you must demonstrate that you are registered under Gibraltar law for this purpose and that you have the necessary experience and equipment to carry out this activity.

Permits may include conditions relating to the manner in which the business is operated, the records that need to be maintained, the personnel involved, health & safety and insurance requirements.

Dolphin Tour operators should also familiarise themselves with the Cetacean Protocol set out in Marine Protection Regulations 2014.

Class J - Species in need of strict protection

The following species listed in Schedule 2 are subject to additional protection measures and require a Class J permit:

<i>Xiphias gladius</i>	(Swordfish)
<i>Makaira</i> spp.	(Marlins)
<i>Tetrapturus</i> spp.	(Spearfish)
<i>Istiophorus albicans</i>	(Atlantic Sailfish)
<i>Merluccius merluccius</i>	(European Hake)
<i>Scyliorhinus caniculus</i>	(Lesser spotted dogfish)
<i>Squalus acanthias</i>	(Spurdog)
<i>Argyrosomus regius</i> (L.)	(Meagre)
<i>Homarus gammarus</i>	(European Lobster)
<i>Palinurus</i> spp.	(Lobster spp.)

The daily catch, retention on board, or landing of more than one specimen or more than one species listed in Schedule 2 is prohibited unless it is specifically permitted under the terms of a permit issued under the Marine Protection Regulations.

Class J Permits may only be issued to applicants who qualify for a full Class A, B or C permit.

Additional species may be afforded protection by notice.



Class K - Tuna Permit

Anyone with a Class K permit is allowed to fish for tuna species listed in Schedule 1 of the Tuna Preservation Regulations 2014. There are strict conditions and requirements on these permits as set out below.

Permit application requirements

- Identification
- Proof of residency
- Photograph (compliant with passport standards)
- Evidence that the applicant is 16 or over
- Vessel documentation

Open/Closed Season and Total Allowable Catch (TAC)

The open season for tuna fishing commences on the **15th June** and runs through to the **15th October** unless the season is closed as a result of the Total Allowable Catch being reached.

Conditions applicable to all tuna fishing permits

- Only 1 tuna may be landed per day and that tuna must conform to the minimum weight fork length set out in Schedule 1 of the Tuna Preservation Regulations 2014;
- Only 1 tuna may be retained aboard a vessel at any one time;
- No more than:
 - ⇒ 2 rods or lines may be used per person at any one time;
 - ⇒ 6 rods or lines may be used from the vessel at any one time;
 - ⇒ 1 lure may be used on a rod or line;
- In addition to the holder of a tuna fishing permit, a maximum of 2 other persons may fish for tuna aboard a vessel;
- The permit holder must make a declaration to the Department of the Environment in the form provided in Schedule 2 of the Tuna Preservation Regulations 2014 on each occasion that a tuna is landed in Gibraltar (a copy of the declaration form is found overleaf). Declaration forms can be downloaded from the Department's website;
- Tuna caught by a permit holder may not be transhipped to any other vessel;
- The permit holder must carry the permit at all times when fishing.





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