

**TRANSVERSAL WORKSHOP ON THE MONITORING OF
RECREATIONAL FISHERIES
IN THE GFCM
AREA
PALMA DE MALLORCA 20, 21 & 22 SEPTEMBER 2010**

**EVOLUTION OF THE SPANISH MARINE RECREATIONAL FISHING
REGULATIONS IN EXTERNAL WATERS**



INTRODUCTION

- FISHERIES ADMINISTRATIONS CONSIDER THAT THEY EXIST TO DEFEND THE FISHING INTERESTS IN WHICH THEY HAVE COMPETENCE: THOSE INVOLVING A PRIMARY EXTRACTIVE SECTOR, SHIPPING COMPANIES, SHIPBUILDERS, TRADE UNIONS, FISHERMEN'S ASSOCIATIONS, ETC.
- WITHIN THIS COMPLEX SET OF INTERESTS, MARINE RECREATIONAL FISHING , WITH VERY FEW EXCEPTIONS, ARE SEEN BY THE MEDITERRANEAN FISHERIES ADMINISTRATIONS AS A MARGINAL SECTOR THAT DOES NOT CONTRIBUTE ANY CONCRETE OR QUANTIFIABLE YIELD.
- MEDITERRANEAN RECREATIONAL MARINE FISHING IS A SECTOR THAT HAS HISTORICALLY BEEN VIEWED WITH TOLERANCE FOR REASONS OF A SOCIAL NATURE AND WHICH HAS CONTRIBUTED TO THE SUBSISTENCE OF MANY CITIZENS AND TO DIFFERENT TYPES OF TOLERATED POACHING.
- IT HAS BEEN A SECTOR WITHOUT A GLOBAL REPRESENTATION.
- WHEN ANALYSING THE DIFFERENT REGULATIONS GOVERNING MEDITERRANEAN RECREATIONAL MARINE FISHING, WE EMPHASISE THAT THEY HAVE BEEN ESTABLISHED NOT SO MUCH TO REGULATE THE RECREATIONAL SEA FISHING SECTOR, BUT TO PREVENT INTERFERENCES WITH THE PROFESSIONAL SECTOR.
- THE MEDITERRANEAN OFFERS A REPERTORY OF REGULATIONS THAT HAVE TO BE SIMPLIFIED INTO ONE COMMON SET OF REGULATIONS THAT CAN BE SUITABLY ADAPTED TO EACH COUNTRY, REGION OR AUTONOMOUS COMMUNITY.

REGULATIONS CURRENTLY VALID IN SPAIN



- IN VIEW OF THE IMPORTANCE OF THE PROFESSIONAL FISHING FLEET REPRESENTS, THE SPANISH GOVERNMENT HAS BEEN A PIONEER IN DRAWING UP REGULATIONS GOVERNING MARINE RECREATIONAL FISHING. THE CURRENT LEGISLATION IS SUMMARISED IN:

MINISTERIAL ORDER 53/1999 26-02-1999

MINISTERIAL ORDER 180/2000 24-07-2000

WHICH WERE DESIGNED TO UPDATE THE EARLIER REGULATIONS, WITH FEW MODIFICATIONS, AND TO LIMIT WHAT WAS THEN UNDERSTOOD AS RECREATIONAL MARINE FISHING ACTIVITY, PARTICULARLY IN RELATION TO THE SALE OF SPECIMENS OF ALBACORE TUNA BY NON-PROFESSIONAL FISHERMEN IN THE CANTABRIAN IN 1995-1999 .

- THIS OCCURRED AT A SENSITIVE TIME WHEN THE REGIONAL FISHERIES ORGANISATIONS WERE BEGINNING TO LIMIT THE CATCHES OF THE TRADITIONAL PROFESSIONAL SECTORS.
- THE TEXT OF THE NEW ROYAL DECREE REFLECTS THE GROWING INTEREST OF THE SPANISH FISHING ADMINISTRATION IN THE SITUATION OF THE RESOURCES AND THEIR CONSERVATION.
- THE TEXT OF THE NEW ROYAL DECREE PICKS UP THE REQUESTED PROPOSALS BY THE ASSOCIATIONS OF RECREATIONAL RESPONSIBLE FISHING



PALMA DE MALLORCA, 20, 21, 22 & 23 SEPTEMBER 2006



MARINE RESPONSIBLE RECREATIONAL FISHING FROM VESSEL A SUSTAINABLE MODEL

UNDER NORMAL CIRCUMSTANCES THE MARINE RECREATIONAL FISHER SHOULD BE ABLE TO MAKE A REASONABLE AUTHORISED CATCH FOR A RECREATIONAL ACTIVITY ; MARINE RECREATIONAL FISHER SHOULD RETURN JUVENILES, SPECIMENS THAT DO NOT MEET THE MINIMUM SIZE AND THOSE THAT BELONG TO PROTECTED SPECIES ALIVE TO THE SEA.

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CATCH AND RELEASE

The Royal Decree introduces the concept of Catch and Release, understood as an ethical attitude and not as a method of fishing in itself.



Catch and Release represents the philosophy of responsible recreational fishing.

ESTIMATED FIGURES FOR THE SPANISH MEDITERRANEAN RECREATIONAL FISHING FLEET - TRAGSA 2007

- 70,000 estimated vessels
- 110,000/130,000 estimated fishermen
- 1,400,000 estimated fishing days
- Estimated catch during 1,400,000 fishing days, 6 kg per day per vessel: 8,400 Tn
- Total estimated spend 404,000,000 €
- First sale value of professional catches: 379,000,000 €
- Average annual cost per vessel: 5,700 €
- Replacement value of 70,000 vessels at 50,000 € average: 3,500,000,000 €
- Fleet value 3,500,000,000 €; replacement in 20 years: 175,000,000 € annually
- Annual socio-economic volume: 579,000,000 €
- 5,000/6,000 direct jobs. As they are not professional fishery jobs, they are difficult to evaluate in negotiations with FISHERIES ADMINISTRATIONS.

69 € CONTRIBUTED TO SOCIETY

**FOR EVERY KILO OF FISH CAUGHT AND CONSUMED
BY THE SPANISH MARINE RECREATIONAL FISHERS FROM VESSELS**

CONFEDERACIÓN ESPAÑOLA
PESCA
RECREATIVA
RESPONSABLE

NEW ROYAL DECREE....NOV 2010



DEFINITIONS BASIC DIFFERENTIATION

Regulations: CE 1967/2006 Mediterranean
199/2008 Data, 1224/2009 Compliance Control
RECREATIONAL FISHING IS A NON-COMMERCIAL FISHING ACTIVITY THAT EXPLOITS
THE LIVING AQUATIC RESOURCES FOR RECREATIONAL PURPOSES:
RECREATION, SPORT AND TOURISM

IN THE ROYAL DECREE ON RECREATIONAL SEA FISHING IN EXTERIOR WATERS 2010.
RECREATIONAL FISHING IS A NON-COMMERCIAL FISHING ACTIVITY THAT EXPLOITS THE
LIVING AQUATIC RESOURCES FOR LEISURE PURPOSES. IT IS PROHIBITED TO SELL OR
TRADE THE CATCHES OBTAINED.

The Spanish Fisheries Administration insists on the prohibition of selling; it does not mention sport or tourism, as these activities have been transferred to the Autonomous Communities and are considered sub sectors .

BASIC DIFFERENTIATION

COMMERCIAL FISHING

PROFESSIONAL

NON-PROFESSIONAL (not authorised in Spain)

RECREATIONAL FISHING

PRIORITARY OBJECTIVE THE ROYAL DECREE ON RECREATIONAL MARINE FISHING

RECREATIONAL FISHING ON FOOT (SHELLFISH GATHERING) IS NOT AUTORISED IN EXTERIOR WATERS. ITS ADMINISTRATION HAS BEEN TRANSFERRED TO THE AUTONOMOUS COMMUNITIES

RECREATIONAL UNDERWATER FISHING HAS NATIONAL LIMITATIONS, BUT IT IS MAINLY CARRIED OUT IN INTERNAL WATERS, IT IS CONSIDERED TO COME UNDER THE AUTONOMOUS COMMUNITIES

RECREATIONAL FISHING FROM THE COAST HAS NO NATIONAL LIMITATIONS GIVEN THAT IT IS MAINLY CARRIED OUT IN INTERNAL WATERS AND IS CONSIDERED TO HAVE BEEN TRANSFERRED TO THE AUTONOMOUS COMMUNITIES

THE PRIORITARY OBJECTIVE IS TO REGULATE **RECREATIONAL FISHING FROM VESSELS** AND THE NEED TO BE AWARE OF THE FLEET INVOLVED. RECREATIONAL FISHING FROM VESSELS SHARES SOME SPECIES, PORTS AND FISHING GROUNDS WITH THE PROFESSIONAL SECTOR.



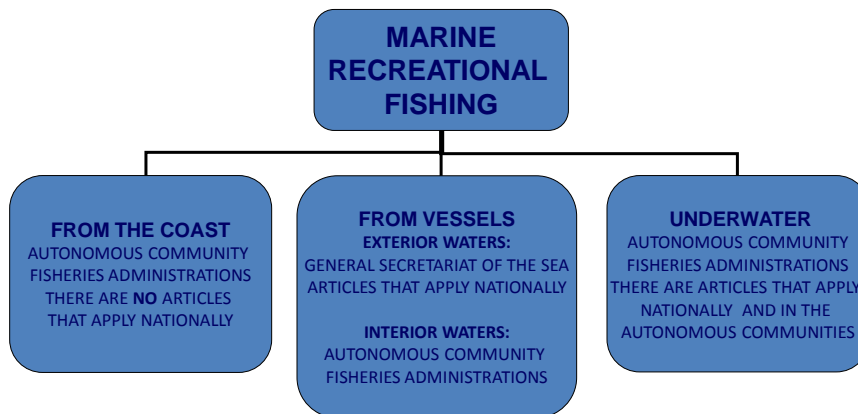
ROYAL DECREE ON MARINE RECREATIONAL FISHING FISHING GROUNDS

The exterior waters of the national fishing ground will be divided into four different administrative units: the Cantabrian Sea and Northwest, the Gulf of Cadiz, the Mediterranean; for each zone a Ministerial Order will be passed to establish, among other questions, maximum daily catches per vessel.

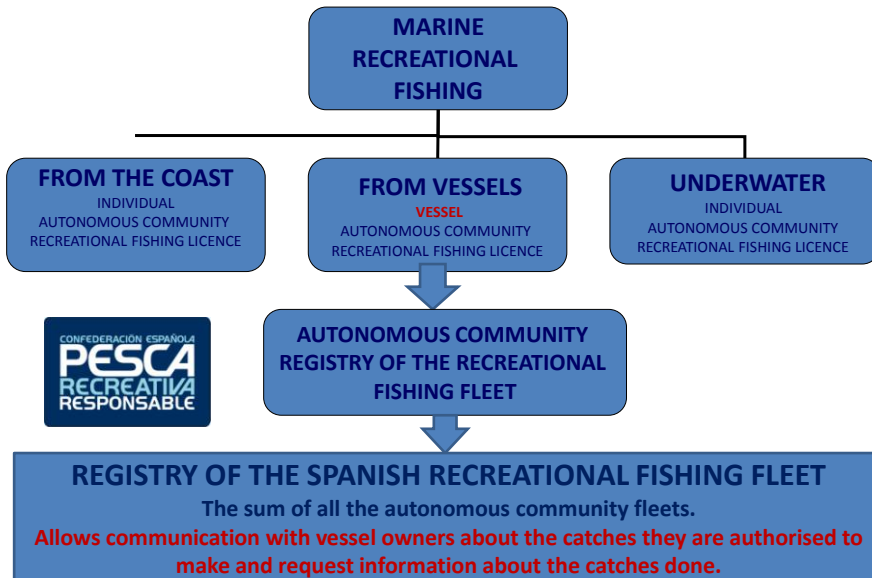
THE CANARY ISLANDS HAVE THEIR OWN REGULATIONS



ROYAL DECREE ON MARINE RECREATIONAL FISHING ADMINISTRATIVE JURISDICTION BY MODALITY



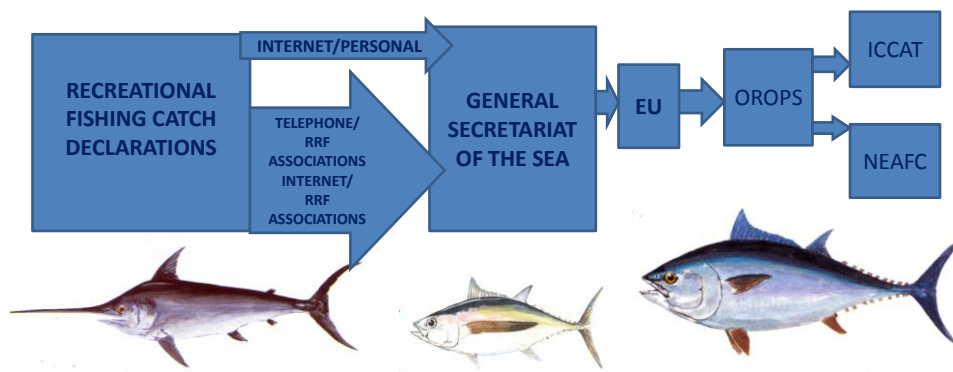
ROYAL DECREE ON MARINE RECREATIONAL FISHING LICENCES AND FLEET REGISTRY



ROYAL DECREE ON MARINE RECREATIONAL FISHING RECREATIONAL FISHING FROM VESSELS AUTHORISATION TO FISH DIFFERENTIATED PROTECTION SPECIES - ANNEX III

In order to catch species subject to differentiated protection, vessels must have a specific authorisation issued by the General Secretariat for Sea Fishing and make regular catch declarations.

PREFERIBLY THROUGH "RESPONSIBLE RECREATIONAL FISHING ASSOCIATIONS"



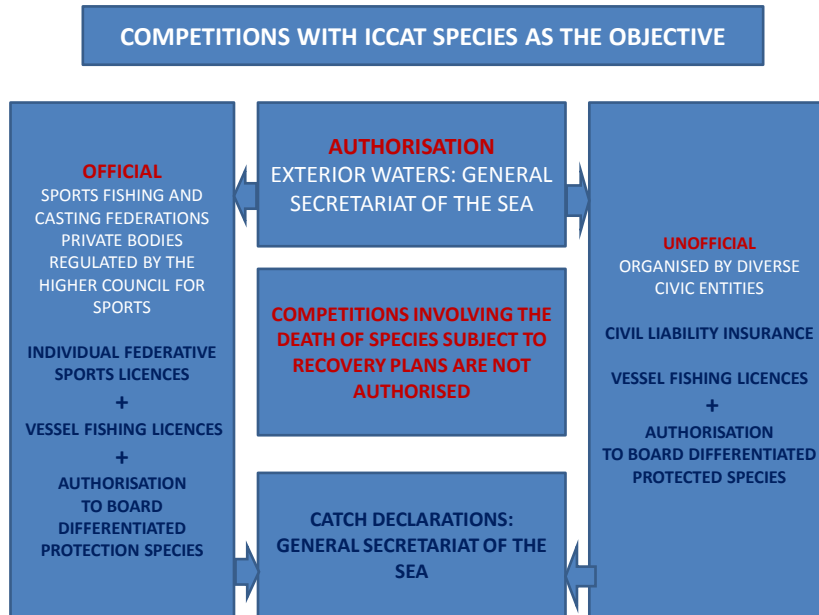
ROYAL DECREE ON MARINE RECREATIONAL FISHING GENERAL – SPECIFIC ARTICLES



ROYAL DECREE ON RECREATIONAL MARINE FISHING RECREATIONAL FISHING FROM VESSELS – GENERAL ARTICLES

- Only authorised species of fish and cephalopods may be caught and the minimum sizes must be respected.
- The types of tackle permitted are the hand line, rod, trolling, *volantín* (a line with several hooks) and cuttlefish line, as well as other essential tackle to bring the catch on board. For each SGM fishing zone other tackle may be authorised and their technical features regulated.
- The following are expressly prohibited:
 - a) Using or having on board nets, tackle or instruments used for professional fishing.
 - b) Interfering with professional fishing. Vessels should generally remain at a minimum distance of 0.162 nautical miles (the equivalent of 300.024 metres) from professional fishing vessels, except in the case of rod tuna fishing, in which case the minimum distance will be 0.269 nautical miles (the equivalent of 500 metres) and 0.080 nautical miles (the equivalent to 148.160 metres) from nets or underwater tackle. Likewise, to maintain a minimum distance of 0.107 nautical miles (the equivalent of 200 metres) from the perimeter lines delimiting fish farms.
 - c) The use of more than two electrical reels per vessel; the maximum power and length of line will be established for each of the fishing areas.
 - d) The use of any artificial means of attracting or concentrating the species to be caught and, expressly, the use of lights for that purpose, except for chumming with small pelagics.
 - e) The use or possession of any kind of poisonous, narcotic, explosive or polluting substance.

MARINE RECREATIONAL SPORT FISHING –SPECIFIC ARTICLES



MARINE RECREATIONAL TOURISM FISHING “CHARTER” – SPECIFIC ARTICLES

- REGISTRATION OF THE VESSEL IN MERCHANT MARINE LIST 6
- AUTONOMOUS COMMUNITY COMMERCIAL ACTIVITY AUTHORISATION
- SPECIFIC AUTONOMOUS COMMUNITY FISHING LICENCE FOR RECREATIONAL TOURISM FISHING “CHARTERS”
- AUTHORISATION TO FISH DIFFERENTIATED PROTECTION SPECIES AND PERIODIC (2 MONTH) DECLARATION OF CATCHES TO THE GENERAL SECRETARIAT OF THE SEA
- ANUAL DECLARATION OF CAPTURES TO THE GENERAL SECRETARIAT OF THE SEA

ROYAL DECREE ON MERINE RECREATIONAL FISHING

UNDERWATER RECREATIONAL FISHING

GENERAL STATE ARTICLES

- 1. Únicamente está permitido el arpón manual o impulsado por medios mecánicos y que podrá tener una o varias puntas.
- 2. Se prohíbe la práctica de la pesca submarina de recreo cuando se lleve a bordo de la embarcación, simultáneamente, instrumentos de captura de pesca submarina y equipos de respiración en inmersión.
- 3. Cada buceador deberá marcar su posición mediante una boya de señalización claramente visible, de la que no deberá alejarse de un radio superior a 0,013 millas náuticas o 25 metros.
- 4. En el ejercicio de esta modalidad de pesca marítima de recreo queda expresamente prohibido:
 - ✓ Tener el fusil cargado fuera del agua.
 - ✓ El empleo de instrumentos de captura con punta explosiva eléctrica o electrónica, así como de focos luminosos, salvo las linternas de mano.
 - ✓ El uso o tenencia de artefactos hidrodreslizadores y vehículos similares
 - ✓ La práctica de esta actividad en horario nocturno, desde el ocaso al orto.
 - ✓ El uso o tenencia de cualquier sustancia venenosa, narcótica, explosiva o contaminante.
 - ✓ Interferir la práctica de la pesca profesional.



ILLEGAL FISHING

**Illegal fishing in Spain
carried out by
non-professional fishermen.
Underwater fishing, fishing from the coast
and fishing from vessels on Lists 6 and 7.**

**The sale of fish in recreational fishing
is expressly prohibited.**

**The Royal Decree does not contain
any specific articles on fines and refers
to the State Maritime Fishing Act 3/2001**



**THANK YOU VERY
MUCH**

