# **Terms and Conditions for Participation in CHART Cymru**

# **OVERVIEW**

CHART Cymru, will provide a unique opportunity to participate in a pioneering recreational scientific data collection programme operating under an authorisation for scientific purposes issued by Welsh Government. The programme is being run by Swansea University on behalf of Welsh Government. This new policy and data collection programme has been co-designed with recreational angling representatives as well as wider stakeholder groups and will permit authorised and targeted recreational angling for the scientific tagging of Atlantic Bluefin Tuna (BFT). It will facilitate data collection on this species in Welsh waters through conventional floy tagging and feed this back to the International Commission for the Conservation of Atlantic Tunas (ICCAT) Grand Bluefin Tuna Year Programme. As such any skipper operating under authorisation will be an ambassador for the CHART Cymru programme. To deliver CHART Cymru, Welsh Government will be authorising a limited number of vessels to catch, tag and release BFT under certain conditions. These conditions will include compliance with safety and vessel competence codes, as well as operational conditions relating to fishing and fish tagging activity which are designed to protect the tuna and other species which may be found in the wider area. Many of the terms and conditions of participation will be addressed by the authorisation process, while those relating to operations will be reviewed on a continual basis to determine ongoing compliance. Should these conditions fail to be met a review and escalation process will ensure that public confidence in the programme is maintained. Welsh Government will retain the right to revoke authorisation if the conditions attached to the authorisations are not adhered to.

# **OPERATIONAL CONDITIONS**

Once an authorisation has been awarded, skippers and crews will be required to be familiar with and comply with the terms of their authorisation at all times, in addition to any other legal obligations imposed by statute or any other source of law

# **STANDARDS OF OPERATION**

# Participation in CHART Cymru:

* 1. Selection at the application stage does not guarantee an authorisation will be granted to participate in CHART Cymru. In addition, skippers and named crew members will need to participate in a mandatory training course (dates TBC) covering appropriate techniques and competencies for catching, handling and releasing tuna, animal welfare best practice, and gear requirements.
	2. Skippers will only be permitted to fish within the Welsh waters of ICES Divisions 7.a, 7.g and 7.f.
	3. Authorisation will be non-transferrable between vessels and the authorisation will cease to be valid if the vessel details change or the vessel is no longer registered.
	4. The primary crew member(s) must be named as requested in the application.
	5. The provision of space onboard the vessel during an authorised trip for an observer nominated by Swansea University is mandatory and thus the space available to paying anglers will be 1 less the maximum passenger capacity for the vessel.
	6. The authorisation will cease to be valid if [The Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998 (legislation.gov.uk)](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F1998%2F1609%2Fregulation%2F5%2Fmade&data=04%7C01%7C%7Cc58c999f638f4dc4a42308d8de6da030%7Ceeea3199afa041ebbbf2f6e42c3da7cf%7C0%7C0%7C637503909712939649%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=Vue042xQTyRh%2FWiMmoqRmfxU1VwjT4Ko6zj3Xm2rt7w%3D&reserved=0) are not complied with.

# Operation:

* 1. Prior to participation, paying anglers must read and sign the Angler Code of Conduct (annex 1). This includes the monitoring and control of the fishing/capture process and will permit the skipper to take over the rod if deemed necessary to facilitate animal welfare in line with protocols.
	2. Skippers or primary named crew members must provide a pre-trip briefing to anglers on the purpose of CHART Cymru, roles and responsibilities, any key safety elements, the fishing/observation protocols that will be used and social media policy.
	3. Fishing operations must be conducted in line with authorisation and CHART Cymru fishing Standard Operating Procedure (which will be supplied by Swansea University to skippers in their participation pack once authorisation is issued).
	4. Fishing will only be permissible during daylight hours.
	5. The vessel must be capable of carrying at least 4 passengers (anglers or observer) in addition to the skipper and crew. Noting a minimum of three persons will be required on board (excluding observers).
	6. Fishing and capture of Atlantic bluefin tuna will only be conducted with approved fishing gear. The fishing gear used within CHART Cymru must comply with that specified in Appendix 2 – Gear List (contained within the Application pack) and may be subject to inspection prior to authorisation. The upkeep and good maintenance of the gear used will reside with the skipper.
	7. The skipper and crew must remain free from alcohol for the duration of each fishing operation.

# Data Collection and Monitoring:

1. Swansea University will provide a trained observer for at least 10% of fishing trips (arrangements will be made in accordance with section 4b below).
2. Skippers will need to record data on fishing activity (including GPS locations) and each capture event (from hook-up to release).
3. Data sheets must be fully completed for each trip (even where no tuna are caught) and supplied to Swansea University within 24-hours of fishing operations.
4. Any mortality of BFT must be reported immediately to the CHART Cymru on-call phone number or email address (advised as part of the participation pack) and arrangements made for its permitted return to shore for scientific studies (in accordance with the protocols supplied in the participation pack).
5. Bycatch of other species during tuna fishing activities (e.g., marine mammals or sharks) should be handled in accordance with the protocols (Annex 2).

Swansea University and Welsh Government are committed to the responsible handling and security of personal data. Your privacy is important to us and protected in law through the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018). For details on how we will process your personal information in line with these regulations please refer to our [data protection policy](https://www.swansea.ac.uk/media/GDPR-DP-Policy-July-2022.pdf). A full Privacy Notice is included in the Application Pack

# Communication:

1. Each week (on a Friday), skippers are required to advise Swansea University of their proposed fishing intention for the following week, either by e-mail to CHARTcymru@swansea.co.uk or message to the CHART Cymru on-call phone number (advised as part of the participation pack).
2. The plan to fish will be confirmed by receipt of a text message from the skipper to the CHART Cymru on-call phone number 24-hrs in advance (to allow for the carriage of observers to be arranged).
3. Media statements (inc. social media) will need to be appropriate and consider the reputational preservation of the CHART Cymru programme.

# Animal Welfare:

# Fishing methods, restraint, tagging and release protocols have been established to minimise the impact of CHART Cymru on fish welfare and good practice is at the heart of this programme’s design. Therefore skippers, as the ambassadors for CHART Cymru, will play a central role in conducting fishing operations in accordance with these protocols. Consequently;

1. All CHART Cymru fishing and fish handling will be conducted in accordance with the fishing Standard Operating Procedure.
2. The use of live bait will not be permitted.
3. No live BFT will be permitted to be brought on board except where the tagging is being undertaken as part of THUNNUS UK and undertaken by Home Office licenced Scientific Staff.
4. Tagging will be conducted by trained skipper or certified crew only.
5. No tagging of BFT will occur outside of the notified CHART Cymru operations.
6. Any BFT mortalities and bycatch must be reported as set out in 3g above and Annex 2.

# The Escalation Process:

1. The Flag System – A flag system is embedded into the CHART Cymru programme, with three levels of flag: green, amber and red.

Green flags will cover:

* non-conformances with protocols or guidelines that are picked up through self-reporting or monitoring, and or
* potential performance issues measured against a benchmark of the peer group identified from reported data of self-reporting.
* Both will be followed up by offering advice and support. Green flags offer a way to identify lessons learned in real-time and will help with technical and professional development of fishing and tagging techniques within the programme and will embed an ethos of excellence.

Amber flags will be used for breaches of authorisation terms, or operational conditions that require an advisory notice to be sent to a skipper. Some of the amber flags describe potentially serious non-conformances, and so repetitions of some of the amber flags would trigger a red flag and entry to the escalation process.

Red flags will be used for serious breaches of the authorisation conditions.

A table of conceivable flag offences is given below in Table 1, but the operational nature of CHART Cymru, expanding programme size and advancing techniques inhibits the issuing of a definitive or complete list of breaches. Those actions deemed to be a flag offence which are outside of the list in Table 1 will be taken to Steering Group for a final decision.

1. The Escalation Board – It will be important to review any serious breaches (red flags) quickly to reach a resolution. Fishing activity would be suspended until the resolution is reached. To avoid any conflict of interest, the board will comprise of candidates:
	* Not involved in the day to day running of CHART Cymru,
	* who are able to take an informed view of the situation arising and the need for appropriate action.

In the event of a breach, the Escalation Board will be formed and chaired by the Welsh Government. The Board will include representatives from Welsh Government, Swansea University, Natural Resources Wales and the angling sector which is expected to be facilitated by the Angling Trust. Skippers would be represented at the board either directly or by an advocate (if they are unavailable). In the event of the decision being reached to revoke authorisation, the skipper would have the opportunity to pursue an appeals process, as per Welsh Government guidelines see Annex 3.

**Example flags and the proposed action**

Table 1

|  |  |  |
| --- | --- | --- |
| ***Flag*** | ***Type/ colour*** | ***Process/ consequence*** |
| Use of live bait  | Licence breach | Escalation process |
| Boarding a live tuna | Authorisation breach | Escalation process |
| Failure to notify a mortality or to land a dead tuna without notification | Authorisation breach | Escalation process |
| Tagging of tuna by non-trained crew or member of the public | Authorisation breach | Escalation process |
| Fishing for or Tagging of tuna outside of notified fishing activity | Authorisation breach | Escalation process |
| Failure to report bycatch events | Environmental impact | Escalation process |
| Failure to notify fishing activity in accordance with agreed procedures | Authorisation breach | Advisory notice |
| Failure to accept observer | Authorisation breach | Advisory notice |
| Repeated failure to provide data within 24-hours | Authorisation breach | Advisory notice |
| Significant deviation from authorised and approved gear or equipment | Authorisation breach | Advisory notice |
| Failure to observe the Rules of Maritime Navigation | Safety risk | Advisory notice |
| Bycatch of tuna on non-fishing days, or bycatch of other marine species on tuna fishing days | Reputational damage | Advice and support |
| Deviation from authorised and approved gear or equipment without prior agreement from Welsh Government | Non-conformance | Advisory notice |
| Use of non-identified or inexperienced crew in tagging operations | Non-conformance | Advisory notice |
| Failure to provide data within 24-hours | Authorisation breach | Reminder |
| Failure to provide camera footage  | Authorisation breach | Reminder |
| Extended fight times | Fishing efficacy | Advice and support |
| Mortality events | Fishing efficacy | Advice and support |
| Failure to observe good practice around marine wildlife  | Reputational damage | Advice and support |
| Hook-up: captured ratio (<50%) | Fishing efficacy | Advice and support |
| Lost gear or poorly maintained gear | Fishing efficacy | Advice and support |
| Deviation from tagging protocol | Tagging efficacy | Advice and support |
| Poor data reporting quality | Reporting efficacy | Advice and support |

# Breaches of Authorisation Conditions:

# Failure to comply with the terms of the Authorisation (which will be provided when the Authorisation is issued), will be handled in accordance with section 6 (above). ‘The Escalation Process’ and may result in any of the following:

# remedial actions being required to be undertaken by the skipper in accordance with any instructions provided by Welsh Government, and/or

# termination of authorisation.

In addition to the above Welsh Government reserves the right to revoke the authorisation at any time, as per Welsh Government procedures.

I acknowledge my understanding of the Terms and Conditions for Participation in CHART Cymru as stated above and confirm I agree to participate in the CHART Cymru programme on the basis of these Terms and Conditions.

Signed:

Full Name:

Date:

**Annex 1. CHART Cymru 2023 Angler Code of Conduct / guidance.**

Thank you for supporting the CHART Cymru program by your chartering this authorised vessel to participate in this important research program.

Atlantic Bluefin Tuna (ABT) are large powerful fish and in many cases this may be your first experience of catching such a physically demanding quarry.

We hope you enjoy this experience and the opportunity to catch and release one of the world’s most sought after sporting fish. CHART Cymru is first and foremost a Scientific Research Program, and as such the operational requirements of the day’s activity will be different in many ways from other fishing activity you may have taken part in.

The skipper, crew, vessel, gear and techniques have been chosen with the primary objectives of creating a safe environment for anglers, and to reduce welfare risks including mortality during capture.

This Angler Code of Conduct is intended to help inform anglers of the requirements of their participation in this process. In undertaking this charter you are acknowledging and accepting the conditions and requirements outlined below.

CHART Cymru is a team effort, and our joint objectives can only be achieved by working together. You are a key part of that team and as such may be asked to carry out certain tasks on the day, aiding with data collection, clearing gear after a hookup etc. Much of this is voluntary of course, and we hope will contribute positively to your enjoyment of the day.

In relation to the capture process after hookup you are required to follow the instructions of the authorised skipper and crew. Failure to follow such instructions may give cause for the charter to be terminated and the vessel return to port.

The specific requirements outlined below are there to ensure a safe, enjoyable day with fish welfare as a key objective.

**Fishing tackle.**

The gear used has been specifically chosen and set up to facilitate the timely capture of Bluefin and reduce the number of lost, damaged or killed fish. Anglers should not adjust elements such as reel drags, rod locations etc but leave that to the trained skipper/crew.

**Physical requirements.**

ABT provide a very physical challenge to anglers and participants should be moderately fit to undertake this task. If at any point the skipper/crew feel that an anglers physical condition may create a safety issue for them or compromise the welfare of the fish they may require that the angler does not directly engage in the capture via the rod/reel.

 **‘Fight time’ restrictions.**

It is generally accepted that overly long ‘fight times’ may compromise the welfare and survival rates of large pelagic species. Consequently, all CHART Cymru participants are required to follow guidelines regarding time limits regarding how long anglers can fight the fish.
The skipper/crewman have DISCRETION to intervene before the following points if they feel it necessary, but have an OBLIGATION to not exceed them.

Most Bluefin hooked should be able to be subdued well within the limits set out below, with the gear and guidance provided by the skipper/crew. However, these requirements are in place to address those situations that result in potentially extended fight times.

**45 minutes** after hookup If the fish has not already been leadered the Skipper/crew will assess the probability that the fish can be brought boatside within the next 15 minutes.

If their conclusion is no, the angler will be required to hand the rod to the authorised crewman at that point. If their conclusion is yes, the angler will continue to fight the fish.

At **60 minutes** if not already leadered the skipper/crew are **required** to take the rod over from the angler **unless** in their view leadering is imminent, and such handover may increase risks of a lost fish. Anglers will generally be required to have brought the fish boatside within 60 minutes or have handed the rod over to the skipper/crew.
Under no circumstances will anglers be permitted to continue the fight beyond **75 minutes**.

The skippers/crew have absolute discretion regarding if/when an angler must pass the rod to the crewman (or another angler if they deem appropriate) at **anytime** during the fight process, and an obligation to observe the 60 and 75 minute requirements as set out above.

**‘Tag teaming’.**

Several anglers ‘taking turns’ on the fishing rod during the capture does bring some risks to the fish during the handover process. However, it may be desirable in the event of an angler becoming fatigued where switching to a ‘fresh’ angler could help minimise fight times.
Such a changeover during the capture process is totally at the discretion of the authorised skipper. Changing angler should be undertaken solely for that purpose of minimising fight times, and not to facilitate multiple anglers just ‘having a go’.

The changeover itself must be supervised by the authorised crewman or skipper.

**Alcohol.**
No alcohol is to be consumed during the day’s fishing activities and skippers/crew may refuse the take on board anglers who arrive in condition that may compromise their ability to undertake the day’s activities in a safe, effective manner.

**Data Collection.**

A large part of the day’s activity will consist of collecting data to further our understanding of Bluefin, their environment and the capture process. Anglers may be requested to help in this through recording sightings, filming parts of the day’s activity etc. This is not compulsory but may help the skipper/crew and underlines that this is a Team based process.

**Socio-economic survey.**

Anglers may be requested to complete a socio-economic survey that is being undertaken to help determine the potential economic and other benefits CHART Cymru and any possible subsequent programs/fishery. Participation is not compulsory but encouraged.

**On board observers.**

As part of the terms of the CHART Cymru program, a percentage of fishing trips will be accompanied by an onboard observer from Swansea University. These observers are there to guide, assist, and learn more about the fishing process, whilst ensuring that the rules governing the program are being observed. We request that anglers make these observers welcome and engage with them on the day if present.

**Covid-19.**
Skippers, crew and anglers may still be subject to Government guidance and restrictions regarding Covid-19 at the time of these fishing operations. If so all participants will be required to follow these and any specific protocols regarding charter vessel operations.

The requirements and guidance outlined above are designed to ensure your safety and appropriate fish welfare in what is primarily a scientific research program.

CHART Cymru provides a legal, safe, professional environment for anglers to enjoy one of the world’s greatest sporting fish whilst contributing valuable scientific insights which will help inform the future management strategy and ensure Atlantic Bluefin have a sustainable, bright future.
We hope you enjoy your day and thank you for your participation and support.

Annex 2 Bird and Mammal Interaction Protocol

|  |  |  |
| --- | --- | --- |
| Rating | Description | Action |
| Be Alert | Species features active in vicinity of vessel. Marine mammals may generally approach or circle the boat out of interest or be attracted to towed spreader bar. Marine mammal behaviour will be inquisitive and playful rather than predatory.Birds may be circling or resting on water close by. | Fishing carries on as normal. Skipper and all crew to be alert to developing risks and ready to take evasive action. |
| Avoid | Species features begin to interact with bait or lures.For example, skipper and/or observer believes marine mammals are behaving in a predatory manner and/or targeting lures or baits. Alternatively, skipper and/or observer sees birds diving on lures or baits. | Skipper will instruct crew to bring in lines, tackle and baits immediately.Skipper to move out of area immediately.  |
| Cease and Review | Marine mammal or bird feature species is accidentally hooked/captured. | **Bottlenose dolphin (*Tursiops truncatus*)***Instructions to skippers:** Skipper will instruct crew to bring in lines, tackle and baits immediately and individual will be released unharmed wherever possible.
* Skipper will move out of area immediately and cease tuna fishing for the day.
* Skipper will report species of capture to WFMC, who will report it to WG Science and NRW.

*Review process*As soon as possible following a reported capture, a review will take place between skippers, WG Science, Observers (if present) and NRW to learn from chain of events leading to the interaction and determine whether tuna fishing can re-commence. If possible, interaction avoidance procedures will be adapted and tuna fishing will recommence with caution. If multiple capture reports are received from different vessels on different days, then further avoidance procedures or a re-assessment of the impact to the relevant feature will be required.**All other marine mammal or bird feature species**Instructions to skippers:* Skipper will instruct crew to bring in lines, tackle and baits immediately and individual will be released unharmed wherever possible.
* Skipper will move out of area immediately.
* Skipper will report\* species of capture to WFMC, who will report it to WG Science and NRW.
* Skipper will recommence tuna fishing that day once activity returns to the ‘Be Alert’ level and capture reported to WG Science and NRW.
* If further captures occur that same day, of the same or other feature species, skipper will report species of capture to WFMC and cease tuna fishing for the day.

*Review process*As soon as possible following a reported capture, a review will take place between observers, skippers, WG Science and NRW to learn from chain of events leading to the interaction. If necessary, interaction avoidance procedures will be adapted. If multiple capture reports are received from different vessels on different days, then further avoidance procedures or a re-assessment of the impact to the relevant feature will be required.**\*Information to include within capture report to WFMC which will be passed on to WG Science and NRW*** Time of capture
* Location of capture
* Fishing method in operation at time of capture
* Type of capture (e.g. took bait, foul hook, vessel collision)
* Observed behaviour of animal before interaction
* Details of any action taken at avoid stage to prevent capture
* Action taken following capture
* Condition of animal following capture, and if released, at release

Images of animal, if available |