

**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**

**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.

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**NEW ROYAL DECREE..... 2011**

# 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 AUTHORISED 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.



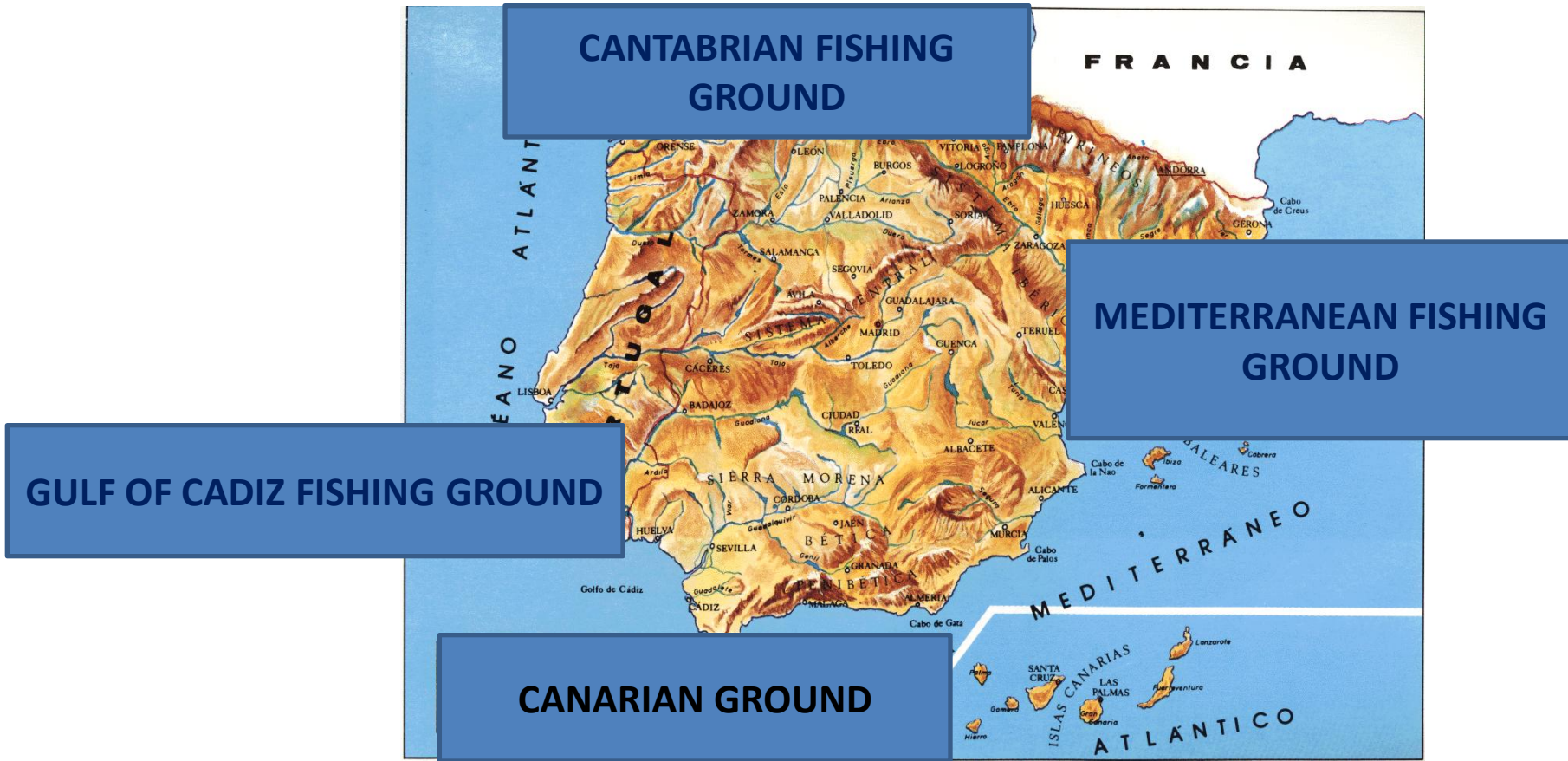


# ROYAL DECREE ON MARINE RECREATIONAL FISHING

## FISHING GROUNDS

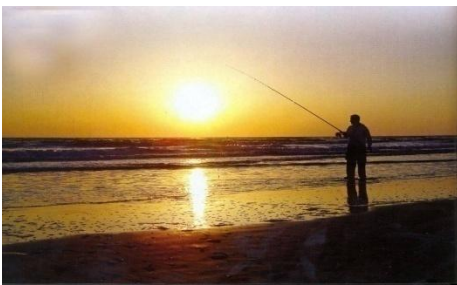
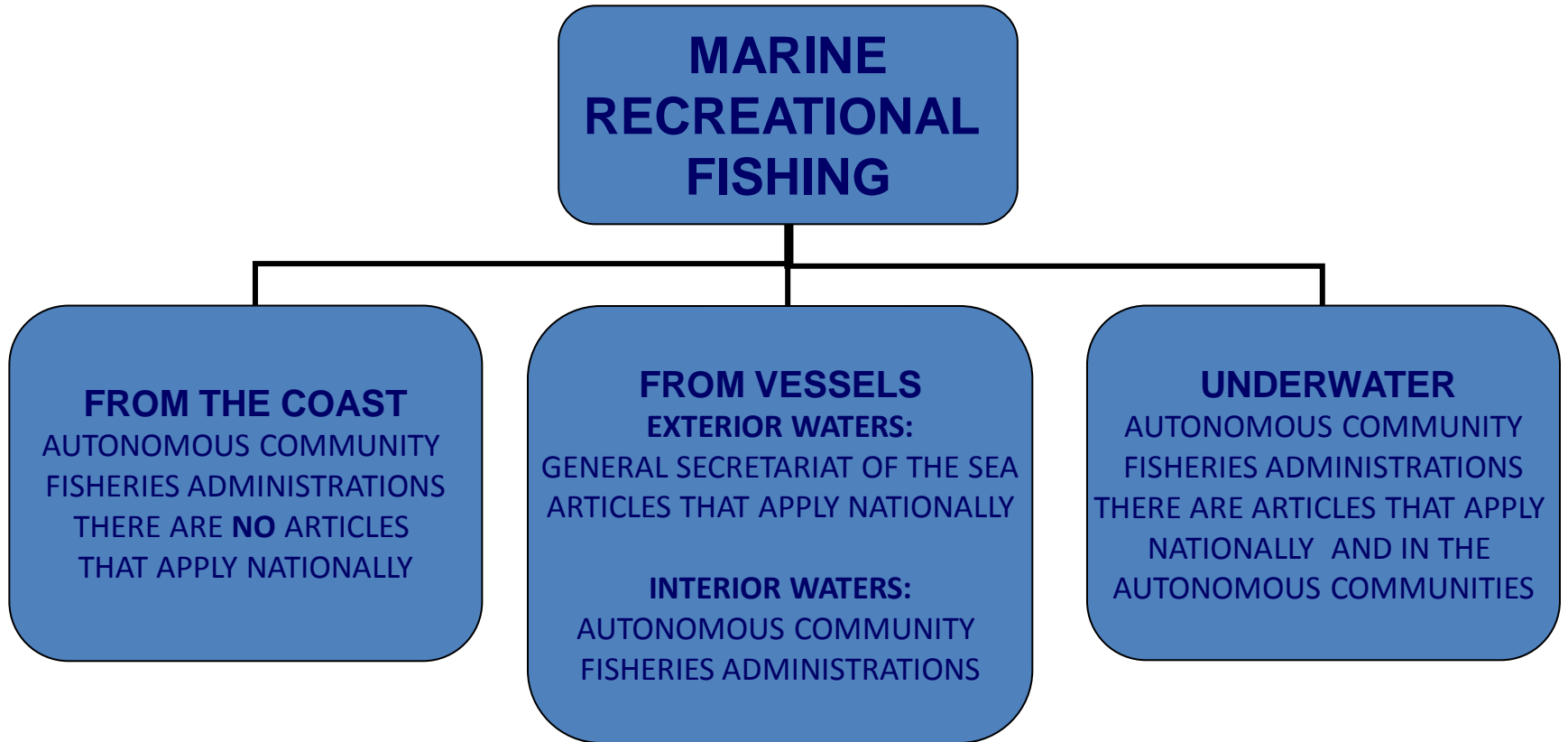
The exterior waters of the national fishing ground will be divided into four different administrative units: the Cantabrian Sea and Northwest, the Gulf of Cadiz, the Mediterranean and the Canarian Ground; for each zone a Ministerial Order will be passed to establish, among other questions, maximum daily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

### THE CANARY ISLANDS GROUND

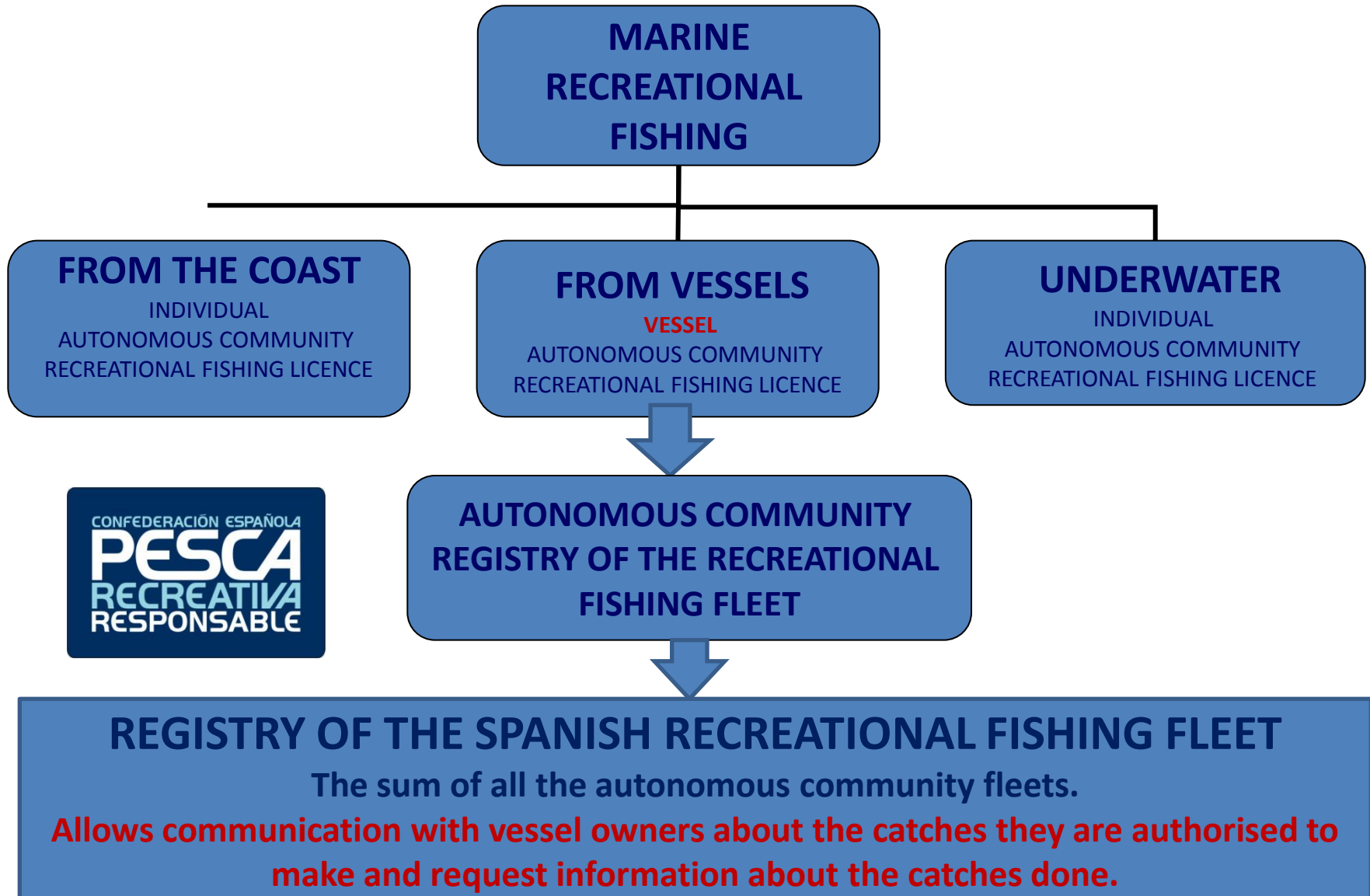


# ROYAL DECREE ON MARINE RECREATIONAL FISHING

## ADMINISTRATIVE JURISDICTION BY MODALITY



# ROYAL DECREE ON MARINE RECREATIONAL FISHING LICENCES AND FLEET REGISTRY



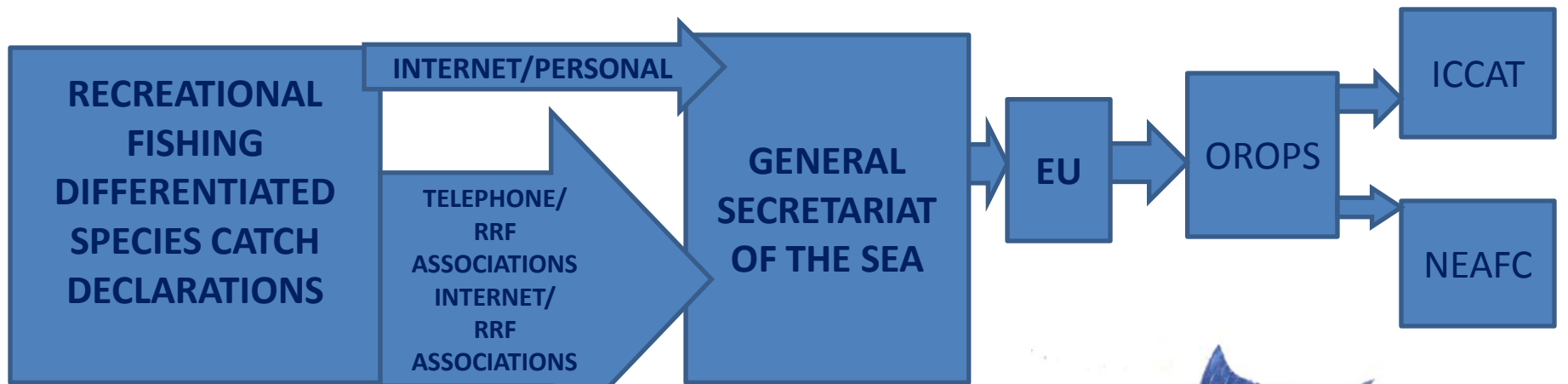
# ROYAL DECREE ON MARINE RECREATIONAL FISHING

## 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.

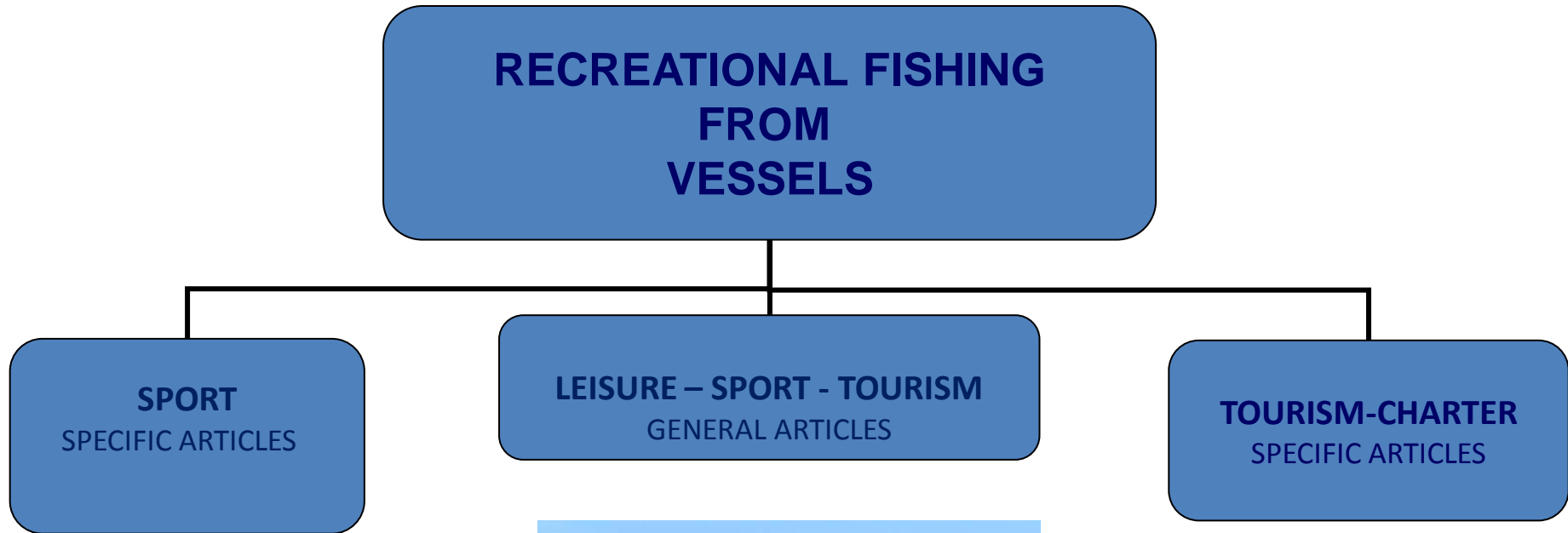
**PREFERIBLY THROUGH “RESPONSIBLE RECREATIONAL FISHING ASSOCIATIONS”**





# ROYAL DECREE ON MARINE RECREATIONAL FISHING

## GENERAL – SPECIFIC ARTICLES



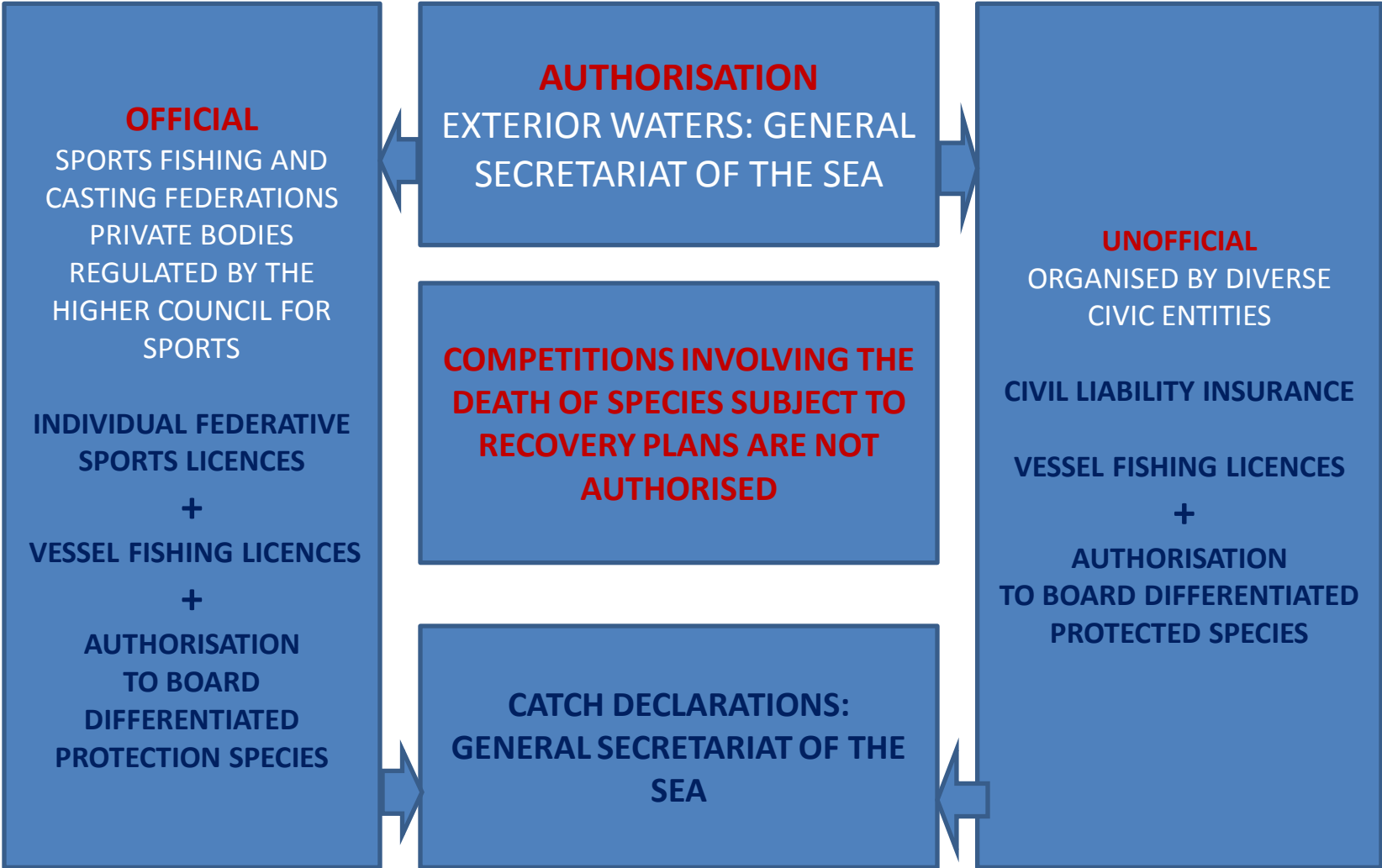
# ROYAL DECREE ON RECREATIONAL MARINE FISHING

## 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 metros) 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

## COMPETITIONS WITH ICCAT SPECIES AS THE OBJECTIVE



# **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. Only manual harpoons and those propelled by mechanical means are permitted. They can have one or several points.
- 2. Recreational underwater fishing is forbidden if the vessel is simultaneously carrying instruments for catching fish underwater and breathing equipment for diving.
- 3. Each diver must mark their position with a clearly visible signal buoy and should keep within a radius of 0.013 nautical miles or 25 metres of it.
- 4. The following are expressly prohibited in this mode of recreational sea fishing:
  - ✓ Having the harpoon gun loaded out of the water.
  - ✓ Using instruments for catching fish with explosive electrical or electronic tips, as well as lights (except for hand torches).
  - ✓ The use or possession of air-cushion vehicles, hydrofoils or similar vehicles.
  - ✓ Undertaking this activity at night from sunset to sunrise.
  - ✓ The use or possession of any poisonous, narcotic, explosive or polluting substance.
  - ✓ Interfering with professional fishing activities.



# 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**

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**THANK YOU VERY  
MUCH**



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