

Publisher: Minister of Environment  
Type of act: regulation  
Type of text: full text  
Entry into force of the revision: 18.07.2023  
Expiry of revision: Currently valid  
Disclosure notice: RT I, 15.07.2023, 6

# Form of special fishing permit, additional conditions for special fishing, review of application, granting of permit and revocation of permit, fee for special fishing right and request for use of electric fishing gear, issuance of certificate and revocation of certificate

[ RT I, 28.11.2017, 41 - entry into force. 01.12.2017]

Adopted on 01.07.2015 No. 40  
RT I, 08.07.2015, 3  
entry into force 11.07.2015

## Amended by the following acts

Reception	Publication	Enforcement
23.11.2017	RT I, 28.11.2017, 41	01.12.2017, partially 01.01.2018
13.12.2020	RT I, 18.12.2020, 2	01.01.2021
13/05/2022	RT I, 17.05.2022, 14	20/05/2022
10.06.2022	RT I, 27.06.2022, 1	30.06.2022
07/07/2023	RT I, 15.07.2023, 1	18.07.2023

The Regulation is established on the basis of Section 20(5) of the Fishing Act and Section 11(2)(2) of the Environmental Charges Act .

## § 1. Special fishing permit

A special fishing permit (hereafter *permit* ) grants the right to fish for special purposes under the conditions and means specified in the Fishing Act and with the special fishing permit.

## § 2. Application for a special fishing permit and the documents to be submitted for this purpose

(1) In order to obtain a permit, the applicant submits a signed application to the Ministry of Regional Affairs and Agriculture (hereinafter *the grantor of the permit* ), which must state:

[ RT I, 15.07.2023, 1 - entry into force. 18.07.2023]

1) the applicant's first and last name and personal identification number or business name and registry code and the applicant's address, e-mail address, telephone number, first and last name and address of the legal entity representative;

[ RT I, 28.11.2017, 41 - enters into force. 01.01.2018]

2) the purpose of fishing and, if there is a contract concluded for conducting scientific research, also the details of the contract;

3) the water body with the corresponding registry code of the Estonian nature information system and the region, or, if possible, the small fishing squares established on the basis of § 61 (9) of the Fishing Act;

[ RT I, 27.06.2022, 1 - enters into force. 30.06.2022]

4) time period when fishing takes place;

5) fishing gear and their number and indicators characterizing fishing capacity (mesh size, etc.);

6) types of fish to be caught or aquatic plants to be collected;

7) quantity of fish to be caught, fish roe or aquatic plant to be collected;

8) requested special conditions (fishing in a prohibited time, place or with prohibited means, by-catch of undersized fish, etc.);

9) name, ship number or radio call sign and name of the ship owner of the vessel or boat used for fishing;

10) if the applicant does not fish, the name, personal identification number and position of the person directly fishing (hereinafter *the fisherman* );

[ RT I, 28.11.2017, 41 - enters into force. 01.01.2018]

11) what the caught fish is used for;

12) if fishing is supported for the purpose of several environmental studies, the fishing schedule must be submitted by fishing gear, water bodies or fishing areas;

13) in the case of a recreational fishing competition, a reference to the competition calendar or other media reports introducing the event;

14) date of submission of the application and signature of the applicant;

15) the recommended way of delivering an administrative act or other document.

(2) The application specified in paragraph 1 may also be submitted electronically with a digital signature. An electronically transmitted application must have a digital signature that meets the requirements set forth in the Digital Signature Act.

(3) The following documents shall be attached to the application:

1) when applying for a special fishing permit for fishing on a privately owned body of water – the written consent of the owner of the body of water;

2) when applying for a special fishing permit for fishing for the purpose of fish resettlement - a stocking permit in accordance with the procedure established on the basis of § 16 (3) of the Fishing Act.

### **§ 3. Review of the application**

(1) The permit issuer registers the received application, checks the compliance of the application with the requirements of this regulation and assesses the necessity and justification of special fishing.

(2) If the application does not meet the requirements of § 2, the permit issuer shall inform the applicant thereof and set a deadline for eliminating the deficiencies. When setting the deadline, the deadline specified in § 4 subsection 1 and § 6 subsection 2 is extended by the time required to eliminate the deficiencies.

### **§ 4. Granting, preparation and registration of a special fishing permit**

(1) If the application meets the requirements and is justified, the permit grantor decides to grant the permit within 15 working days from the registration of the application and issues a permit according to the form presented in Appendix 1, which is also the decision to grant the permit.

(2) The registration number is indicated on the permit in accordance with the order in which permits are issued.

(3) The applicant's first and last name, institution or business name are entered in the line "Permit recipient".

(4) In the line "Purpose of fishing", an appropriate explanation and, if there is a contract concluded for the purpose of scientific research, also the details of the contract.

(5) If it is not possible to determine the quantity of fish or aquatic plants to be caught in advance, a corresponding entry is made in the line "Quantity to be caught".

(6) In addition to the fishing gear used, the fishing gear marking, which is the special fishing permit number or the fishing gear number, is entered in the line "Fishing gear, fishing gear marking".

### **§ 5. Additional conditions**

Due to the purpose of special fishing and the need to obtain data on fishing, one or more of the following additional conditions may be indicated on the permit:

- 1) conditions and requirements regarding the use of fishing gear and fishing;
- 2) fish caught in special fishing is used only for the purpose specified in the permit;
- 3) the sale of caught fish is prohibited;
- 4) fish caught but left over from fulfilling the purpose of environmental research, educational practice or improving the ecosystem of water bodies can be sold. The amount received from the sale is transferred to the state budget;
- 5) fish caught in recreational fishing competitions remain with the catcher;
- 6) before starting fishing, the Environmental Board (Hairekeskus) is informed about this by calling 1247 and the number of the special fishing permit, on the basis of which the fishing is carried out, is reported; catcher's name; boat number and characteristics;  
[ RT I, 17.05.2022, 14 - enters into force. 20.05.2022]
- 7) when returning from fishing, the number of the special fishing permit, on the basis of which the fishing was carried out, the name of the fisherman is provided at least one hour before arriving at the port or beach from fishing on the phone number 1247 of the Environmental Board (Alarm Center); boat number and characteristics, time and place of arrival at port or beach, and quantities of fish caught in kilograms by species. The amount of fish stated in the notification must not differ by more than 10% from the amount of fish on board the ship or other means of fish transport and brought to the shore;  
[ RT I, 17.05.2022, 14 - enters into force. 20.05.2022]
- 8) fishing data on special fishing shall be submitted to the permit grantor by the deadline specified in the permit.

### **§ 6. Refusal to issue a permit**

(1) The granting of a permit shall be refused on the basis of § 21 (1) of the Fishing Act.

(2) Within 15 working days from the registration of the application, the permit issuer prepares a written decision on the refusal to issue a special fishing permit and sends a copy of the decision to the applicant within five working days.

(3) The permit grantor's decision on the refusal to issue a special fishing permit must include at least:

- 1) the date of the decision;
- 2) the legal norm on which the decision is based;
- 3) content of the decision;
- 4) justification;
- 5) name and signature of the representative of the authorizing party.

### **§ 7. Revocation of permit**

(1) In the event of the occurrence of the circumstances provided for in subsection 21 of § 21 of the Fishing Act, the grantor of the permit declares the special fishing permit invalid.

(2) The decision to revoke the permit shall be sent immediately to the holder of the special fishing permit and the Environmental Board.

[ RT I, 18.12.2020, 2 - enters into force. 01.01.2021]

(3) The decision to revoke the permit must meet the requirements set forth in subsection 3 of § 6.

### **§ 8. Special fishing right fee**

(1) The fee rates for the special fishing right per specimen are as follows:

- 1) pike – 0.63 euros;
- 2) river trout - 1.91 euros;
- 3) crayfish - 0.95 euros;
- 4) sea bass – 1.27 euros;
- 5) bream - 0.63 euros;

- 6) flax - 0.63 euros;
- 7) salmon - 6.35 euros;
- 8) whitefish - 0.95 euros;
- 9) sea trout - 1.91 euros.

(2) When calculating the fee for a special fishing permit, the price indicated in paragraph 1 is multiplied by the number of specimens allowed to be caught on the special fishing permit.

### **§ 9. Electric fishing gear certificate**

The electric fishing gear certificate (hereinafter *certificate*) is issued by the Ministry of Regional Affairs and Agriculture for special fishing carried out for the purpose of environmental studies in justified cases.

[ RT I, 15.07.2023, 1 - enters into force. 18.07.2023]

### **§ 10. Requesting a certificate**

In order to obtain a certificate, the applicant submits a signed application to the Ministry of Regional and Agricultural Affairs (hereinafter *the issuer of the certificate*), which must state:

[ RT I, 15.07.2023, 1 - entry into force. 18.07.2023]

- 1) name and place of residence of the owner of the electric fishing gear;
- 2) the name and identity code of the user of the electric fishing gear, if the user and the owner are different;
- 3) labeling of electric fishing gear;
- 4) technical parameters of electric fishing gear: adjustable voltage, frequency, number of rods, power supply.

### **§ 11. Acceptance and processing of the application**

(1).

(2) If the application meets the requirements and is justified, the permit issuer prepares a certificate within 15 working days from the registration of the application, which is also a decision to issue a certificate for electric fishing gear.

(3) If the application does not meet the requirements of § 10, the permit grantor shall inform the applicant and set a deadline for eliminating the deficiencies.

### **§ 12. Preparation and registration of the certificate**

(1) The issuer of the certificate prepares a certificate of electric fishing gear according to the form provided in Appendix 2 of this regulation.

(2) The issuer of the certificate notes the registration number on the certificate of electric fishing gear in accordance with the order of issuing the certificate of electric fishing gear.

(3) The person giving the certificate makes an appropriate entry in the scientific and recreational fishing database.

[ RT I, 28.11.2017, 41 - enters into force. 01.12.2017]

### **§ 13. Revocation of certificate**

The certificate is declared invalid based on the written application of the user of the electric fishing gear within two working days at the latest, by making a corresponding entry in the scientific and recreational fishing database.

[ RT I, 28.11.2017, 41 - enters into force. 01.12.2017]

### **§ 14. Revocation of the regulation**

[Omitted from this text.]

Appendix 1 Special fishing permit form

[ RT I, 28.11.2017, 41 - entered into force. 01.01.2018]

Annex 2 Certificate of use of electric fishing gear form