

Publisher: Minister of Environment
Type of act: regulation
Type of text: original text-full text
Entry into force of the revision: 01.03.2018
Expiry of revision: Currently valid
Disclosure notice: RT I, 13.02.2018, 5

Additional requirements and methodology for weighing landed fish

Adopted on 30.01.2018 No. 4

The Regulation is established on the basis of § 61¹ subsections 3–5 of the Fishing Act .

§ 1. Scope of regulation

The regulation establishes requirements for weighing landed fish, if the fish has been caught at sea during commercial fishing:

- 1) with a box trap;
- 2) with a trawl trap;
- 3) with a bottom seine;
- 4) with a fishing vessel on which, considering the specifics of this regulation, the fishing gear listed in points 1-3 of this section is not used and whose overall length is at least 10 meters (hereinafter *fishing vessel with an overall length of at least 10 meters*).

§ 2. Weighing of fish and responsible person

(1) When fishing with trawl nets, the captain of the fishing vessel is responsible for weighing the landed fish and correctness of the landing declaration data.

(2) When fishing with a box trap, a bottom line and a fishing vessel with an overall length of at least 10 meters, the owner of the fishing permit or his authorized representative is responsible for weighing the landed fish and correctness of the landing declaration data.

§ 3. Deduction of water and ice when weighing fish

When weighing pelagic species, water and ice may be deducted from their total weight to the extent of 2%.

§ 4. Weighing the fish at the landing place

The fish is weighed upon landing at the place of landing before processing, handing over, storage, transportation, first sale or when the fish is taken to a foreign country.

§ 5. Partial weighing of fish at the landing place

(1) As an exception to the provisions of § 4 of this regulation, the landed fish may be weighed at the place of landing partly in accordance with the annex to this regulation, if the fish has been caught with a box trap or a trawl net and on the basis of paragraphs 2-4 of this section it is possible to form a representative sample of containers.

(2) All containers not filled with fish have the same expected mass.

(3) All containers to be unloaded are filled to an equal extent with fish. Containers to be unloaded are considered equally filled if the weight of the fish in the weighed containers does not differ by more than 15%.

(4) The total weight of fish to be landed is obtained by calculating the average weight of fish per tank without the weight of the tank based on weighed tanks filled with fish, and the obtained result is multiplied by the total number of tanks to be landed.

(5) During the partial weighing of fish at the place of landing, there may be one container per landing that is not filled with fish to the same extent as the other containers.

(6) A container filled in accordance with subsection 5 of this section is not included in the sample of containers to be weighed, but is weighed separately and the result obtained is added to the result of the total weight of the fish calculated in accordance with subsection 4 of this section.

§ 6. Weighing fish in a fish processing company

(1) As an exception to the provisions of § 4 of this regulation, fish may be transported and weighed in a fish handling company if:

- 1) the fish is unloaded from a fishing vessel into a tanker;
- 2) the fish has been caught with bottom seine or in the case specified in § 1 point 4 of this regulation.

(2) Weighing of fish in a fish handling company must take place before handling fish in the company, including before transfer, storage, processing and sale.

(3) When weighing fish in the company, the entire landed fish is weighed, partial weighing is not allowed.

§ 7. Submission of weighing data

The weighing data of the fish weighed in accordance with §§ 4–6 of this regulation, taking into account the determination of the proportion of the fish species in accordance with § 15 of the Regulation No. 65 "Fishing Regulations" of the Government of the Republic of June 16, 2016, shall be noted in the landing declaration and submitted in the landing declaration before the first purchase receipt or transfer declaration is submitted and before the fish is sold would be needed in the case according to Section 10 (12) of the Fishing Act.

§ 8. Entry into force of the regulation

The regulation enters into force on March 1, 2018.

Siim Kiisler
Minister

Andres Taliäär
Chancellor

Appendix Methodology for weighing landed fish

12.03.2018 12:19

Error correction - Corrected an obvious inaccuracy, added an appendix missing from the regulation, based on § 10 (3) of the State Gazette Act, considering the Ministry of Environment's request No. 1-5/18/1622 of 7.03.2018.