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The procedure for issuing, suspending and revoking the fishing vessel certificate and the form of the fishing vessel certificate

Adopted on 18.03.2016 No. 37
RT I, 22.03.2016, 9
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Amended by the following acts

Reception	Publication	Enforcement
16.11.2017	RT I, 22.11.2017, 9	01.12.2017
26.10.2020	RT I, 06.11.2020, 1	01.01.2021
10.12.2020	RT I, 16.12.2020, 1	01.01.2021

The regulation is established on the basis of Section 38 (9) of the Fishing Act .

§ 1. Scope of regulation

The regulation establishes the procedure for issuing, suspending and revoking the fishing vessel certificate and the form of the fishing vessel certificate.

§ 2. Fishing vessel certificate

(1) A fishing vessel certificate is issued for the registration of a fishing vessel in the register of commercial fishing, based on Commission Implementing Regulation (EU) No. 404/2011, which establishes the detailed implementing rules of Council Regulation (EC) No. 1224/2009 (which establishes a Community control system to ensure compliance with the rules of the common fisheries policy) (OJ L 112, 30.04.2011, pp. 1–153), from the provisions of Article 3.

[RT I, 22.11.2017, 9 - enters into force. 01.12.2017]

(2) The fishing vessel certificate is issued by the Agriculture and Food Board.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

§ 3. Fishing vessel certificate form

(1) The fishing vessel certificate is issued on the A4 format sheet with security elements provided in the appendix, the front side of which has the words "ESTI REPUBLIC", the image of a small national coat of arms, the word "FISHING VESSEL CERTIFICATE" and the document number.

(2) On the reverse side of the fishing vessel license plate are the words "REPUBLIC OF ESTONIA", the image of a small coat of arms and the words "FISHING LICENSE".

(3) The fishing vessel certificate plate has the contours of the vessel's image.

(4) The color of the fishing vessel certificate plate is blue.

§ 4. Formalization of the fishing vessel certificate

(1) The fishing vessel certificate is issued in Estonian and English.

(2) The Estonian text is written on the front side of the fishing vessel certificate and the English text on the back side of the fishing vessel certificate.

(3) Data shall be entered on the fishing vessel certificate based on the valid data of the commercial fishing register.

[RT I, 22.11.2017, 9 - enters into force. 01.12.2017]

(4) The following data shall be entered on the front of the fishing vessel certificate:

1) the text "The fishing vessel certificate proves that the fishing vessel has been registered in the commercial fishing register of the Republic of Estonia. The following data correspond to the data entered in the register of commercial fishing.";

[RT I, 22.11.2017, 9 - enters into force. 01.12.2017]

2) legal basis for issuing a fishing vessel certificate;

3) data specified in Annex II of Commission Implementing Regulation (EU) No. 404/2011;

4) IMO number (unique ship identification number issued by the International Maritime Organization);

5) the segment of the fishing fleet to which the fishing vessel belongs;

6) issuer of the fishing vessel certificate (institution, first and last name of the person who signed the certificate);

7) date of issuing the fishing vessel certificate.

(5) The following data shall be entered on the back of the fishing vessel certificate:

1) the text " *Certifies that the fishing vessel is registered in the state register of fishing vessels of the Republic of Estonia. The information given below corresponds to the information contained in the fishing vessel register.* ";

2) data specified in Annex II of Commission Implementing Regulation (EU) No. 404/2011;

3) IMO number (Unique identification number of a vessel given by the International Maritime Organization); 4) fleet segment ; 5) issuer of license (agency and name of the signed person); 6) date of issue .

§ 5. Issuance of a fishing vessel certificate

(1) The fishing vessel certificate is issued in one copy.

(2) The fishing vessel certificate is issued to:

- 1) the owner of the fishing vessel;
- 2) to the usufructuary of the fishing vessel, if usufructuary has been set for the vessel, or
- 3) to the owner of the fishing vessel, if it appears from the data entered in the traffic register about the vessel that the owner of the fishing vessel is not the owner of the vessel.

(3) The fishing vessel certificate is issued within three working days from the day of entering the data of the fishing vessel in the commercial fishing register or changing them.

[RT I, 22.11.2017, 9 - enters into force. 01.12.2017]

§ 6. Replacement of a destroyed, lost and unusable fishing vessel certificate

(1) If the fishing vessel certificate is destroyed, lost or unusable, a new fishing vessel certificate shall be issued to the person specified in subsection 2 of § 5.

(2) In order to obtain a new fishing vessel certificate, the person specified in subsection 2 of § 5 submits a written application to the Agriculture and Food Board, in which he states the name of the fishing vessel and the internal number of the commercial fishing register, the reason for applying for a new fishing vessel certificate and the circumstances that led to the replacement of the fishing vessel certificate.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

(3) The Agriculture and Food Board issues a new fishing vessel certificate within ten working days from the day of receipt of an application that meets the requirements set forth in subsection 2.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

§ 7. Correction of incorrect data

(1) If the Agriculture and Food Board finds that incorrect information has been entered on the fishing vessel certificate, the Agriculture and Food Board immediately informs the person specified in § 5 subsection 2 in writing and issues a new fishing vessel certificate with the valid data of the commercial fishing register entered within ten working days.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

(2) If the person specified in subsection 2 of § 5 finds that incorrect data has been entered on the fishing vessel certificate, he shall immediately notify the Agriculture and Food Board in writing, which will issue a new fishing vessel certificate within ten working days, in which the valid data of the commercial fishing register has been entered.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

§ 8. Delivery of fishing vessel certificate

(1) If the person has not expressed a wish regarding the method of delivery of the fishing vessel certificate, the fishing vessel certificate will be sent by post with a registered letter to the address indicated in the commercial fishing register with a notice of issuance.

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(2) According to the wish of the person specified in subsection 2 of § 5, the fishing vessel certificate shall be handed over to him or sent by registered mail with a notice of issuance.

(3) The fishing vessel certificate is issued against signature to its recipient in person or to his representative on the basis of a power of attorney.

§ 9. Revocation and suspension of validity of fishing vessel certificate

(1) In the event of the occurrence of the circumstances provided for in subsection 4 of § 38 of the Fishing Act, the Agriculture and Food Board declares the fishing vessel certificate invalid.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

(2) In the event of the occurrence of the circumstances provided for in subsection 6 of § 38 of the Fishing Act, the Agriculture and Food Board shall suspend the validity of the fishing vessel certificate.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

(3) The Agriculture and Food Board shall immediately notify the person specified in § 5 subsection 2 of the decision to revoke or suspend the validity of the fishing vessel certificate.

[RT I, 06.11.2020, 1 - enters into force. 01.01.2021]

(4) The decision to invalidate or suspend the validity of the fishing vessel certificate shall be sent to the person specified in subsection 2 of § 5 and to the Environmental Board within two working days.

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(5) The decision to invalidate or suspend the validity of the fishing vessel certificate shall enter into force on the due date specified in the decision, which may not be earlier than the fourth working day after the decision was made. If the fishing vessel certificate is declared invalid due to the deletion of the fishing vessel from the register of commercial fishing, the decision of invalidation comes into

force at the same time as the deletion of the vessel from the register.
[RT I, 22.11.2017, 9 - enters into force. 01.12.2017]

§ 10. Revocation of the regulation

[Omitted from this text.]

Attach the Fishing vessel certificate form