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Procedure for submitting data related to fishing

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The regulation is established on the basis of Section 61 (9) of the Fishing Act .
[RT I, 22.11.2017, 9 - enters into force. 01.01.2018]

Chapter 1 General settings

§ 1. Scope of regulation

(1) The regulation establishes the requirements for submitting data related to fishing for a person catching fish or collecting aquatic plants on the basis of a fishing permit of a fishing vessel and a fisherman's fishing permit (hereinafter together with a *fishing permit*), a first-time buyer of fish, a carrier of fishery products, the master of a ship that receives, transports or processes fish at sea and has an Estonian flag document under Estonian jurisdiction to the captain of a foreign ship receiving, transporting or processing fish in the water area below.

(2) The regulation regulates the provision of data related to fishing to the extent that it is not regulated by the legislation of the European Union.

§ 2. Data recipient

(1) The recipient of the data is the Agriculture and Food Board or, in the case specified in the regulation, the Environment Board.
[RT I, 16.12.2020, 1 - enters into force. 01.01.2021]

(2) In case of landing of fish from a ship sailing under the flag of Estonia in a port of another country, or in case of transshipment of fish from a ship sailing under the flag of Estonia in a water area under the jurisdiction of another country, the recipient of the data is also the competent authority of that country at the request of the other country. In such a case, the data is provided by Commission Implementing Regulation (EU) No. 404/2011 establishing detailed implementing rules for Council Regulation (EC) No. 1224/2009 (establishing a Community control system to ensure compliance with the rules of the Common Fisheries Policy) (OJ L 112, 30.04.2011, p. 1- 153), in the specified manner or at the address, number or manner indicated by this competent authority.

§ 3. Data provider

(1) The submitter of the data is the owner of the fishing permit, the captain of the vessel, the first purchaser of fish and aquatic plants, and the Council Regulation (EC) No. 1224/2009, which establishes a community control system to ensure compliance with the rules of the common fisheries policy, amends Regulations (EC) No. 847/96, (EC) No. 2371/2002, (EC) No. 811/2004, (EC) No. 768/2005, (EC) No. 2115/2005, (EC) No. 2166/2005, (EC) No. 388/2006, (EC) No. 509 /2007, (EC) No. 676/2007, (EC) No. 1098/2007, (EC) No. 1300/2008 and (EC) No. 1342/2008 and regulations (EEC) No. 2847/93, (EC) No. 1627/94 and (EC) No. 1966/2006 (OJ L 343, 22.12.2009, p. 1–50), in the case provided for in Article 68, the carrier of fishery products.

(2) On behalf of the owner of the fishing permit or the first purchaser of fish and aquatic plants, the data may be submitted by the representative of the owner of the fishing permit or the first purchaser of fish and aquatic plants, who has been granted the right of representation by written authorization.

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(2) If the fish is landed outside the European Union and the first sale takes place in a third country, the captain of the fishing vessel or his representative shall submit the information required in accordance with Article 62, paragraph 5 of Council Regulation (EC) No. 1224/2009.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(3) On the basis of the written authorization of the owner of the fisherman's fishing permit, the information is submitted by the fisherman who directly carries out the fishing, who is entered on the fisherman's fishing permit, on the basis of which the fishing takes place.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

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§ 3 . Proof of origin of fish and aquatic plants

With the document specified in § 13 subsection 2 of the Fishing Act, the origin of fish and aquatic plants can be proven only by a person who is entitled to present the corresponding document to the recipient of the data, except in the case of a copy of the initial purchase receipt specified in § 13 subsection 7 of the Fishing Act.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 4. Method of submitting data

- (1) Data shall be submitted electronically or on a paper document.
 - (2) In the case of electronic submission of data, they are entered into the electronic environment for keeping records of data related to commercial fishing (hereinafter referred to as *the electronic environment*) either:
 - 1) directly on the website of the electronic environment or
 - 2) through the relevant information technology application (hereinafter referred to as *the client application*).
 - (3) Data shall be provided on a paper document on a page of a beach fishing logbook or a fishing vessel fishing logbook (hereafter referred to as a *fishing logbook*), a transfer declaration, a first purchase receipt or another document provided for in this regulation.
 - (4) The Agriculture and Food Board enters the data presented on the paper document into the electronic environment.
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- (4) In justified cases, the Agriculture and Food Board corrects the catch, landing, first collection, transfer and fish transport data on the basis of a written application of the data submitter or his representative, which is submitted to the Agriculture and Food Board within 48 hours from the submission of the aforementioned data. After 48 hours, the procedural deadline can be reinstated in accordance with § 34 of the Administrative Procedure Act.
- [RT I, 17.08.2021, 3 - enters into force. 20.08.2021]
- (5) Before the fisherman returns from fishing on Lake Peipsi, Lämmi and Pihkva on the basis of a fishing permit, catch data shall be submitted in the manner provided in § 20.

Chapter 2

General requirements for submitting data on a paper document

§ 5. Issuance of the fishing logbook, the book of transfer declarations and the book of first purchase receipts

- (1) The fishing vessel's fishing logbook, beach fishing logbook, handover declaration book and first purchase receipt book (hereafter together with the *book*) are issued by the Agriculture and Food Board.
- (2) The book of initial fish purchase receipts is issued to a person who is allowed to deal with the initial purchase of fish in accordance with § 15 subsections 1 and 2 of the Fishing Act, or to his representative. The fishing logbook and the book of transfer declarations are issued to the person who has been granted a fishing permit for the relevant year, or to his representative. The person signs for receiving the book.
- (3) During one calendar year, several fishing logs may be issued for one fishing permit. A new logbook will be issued if the previous one is full. The book is issued at the request of the owner of the fishing permit. The fishing logbook can also be used in the calendar years following the publication of the book, taking into account the provisions of § 9 subsection 5 and § 42.
- (4) If it is not possible to issue a new fishing permit to a person, he/she shall return the blank pages of the fishing logbook and transfer declarations book to its issuer within 30 days from the expiration of the previous fishing permit. If the person engaged in the initial purchase of fish no longer meets the requirements set forth in subsections 1 and 2 of § 15 of the Fishing Act, he shall return the blank pages of the book of initial purchase receipts to its issuer within 30 days of the appearance of said non-compliance.
- (5) When a book is issued, the Agriculture and Food Board registers the number of the book and the business name and business register code of the person who received it, as well as the first and last name and personal identification code. If a fishing logbook is issued, the Agriculture and Food Board also records the type and number of the fishing permit issued to the person who received it for the current year. If the person who received the book authorizes a person whose right of representation does not derive from the law to submit data, the recipient of the data registers the first and last name, personal identification number and contact details of the person authorized to submit the data.
- (6) If the form of the fishing log sheet, fish handover declaration sheet or fish first purchase receipt has changed, the fishing logbook, fish handover declaration or fish first purchase receipt page corresponding to the previous form may be used only if it is possible to legibly enter all the required data on the page.

§ 6. Numbering

- (1) Books are numbered.
- (2) Catch log sheets, handover declarations and first purchase receipts (hereinafter together with the *form*) are numbered in ascending order and also bear the number of the book.
- (3) The data shall be submitted in consecutive forms. The broken form is crossed out with a diagonal line and submitted together with the correctly completed form.

§ 7. Storage

The recipient of the data shall keep the originals of the forms submitted to him for ten years from the date of their receipt.

§ 8. Filling out the front cover of the fishing logbook

When the book is issued, the front cover of the fishing logbook is filled out by the fishing permit issuer, entering the following information:

- 1) fishing permit number;
- 2) in the case of the fisherman's fishing permit, the marking of the fishing gear;
- 3) the name of the fishing permit issuer, the postal address where the fishing log sheet must be submitted, and other contact information;
- 4) business name and business register code of the owner of the fishing permit;
- 5) in the case of a fisherman's fishing permit, the name of the fisherman entered on the fishing permit and, if necessary, the personal identification number;

6) in the case of a fishing permit for a fishing vessel, the name or ship number of the fishing vessel entered on the fishing permit, the first and last name of the captain and, if necessary, the personal identification number and contact information.

§ 9. General requirements for filling out and submitting the catch log sheet, landing declaration, transfer declaration, transport document and first purchase receipt

[RT I, 17.08.2021, 3 - in force. 20.08.2021]

(1) Entries in the catch log sheet, transfer declaration, transport document and initial purchase receipt must be legible and indelible.

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(2) The entry may not be changed. An incorrect entry is crossed out and a new entry is made after it, which is confirmed by the signature of the data provider or his representative, and to which the date of correction is added.

(3) The catch log sheet is printed on self-copying paper. When filling out the fishing logbook, a cardboard insert is placed between the pages before the next white page.

(4) The person submits the information on the page of the book registered in his name.

(5) Data on fishing carried out on the basis of a fishing permit shall be provided only on the page of the fishing logbook, which is part of a book with the number of the fishing permit written on the front cover. If a fishing license holder is given a new fishing log book with a new license, the fishing license grantor shall enter the number of the new license on the front cover of the fishing log book issued to the license holder.

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(5) If there are still unfilled pages in the fishing logbook of the owner of the fishing permit when a new fishing permit is issued, the owner of the fishing permit or his authorized representative or the authorized fisherman, before filling out the logbook page for fishing under the new fishing permit, shall enter the number of the new fishing permit on the front cover of the logbook and notify the Agriculture and Food Board of the written resubmission in an enabling manner, from which page the catch data is presented for the catch based on the new fishing permit.

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(6) The holder of a fishing permit may enter only one fishing permit number in the fishing logbook. If the holder of a fishing permit is granted a new permit, he continues to submit fishing data for the current month on a new page of the fishing log book, on which the number of the new fishing permit is written.

(7) In the case of submission of data on the fishing carried out on the basis of a fishing permit by a fishing vessel on a paper document, and in the case provided for in subsection 2 of § 15, a separate page of the fishing logbook of the fishing vessel shall be filled out for each fishing trip.

(8) If a paper document, a page of a fishing vessel's fishing logbook, a handover declaration or a first purchase receipt is handed over through a letterbox installed by the Agriculture and Food Board for this purpose, the data submitter shall indicate the time of the said document's placement in the letterbox.

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(9) The weighted quantities of fish must be reflected in the entries of the landing declaration, handover declaration and initial purchase receipt. In the case of a transport document, the weighted amount of fish is recorded if the fish is weighed before its transport or if the fish is taken to a foreign country.

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(10) The transfer declaration and initial purchase receipt are completed before the transfer of fish or aquatic plant, and the transport document before the start of transport.

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§ 10. Obligation to carry a fishing log when fishing

(1) A person engaged in fishing must have a fishing logbook with him when fishing, and he is obliged to submit it immediately upon request of the person exercising state supervision. In the case of electronic submission of fishing data, the required data must be entered into the electronic environment.

(2) The fishing logbook of the fishing vessel, which contains data on the use of fishing opportunities established for the calendar year, is kept on board the vessel until the end of the calendar year.

Chapter 3

General requirements for electronic submission of data

§ 11. Method of electronic submission of data

(1) Data on fishing carried out on the basis of a fisherman's fishing permit shall be provided through the electronic environment website or client application, except for data on agaric fishing, in which a vessel with an overall length of at least 15 meters has been used.

(2) Through the client application, data on fishing carried out on the basis of the fishing permit of the fishing vessel and the landing and transshipment of the catch caught on the basis of the fishing permit of the fishing vessel, as well as data on agaric fishing, in which a vessel with an overall length of at least 15 meters is used, shall be provided.

(3) The data of the first purchase, transfer and transport of fish can be submitted via the website of the electronic environment or via the client application.

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§ 12. Submission of data in case of technical failure

(1) If, due to a technical failure, it is not possible to submit data through the website of the electronic environment or via the client application, the data submitter or his representative shall complete a fishing logbook, transfer declaration, first purchase receipt or transport document on an electronic or paper document, which reflects all the required data. The electronic document is sent to the Agriculture and Food Board from the e-mail of the data submitter or his authorized representative, about which the data submitter has informed the Agriculture and Food Board in accordance with § 14 subsection 1.
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(2) In the case of fishing carried out on the basis of a fisherman's fishing permit, the data required in the beach fishing log shall be submitted on a signed paper document with a registered letter or by e-mail or handed over to the Agriculture and Food Board no later than the fifth day of the month following the reporting month. In the event of a technical failure of the client application, the required data in the fishing logbook of the fishing vessel shall be submitted in a signed paper document with a registered letter or by e-mail, or shall be handed over to the Agriculture and Food Board within the time limit provided for in Article 32 of Commission Implementing Regulation (EU) No. 404/2011.
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(2) Regarding fishing carried out in the Baltic Sea on the basis of a fisherman's fishing permit, in which a box trap, a bottom seine or a fishing vessel with an overall length of at least 10 meters was used, the required data in the fishing logbook of the fishing vessel shall be submitted on a signed paper document with a registered letter or by e-mail or handed over to the Agriculture and Food Board by the Commission's implementing regulation (EU) No. 404/2011 within the deadline set in Article 32.
[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(3) In the case of fishing carried out on the basis of a fishing permit of a fishing vessel, the data required in the fishing logbook, landing declaration or transshipment declaration of the fishing vessel shall be submitted on a signed paper document by registered letter or by e-mail or handed over to the Agriculture and Food Board by the deadline specified in Article 39 of Commission Implementing Regulation (EU) No. 404/2011.
[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(4) In the case of the transfer of fish and aquatic plants, the data required in the transfer declaration shall be submitted on a signed paper document by registered letter or by e-mail, or shall be handed over to the Agriculture and Food Board within the time limit provided for in Article 66, subsection 1 of Council Regulation (EC) No. 1224/2009.
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(5) In the case of the initial purchase of fish and aquatic plants, the data required in the initial purchase receipt shall be submitted on a signed paper document by registered letter or by e-mail, or shall be handed over to the Agriculture and Food Board within the time limit specified in Article 62 (1) of Council Regulation (EC) No. 1224/2009.
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(6) In the case provided for in subsections 4 and 5, the identification number of the batch referred to in point a of Article 58 of Clause 5 of Council Regulation (EC) No. 1224/2009 is formed when the Agriculture and Food Board enters the data presented on the paper document into the electronic environment. The batch identification number is made known to the data provider without delay.

§ 13. Obligations related to electronic submission of data

(1) A person obliged to submit data related to fishing electronically shall request the granting of the user right necessary for the electronic submission of data, with the consideration that the data can be submitted electronically during the duration of the fishing activity and during the handling of fish.

(2) A person who has received the user right necessary for electronic submission of data shall electronically submit the data for which he was granted the user right for electronic submission.

(3) Data on a fishing trip based on the same fishing permit shall not be entered into the electronic environment until the data of the previous fishing trip have been submitted.
[RT I, 22.11.2017, 9 - enters into force. 01.12.2017]

§ 14. Granting and revocation of user rights

(1) In order to obtain the user right necessary for the electronic submission of data, the data submitter submits an application to the Agriculture and Food Board, in which he states the following data:

1) name, registry code and contact data, including e-mail address;
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2) the name, personal identification number and contact details, including e-mail address, of the person to whom the user right required for electronic submission of data is requested;
[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

3) information about which data will be submitted electronically and in what way.

(2) The Agriculture and Food Board grants user rights to a person authorized to submit data electronically, if the person has given a signature confirming knowledge of the requirements for electronic submission of data and undertakes to comply with them.

(3) The Agriculture and Food Board shall take away the user right from a person if the person who received the user right is no longer authorized to submit data electronically or if the person who applied for the granting of the user right no longer operates or is not allowed to operate in the relevant field of activity.

(4) The person who applied for the granting of the user right shall immediately notify the Agriculture and Food Board of the termination of the authorization to submit data electronically or of the termination of activities in the relevant field of activity.

Chapter 4

Submission of data on fishing carried out on the basis of the fisherman's fishing permit

§ 15. Form and frequency of data submission

(1) The holder of a fisherman's fishing permit or his representative submits data on fishing via the electronic environment website or customer application or on a paper document on the page of the beach fishing log according to the form provided in Appendix 5, except in the case provided for in subsection 2.

(2) The owner of a fisherman's fishing license or his representative submits data on fishing in the Baltic Sea via an electronic environment website or client application or on a paper document according to the form provided in Appendix 6 on the page of the European Union fishing vessel's fishing logbook (hereinafter referred to as the fishing vessel's fishing logbook), if a box trap, bottom seine or a fishing vessel with an overall *length* of is at least 10 meters.

(3) The paper document beach fishing logbook is in A5 or A4 format and consists of 30 original pages bound between the covers and 30 copy pages, which are placed alternately. The original pages are white and the copy pages are yellow.

(4) The completed original page of the beach fishing logbook on a paper document shall be submitted to the Agriculture and Food Board for each month by the fifth day of the month following the reporting month at the latest. Each page of the beach fishing logbook reflects the catch data of only one reporting month.

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(5) If, in the case provided for in paragraph 2, data on fishing is provided on a paper document, the completed original sheet of the fishing log according to the form provided in Appendix 6 shall be submitted to the grantor of the fisherman's fishing permit within the time limit provided for in Article 32 of Commission Implementing Regulation (EU) No. 404/2011.

(6) [Repealed - RT I, 22.11.2017, 9 - entered into force. 01.12.2017]

(7) The holder of a fisherman's fishing permit or his representative can correct the data on fishing provided through the client application within the time limit provided for in Article 47(2) of Commission Implementing Regulation (EU) No. 404/2011.

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§ 16. Requirements for filling out the beach fishing logbook page

(1) The upper part of the fishing log sheet is filled in according to the data entered on the front cover of the beach fishing log before going fishing. The name of the fisherman must be the same as that on the fishing license under which the fishing is carried out. If several fishermen's names are entered on the fishing permit and different persons submit data on the same fishing log sheet based on the written authorization of the fishing permit holder for the reporting month, each entry is confirmed with the signature of the person submitting the data.

(2) If a fishing vessel is used for fishing, the ship's ship number shall be noted on the fishing log sheet. All fishing vessels used in fishing are noted on the fishing log sheet. In column 7 of the logbook, the numbers of the fishing vessels are entered separately for each fishing trip, if they differ from the one at the top of the logbook page.

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(3) The date of placing the fishing gear in the catch is entered in column 1 "Fishing" of the fishing log sheet.

(4) The fishing gear request date is entered in column 2 "Request" of the fishing log sheet before the fishing gear is requested. A claim within the meaning of this regulation is the removal of fish from fishing gear, the inspection of fishing gear or the removal of fishing gear from fishing. When fishing with a bottom seine on Lake Peipsi, the date of removing the fishing gear from fishing after the last pull of the bottom seine on the same fishing trip is entered in this box.

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(5) Column 3 "Fishing place" of the fishing log sheet shall be marked:

- 1) at sea - a small fishing square with a side length of 10 minutes shown on the map presented in Appendix 4;
- 2) on an inland body of water - the name of the body of water.

(6) The name of the place where the fish was landed is entered in column 4 "Landing place" of the fishing log sheet. In case of transshipment of fish, box 4 shall be written 'transshipment'. Transshipment within the meaning of this Regulation is the loading of fish from one vessel or boat to another without landing on land in between. When placing fish in a water body in a means for holding fish after catching (hereafter *sump*), instead of the name of the landing place, "sump" is indicated in column 4 with the coordinates of the location of the sump, showing the quantities of fish placed in the sump by species.

(7) The type of fishing gear is indicated in column 5 of the fishing logbook using the following names or codes:

- 1) 1 – box snare;
- 2) 2 – open water bay;
- 3) 3 – edge break with a mouth height of 1–3 m;
- 4) 4 – edge break with a mouth height of up to 1 m;
- 5) 5 – trap without control fence;
- 6) 6 – line break;
- 7) 7 – loop cone;
- 8) 8 – loophole;
- 9) 9 – shore note;
- 10) 10 – bottom note;
- 11) 11 – driving note;
- 12) 12 – fishing line;
- 13) 13 – lifting net;
- 14) 14 – agaric dredge;
- 15) 15 – crack in the crack chain;
- 16) 16 – fishing net;
- 17) 17 – swirl note;
- 18) 18 – ink break;
- 19) 19 – river murder;

- 20) 20 – gill net or frame net or shore net with a mesh size of up to 69 mm;
- 21) 21 – gill net or frame net or shore net with a mesh size of 70–89 mm;
- 22) 22 – gill net or frame net or open water net with a mesh size of 90–149 mm;
- 23) 23 – gill net or frame net or open water net with a mesh size of at least 150 mm.

(8) When a fish placed in a sump is taken from a sump, column 5 of the fishing logbook is marked with "sumpa" together with the coordinates of the sumba's location.

(9) In column 6 of the fishing logbook, the number of fishing gear set for fishing by type of fishing gear specified in subsection 7, the number of fishing gear with up to 100 hooks set for fishing for the fishing gear specified in clause 7, clause 12, and the number of traps set for fishing for the fishing gear specified in clause 15 shall be entered in column 6 of the fishing logbook. The number of fishing gear placed in the catch entered in column 6 must be equal to the number of all fishing gear of the same species placed in the catch.

(10) In columns 8-16 "Fish quantities by species" of the fishing logbook, the estimated amount of fish catch in kilograms by fish species and types of fishing gear is entered. In the case of salmon and sea trout, the number of individuals caught is also entered in parentheses in the same box. If the adipose fin has been cut off from the caught salmon and sea trout, the number of salmon and sea trout with the adipose fin cut from the cell showing the amount of the catch is entered in the next cell, as well as the quantity in kilograms. In case of collecting aquatic plants, the type and quantity of collected aquatic plants shall be noted. Regulation (EU) No. 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy amending Council Regulations (EC) No. 1954/2003 and (EC) No. 1224/2009 and repealing Council Regulations (EC) No. 2371/2002 and (EC)) No. 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, pp. 22–61), in the case of fish species with a landing obligation stipulated in Article 15, the quantity of undersized fish produced on land is indicated from the cell showing the amount of catch to the next cell, and in the case of salmon, the number of undersized specimens is also indicated in parentheses in the same cell. When taking the fish placed in the sump from the sump, the estimated amount of fish catch in kilograms by fish species is entered in columns 8-16.

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(11) [Repealed - RT I, 17.08.2021, 3 - entry into force. 20.08.2021]

(12) In the "Remarks" section of the fishing logbook, data on dead birds and animals is entered and a note is made on seal damage. For dead birds and animals, the date of their finding, the type of fishing gear, the type of dead bird or animal and the number of dead birds or animals are recorded. When fishing with a bottom seine on Lake Peipsi, the total number of bottom seine pulls is recorded. In the case of loss of fishing gear, the type of fishing gear lost, the time of the loss of the fishing gear, the place where the fishing gear was lost and the measures taken to bring the fishing gear back are indicated in the box.

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(13) Columns 1, 3, 5 and 6 of the fishing logbook shall be filled in immediately after arrival at the place of landing or before the fishing gear is requested, if the fishing gear is requested during the same fishing before arriving at the port or land. If the fishing gear is placed for fishing again during the same fishing trip, the information about placing the fishing gear for fishing is entered on a new line of the fishing log sheet immediately after arrival at the landing place.

(14) Column 4 "Place of landing" and columns 8-16 "Amounts of fish by species" of the fishing logbook shall be filled in before landing or transshipping the fish, whichever occurs first. If a fishing vessel was not used for fishing, these columns are filled in immediately upon arrival at the landing site.

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(15) In the case of fishing with several special types of fishing gear based on the same fishing permit, the catch data for the same reporting month regarding fishing with special types of fishing gear may be presented on different consecutive pages of the fishing logbook.

§ 17. Requirements for filling out the page of the fishing logbook of the fishing vessel in case of fishing and landing of fish on the basis of the fisherman's fishing permit

(1) If, in the case provided for in subsection 2 of § 15, information on fishing is provided on a paper document on a page according to the form provided in Appendix 6, the filling in of the fishing logbook page of the fishing vessel shall be based on Article 33 and Annex X of the Commission's Implementing Regulation (EU) No. 404/2011, taking into account the specifics provided in this section.

(2) The name of the vessel is entered in cell 1 of the fishing logbook page of the fishing vessel, and the ship's registration number is entered in cell 2. If the ship's name coincides with the ship's registration number, only the ship's registration number is entered in the logbook.

(3) In box 3 "Captain's name" of the fishing log sheet of the fishing vessel, the name and contact information of the fisherman entered on the fishing permit and directly engaged in fishing shall be entered.

(4) On the lines "Departure", "Arrival" and "Unloading" of the fishing logbook of the fishing vessel, the date and time of departure from the port, arrival or completion of unloading and the name of the port or landing place are indicated in the relevant columns.

(5) In column 11 "Date" of the fishing log sheet of the fishing vessel, the date of placing or requesting the fishing gear is entered.

(6) In column 12 "Number of fishing operations" of the fishing logbook page of the fishing vessel, the number of fishing gear used for fishing is indicated. If the fishing gear is placed for fishing again during the same fishing trip, data on the placing of the fishing gear for fishing is entered on a new line of the fishing log sheet, taking into account all the fishing gear remaining for fishing under the relevant permit.

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(6) If in the same water area for herring fishing with a box trap or bottom seine for flounder fishing, several fisherman's fishing permits valid at the same time have been issued to use the same fishing gear, and the same fishing gear is used at the same time by several fishing vessels with an overall length of at least 10 meters, and the data is submitted on the basis of the first fishing permit, then column 12 of the fishing log sheet of the fishing vessel is filled in. Number of fishing operations" in accordance with the provisions of subsection 6 of this section. For the following fishing permits of the fisherman, column 12 of the fishing log sheet of the fishing vessel

"Number of fishing operations" shall be marked as the number of fishing gear placed for fishing as 0.

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(7) In the column "Time of placing the fishing gear for fishing" in the fishing logbook page of the fishing vessel, the time of the end of placing the fishing gear for fishing is indicated.

(8) In the column "Time of fishing gear request" of the fishing logbook page of the fishing vessel, the time when the fishing gear request is finished is indicated.

(9) In the "Fishing gear code (EST)" column of the fishing log page of the fishing vessel, the code of the type of fishing gear specified in subsection 7 of § 16 is entered.

(10) In the "Fishing depth" column of the fishing log page of the fishing vessel, the average depth of the fishing spot in meters is indicated, if it is required by the European Union regulation.

(11) The small fishing square shown on the map presented in Appendix 4 with a side length of 10 minutes is entered in the "Small fishing square" column of the fishing log sheet of the fishing vessel.

(12) In box 8 "Fishing gear" of the fishing logbook page of the fishing vessel, the three-letter code of the FAO fishing gear provided in Annex XI of Commission Implementing Regulation (EU) No. 404/2011 is entered.

(13) The mesh size of the fishing gear in millimeters is entered in cell 9 "Mesh size" of the fishing logbook of the fishing vessel. If fishing gear of the same type with different mesh sizes is used for fishing, the range of their mesh sizes is noted. When marking the mesh size of the trap, the mesh size of the fishing gear is used.

(14) When placing fish in the sump, the location of the sump with the coordinates of the location is indicated in the comments box, indicating the quantities of fish placed in the sump and taken from the sump by species.

(15) In the case of loss of fishing gear, the type of fishing gear lost, the time of the loss of the fishing gear, the place of the loss of the fishing gear and the measures taken to bring back the fishing gear shall be noted in the remarks box.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 18. Requirements for electronic submission of data on fishing and landing on the basis of a fisherman's fishing permit

(1) Before the start of fishing, the number of the fishing permit, the ship numbers of all fishing vessels used for fishing and the name of the fisherman directly engaged in fishing entered on the fishing permit are entered into the electronic environment. If the data is submitted through the client application, the place and time of departure from the port are also entered in addition to the mentioned data.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

1

(1) If a box trap, bottom seine or fishing vessel with an overall length of at least 10 meters is used for fishing, the place and time of departure from the port are also entered into the electronic environment in addition to the data mentioned in the first sentence of paragraph 1.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(2) After arriving at the place of landing, the following data shall be entered into the electronic environment without delay:

1) date of fishing gear, type of fishing gear and number of fishing gear;

2) fishing place in accordance with § 16 subsection 5;

3) date of fishing gear request, type of fishing gear requested and number of fishing gear;

4) place of landing or, in case of transshipment of fish, the indication "transshipment";

5) the estimated amount of catch in kilograms by fish species and the number of specimens, if the number of specimens is required;

6) In the case of fish species with a landing obligation stipulated in Article 15 of Regulation (EU) No. 1380/2013 of the European Parliament and of the Council, the amount of undersized fish produced on land is indicated, and in the case of salmon, the number of undersized specimens is also indicated;

7) the species of the dead animal or bird and the number of dead specimens, the date of finding the dead specimen and the type of fishing gear, if a dead mammal or bird has been caught in the fishing gear;

8) indication of seal damage;

9) in case of loss of fishing gear, the type of fishing gear lost, the time of the loss of the fishing gear, the place of the loss of the fishing gear and the measures taken to bring back the fishing gear.

[RT I, 17.08.2021, 3 - enters into force. 01.01.2022]

1

1

(2) In the case provided for in subsection 6 of section 17, the number of fishing gear specified in clauses 1 and 3 of subsection 2 and the data specified in clauses 7, 8 and 9 shall be entered into the electronic environment only on the basis of the first fishing permit.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

2

(2) As an exception to point 1 of paragraph 2, the geographical coordinates of the location of the fishing gear are entered via the client application without delay after the fishing gear is placed for fishing, if a box trap or trap is used for fishing.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(3) As an exception to paragraph 2, the data listed in Article 33 and Annex X of Commission Implementing Regulation (EU) No. 404/2011 shall be entered into the electronic environment before arrival at the port, if a box trap, bottom seine or fishing vessel with an overall length of at least 10 meters is used for fishing.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(4) When using the client application, the fishing trip is terminated immediately after entering the data listed in paragraph 2, by completing the report "Arrival at Port". In the event that a box trap, bottom seine or fishing vessel with a total length of at least 10 meters is used for fishing, and a catch was caught during the fishing trip, the fishing trip is ended by filling out the "Landing" report.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(5) The type of fishing gear is entered as the name or code of the fishing gear provided for in subsection 7 of § 16.

(6) [Repealed - RT I, 17.08.2021, 3 - entry into force. 20.08.2021]

(7) In the case of electronic submission of data on fishing carried out on the basis of a fisherman's fishing permit, the data may be submitted for each month no later than the fifth day of the month following the reporting month, if at the same time records of fishing are kept on the beach fishing logbook page in accordance with the procedure provided for in § 16, except in the case provided for in subsection 2 of § 15.

(8) In case of electronic submission of data on fishing in the Baltic Sea on the basis of a fisherman's fishing permit, data shall be submitted for each fishing trip within 48 hours of landing the fish, if a box trap, bottom seine or fishing vessel with an overall length of at least 10 meters is used for fishing. The data submitter also keeps records of fishing and landing on the fishing logbook page of the fishing vessel in accordance with the procedure provided in § 17.

(9) The Agriculture and Food Board issues a beach fishing logbook to a person who wishes to submit data in accordance with the procedure provided for in subsection 7. The beach fishing logbook must be carried with you when fishing, but the beach fishing logbook page is not submitted to the Agriculture and Food Board, and the data is calculated based on electronically submitted data.

(10) The Agriculture and Food Board issues the fishing logbook of a fishing vessel to a person who wishes to submit data in accordance with the procedure provided for in subsection 8. The fishing logbook of the fishing vessel must be accompanied when fishing, but the page of the fishing logbook of the fishing vessel is not submitted to the Agriculture and Food Board, and the data is calculated based on the electronically submitted data.

(11) Fishing and landing records shall not be kept on a paper document if the owner of the fishing permit or his representative submits data on fishing and landing electronically, except in the case provided for in subsection 7.

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

§ 19. Confirmation of data

(1) The data submitter confirms the correctness of the data entered on the fishing logbook with his signature.

(2) The correctness of the data entered into the electronic environment is confirmed by the person who has been granted user rights. The data is considered to have been submitted as of the data confirmation. Data on new fishing activity can be entered into the electronic environment if the data on previous fishing activity has been confirmed.

§ 20. Submission of catch data before returning from fishing on Lake Peipsi, Lämmi and Pihkva on the basis of a fisherman's fishing permit

(1) On the basis of a fisherman's fishing permit, the following information about fishing on Lake Peipsi, Lämmi and Pihkva shall be submitted to the Environmental Board at least one hour before arriving at the port or beach from fishing: [

RT I, 16.12.2020, 1 - effective. 01.01.2021]

- 1) the number of the fishing permit on the basis of which the fishing took place and the name of the fisherman providing the data;
- 2) time and exact place of arrival at the port or beach;
- 3) estimated quantity of fish caught in kilograms by species;
- 4) vessel number, if the vessel is used for fishing;
- 5) when fishing with a bottom seine or a seine, the mesh size behind the seine or seine.

[RT I, 03.02.2022, 26 - enters into force. 06.02.2022]

(2) The data specified in subsection 1 shall be forwarded to the Keskonnaamet via e-mail address 1247@112.ee or via the client application specified in § 11 subsection 1.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(3) If it is not possible to provide the data in writing, the data specified in subsection 1 shall be transmitted by calling the Emergency Center's national information on 1247 or +372 600 1247. The Emergency Center will forward the notifications received by telephone to the Environment Agency.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(4) The amount of fish indicated in the data may not differ by more than ten percent from the amount of fish on board the ship or in another means of transporting fish and brought ashore.

(5) If it takes less than one hour to reach the port or beach from the fishing place, the data specified in point 3 of paragraph 1 may be transmitted after the traps are requested, but no later than 30 minutes before arrival at the port or beach. The data must include the number of the fishing license under which the fishing took place and the name of the fisherman providing the data.

(6) If the arrival from fishing at the port or beach is delayed by more than 15 minutes from the time specified in accordance with paragraph 1, the fisherman who submitted the data specifies the time of arrival at the port in the manner provided in subsections 2 or 3, also transmitting the number of the fishing permit on the basis of which the fishing took place and the name of the fisherman transmitting the data.

§ 21. In case of fishing carried out on the basis of the fisherman's fishing permit, submission of data on the location of the fishing gear placed for fishing

The holder of a fishing license or his authorized representative is obliged to:

- 1) record the geographic coordinates of the location of the box trap and trap placed for fishing in a way that enables written reproduction when fishing with a box trap and a trap, from the place where the two-flag designation of the fishing gear is located, - three degrees and a minute place after the comma;
- 2) keep data on the geographical coordinates of the box trap placed for fishing and the location of the trap within 6 months from the time the box trap and trap are placed for fishing;
- 3) upon the request of the person exercising state supervision, to submit without delay data on the box trap placed for fishing and the geographic coordinates of the trap location.

Chapter 5

Submission of data on the fishing carried out on the basis of the fishing permit of the fishing vessel

Section 1

General requirements for submitting catch data

§ 22. Method of submitting data on the fishing carried out on the basis of the fishing license of the fishing vessel

(1) Data on the fishing carried out on the basis of the fishing permit of the fishing vessel shall be submitted through the client application, if a fishing vessel with an overall length of at least 12 meters is used for fishing.

(2) Data on the fishing carried out on the basis of the fishing permit of the fishing vessel may be submitted via the client application or on a paper document on the fishing log sheet, if a fishing vessel with an overall length of less than 12 meters is used for fishing.

§ 23. Procedure for electronic submission of data

(1) If data on fishing carried out on the basis of a fishing license of a fishing vessel is submitted electronically, the license holder or his representative shall submit the data provided for in Article 14 of Council Regulation (EC) No. 1224/2009 via the client application by the time specified in Article 47, paragraph 1, of Commission Implementing Regulation (EU) 404/2011.

(2) The provisions of Article 47(2) of the Commission's Implementing Regulation (EU) 404/2011 shall be applied when correcting electronically submitted data on fishing carried out on the basis of the fishing permit of the fishing vessel.

§ 24. Form and frequency of submission of data on a paper document

(1) In the case of submission of data on fishing carried out on the basis of a fishing permit by a fishing vessel on a paper document, the holder of the permit or his representative shall submit them on the page of the fishing log of the fishing vessel according to the form provided in Appendix 6.

(2) The provisions of Article 33 and Annex X of the Commission's Implementing Regulation (EU) No. 404/2011 are used when filling out the fishing logbook of a fishing vessel.

(3) The completed original page of the fishing logbook of the fishing vessel shall be handed over or sent by registered letter to the Agriculture and Food Board within the time limit provided for in Article 32 of Commission Implementing Regulation (EU) No. 404/2011.

(4) The fishing logbook of the fishing vessel is in A4 format and consists of 50 original pages bound between the covers, 50 copy pages in Estonian and 50 copy pages in English, which are placed alternately. The original pages are white, the Estonian copy pages are yellow and the English copy pages are pink.

§ 25. Submission of data in the case of pair fishing

In the case of paired fishing, the data on the catch is provided by the captains of both fishing vessels in accordance with Annex X of Commission Implementing Regulation (EU) No. 404/2011.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

1

§ 25 . Lost fishing gear

In the case of loss of fishing gear, the information listed in Article 48, paragraph 3 of Council Regulation (EC) No. 1224/2009 shall be submitted by entering the required data into the customer application or fishing logbook.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

Section 2

Data submission requirements for fishing in North-West Atlantic Fisheries Organization (NAFO) regulated waters

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 26. Special requirements for submitting data in the water area regulated by NAFO

[RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

(1) The fishing, landing and transshipment data stipulated in Council Regulation (EC) No. 1224/2009 regarding fishing in the regulated water area of the Northwest Atlantic Fisheries Organization (hereinafter *NAFO regulated water area*) shall be submitted to the Agriculture and Food Board through the client application.

(2) In addition to the data specified in paragraph 1, the Regulation (EU) No. 2019/833 of the European Parliament and the Council establishing the protection and implementation measures applicable in the regulatory area of the Northwest Atlantic Fisheries Organization, amending Regulation (EU) 2016/1627 and Council Regulations (EC) No. 2115/2005 and (EC) No. 1386/2007 (OJ L 141, 28.05.2019, p. 141), data specified in Article 25, paragraph 2, are declared invalid. The data is submitted to the Agricultural and Food Board through the client application.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(3) In addition to the data specified in subsections 1 and 2, the data specified in Article 25(6) of Regulation (EU) No. 2019/833 of the European Parliament and of the Council and in the NAFO fishing regulations regarding fishing in the water area regulated by NAFO shall be submitted electronically to the Environment Agency and the Agriculture and Food Board in Article 25 of the same regulation 6 by the due date.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(4) The advance notification specified in Article 41 of the same regulation shall be submitted for the entry of the fishing vessel specified in Article 38 of Regulation (EU) No. 2019/833 of the European Parliament and of the Council.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 27. Registration of production and cargo plan in the water area regulated by NAFO

[Repealed - RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

Section 3

Data submission requirements for fishing in North East Atlantic Fisheries Commission (NEAFC) regulated waters

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 28. Special requirements for data submission in NEAFC regulated water area

[RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

(1) The fishing, landing and transshipment data stipulated in Council Regulation (EC) No. 1224/2009 regarding fishing in the regulated water area of the North-East Atlantic Fisheries Commission (hereinafter *NEAFC regulated water area*) *shall be submitted to the Agriculture and Food Board through the client application.*

(2) In addition to the data specified in paragraph 1, the Commission's Implementing Regulation (EU) No. 433/2012, which stipulates Regulation (EU) No. 1236/2010 of the European Parliament and of the Council, which establishes the future multilateral cooperation in the North-East Atlantic with the Convention on Fisheries control and implementation system applicable in the covered area, detailed implementation rules (OJ L 136, 25.05.2012, pp. 41–93), data specified in Article 4, paragraph 1. The data is submitted to the Agricultural and Food Board through the client application.

(3) In addition to the data provided in subsections 1 and 2, regarding fishing in NEAFC regulated water areas, Regulation (EU) No. 1236/2010 of the European Parliament and of the Council, which establishes the control and implementation system applicable in the area covered by the Convention on Future Multilateral Fisheries Cooperation in the North-East Atlantic and is declared invalid Council Regulation (EC) No. 2791/1999 (OJ L 348, 31.12.2010, pp. 17–33), Article 9(1) and the data specified in the NEAFC fishing regulations electronically to the Environmental Agency as provided for in Article 9 of Regulation (EU) No. 1236/2010 of the European Parliament and of the Council for the anniversary.

[RT I, 16.12.2020, 1 - enters into force. 01.01.2021]

(4) Regarding the entry of a fishing vessel into the port referred to in Article 22 of Regulation (EU) No. 1236/2010 of the European Parliament and Council, the advance notice referred to in Article 24(1) of Regulation (EU) No. 1236/2010 of the European Parliament and Council shall be submitted.

§ 29. Production registration and cargo plan in NEAFC regulated water area

[Repealed - RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

Section 4

Data submission requirements for fishing in the Teravmäe fishing area, third country waters and high seas

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 30. Special requirements for data submission in the case of fishing in the Teravmäe fishing area, in the waters of a third country and in the open sea

[RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

(1) The fishing, landing and transshipment data set out in Council Regulation (EC) No. 1224/2009 regarding fishing in the fishing area of the Teravmäe, in the waters of a third country or on the high seas shall be submitted to the Agriculture and Food Board through the client application.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(2) The data required by the Kingdom of Norway on the fishing in the fishing area of Teravmägi shall be submitted to the Kingdom of Norway in accordance with the procedure established by it. The aforementioned data will also be forwarded to the Agriculture and Food Board.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(3) Data on fishing in the waters of a third country shall be submitted to that country in accordance with the procedure established by it. The aforementioned data will also be forwarded to the Agriculture and Food Board.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

Chapter 6

Submission of fishing data on landings and transshipments

§ 31. Submitter of unloading and transshipment data and data submission form

(1) Data on the landing of fish shall be submitted by:

1) the owner of the fishing permit of the fishing vessel or his representative, on the basis of which the landed fish was caught and landed;

2) the owner of the fisherman's fishing permit or his representative, on the basis of which the fishing was carried out and the fish was landed, if a box trap, bottom seine or fishing vessel with a total length of at least 10 meters was used for fishing in the Baltic Sea;

3) the captain of the ship that landed the fish in the event that fish or aquatic plants received during transshipment at sea are unloaded from the ship, or if it is a ship sailing under the flag of another country and a fishing permit has not been issued for the vessel that landed the fish or aquatic plants.

(2) Data on transshipment of fish shall be provided by the captain of the fishing vessel specified in Article 21(1) of Council Regulation (EC) No. 1224/2009.

(3) Data on the landing and transshipment of fish are submitted via the client application, if the fishing vessel specified in § 11 subsection 2 or § 22 subsection 1 was used to catch the landed fish.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(4) Data on the landing and transshipment of fish may be submitted via the client application or on a paper document on the fishing log sheet, if the fishing vessel specified in subsection 22 (2) of § 22 was used to catch the landed fish.

(5) Regarding the landing of fish caught by a fishing vessel on the basis of a fishing permit, the holder of the permit or his representative shall submit the data provided for in Article 23 of Council Regulation (EC) No. 1224/2009 via the client application within the time limit provided for in Article 24, paragraph 1 of Council Regulation (EC) No. 1224/2009.

(6) Regarding the transshipment of fish caught on the basis of a fishing permit, the master of the fishing vessel submits the data provided for in Article 21 of Council Regulation (EC) No. 1224/2009 via the client application within the time limit provided for in Article 22, paragraph 1 of Council Regulation (EC) No. 1224/2009.

(7) If data on the landing and transshipment of fish caught on the basis of a fishing permit of a fishing vessel are provided on a paper document, the owner of the permit, his representative or the captain of the fishing vessel shall provide the information on the fishing log page of the fishing vessel according to the form provided in Appendix 6.

(8) The provisions of Article 33 and Annex X of Commission Implementing Regulation (EU) No. 404/2011 are used when filling in the landing and transshipment data of the fishing logbook of the fishing vessel. The completed original page of the fishing logbook shall be handed over or sent by registered letter to the Agriculture and Food Board within the deadline set in Article 32 of Commission Implementing Regulation (EU) No. 404/2011.

(9) When placing fish in the sump, the location of the sump with the coordinates of the location is indicated in the comments box, showing the quantities of fish placed in the sump and taken from the sump by species.

(10) At least one fishing log sheet is filled out for each vessel.

§ 32. Submission of data on unloading and transshipment in another country

(1) If fish is landed from a ship sailing under the flag of Estonia in a port of another member state, data on the landing shall be submitted in accordance with the procedure provided for in Article 23(3)(b) or Article 24(5) of Council Regulation (EC) No. 1224/2009.

(2) If the fish is transhipped in a port of another member state, data on the transshipment shall be submitted in accordance with the procedure provided for in Article 21(4)(b) or Article 22(5) of Council Regulation (EC) No. 1224/2009.

(3) If fish is landed or transhipped in a port of another member state and the data is provided on a paper document on the fishing log sheet, the landing and transshipment data shall be provided in accordance with the procedure provided for in Article 32(3) of Commission Implementing Regulation (EU) No. 404/2011.

(4) If fish is landed or transhipped in a port, waters or open sea of a third country, the landing and transshipment data shall be submitted in accordance with the procedure provided for in Article 32, paragraphs 4 and 5 of Commission Implementing Regulation (EU) No. 404/2011.

§ 33. Submission of landing and transshipment data in the case of a third country ship

(1) If fish is transhipped from a vessel flying the flag of a third country in a water area under Estonian jurisdiction, or if fish is unloaded from a vessel flying the flag of a third country in an Estonian port, the master of that vessel shall submit data on landing and transshipment to the Agriculture and Food Board within 48 hours of landing or transshipment as of termination.

(2) Landing and transshipment data shall be submitted on a document corresponding to the form of the fishing log of the fishing vessel presented in Appendix 6.

§ 34. Method of presentation and processing of fish

(1) When submitting landing and transshipment data, the codes specified in Tables 1 and 2 of Annex I of Commission Implementing Regulation (EU) No. 404/2011 are used to indicate the method of presentation and processing of fish.

(2) In the case of converting the weight of preserved or processed fish into live weight, the conversion factors specified in Annex XIII, XIV and XV of Commission Implementing Regulation (EU) No. 404/2011 are used.

(3) In case of recalculation of the weight of fish caught in the waters of a regional fisheries organization or a third country to live weight, the conversion factors established by this regional fisheries organization or a third country shall be used.

Chapter 7

Submission of data on the transfer and transport of fish

§ 35. Data on the transfer of fish

(1) The holder of a fishing permit, whose annual turnover of the first sale of fishery products is less than the limit stipulated in Article 66, subsection 1 of Council Regulation (EC) No. 1224/2009, submits data on the transfer of fish electronically or on a paper document in the transfer declaration according to the form provided in Appendix 8.

(2) The pages of the transfer declaration are bound in the book of transfer declarations. The book of transfer declarations has 50 original pages and 100 copy pages. The original pages are white and the copy pages are yellow and pink. The yellow copy sheet is given to the transferor and the pink copy sheet remains with the receiver.

(3) The original sheet of the transfer declaration shall be handed over or sent by registered letter to the Agriculture and Food Board within the time limit provided for in Article 66(1) of Council Regulation (EC) No. 1224/2009.

(4) The holder of a fishing permit, whose annual turnover of the first sale of fishery products is at least as high as the limit stipulated in Article 67, subsection 1 of Council Regulation (EC) No. 1224/2009, submits the data specified in Appendix 8 regarding the transfer of fish electronically. Data on the transfer of fish shall be submitted electronically in accordance with the provisions of Article 67(1) of Council Regulation (EC) No. 1224/2009.

(5) A quantity of fish for which one electronic notification or transfer declaration on a paper document is submitted shall be considered as one lot within the meaning of Article 58 of Council Regulation (EC) No. 1224/2009.

(6) If the fish caught during one fishing trip is sold to a natural person for its own use in an amount exceeding the value specified in Article 58, paragraph 8 of Council Regulation (EC) No. 1224/2009, a transfer declaration shall be drawn up for the fish landed before selling the fish to form a batch. If the value of the fish sold in small quantities does not exceed the limit specified in Article 58, paragraph 8 of the Council Regulation (EC) No. 1224/2009, no separate lot is formed for the sale of this quantity.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(7) The identification number of the lot referred to in Article 58(5)(a) of Council Regulation (EC) No. 1224/2009 shall be deemed to be:

- 1) in the case of electronic submission of data, the unique number of the electronic notification;
- 2) if the data is submitted on a paper document, the number of the book of transfer declarations together with the number of the transfer declaration.

(8) The transfer declaration shall contain data on the transfer of the quantity of fish caught and landed during one fishing trip on the basis of one fishing permit.

§ 36. Requirements for submission of fish transfer data

(1) The owner of the fishing permit on the basis of which the transferred fish was caught is indicated as the owner of the fish.

(2) Depending on which permit the fish to be transferred was caught, the fishing permit number is entered in the box "Fisherman's fishing permit" or "Fishing vessel's fishing permit".

(3) The fields "Name and ship number of the landed vessel" and "Captain of the vessel" are filled in if a fishing vessel was used to catch the transferred fish. In the case of fishing carried out on the basis of a fishing permit of a fishing vessel, the name of the captain of the fishing vessel and, in the case of fishing carried out on the basis of a fisherman's fishing permit, the name of the fisherman entered on the fishing permit and who directly carried out the fishing shall be entered in the box "Captain of the vessel".

(4) The box "Fisherman" is filled in if the fishing took place on the basis of the fisherman's fishing permit. The name of the fisherman entered on the fishing permit and who directly fished is entered in the box.

(5) The boxes "Size category" and "Freshness category" are filled in according to Council Regulation (EC) No. 2406/96, which lays down common marketing standards for certain fishery products (OJ L 334, 23.12.1996, pp. 1–15).

(6) When submitting fish transfer data, the codes specified in Tables 1 and 2 of Annex I of Commission Implementing Regulation (EU) No. 404/2011 are used to indicate the method of presentation and processing of fish.

(7) In the "Purpose" field, it is indicated whether the transferred fish is used as food raw material or for industrial purposes. "Industrial use" is entered in the box for fish used for purposes other than human consumption.

(8) The cell "Number of individuals" is filled in for salmon and sea trout.

(9) In the box "Quantity (kg)" the weighed quantity of fishery products is entered.

(10) In the box "Fishing gear", the fishing gear is indicated in Regulation (EU) No. 1379/2013 of the European Parliament and of the Council on the common organization of the fishery and aquaculture products market, which amends Council Regulations (EC) No. 1184/2006 and (EC) No. 1224/2009, and Council Regulation (EC) No. 104/2000 (OJ L 354, 28.12.2013, pages 1–21), as the code indicated in Annex III, is repealed.

(11) The address of the fish storage place is entered in the "Place of delivery" field.

(12) The place of catching a fish lot is marked as follows:

- 1) in the Baltic Sea - at the level of the subdivisions shown on the map presented in Appendix 2;
- 2) on an inland body of water - as the name of the body of water;
- 3) at sea, except for the Baltic Sea - at least at the level of the subdivision of the FAO district.

(13) The date of the catch of a fish batch is marked as the date, which is the same as the date of the catch of the fish for which the catch data is provided.

(14) If the person responsible for the transfer of fish submits the fish transfer declaration data electronically, the fish transfer declarations are not submitted to the Agriculture and Food Board on paper.

(15) In the case of fish species with a landing obligation stipulated in Article 15 of Regulation (EU) No. 1380/2013 of the European Parliament and of the Council, it is indicated in the box "Size class" whether the fish to be transferred is full-sized or undersized.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(16) The number of the fishing trip is entered in the box "Document or fishing trip number" if the catch data for the transferred fish was submitted via the client application. If the catch or transport data for the fish to be transferred was submitted on a paper document, the number of the transport document is entered in this box, or if no transport document has been prepared for the fish to be transferred, the book number and the number of the relevant page of the beach fishing logbook or fishing vessel logbook are entered in this box.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 37. Submission of data on fish transport

(1) In the case provided for in paragraph 1 of Article 68 of Council Regulation (EC) No. 1224/2009, the data specified in paragraph 5 of the same article and the number of the fishing permit on the basis of which the transported fish was caught or the transported aquatic plant was collected shall be submitted to the Agriculture and Food Board. The document submitted for the transport of fish must contain the data specified in Appendix 9.

(2) The data referred to in paragraph 1 shall be transferred or sent by registered letter or e-mail to the Agriculture and Food Board within the time limit provided for in Article 68, paragraph 1 of Council Regulation (EC) No. 1224/2009.

(3) The transport document does not have to be submitted in the case provided for in paragraphs 6 and 8 of Article 68 of Council Regulation (EC) No. 1224/2009.

(4) If data on the transport of fish are submitted to the Agriculture and Food Board electronically on the website of the electronic environment provided for that purpose, they are not submitted on a paper document.

(5) When fishing on the basis of a fisherman's fishing permit and using a fishing vessel with an overall length of less than 10 meters at sea, the transport document shall be replaced by the fisherman's fishing permit together with the beach fishing logbook or the page of the fishing logbook of the fishing vessel, on which the estimated or weighed quantities of fish are indicated.

Chapter 8

Submission of data on the first purchase of fish

§ 38. Data on the first purchase of fish

(1) The first wholesaler of fish, whose annual turnover of the first sale of fishery products is less than the limit set in Article 62, paragraph 1 of Council Regulation (EC) No. 1224/2009, submits data on the first sale of fish electronically or on a paper document on the first purchase receipt of fish according to the form provided in Appendix 7.

(2) The initial fish purchase receipt is in A4 format. The first purchase receipts are bound in the first purchase receipt book. The first purchase receipt book has 50 original pages and 100 copy pages. The original pages are white and the copy pages are yellow and pink. The yellow copy sheet is given to the seller and the pink copy sheet remains with the buyer.

(3) The original page of the book of first purchase receipts shall be handed over or sent by registered letter to the Agriculture and Food Board within the time limit provided for in Article 62(1) of Council Regulation (EC) No. 1224/2009.

(4) The first-time purchaser of fish, whose annual turnover of first-time sales of fishery products is at least as high as the limit stipulated in Article 63, subsection 1 of Council Regulation (EC) No. 1224/2009, submits the data specified in Appendix 7 about the first-time purchase of fish electronically pursuant to Article of Council Regulation (EC) No. 1224/2009 63 within the term specified in paragraph 1.

(5) A quantity of fish, for which one electronic notification or a first purchase receipt on a paper document is submitted, is considered one lot within the meaning of Article 58 of Council Regulation (EC) No. 1224/2009.

(6) The identification number of the lot referred to in Article 58(5)(a) of Council Regulation (EC) No. 1224/2009 shall be deemed to be:

- 1) in the case of electronic submission of data, the unique number of the electronic notification;
- 2) if the data is submitted on a paper document, the number of the book of initial purchase receipts together with the number of the initial purchase receipt.

(7) If the first purchase receipt of fish provides information about the purchase of fish caught on the basis of several fishing permits or during several fishing trips, the quantities of fish purchased for each fishing trip and fishing permit are indicated on the receipt.

§ 39. Requirements for submitting data on the first purchase of fish

(1) The owner of the fishing permit under which the fish to be sold was caught is indicated as the seller.

(2) The data of the person who bought the fish from the person holding the fishing license is entered in the box "Purchaser".

(3) In the "Resale" field, the person who buys the fish from the first buyer or from the next person who bought the fish is indicated as the buyer. The quantity of fish purchased is indicated under the name of the buyer, if the entire quantity of fish specified in the data of the initial purchase is not purchased.

(4) Depending on the permit under which the fish for sale was caught, the number of the fisherman's fishing permit or the fishing permit of the fishing vessel is entered in the box "fisherman's fishing permit / fishing permit of the fishing vessel".

(5) The field "Name and ship number of landed vessel" is filled in if a fishing vessel was used to catch the fish for sale. In the case of fishing carried out on the basis of a fishing permit of a fishing vessel, the name of the captain of the fishing vessel and, in the case of fishing carried out on the basis of a fisherman's fishing permit, the name of the fisherman entered on the fishing permit and who directly carried out the fishing shall be entered in the box "Captain of the vessel".

(6) The box "Fisherman" is filled in if the fishing took place on the basis of the fisherman's fishing permit. The name of the fisherman entered on the permit and who directly carried out the fishing is entered in the box.

(7) The boxes "Size category" and "Freshness category" are filled in according to Council Regulation (EC) No. 2406/96.

(8) When submitting data on the first purchase of fish, the codes specified in Tables 1 and 2 of Annex I of Commission Implementing Regulation (EU) No. 404/2011 are used to indicate the method of presentation and processing of fish.

(9) In the "Purpose" field, indicate whether the transferred fish is used as food raw material or for industrial purposes. "Industrial use" is entered in the box for fish used for purposes other than human consumption.

(10) The cell "Number of individuals" is filled in for salmon and sea trout.

(11) In the box "Quantity (kg)" enter the weighed quantity of fishery products.

(12) In the box "Fishing gear", the fishing gear is entered as the code indicated in Annex III of Regulation (EU) No. 1379/2013 of the European Parliament and of the Council.

(13) The number of the fishing trip is entered in the box "Document or fishing trip number" if the fishing data for the fish to be purchased was provided via the client application. If catch data, transport data or transfer data were submitted on a paper document for the fish to be purchased, the number of the book of the transfer declaration and the relevant page and the number of the transport document are entered in this box, or if no transfer declaration or transport document has been completed for the fish to be purchased, the book number and the relevant page of the beach fishing logbook or the fishing vessel's logbook are entered in this box number.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(14) The place of catching a fish lot is marked as follows:

- 1) in the Baltic Sea - at the level of the subdivisions shown on the map presented in Appendix 2;
- 2) on an inland body of water - as the name of the body of water;
- 3) at sea, except for the Baltic Sea - at least at the FAO district (sub-district) level.

(15) If a transfer declaration or a transport document for the same fish was drawn up before the initial purchase of fish, references to the relevant documents shall be noted on the initial purchase receipt.
[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(16) If the data on the initial purchase of fish is submitted to the Agriculture and Food Board electronically, the initial purchase receipts are not submitted on a paper document.

(17) In the case of fish species with a landing obligation stipulated in Article 15 of Regulation (EU) No. 1380/2013 of the European Parliament and of the Council, it is indicated in the box "Size class" whether the fish to be transferred is full-sized or undersized.
[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

Chapter 9

Data cross-checking

§ 40. Evaluation of data accuracy

(1) When assessing the correctness of the data, all operations performed with this amount of fish and Regulation (EU) 2017/2403 of the European Parliament and of the Council, which deals with the sustainable management of foreign fishing fleets and which repeals Council Regulation (EC) No. 1006/2008 (OJ L 347, 28.12) are taken into account. 2017, pp. 81–104), data obtained in accordance with Article 30.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

(2) If the quantity of fish caught has been landed or reloaded in several batches, the data of all landings and reloads are taken into account.

(3) If one or more transport documents have been completed for the quantity of fish landed, all landing declarations, fishing log sheets and transport documents completed for the quantity landed shall be taken into account.

(4) If one or more transfer declarations have been filled out for the quantity of fish landed, all landing declarations, fishing log sheets, transport documents and transfer declarations filled out for that landed or transferred quantity are taken into account.

(5) If one or more initial purchase receipts are filled out for the quantity of fish landed, all landing declarations, fishing log sheets, transport documents, transfer declarations and initial purchase receipts filled out for this landed or sold quantity are taken into account.

(6) Paragraphs 3, 4 and 5 also apply in case of electronic submission of data.

(7) [Repealed - RT I, 22.11.2017, 9 - entered into force. 01.01.2018]

§ 41. Permissible difference of data

(1) The data provided on the fish caught before weighing the quantity of fish may differ from the weighted quantity by up to ten percent in the following cases:

1) in the case provided for in Article 14(3) and Article 21(3) of Council Regulation (EC) No. 1224/2009, if a fishing vessel is used to catch fish at sea, the total length of which is at least 10 meters;

2) in the case of fishing of such fish species, the catch volume of which is limited on the basis of § 45 and § 47 subsections 1 and 2 of the Fishing Act or European Union regulations.

(2) The data submitted regarding the fish caught before weighing the fish quantity may differ from the weighed fish quantity by up to 20 percent in the following cases:

1) in cases not mentioned in paragraph 1;

2) in the case of fishing of the fish species specified in point 2 of paragraph 1, if gillnets with a mesh size of less than 70 millimeters are used in the sea and gillnets with a mesh size of up to 80 millimeters are used in Lake Peipsi, Lämmi and Pihkva;

3) for perch fishing on Lake Peipsi, Lämmi and Pihkva from April 1 to May 31.

(3) Clause 2, point 2 does not apply if a fishing vessel with an overall length of at least 10 meters is used for fishing at sea.

Chapter 10

Application settings

§ 42. Implementation provisions

[RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

(1) Fishing and landing data can be submitted on the fishing logbook form of a fishing vessel printed before 2016 until December 31, 2017.

(2) Data may be submitted on the beach fishing logbook, transfer declaration, first purchase receipt and transport document form printed before September 1, 2021, if all the data required in this regulation are marked on it in an understandable form.

[RT I, 17.08.2021, 3 - enters into force. 20.08.2021]

§ 43. Revocation of the regulation

[Omitted from this text.]

Appendix 1 North-East Atlantic fishing grids

Annex 2 Baltic Sea, ICES Subdivisions

Annex 3 Baltic Sea, ICES statistical grids

Annex 4 Baltic Sea, small fishing squares

Appendix 5 Beach fishing diary

[RT I, 17.08.2021, 3 - entry into force. 20.08.2021]

Annex 6 Fishing logbook of the European Union fishing vessel

Appendix 7 Fish initial purchase receipt

[RT I, 17.08.2021, 3 - entry into force. 20.08.2021]

Appendix 8 Fish transfer declaration

[RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

Appendix 9 Fish transport document

[RT I, 17.08.2021, 3 - entered into force. 20.08.2021]

Appendix 10 Weighing of fish products in the port

[Repealed - RT I, 22.11.2017, 9 - entry into force. 01.01.2018]