

Publisher: Minister of Environment
Type of act: regulation
Type of text: full text
Entry into force of the revision: 20/05/2022
Expiry of revision: Currently valid
Disclosure notice: RT I, 17.05.2022, 16

The time, procedure and list of data to be submitted for reporting the arrival of a fishing vessel to the port and the quantities of fish on board

Adopted on 02.06.2015 No. 31
RT I, 10.06.2015, 1
entry into force on 01.07.2015

The Regulation is established on the basis of Section 61(14) of the Fishing Act .

§ 1. Scope of regulation

The regulation establishes the time, procedure and list of data to be submitted for the notification of the captain of an Estonian fishing vessel coming to the port from the sea.

§ 2. Notification of the arrival of a fishing vessel in a port of another member state

(1) If a fishing vessel with a total length of at least 8 m and on board more than 300 kg of cod or two tons of herring and sprats in live weight is heading to a port in another member state of the European Union, the captain shall, when notifying the arrival at the port, follow Regulation (EU) 2016 of the European Parliament and of the Council /1139, which establishes a multi-year plan for the management of cod, herring and sprat stocks in the Baltic Sea and the fishing of these stocks, amends Council Regulation (EC) No. 2187/2005 and repeals Council Regulation (EC) No. 1098/2007 (OJ L 191, 15.07. 2016, pp. 1–15), of the requirements set forth in paragraphs 1 and 2 of Article 11. The master submits Council Regulation (EC) No. 1224/2009 establishing a Community control system to ensure compliance with the rules of the Common Fisheries Policy, amending Regulations (EC) No. 847/96, (EC) No. 2371/2002, (EC) No. 811/2004, (EC) No. 768/2005, (EC) No. 2115/2005, 1247@1247.ee .
[RT I, 17.05.2022, 14 - enters into force. 20.05.2022]

(2) If a fishing vessel with a total length of 12 m or more is heading to a port in another member state of the European Union, the master, when giving notice of coming to the port, is based on the requirements set forth in paragraphs 1, 4 and 5 of Article 17 of Council Regulation (EC) No. 1224/2009. The captain submits the data specified in Article 17(1) of Council Regulation (EC) No. 1224/2009 in the electronic fishing logbook through the client application specified in § 4(2)(2) of Regulation No. 155 of the Government of the Republic of December 23, 2016 "Procedure for submission of data related to fishing" (hereinafter the client *application*) . If there is a technical failure or the client application does not work, the master submits the data to the e-mail address of the Agricultural and Food Board at ers_eesti@agri.ee .
[RT I, 17.05.2022, 14 - enters into force. 20.05.2022]

(3) As an exception to paragraph 2, the captain of a fishing vessel with a total length of less than 15 meters, who is not obliged to fill in the fishing logbook electronically, submits the data specified in Article 17, paragraph 1 of the Council Regulation (EC) No. 1224/2009 to Keskkonnaamet (Häirekeskus) by e-mail at 1247@1247.ee .
[RT I, 17.05.2022, 14 - enters into force. 20.05.2022]

§ 3. Notification of the arrival of a vessel operating on the basis of a fishing license in the port of the Republic of Estonia

(1) The data listed in the same paragraph of the fishing vessel specified in paragraph 1 of Article 17 of the Council Regulation 1224/2009/EC shall be submitted at least two hours before its arrival in an Estonian port.

(2) If it takes less than two hours for a fishing vessel sailing under the flag of Estonia to reach an Estonian port from the fishing place, the captain of the fishing vessel may report the quantities of fish on board and to be unloaded or transhipped by species after the last fishing operation or the request for traps, but no later than 30 minutes before arriving at the port.

(3) If, in the case specified in subsection 2, the arrival of the fishing vessel at the port of Estonia is delayed by more than 30 minutes compared to the time indicated in the notice, the master is obliged to specify the time of arrival at the port or cancel the notice submitted.

§ 4. Registration and submission of data

(1) The captain of the fishing vessel submits the information and notification specified in subsections 1-3 of Section 3 in the electronic fishing logbook through the client application.
[RT I, 31.01.2017, 1 - enters into force. 02/03/2017]

(2) In the event of a technical failure or non-functioning of the client application, in the case specified in § 3 subsection 1, the data according to § 5 shall be submitted to the Environmental Agency (Häirekeskus) by phone 1247 or +372 600 1247 or (Häirekeskus's) e-mail address 1247@1247.ee .
[RT I, 17.05.2022, 14 - enters into force. 20.05.2022]

(3) If the client application has a technical fault or the client application does not work, the data and notification according to subsections 2 and 3 of § 3 shall be submitted to the telephone or e-mail address specified in subsection 2. The message must contain the data of the fishing vessel for which the message is transmitted.

§ 5. List of data to be submitted

In the case specified in paragraph 2 of Section 4, the data shall be provided in the following order:

- 1) name and ship number of the fishing vessel for which the notification is submitted;
- 2) the name of the captain submitting the report;
- 3) the name of the destination port and the purpose of coming to the port: unloading, transshipment or access to port services;
- 4) expected date and time of arrival at the port;
- 5) the start date of the fishing trip and the statistical area specified in Appendix 3 of Regulation No. 155 of the Government of the Republic of December 23, 2016 "Procedure for submission of data related to fishing", where the fish was caught.

[RT I, 31.01.2017, 1 - enters into force. 03.02.2017]

- 6) quantities of fish entered in the fishing logbook in live weight by species;
- 7) quantities of fish to be landed or transhipped in live weight by species.

§ 6. Requirement for naming the quantity of fish to be accurate

(1) The amount of fish specified in the notifications submitted in accordance with Sections 2–5 may not differ by more than ten percent from the amount of fish on board the vessel and brought ashore.

[RT I, 31.01.2017, 1 - enters into force. 02/03/2017]

(2) When fishing for pelagic species in unsorted form, the permitted variation between the estimated quantities specified in the notifications submitted in accordance with §§ 2-5 and the quantities measured in kilograms of the catch on board must correspond to the rate specified in Article 13 of Regulation (EU) 2016/1139 of the European Parliament and of the Council.

[RT I, 31.01.2017, 1 - enters into force. 02/03/2017]

§ 7. Notification of the arrival of a trawl fishing vessel in an Estonian port

[RT I, 31.01.2017, 1 - entry into force. 02/03/2017]

(1) If there is cod, sprat or herring on board the fishing vessel, in the case of box trap fishing, at least one hour before arriving at the port from fishing, the data must be submitted in the following order:

[RT I, 31.08.2018, 2 - entered into force. 03.09.2018]

- 1) the number of the permit underlying the catch and the name of the captain submitting the report;
- 2) the fishing vessel's ship number and the exact place and time of the fishing vessel's arrival at the port;
- 3) quantity of sprat, herring and cod taken on board in kilograms of live weight.

[RT I, 31.08.2018, 2 - enters into force. 09/03/2018]

(2) If the fishing vessel has at least 300 kg of cod or two tons of sprats and herring on board, in the case of trap fishing not mentioned in paragraph 1, the data specified in paragraph 1 must be submitted at least one hour before arriving at the port from fishing, in the same order.

(3) The data specified in subsections 1 and 2 shall be submitted to the Environment Agency (Häirekeskuse) by phone 1247 or +372 600 1247 or (Häirekeskuse's) e-mail address 1247@1247.ee or through the client application created by the Agriculture and Food Board for submitting commercial fishing data.

[RT I, 17.05.2022, 14 - enters into force. 20.05.2022]

(4) When fishing for unsorted pelagic species, the permitted variation between the estimated quantities presented in the notification and the quantities measured in kilograms of the catch on board must correspond to the rate specified in Article 13 of Regulation (EU) 2016/1139 of the European Parliament and of the Council.

(5) If it takes less than one hour to reach the port from the fishing place, the data specified in point 3 of paragraph 1 may be submitted after the traps are requested, but at least 10 minutes before arrival at the port. The notification must include the license number underlying the catch and the name of the captain transmitting the notification.

[RT I, 31.08.2018, 2 - enters into force. 09/03/2018]

(6) If the arrival at the port from the reported catch is delayed by more than 15 minutes compared to the time indicated in the notification, the captain who submitted the notification shall specify the time of arrival at the port in the manner specified in subsection 3. The clarifying message must contain the number of the license on the basis of which the fishing took place and the name of the master transmitting the message.

[RT I, 31.01.2017, 1 - enters into force. 02/03/2017]

§ 8. Revocation of the Regulation

[Omitted from this text.]

§ 9. Entry into force of the regulation

The regulation enters into force on July 1, 2015.