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The list of data to be submitted via the satellite and GPS tracking system, the frequency and procedure of data submission, and the requirements for the tracking device and its use

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The regulation is established on the basis of § 69 (3) and § 70 (2) of the Fishing Act .

Chapter 1 General settings

§ 1. Scope of regulation

The regulation establishes:

- 1) the list of data to be submitted via the satellite tracking system, the frequency and procedure of data submission and the requirements for satellite tracking devices in so far as it is not regulated by 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, (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 repealing Regulations (EEC) No. 2847/93 , (EC) No. 1627/94 and (EC) No. 1966/2006 (OJ L 343, 22.12.2009, pp. 1–50), and Commission Implementing Regulation (EU) No. 404/2011 establishing Council Regulation (EC) No. 1224/2009 detailed implementing rules (OJ L 112, 30.4.2011, pp. 1–153);
- 2) The list of data to be submitted through the GPS tracking system, the frequency and procedure of data submission, and the requirements for GPS tracking devices.

§ 2. General requirements

(1) The fishing vessel specified in § 69 subsection 1 and § 70 subsection 1 of the Fishing Act and the motorized vehicle used for commercial fishing on Lake Peipsi, Läämi and Pihkva when there is ice cover (hereinafter the vehicle) must be *equipped* with a functioning satellite or GPS tracking device (hereinafter *the tracking device*).

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(2) A fishing vessel and a vehicle that must be equipped with a tracking device may not leave the water body without a functioning tracking device.

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(3) The tracking device must not be removed from the fishing vessel and vehicle, and the operation of the tracking device's power supply and data transmission must be ensured during the entire stay on the water body.

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(4) The tracking device or its part may not be destroyed, damaged, put out of order, affected in any other way, including additional data input into it.

(5) As an exception to subsections 1, 2 and 3 of this section, upon notification to the Environmental Board, a fishing vessel and a vehicle may leave the water body without a functioning tracking device or the tracking device may be removed for repair or replacement if the device has a technical fault. Information about the reason for the absence of the tracking device, the location and destination of the fishing vessel and vehicle is submitted to the Environmental Agency (Häirekeskuse) on the phone 1247 or the (Häirekeskuse) e-mail address 1247@1247.ee .

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(5) As an exception to subsection 3 of this section, while standing in the port or on the shore, it is possible:

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1) remove the GPS tracking device from the fishing vessel and vehicle for storage related to its loading;

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2) interrupt the operation of the power supply and data transmission of the GPS tracking device of the fishing vessel and the vehicle.

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(6) The recipient of the data provided in §§ 5 and 8 of this regulation is the Environmental Board.

Chapter 2

The list of data to be submitted through the satellite tracking system, the frequency of data submission and the requirements for the satellite tracking device

§ 3. Requirements for satellite tracking devices

(1) The fishing vessel referred to in subsection 1 of § 69 of the Fishing Act must be equipped with a device connected to and working in the Inmarsat-C or Iridium satellite communication network.

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(2) In the event of a technical failure or failure of the satellite tracking device installed on board the fishing vessel, the failure must be eliminated immediately.

[RT I, 05.12.2017, 13 - enters into force. 08.12.2017]

§ 4. Registration of satellite tracking device

(1) A fishing vessel is considered to be equipped with a satellite tracking device if the device specified in § 3 of this regulation and placed on the vessel is registered with the Environmental Board.

(2) The owner of the fishing vessel or a person authorized by him in writing submits an application for the registration of a satellite tracking device to the Environmental Board. If the fishing vessel is in the lawful possession of another person, the application can also be submitted by the owner of the vessel or the owner of the vessel entered in the fishing vessel or traffic register (hereinafter *the owner*).

(3) The following data shall be indicated in the application for registration of a satellite tracking device:

1) the name or title, address, telephone, e-mail address of the owner or possessor of the fishing vessel or their representative;

2) ship name and ship number;

3) the name, address, telephone number, e-mail address, telephone number on the vessel of the captain of the fishing vessel as the person responsible for the operation of the satellite tracking device and the correctness of the data provided via the satellite tracking system in accordance with Article 20 of Commission Implementing Regulation (EU) No. 404/2011;

4) Inmarsat-C or Iridium terminal number (9 digits) and terminal serial number;

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5) Inmarsat-C or Iridium terminal active ocean region, if known;

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6) name and contact details of the company that placed or equipped the satellite tracking device on the ship.

(4) The Environmental Board shall notify the applicant of the registration of the application or the refusal of registration within ten working days from the date of receipt of the application.

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(5) Changes to the data specified in subsection 3 of this section must be notified to the Environmental Board immediately at the e-mail address info@keskkonnaamet.ee.

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

§ 5. Data submitted through the satellite tracking system, frequency of data submission

(1) The data to be provided via the satellite tracking system is specified in Article 19(1) of Commission Implementing Regulation (EU) No. 404/2011.

(2) The data specified in subsection 1 of this section is provided once an hour through the satellite tracking system.

(3) Upon discovery of a technical failure or non-functioning of the satellite tracking device or upon receipt of a notification thereof, the captain of the fishing vessel or his representative shall transmit the updated geographical coordinates of the fishing vessel and the identification data, course and speed of the fishing vessel to the Environmental Board every four hours. Data in the event of a technical failure or non-functioning of the satellite tracking device must be sent to the Environmental Agency by e-mail at fisheries@keskkonnaamet.ee.

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

Chapter 3

The list of data to be provided through the GPS tracking system, the frequency and procedure of providing the data, and the requirements for the GPS tracking device

§ 6. Requirements for GPS tracking device

The fishing vessel and vehicle specified in § 70 subsection 1 of the Fishing Act must be equipped with a working GPS tracking device that supports dual-system positioning.

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§ 7. Registration of GPS tracking device

(1) A fishing vessel and a vehicle are considered to be equipped with a GPS tracking device if the device specified in § 6 and placed on the fishing vessel and the vehicle is registered with the Environmental Board.

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(2) The application is submitted by the owner of the fishing vessel and vehicle or his authorized person in writing. If the fishing vessel and the vehicle are in the legal possession of another person, the owner of the fishing vessel and the vehicle or the owner of the vessel entered in the fishing vessel or traffic register (hereinafter *the owner*) may also submit an application.

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(3) The following data shall be indicated in the application for registration of a GPS tracking device:

1) the name or designation, address, telephone, e-mail address, telephone of the owner or possessor of the fishing vessel and vehicle or their representative;

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2) Name, address, telephone number and e-mail address of the contact person responsible for matters related to the operation of the GPS tracking device and ensuring access to the device;

3) the fishing vessel's name and identification number or a sign or number enabling identification of the vehicle;

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4) Serial number of the GPS terminal and GSM number of the SIM card in the GPS terminal.

(4) The Environmental Board shall notify the applicant of the receipt of the application and of the registration or refusal to register the GPS tracking device within five working days from the receipt of the application.

(5) Changes to the data specified in subsection 3 of this section must be immediately reported to the Environmental Board at the email address info@keskkonnaamet.ee .

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§ 8. List of data submitted through the GPS tracking system

The GPS tracking system automatically provides the following data with the regularity specified in § 9 paragraph 1:

1) the name and identification number of the fishing vessel or the identification number of the vehicle;

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2) last registered geographical location;

3) speed of fishing vessel or vehicle;

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4) date and time of data submission.

§ 9. Frequency and procedure of data submission

(1) The data provided via the GPS tracking device must enable the location of the fishing vessel and vehicle to be tracked at least regulation

every one minute, except in the cases provided for in subsections 5 and 5 1 of § 2 of this .

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(2) [Repealed - RT I, 05.12.2017, 13 - entry into force. 08.12.2017]

(3) If the data specified in § 8 of this regulation has not been received in the database within two hours, the Environmental Board shall notify the contact person responsible for the operation of the GPS tracking device and ensuring access to the device or the ship's master as soon as possible.

(4) [Repealed - RT I, 05.12.2017, 13 - entry into force. 08.12.2017]

(5) In the event of a technical failure or failure of the GPS tracking device installed on the fishing vessel or vehicle, the current fishing day may be terminated, but the technical failure must be eliminated immediately.

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(6) After the technical failure of the GPS tracking device is eliminated or the power supply is restored, the fishing vessel and the vehicle may leave the port only if the installed tracking device is working.

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§ 10. Short-term possibility of changing the GPS tracking device

(1) In the event of a failure described in § 9 subsection 5 of this regulation, a backup monitoring device must be put into use.

(2) At least one reserve monitoring device is located in each port mentioned below:

1) Vasknarva;

2) Alajõki;

3) Beach bunting;

4) Hollow mouth;

5) Calm;

6) Track;

7) Omedu Beach;

8) Shore bridge;

9) Michael;

10) Sassukvere;

11) Kallast;

12) Kolkja;

13) Varnja;

14) Honey load;

15) As a rap.

(3) When going to a body of water with a backup monitoring device, before the fishing vessel and vehicle leave the body of water, call the Environmental Board (Alarm Center) on phone 1247 and report the following information:

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1) ship name and ship number or vehicle identification number or number;

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2) GPS terminal name;

3) The name and telephone number of the contact person responsible for the operation of the GPS tracking device and ensuring access to the device.

(4) The backup tracking device must be returned to the same port from which it was taken without delay after the registered GPS tracking device malfunction has been rectified.

§ 11. Implementation provisions

(1) The registration of a satellite tracking device made before the entry into force of this regulation is considered valid.

(2) Before the entry into force of this regulation, the registration of the GPS tracking device for vessels with bottom seine or mullet fishing equipment on board is valid until the new registration, but no longer than September 15, 2015.

(3) Applications for the installation of a GPS system submitted to the Ministry of the Environment before the entry into force of this regulation shall be equated with the application submitted in accordance with § 7, and on the basis of them, the GPS tracking device shall be considered registered as of the entry into force of this regulation in the event that the device is connected to the GPS tracking system, or from the later day when the device is connected to the GPS -tracking system.

§ 12. Revocation of the regulation

[Omitted from this text.]

§ 13. Entry into force of the regulation

The regulation enters into force on September 1, 2015.