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Establishment of a scientific and recreational fishing database and bylaws for maintaining the database

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The Regulation is established on the basis of § 29¹ subsection 4 of the Fishing Act .

Chapter 1 General settings

§ 1. Establishment and official name of the database

(1) This regulation establishes a database belonging to the state information system with the official name Scientific and recreational fishing database (hereinafter *the database*).

(2) The official abbreviation of the database is TEHA.

§ 2. Purpose of the database

The purpose of the database is to simplify the application and processing of special fishing and recreational fishing and settlement permits, reporting, fulfillment of other permit-related obligations, and storage, use, and availability of collected data.

§ 3. Responsible and authorized processor of the database

(1) The responsible processor of the database is the Ministry of Regional Affairs and Agriculture.
[RT I, 15.07.2023, 1 - enters into force. 18.07.2023]

(2) The controller in charge of the database:

- 1) ensures that the database is maintained according to the requirements set forth in legislation;
- 2) processes the data related to the special fishing right and certificate of electric fishing gear and the data submitted about the fishing and aquaculture sector in order to fulfill the obligations stipulated in the legislation;
- 3) processes data related to recreational fishing rights and data on the introduction of a fish species naturally occurring in Estonia or its fertilized berry into a water body in order to fulfill the obligations stipulated in legislation;
- 4) ensures the financing of the development, management and maintenance of the database;
- 5) manages database development works;
- 6) determines the organizational, physical and IT security measures that meet the security requirements of the database to ensure the availability, integrity and confidentiality of the database and organizes their implementation;
- 7) informs the authorized processors in good time about the planned changes in maintaining the database and important obstacles and problems in fulfilling the obligations related to the database;
- 8) ensures the availability and relevance of the data entered in the database;
- 9) provides user support for database services;
- 10) supervises the maintenance of the database within its competence.

(3) The authorized processors of the data collection are the Environmental Board and the Information Technology Center of the Ministry of the Environment.

(4) The Environmental Board:

- 1) processes data related to recreational fishing rights and data on the introduction of a fish species naturally occurring in Estonia or its fertilized berry into a water body in order to fulfill the obligations stipulated in the legislation;
- 2) informs the responsible processor and another authorized processor of significant obstacles and problems in fulfilling the obligations related to the database;
- 3) implements measures to ensure data availability, integrity and confidentiality requirements;
- 4) participates together with the responsible processor of the database and another authorized processor in the development of the database;
- 5) makes proposals for the development of the database to the controller in charge of the database.

(5) The Information Technology Center of the Ministry of the Environment:

- 1) organizes the management and hosting of the database;
- 2) uses the funds allocated for the development and management of the database in a targeted and efficient manner;

- 3) makes proposals for the development of the database to the controller in charge of the database;
- 4) organizes database development works and acquisition or rental of database infrastructure;
- 5) implements measures to ensure data availability, integrity and confidentiality requirements and organizes the making of backup copies of the database;
- 6) ensures information technology user support for the database;
- 7) informs the responsible processor and another authorized processor of significant obstacles and problems in the fulfillment of obligations related to the database.

Chapter 2

Structure of the database and requirements for maintaining the database

§ 4. Method and structure of the database

- (1) When maintaining the database, automated data processing is used and the data is stored in digital form.
- (2) The composition of the database includes:
 - 1) data in active use;
 - 2) archived data.
- (3) The internal components of the database are the TEHA user interface and the TEHA database.

§ 5. Protection of data entered in the database

- (1) The protection of data in the database includes:
 - 1) usability, ensuring the availability of data;
 - 2) integrity, excluding unintentional or intentional unauthorized modification of data;
 - 3) confidentiality, protecting data from unauthorized processing.
- (2) Appropriate organizational, physical and IT security measures are implemented to ensure the availability, integrity and confidentiality of the data in the database.
- (3) The security class of the data entered into the database is K2T2S2 and the security level is M.

Chapter 3

Data entered into the database, basic documents and data processing

§ 6. List of data to be entered into the database

- (1) The following information about the recreational fishing right and payment for it shall be entered in the database:
 - 1) registration number;
 - 2) first and last name of the owner of the fishing right;
 - 3) personal code of the owner of the fishing right;
 - 4) telephone number and e-mail address of the owner of the fishing right;
 - 5) beginning and end of the fishing right;
 - 6) date and amount of payment.
- (2) Regarding the fishing card, its application and fishing data, the following data shall be entered in the database:
 - 1) the first and last name of the applicant and owner of the fishing card;
 - 2) personal code of the applicant and fishing card holder;
 - 3) telephone number, postal address and e-mail address of the applicant and fishing card holder;
 - 4) the location of the requested fishing area with the accuracy of the water body and county;
 - 5) requested fishing gear, fishing gear code, number of fishing gear and their marking and fishing period;
 - 6) the time of submission of the application;
 - 7) decision on issuing or not issuing a fishing card;
 - 8) fishing card number;
 - 9) the beginning and end of the validity period of the fishing card, including the time of stay;
 - 10) first and last name, job title of the fishing card issuer, if the permit issuer is an authorized processor;
 - 11) date of issue;
 - 12) limit number of fishing gear for the entire period, limit number per month, limit number per week;
 - 13) quantities of fish caught by species;
 - 14) date of submission of catch data, date of catch, place of catch;
 - 15) first and last name of the person in respect of whom the regulation of suspension of the validity of the fishing card and refusal to issue it has entered into force;
 - 16) personal identification code of the person specified in point 15 of this subsection;
 - 17) the start and end of the validity of the regulation on the suspension of the validity of the fishing card and the refusal to issue it.
- (3) Regarding the special fishing permit and fishing data, the following data shall be entered in the database:
 - 1) special fishing permit number;
 - 2) the name or title of the permit holder;
 - 3) personal identification number or registry code of the licensee;
 - 4) purpose of fishing;
 - 5) fishing place with the accuracy of water body and fishing area;
 - 6) period of validity of the permit;
 - 7) catcher's name and personal identification number;
 - 8) fishing grounds, fishing gear and its marking;
 - 9) species of fish or aquatic plant to be caught;
 - 10) quantity to be caught;

- 11) additional conditions;
- 12) first and last name, job title of the person giving permission;
- 13) date of issue;
- 14) quantities of fish caught by species.

(4) The following information about electric fishing gear shall be entered in the database:

- 1) certificate number;
- 2) labeling;
- 3) name or designation of the owner;
- 4) personal identification number or registry code of the owner;
- 5) user's first and last name and personal identification number;
- 6) technical parameters;
- 7) first and last name, job title of the person giving the certificate;
- 8) date of issue.

(5) The following data shall be entered in the database regarding the introduction of a fish species occurring naturally in Estonia or its fertilized berry into a water body:

- 1) the name or designation of the owner of the introducer;
- 2) the species, population, age, quantity and origin of the stocked fish;
- 3) time period allowed for settlement;
- 4) settlement water body, settlement places and their coordinates;
- 5) settlement permit number;
- 6) first and last name, job title of the grantor of the settlement permit;
- 7) date of issuance of settlement permit.

(6) [Repealed - RT I, 13.04.2023, 9 - entered into force. 16.04.2023]

(7) The following information about users of the database shall be entered into the database:

- 1) first and last name;
- 2) personal identification number;
- 3) authority where the user works and job title;
- 4) telephone number and e-mail address;
- 5) basic group of rights;
- 6) times of logging into the database.

§ 7. Submission of data to the database

- (1) The submitter of data to the database is the fishing card applicant or a person authorized by the applicant.
- (2) The responsible processor and authorized processors also submit data to the database.

§ 8. Identification and authorization of the identity of the data provider and database user

- (1) Data and documents may be entered into the database or created there and procedural notes may be made by a person who has the appropriate rights and whose identity has been established.
- (2) The identity of the data provider and the user of the database is identified with an ID card or mobile ID.

§ 9. Data exchange

- (1) Data exchange with other databases takes place through the data exchange layer of state information systems in accordance with the procedure established on the basis of § 43 9 (1) point 5 of the Public Information Act through the data exchange layer of state information systems.

(2) Responsible and authorized employees of the database are allowed to submit requests and receive data from state or local government databases or information systems in order to fulfill the tasks assigned to them by the law or by the legislation issued on the basis of the law.

§ 10. Correction of incorrect data

Incorrect data discovered in the database will be corrected based on the information provided and after checking the data by the responsible or authorized processor of the database.

§ 11. Storage and archiving of data

- (1) Data are stored permanently in the database, unless otherwise provided by legislation.
- (2) Permits specified in this regulation and related data shall be archived five years after the permit expires.
- (3) The basic documents of the data entered in the database are stored in accordance with the retention periods prescribed in the management procedure of the responsible and authorized processors, after which they are transferred to the public archive in accordance with the Archives Act and other laws and the legislation established on the basis thereof, or it is decided to destroy them.

Chapter 4

Access to the database and data entered in the database

§ 12. Access to the database and data entered in the database

(1) Data entered in the database are public to the extent provided by law. Access to data in the database is granted in accordance with the Public Information Act and to the extent assigned to the officers of the responsible and authorized processor for the performance of their service obligations, unless otherwise stipulated in this regulation.

(2) The submitters of the data provided for in § 6 subsection 2 of this Regulation have access only to the non-public data related to them.

(3) Access to database data is enabled by granting access rights or issuing data.

(4) The controller grants user rights to roles on the basis of shared rights.

(5) The rights of the user specified in subsection 4 of this regulation are suspended when the user leaves his job.

§ 13. Data logging

(1) Actions performed with data in the database are logged.

(2) Permits specified in this regulation and related data shall be archived five years after the permit expires.

(3) At least the following data is stored for each request and entry made in the database:

- 1) name of the person who made the request or entry;
- 2) date and time of making the request or entry.

(4) Logs are stored in the database for at least three years, but no longer than four years from the date of entry.

Chapter 5

Funding for the maintenance of the database and completion of the database

§ 14. Funding of database maintenance

The maintenance and development works and maintenance of the database are financed from the funds allocated to the responsible processor and authorized processors from the state budget.

§ 15. Termination of the database

(1) The minister responsible for the field decides to terminate the activity of the database.

(2) Termination of the database is carried out in accordance with the Archives Act and the legislation established on the basis of § 43 9

(1) point 6 of the Public Information Act .

Chapter 6

Application settings

§ 16. Entry into force of the regulation

This regulation enters into force on December 1, 2017.