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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 296

Adopted 2 May 2007

Regulations Regarding Commercial Fishing in Territorial Waters and Economic Zone Waters

*Issued pursuant to
Section 13, Paragraph one, Clause 1
of the Fishery Law*

I. General Provisions

1. This Regulation prescribes the procedures for the performance of commercial fishing by:

1.1. natural and legal persons of the Republic of Latvia – in the territorial waters and economic zone waters of the Republic of Latvia, and in the economic zone waters of other states in the Baltic Sea; and

1.2. foreign natural and legal persons – in the economic zone waters of the Republic of Latvia;

2. Within the meaning of this Regulation for the provision of efficient fishing management a separate area of waters – coastal waters – shall be determined in the territorial waters of the Republic of Latvia where the depth does not exceed 20 metres, except shallow water zones which are located further than 20-metre isobath.

[26 May 2009]

3. The same requirements as this Regulation prescribe for coastal fishing, provided that the depth of this water area does not exceed 20 metres, shall be applied to the area of waters that lie on the sea side of the coastline, but in the mouths of rivers and canals in the Baltic Sea (also in the Gulf of Riga) – on the sea side from the line which connects the furthest seaward located points of the opposite coasts of rivers and channels (in ports – the furthest seaward located points of hydrotechnic or other structures at the opposite sides of rivers and channels) until the line from which the territorial waters of the Republic of Latvia are measured.

[26 May 2009]

4. Natural and legal persons of the Republic of Latvia (hereinafter – Latvian fishers) shall be permitted to fish and tranship the catch to another vessel in the ports referred to in Sub-paragraph 8.23 of this Regulation, in the waters referred to in Sub-paragraph 1.1 of this Regulation or in some part thereof, if:

4.1. a special fishing permit (licence) for commercial fishing has been received for commercial activities in fishery, but for self-consumption fishing – natural persons have registered in the Marine and Inland Waters Administration of the State Environmental Service (hereinafter – State Environmental Service);

4.2. an additional authorisation (special fishing permit) has been received for fishing vessels, the overall length of which is 10 m or more, for fishing of the relevant fish species in the waters of the Baltic Sea or the Gulf of Riga, which is issued by the Ministry of Agriculture on the basis of fishing limits specified in the annual protocol of the fishing rights lease agreement and the list of vessels approved for fishing. Such additional authorisation (special fishing permit) is also required for the fishing vessels of lesser length if such requirements have been specified in directly applicable laws and regulations in the field of fishery of the European Union (hereinafter – laws and regulations of the European Union);

4.3. a fishing rights lease agreement has been concluded in which the catch or fishing gear limit has been specified, if necessary also the fishing period or number of fishing days (hereinafter – fishing limit), and a fishing permit (licence) has been received from the State Environmental Service. A fishing rights lease agreement need not be concluded if fishing takes place in accordance with the laws and regulations regarding the procedures for licensed industrial fishing;

4.4. a permit according to the legal acts of the European Union has been received at the State Environmental Service for transhipping of fish to another vessel in the ports referred to in Sub-paragraph 8.23 of this Regulation, approved for this purpose, in territorial waters and economic zone waters of the Republic of Latvia.

[26 May 2009; 22 December 2009; 16 August 2011; 22 January 2013]

5. Foreign natural and legal persons (hereinafter – foreign fishers) shall be permitted to catch and tranship fish in the economic zone waters of the Republic of Latvia on the basis of:

5.1. the procedures laid down in the laws and regulations of the European Union and fishing rights intended for Member States of the European Union if the following has been received for a vessel flying under the flag of the Member State from its competent authority in conformity with the laws and regulations of the relevant Member State:

5.1.1. an additional authorisation (special fishing permit);

5.1.2. a fishing permit (licence);

5.1.3. a permit for transhipping of fish to another vessel;

5.2. international agreements entered into by Latvia or the European Union with third countries (states that are not Member States of the European Union), observing the procedures for fishing and intended fishing rights for third countries specified in the laws and regulations of the European Union if the fishing permit (licence) has been received from the State Environmental Service or competent authority of the European Union.

[26 May 2009; 22 January 2013]

6. Latvian fishers shall be permitted to catch in the waters or some part thereof referred to in Sub-paragraph 1.1 of this Regulation:

6.1. in accordance with the fishing limits granted annually by the Ministry of Agriculture or the relevant local government, taking into account catch quotas allocated to Latvia, as well as the fishing limits specified in the coastal waters in accordance with the laws and regulations regarding limits for number of fishing gears or limits for the volume of catches and the procedures for the use of these limits;

6.2. with fishing vessels the list of which shall be approved annually by the Ministry of Agriculture in conformity with fishing locations and fishing areas, if necessary also in conformity with the species of fish that are obtainable in commercial fishing, as well as in self-consumption fishing if such vessels are used the overall length of which is 10 m or more;

6.3. with fishing vessels the overall length of which is less than 10 m that are not equipped with electric or hydraulic devices for release and lifting of fishing gear and that are used only for self-consumption fishing in coastal waters.

[26 May 2009; 22 December 2009]

7. It is permitted to fish in territorial waters and economic zone waters of the Republic of Latvia for special purposes or scientific research purposes on the basis of the fishery programmes or projects co-ordinated in accordance with the procedures prescribed by the Fishery Law and observing the following conditions:

7.1. the fishing shall be conducted with specialised research vessels of Latvia or fishing vessels of Latvia that have received a fishing permit (licence) from the State Environmental Service in accordance with the laws and regulations regarding procedures for the issue of permits (licences) for fishing for scientific research purposes and other special purposes or for foreign research vessels that have received a permit from the Ministry of Foreign Affairs for scientific research;

7.2. in conformity with the objectives provided for in fishery programmes or projects, exceptions may be applied to such fishing in relation to fishing gear and the use thereof, minimum length of fish, by-catch of fish, the time and area of a fishing prohibition;

7.3. the amount of catch used for biological analyses and other scientific research shall not be counted against the fishing limits specified for fishers, unless it has been set otherwise in the relevant fishery project or programme. Fish caught in fishing in these circumstances shall be permitted to be sold if the length thereof conforms to the requirements laid down in Paragraphs 19 and 20 of this Regulation.

[26 May 2009; 16 August 2011]

II. Duties of Fishers

8. The duties of Latvian fishers:

8.1. to use only those fishing vessels in commercial fishing that are included in the approved list of fishing vessels of the Ministry of Agriculture, as well as to catch only with a vessel specified in the fishing permit (licence); A request regarding inclusion in the specified list relates also to fishers, who are fishing for self-consumption with fishing vessels the overall length of which is 10 m or more;

8.2. not to exceed the fishing limits specified in the fishing rights lease agreement;

8.3. to record fishing data in fishing logbooks:

8.3.1. after return of the vessel to shore and before the first sale, storage or transportation of fish if fishing in coastal waters with fishing vessels the overall length of which is less than 10 m (Annex 1);

8.3.2. for fishing vessels the overall length of which is at least 10 m – in conformity with the laws and regulations of the European Union and the form of fishing logbook approved therein, indicating also data regarding transshipping of fish to another vessel if fishing in coastal waters or spending not more than 24 hours in fishing;

8.3.3. for fishing vessels the overall length of which is at least 12 m – indicating data regarding fishing activities, catch, transshipment and landing of fish in the electronic system for registration and reporting of fishing activities maintained by the State Environmental Service in conformity with the laws and regulations of the European Union;

8.4. to compile data (in accumulated order) regarding the amount of catch by species of fish in each fishing sub-division or coastal fishing area and to submit a report on fishing (Annex 3) to the State Environmental Service, not later than by the sixth date of the month following the reporting month;

8.5. upon the request of the Ministry of Agriculture and the State Environmental Service to provide information which characterises the particular fishing of the relevant fisher in specific waters or related to the identification and characteristics of vessels;

8.6. in fishing beyond the coastal waters, to mark the drifting and floating anchored fishing gear in accordance with the requirements of the laws and regulations of the European Union regarding marking of fishing gear in waters of the European Union Member States outside 12 nautical miles measured from the base lines of the coastal Member States. In coastal fishing the requirements referred to in Paragraph 14 of this Regulation shall be observed;

8.7. after boarding the catch, to immediately release fish into the sea if the by-catch thereof exceeds the amount of by-catch specified in the laws and regulations of the European Union or in Paragraph 22 of this Regulation and to make a relevant entry thereof in the fishing logbook;

8.8. to prevent the conduct of such actions related to fishing, fish processing at sea and fish transportation that causes environmental pollution at sea, in ports and ashore. The release of by-catch (discard in the sea) shall not be considered as pollution in cases specified in the laws and regulations of the European Union and in this Regulation;

8.9. after entering into relevant contracts, to provide the opportunity for scientific research institutions to perform biological analyses of fish;

8.10. to inform the State scientific institute "Institute of Food Safety, Animal Health and Environment" (hereinafter – Institute) regarding the catching of marked or rare species of fish and birds, as well as marine mammals (for example, harbour porpoises, seals) and to perform the relevant entries in the fishing logbook;

8.11. in accordance with the laws and regulations of the European Union regarding the provided for reference levels of total engine power and total tonnage of the Member States fishing fleet, to co-ordinate with the Ministry of Agriculture the change of a fishing vessel engine, the purchase of fishing vessels, the construction of new fishing vessels and the reconstruction of another vessel into a fishing vessel, taking into account the engine power and tonnage of the specific fishing vessel (except fishing vessels used for self-consumption fishing the overall length of which is less than 10 m), observing that:

8.11.1. the confirmation for the purchase (construction, reconstruction) of a fishing vessel or for the change of engine of the fishing vessel with an increase of tonnage or without it, or with an increase of engine power or without it, shall be in effect for one year from the receipt thereof at the Ministry of Agriculture if the fisher has not submitted a request regarding the extension of this term and received a confirmation of the extension. After the end of the term (terms) referred to, the amount of the relevant tonnage and engine power shall be included in the Latvian total engine power and total tonnage power reference level;

8.11.2. the conditions referred to in Sub-paragraph 27.1.4 of this Regulation shall not refer to the requirements provided for in the laws and regulations of the European Union that affect compliance with the tonnage and engine power specifications of fishing vessels, and that which is specified in the conditions shall only be implemented after the provision of fulfilment of such requirements; and

8.11.3. the principles of the conditions specified in Sub-paragraph 27.1.4 of this Regulation shall be applied also to the fishing vessels included in the list of fishing vessels of the Ministry of Agriculture that perform fishing outside the waters of the Baltic Sea;

8.12. to permit the officials of the State Environmental Service (also the officials of the relevant state fishing control authority, when fishing in the economic zone waters of another state in the Baltic Sea) to inspect all holds of a vessel, the fishing location, the caught and processed fish, the finished products, the fishing gear and documents related to fishing and to permit to extract the necessary data thereof, as well as to provide the assistance necessary for performance of the inspection in accordance with the requirements of the laws and regulations of the European Union. Such assistance on vessels has to be rendered also for ensuring unhindered activity and the provision of the presence of the observers provided for in the laws and regulations of the European Union;

8.13. to install a satellite transmitter on vessels the length of which is determined by the laws and regulations of the European Union and to ensure the transmission of the necessary data from the fishing vessel to the Fisheries Monitoring Centre of the State Environmental Service in conformity with the laws and regulations of the European Union. This requirement shall not apply to vessels the overall length of which is less than 15 m, if they conform to one of the following conditions:

8.13.1. they operate only in the territorial waters of Latvia;

8.13.2. they never spend more than 24 hours in the sea, counting from the vessel sailing to the vessel entering the port;

8.14. to submit to the State Environmental Service a copy of the data transmission agreement to the Fisheries Monitoring Centre of the State Environmental Service prior to the receipt of the fishing permit (licence)

8.15. to compensate the losses caused to the fish resources that have occurred in violation of the requirements of the laws and regulations of the European Union and this Regulation, irrespective of sanctions provided for and imposed by other laws and regulations; the basic rate of tax of loss calculation (Annex 4) shall be calculated in a triple amount if the following violations have been performed:

8.15.1. fishing without a fishing permit (licence);

8.15.2. fishing of the relevant fish species during a prohibited time period and in a prohibited area;

8.15.3. fishing of the relevant fish species after a complete use of the fishing limit thereof, except the permitted by-catch amount of fish species thereof;

8.15.4. use of prohibited fishing gear and methods of fishing, as well as use of fishing gear and methods of fishing not specified in the fishing permit (licence);

8.16. on the basis of a request of the officials of the State Environmental Service (also on the basis of a request of the officials of the relevant state fishing control authority, when fishing in economic zone waters of another state in the Baltic Sea) to transport the fishing gear and floating means used in fishing, in violation of the requirements of the laws and regulations of the European Union and of this Regulation, as well as the fish fished by such gear, to the place of sale or storage of such;

8.17. to keep on a vessel the fishing permit (licence), but when fishing with vessels the overall length of which is 10 m or more – also an additional authorisation (special fishing permit). The additional authorisation (special fishing permit) has to be kept also on the fishing vessels of lesser length if it has been provided for in the laws and regulations of the European Union;

8.18. to inform regarding all vessels the length of which is more than 10 m and also other vessels of lesser length, if it has been specified in the laws and regulations of the European Union, regarding the catch of the vessel and the time of entering the place for fish landing, not less than two hours prior to the vessel entering a port. Prior to entering into a Latvian port, the necessary information (Annex 5) shall be sent to the State Environmental Service, using electronic or mobile (SMS) communication means. The information shall be sent even if the fishing vessel returns without a catch;

8.19. to ensure legibility of the identification marks of the fishing vessel and conformity thereof with the requirements of the laws and regulations of the European Union;

8.20. to ensure the registration of the vessels to be used in fishing in accordance with the procedures laid down in the laws and regulations and to not exceed the permitted stand out to the coast indicated in the sailing capability certificate, at the same time, in conformity with the fishing locations specified in the fishing rights agreement;

8.21. to immediately inform the State Environmental Service regarding the *force majeure* emergency circumstances referred to in Sub-paragraph 10.1.2 of this Regulation, due to which with the commencement of the fishing prohibition period, the prohibited fishing gear was not removed;

8.22. to submit to the Central Statistical Bureau information regarding fishing and commercial activities in fishery in conformity with the forms of the report and the intended terms for submission specified in the laws and regulations governing the field of the Central Statistics Bureau; and

8.23. to land and tranship the fish of the relevant species or the amount of catch of this fish only at the following ports:

8.23.1. the cod caught in the Baltic Sea, if the net weight thereof onboard is 750 kg and more – at the port of Pāvilosta, Liepāja and Ventspils;

8.23.2. unsorted mixed catches of sprat and herring caught in the Baltic Sea and the Gulf of Riga, regarding which it is not possible to indicate in the logbook the amount of catch of separate species within the framework of permitted tolerance, – at the port of Pāvilosta, Rīga, Liepāja and Ventspils;

8.23.3. unsorted mixed catches of sprat, herring, mackerel, scad and other fish species caught in the waters of the European Union Member States outside the Baltic Sea – at the ports of Rīga, Liepāja and Ventspils;

8.23.4. notwithstanding the requirements referred to in Sub-paragraphs 8.23.1, 8.23.2 and 8.23.3 of this Regulation, the fish species for which multiannual plans have been approved and the catch of which on a vessel exceeds the limit level stipulated in the referred-to plans – at the ports of Rīga, Liepāja and Ventspils;

8.23.5. any fish products from the vessels of third countries – at the ports of Rīga and Ventspils;

8.24. to ensure that the engine and auxiliary engine power conforms to the sailing capability certificate issued by the Maritime Administration of Latvia;

8.25. if fishing gear has been lost, to notify the State Environmental Service regarding such fact in accordance with the procedures laid down in the laws and regulations of the European Union.

[26 May 2009; 22 December 2009; 22 January 2013]

9. When fishing in the economic zone waters of the Republic of Latvia, the foreign fishers have a duty:

9.1. to comply with the requirements and fishing limits laid down in the laws and regulations of the European Union;

9.2. to keep on the vessel the additional authorisation (special fishing permit) and fishing permit (licence) issued by the competent authority of the relevant Member State, but for the vessels of third countries – a fishing permit (licence) issued by the competent authority of Latvia or the European Union;

9.3. to masters of the vessels of third countries or their representatives in addition to the requirements referred to in Sub-paragraphs 9.1 and 9.2 of this Regulation:

9.3.1. to notify the State Environmental Service at least three days prior to entering the ports referred to in Sub-paragraph 8.23.5 of this Regulation regarding the planned entering;

9.3.2. prior to landing and transshipping activities to submit the information stipulated in the laws and regulations of the European Union regarding them to the State Environmental Service.

[22 January 2013]

9.¹ In accordance with the laws and regulations of the European Union Latvian fishers have the right to notify (if possible by submitting proof) the State Environmental Service regarding another vessel which has engaged in activities that may be considered as illegal, unreported and unregulated fishing.

[22 January 2013]

III. Provisions for the Use of Fishing Gear

10. Fishers are prohibited from:

10.1. keeping fishing gear on the board of vessels that is not provided for in the laws and regulations of the European Union, as well being in the coastal area and coastline towpath with fishing gear that is prohibited from being used in the relevant period of time and fishing location or that is not indicated in the fishing permit (licence), observing that:

10.1.1. such fishing gear is kept separate from the fishing gear in use, observing the requirements laid down in the laws and regulations of the European Union; and

10.1.2. cases that are connected with *force majeure* emergency circumstances (natural phenomena, accident, dangerous hydrological conditions) that cannot be predicted and prevented in advance and when fishing gear has remained in the coastal waters or in the rest of the territorial waters of the Republic of Latvia, with the commencement of the relevant prohibition period are not considered violations of this Regulation;

10.2. using anchored and floating fishing gear without markings or with markings that do not conform with the requirements of the laws and regulations of the European Union or of Paragraph 14 of this Regulation;

10.3. attaching devices to the fishing gear that might cover the netting meshes or reduce their size, except in the permitted cases of the laws and regulations of the European Union;

10.4. using mechanical means of transport for pulling a towing net to shore;

10.5. setting in coastal fishing:

10.5.1. nets, fleets of nets, longlines, eelpout fyke nets and groups of eelpout fyke nets less than 100 m in any direction from any other fishing gear or less than 100 m from the coast, except for specialised smelt fishing with herring (smelt) nets from 1 December to 31 March;

10.5.2. herring pound nets, fish traps and undersized fish traps less than 700 m from each other or from any other fishing gear sideways and less than 100 m in other directions.

IV. Specifications and Permissible Number of Fishing Gear

11. It is prohibited that fishing gear the specifications of which differ from the specifications of fishing gear specified in the laws and regulations of the European Union and specified for coastal fishing is used (Annex 6).

12. If coastal fishing for self-consumption is performed, it is permitted to use no more than one fishing net, one herring net, one eelpout fyke net or 100 hooks, observing the specifications of the relevant fishing gear (Annex 6). If the number of fishing gear is bigger, it

is considered as commercial fishing and laws and regulations that regulate commercial activity and commercial fishing are applied thereto.

13. For self-consumption along the coastline:

13.1. it is permitted to fish simultaneously only with one fishing gear referred to in Paragraph 12 of this Regulation;

13.2. it is prohibited to simultaneously enter into commercial fishing rights lease agreements regarding coastal fishing with several coastal local governments;

13.3. it is prohibited to combine the fishing gear of two or several fishers to be used in self-consumption fishing.

[22 January 2013]

V. Marking of Coastal Fishing Gear

14. Fishing gear shall be equipped as follows, when performing coastal fishing:

14.1. the marking sign shall be made of plastic foam, cork or other waterproof material, and the size and visibility thereof shall conform to the requirements laid down in the laws and regulations of the European Union regarding marking of the fishing gear;

14.2. the name of the legal person or the initial of the given name and the surname of the natural person shall be indicated on the marking sign. The inscriptions and designations shall be clearly legible;

14.3. the marking signs shall be attached:

14.3.1. at both ends of an individual net and gill-net;

14.3.2. for a fish trap and pound net – to the offing target at a height of one metre above the water, and to the central buoy;

14.3.3. for an eelpout fyke net – to the anchor buoys at both ends;

14.3.4. to a longline – to the main rope not more than one metre from each end;

14.4. fixed or floating vertical marking signs (poles) with the same colour (except white) flags, each edge of which is not shorter than 30 cm, shall be attached to both ends of the nets, fleets of gill-nets and longlines and at the farthest points of a fish trap. A marking sign of the fishing gear shall be additionally attached to sea marks above the water surface or ice;

14.5. fishing gear that in accordance with agreements entered into are used for research purposes, shall be marked additionally with the name of the performer of the research and the year or term of the performance of research.

[22 January 2013]

VI. Fishing Prohibition Times and Places

15. Fishing of the fish species indicated in the laws and regulations of the European Union is prohibited during the times and places of the fishing prohibition thereof.

16. In coastal waters and the rest of the territorial waters of the Republic of Latvia additionally prohibited:

16.1. fishing with trawls at locations where the depth does not exceed 20 m;

16.2. any turbot fishing in coastal waters, the processing and storage of such on vessels – from 1 June to 31 July, but in the rest of the territorial waters – throughout the year. By-catch of turbot shall be permitted if it does not exceed three per cent from the total amount of the catch, using the fishing gear determined in Article 18a(2) of Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through

technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 – from 1 June to 31 July;

16.3. transferring of turbot to other vessels at sea;

16.4. specialised fishing for eelpout:

16.4.1. with trawls – throughout the year;

16.4.2. with fish traps – from 1 October to 30 April;

16.5. coastal fishing with any type of fishing gear:

16.5.1. throughout the year in the estuarine area of the River Venta within a radius of 2000 m of the river mouth, in the estuarine area of the Rivers Daugava, Salaca, Gauja and Lielupe within a radius of 1000 m of the river mouth, but in the estuarine area of other rivers and channels within a radius of 200 m of the mouth. The radius shall be measured in the circle sector on the seaward side in all directions from the central point of the line that connects the opposite coasts of the furthest seaward located points of rivers and canals (in ports – the points of hydrotechnic or other structures at the opposite sides of the furthest seaward located points of a port);

16.5.2. from 16 April to 15 May, except fishing with fishing and eelpout fyke nets, turbot nets, specialised fishing of herring, as well as fishing with fishing nets in the section from Cape Ovīši to the southern border of the Republic of Latvia;

16.5.3. from 1 October to 15 November, except for:

16.5.3.1. specialised fishing of flounder with flounder seines in the entire coastal waters;

16.5.3.2. fishing with fishing nets and turbot nets the height which does not exceed 3 m and that are submerged on the bottom of the referred to waters, when fishing in areas the depth of which is more than 10 m – within the sites of coastal waters from Cape Kolka to the southern border of the Republic of Latvia;

16.5.3.3. specialised fishing of herring with herring nets – in the entire coastal waters;

16.5.3.4. fishing with fish hooks – in the entire coastal waters;

16.5.3.5. fishing with herring pound nets with an opened trap on the uppers side – in the coastal waters of the Gulf of Riga;

16.5.3.6. fishing with fishing fyke nets – in the coastal waters;

16.6. fishing with fishing nets in the coastal waters from 1 January to 30 April and from 1 October to 30 November in addition to the prohibition specified in Sub-paragraph 16.5.1 of this Regulation:

16.6.1. in the estuarine area of the Rivers Gauja, Lielupe and Salaca within a radius of 3000 m of the mouth;

16.6.2. in the estuarine area of the Rivers Aģe, Irbe, Pēterupe, Rīva, Roja, Saka, Svētupe, Užava and Virtupe within a radius of 500 m of the mouth;

16.7. specialised fishing of flounder and turbot with flounder seines in areas the depth of which does not exceed 5 m – throughout the year. Fishing with such gear, as well as with turbot nets is permitted in coastal waters the depth of which is more than 5 m and in deeper waters beyond the coastal waters in the Irbe Strait to the west of the line that connects Cape Kolka (57° 45' 60" N; 22° 36' 40" E) with the Kāvinina lighthouse (57° 58' 95" N; 22° 11' 77" E), and further in the Baltic Sea to the southern border of Latvia, in conformity with the norms that relate to coastal fishing;

16.8. specialised fishing of salmon and sea trout in coastal waters with drifting gear and drifting longlines – throughout the year.

[25 March 2008; 26 May 2009; 29 September 2009; 22 January 2013]

17. For Latvian fishers in the Gulf of Riga in addition to Paragraph 16 of this Regulation prohibited:

17.1. fishing with trawls with a groundrope attached thereto – throughout the year;

17.2. specialised fishing of sprat with trawls – throughout the year, taking into account that the by-catch in sprat herring fishing shall not exceed 50 per cent from the total amount of the catch;

17.3. fishing with trawls – throughout the year in the Irbe Strait between the lines that connect Ovīši lighthouse (57° 34.1234' N; 21° 42.9574' E) with the Loade lighthouse (57° 57.4760' N; 21° 58.2789' E) in the west and Cape Kolka (57° 45.60' N; 22° 36.40' E) with the Kāvinina lighthouse (57° 58.95' N; 22° 11.77' E) in the east, as well as in the area that is bound by the lines that connect the following points of geographical co-ordinates:

17.3.1. 57° 00' N; 23° 50' E;

17.3.2. 57° 10' N; 23° 50' E;

17.3.3. 57° 10' N; 24° 10' E;

17.3.4. 57° 20' N; 24° 10' E;

17.3.5. 57° 20' N; 24° 25' E; and

17.3.6. connection of the point specified in Sub-paragraph 17.3.1 of this Regulation along the coastal line with the point specified in Sub-paragraph 17.3.5 of this Regulation;

17.4. fishing with fishing and flounder seines in the coastal waters of the Gulf of Riga – throughout the year, except fishing with a baitfish seine;

17.5. herring fishing with trawls – from 12 May to 10 June. The Ministry of Agriculture may change the starting date of this prohibition without changing the total duration of the prohibition period, if in conformity with the agreement signed on 6 February 1997 by the governments of the Republic of Latvia and the Republic of Estonia regarding mutual relations in the field of fishery an agreement is reached regarding determination of a joint prohibition period for both States in the Gulf of Riga in the respective year;

17.6. specialised fishing of salmon and sea trout with drifting and floating anchored nets and drifting and anchored longlines behind coastal waters – throughout the year;

17.7. specialised fishing for reduction and for animal food.

[22 December 2009; 22 January 2013]

18. Fishing referred to in Paragraphs 16 and 17 of this Regulation shall be considered as specialised in conformity with the laws and regulations of the European Union, as well as if in the coastal waters and other territorial waters of the Republic of Latvia fishing of certain species of fish is performed with fishing gear intended for that species of fish and the relevant species of fish and fishing gear are specified in the fishing permit (licence).

VII. Minimum Length of Fish and Levels of By-Catch

19. It is prohibited that the level of by-catch of undersized fish and other type of fish specified in the directly applicable laws and regulations of the European Union in the field of fishery is exceeded.

20. Latvian fishers, when fishing in the Gulf of Riga, in the coastal waters and other territorial waters of the Republic of Latvia, in addition to the laws and regulations of the European Union referred to in Paragraph 19 of this Regulation have to observe that it is prohibited to exceed the amount of by-catch of undersized fish referred to in Paragraph 22 of this Regulation, as well as to accept, process, transport, keep and sell fish of such species if the size of fresh, unprocessed fish is less than:

20.1. for perch (*Perca fluviatilis*) – 19 cm;

20.2. for vimba (*Vimba vimba*) – 30 cm;

- 20.3. for ide (*Leuciscus idus*) – 30 cm;
- 20.4. for whitefish (*Coregonus lavaretus*) – 35 cm;
- 20.5. for pike-perch (*Stizostedion lucioperca*) – 45 cm;
- 20.6. for pike (*Esox lucius*) – 50 cm.

21. The length of fish and the applicable coefficient of recalculation shall be determined in conformity with the measuring procedures of fish laid down in the laws and regulations of the European Union. If fish caught by Latvian fishers and processed (salted, smoked or dried) fish are measured, the length of fish provided for in the laws and regulations of the European Union in the field of fishery and determined in Paragraph 20 of this Regulation shall be reduced by four per cent. The minimum size of cod without the head shall be not less than 28 cm, when measuring along the lateral line to the end of the caudal fin.

[22 January 2013]

22. In addition to the amount of by-catch of undersized fish and other type of fish provided for in the laws and regulations of the European Union for Latvian fishers in the territorial and economic zone waters of the Republic of Latvia the following amounts of fish by-catch shall be applicable:

22.1. [22 January 2013];

22.2. total by-catch for the species of undersized fish referred to in Paragraph 20 of this Regulation shall not exceed five per cent of the total weight of the catch;

22.3. by-catch of turbot in fishing of other species of fish in the territorial waters beyond the coastal waters shall not exceed 10% of the total weight of the catch, in addition observing the requirements laid down in Sub-paragraphs 23.1 and 23.2 of this Regulation;

22.4. if fishing limits of certain species of fish (except cod) have been exhausted completely, the by-catch of the relevant species of fish in the specialised fishing of other species of fish shall not exceed 5% of the total weight of the catch. The by-catch amount of cod after a complete use of fishing limit thereof shall not exceed the amount determined in the laws and regulations of the European Union, taking into account the requirements referred to in Sub-paragraph 23.3 of this Regulation.

[29 September 2009; 22 January 2013]

23. The following is not permitted:

23.1. by-catch of undersized turbot, salmon, sea-trout and whitefish;

23.2. by-catch of the following species of fish during the prohibition periods:

23.2.1. by-catch of turbot – from 1 June to 31 July;

23.2.2. by-catch of ide and pike-perch – from 16 April to 15 May;

23.2.3. by-catch of salmon, whitefish, sea-trout – from 1 October to 15 November, except fishing of salmon and sea-trout in the coastal territory of the Gulf of Riga from Vecāķi to Vaivari which includes waters from the coastal line to 20-metre isobath located between perpendiculars drawn from the coastal point coordinates – 57° 05' 10" N, 24° 07' 03" O and 56° 57' 70" N, 23° 40' 40" O – to 20-metre isobath line;

23.3. by-catch of cod in coastal waters for self-consumption, as well as in commercial fishing if a cod fishing limit (the amount of catch) has not been allocated for the relevant Latvian fisher; and

23.4. by-catch of the species of fish referred to in Paragraph 20 of this Regulation (regardless of their size) in bait fishing with a baitfish seine.

[29 September 2009; 22 January 2013]

24. If the by-catch exceeds the amount specified in the laws and regulations of the European Union or determined in Paragraph 22 of this Regulation, actions shall be undertaken pursuant

to the requirements laid down in the laws and regulations of the European Union regarding the release of fish into the sea.

25. In this Regulation as by-catch shall be considered the fish of such species in the particular catch, the fishing of which is prohibited during the relevant time period, at the relevant location or with the relevant fishing gear, as well as undersized fish and fish the fishing of which is not provided for in the fishing permit (licence).

26. If the catch is large (1 tonne or more), the amount of by-catch shall be determined by taking at least three samples from several parts of the catch. The percentage of by-catch shall be calculated as the average of the percentages of the separate samples.

VIII. Rights and Duties of the Ministry of Agriculture and of Fishery Control Authorities

[26 May 2009; 22 December 2009]

27. The Ministry of Agriculture, in conformity with the requirements laid down in the laws and regulations in the field of fishery, as well as on the basis of scientific recommendations of State institutions that are studying fish resources, after co-ordination with the Ministry of Environmental Protection and Regional Development:

27.1. has the following duties:

27.1.1. in conformity with decisions that have been taken in accordance with the laws and regulations of the European Union, to determine the current measures for the regulation of fishing for the relevant year;

27.1.2. to issue an additional authorisation (special fishing permit) in accordance with Annex 7 to this Regulation regarding fishing of the relevant species of fish in the waters of the Baltic Sea or the Gulf of Riga; and

27.1.3. to determine additional measures for the regulation of fishing in coastal waters or in the rest of the territorial waters of the Republic of Latvia, to stop Latvian fishers fishing in specific areas of the waters of the Baltic Sea and the Gulf of Riga, as well as to take a decision on termination of fishing of certain species of fish if the amounts specified in limits and quotas have been fully exhausted or exceeded;

27.1.4. in accordance with Sub-paragraph 8.11 of this Regulation to evaluate the applications submitted by fishers regarding co-ordination of the change of engine, purchase of fishing vessels, construction of new vessels or reconstruction of other vessels into fishing vessels and if the reference level of the total engine power and the total tonnage intended for Latvia is larger than the level of the total engine power and the total tonnage of the vessels included in the list of fishing vessels approved by the Ministry of Agriculture, then performing the replacement of fishing vessel or the replacement of the engine of fishing vessel included prior in the list of fishing vessels, fishers may qualify for the increase of the power of the fishing vessel or increase of tonnage, observing the following conditions:

27.1.4.1. support that is provided for the withdrawal of the vessel from fishing is not received and shall not be received by a vessel that has been deleted or shall be deleted from the list of fishing vessels;

27.1.4.2. it is not allowed to apply for the support with replaced or transformed vessel in measures specified in the Council regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund, if tonnage of the replaced fishing vessel or the transformed fishing vessel registered in the list of fishing vessels exceeds the tonnage of the fishing vessel (vessels) deleted from the list of fishing vessels by more than 25%;

27.1.4.3. it is not allowed to apply for the support with replaced or transformed vessel in measures specified in the Council regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund, if the engine power of the replaced vessel or the power of the replaced engine of the vessel existing in the list of fishing vessels exceeds the previous engine power of the vessel deleted from the list of fishing vessels or the transformed vessel (vessels), or the power of the replaced engine of the vessel existing in the list by more than 25%;

27.1.4.4. the tonnage or engine power of a fishing vessel submitted for co-ordination shall not be associated with the tonnage or engine power of the vessel requested by another fisher and already approved thereof that shall be determined in relation to the deletion of a fishing vessel from the list of fishing vessels without a receipt of support, except cases when the relevant fisher renounces these rights on a voluntary basis and in writing;

27.1.4.5. the engine power or tonnage of a fishing vessel submitted for co-ordination may not exceed 50% from the previous engine power or tonnage of the vessel (vessels) deleted from the list of fishing vessels or the transformed vessel (vessels), or the power of the replaced engine of a fishing vessel existing in the list, if the fishing vessel is included in the list of fishing vessels authorised for fishing in the Baltic Sea and the Gulf of Riga;

27.1.5. in evaluating the applications of fishers referred to in Sub-paragraph 27.1.4 of this Regulation, to take into account that a fisher may not apply for the increase of the engine power or tonnage of a fishing vessel, if the fishing vessel applied for co-ordination is included in the list of such fishing vessels which are authorised for high-seas fisheries;

27.2. has the following rights:

27.2.1. depending on the hydrometeorological conditions, to change the starting date of fishing prohibition specified in this Regulation no more than by 15 days without changing the total duration of the prohibition period and keeping those prohibition periods that have been provided for in the laws and regulations of the European Union;

27.2.2. in conformity with the catch quotas assigned to Latvia, to determine fishing limits and amount of catch exchanges with other states of the Baltic Sea, as well as to specify the number and type of fishing vessels (the list of fishing vessels) permitted for fishing in the waters of the Baltic Sea and in the waters of the Gulf of Riga, to allocate fishing limits to Latvian fishers for coastal waters fishing and fishing beyond coastal waters;

27.2.3. not to enter into a commercial fishing rights lease agreement, as well as not to allocate an additional fishing limit and not to issue the permit (licence) for commercial activities in fishery if the requirements laid down in Sub-paragraph 8.11 of this Regulation are not complied with;

27.2.4. in conformity with the operational information provided by the State Environmental Service regarding temporary suspending or cancellation of a fishing permit (licence), to temporarily suspend or cancel the special additional authorisation issued to the particular fishing vessel in accordance with the laws and regulations of the European Union.

[26 May 2009; 22 December 2009; 16 August 2011; 22 January 2013]

28. Officials of the State Environmental Service:

28.1. have the following rights:

28.1.1. prior to issuing of the fishing permit (licence) (a licence shall be issued in conformity with conditions and fishing limits provided for in the annual protocol of

the fishing rights lease agreement entered into) to perform the registration of fishers, who fish for self-consumption and to inspect the term of validity of the special fishing permits (licences) referred to in Sub-paragraph 4.1 of this Regulation for fishers, who fish for a commercial purpose;

28.1.2. to be on fishing vessels, to inspect all holds of a vessel, the caught and processed fish, the finished products, fishing gear, fishing sites and documents related to fishing, as well as extract the necessary information from the documents referred to;

28.1.3. to request from fishers information regarding fishing;

28.1.4. upon arrival of vessels in port to perform the inspection and registration of documents relating to the landing and first sale of fish;

28.1.5. to temporarily suspend or cancel a fishing permit (licence) or to refuse the issuance thereof to Latvian fishers if the requirements of this Regulation have not been complied with or a notification from the Ministry of Agriculture or the relevant local government has been received regarding non-compliance of obligations of a fisher – lessee of commercial fishing rights, or information from Central Statistics Bureau is received regarding failure to comply with the duties specified in Sub-paragraph 8.22 of this Regulation;

28.1.6. if violations referred to in Sub-paragraph 8.15 of this Regulation have been committed or they have been committed repeatedly within a year counting from the day when the previous violation was committed, or the violator has not paid the imposed fine and compensation for the loss caused to fish resources, to request the Ministry of Agriculture or the relevant coastal local government to refuse the allocation of a fishing limit in the following year or to terminate the fishing rights lease agreement with the relevant Latvian fisher;

28.1.7. to require the violator of the Regulations to transport the fishing gear and the floating means of conveyance used in fishing, when violating the requirements of this Regulation, as well as the fish caught with such gear, to the place of sale or storage of such;

28.1.8. when receiving official documents from Fishery Management Authorities of other states regarding violations of laws and regulations of the European Union, which have been committed by Latvian fishers, when fishing in the economic zone of the relevant state in the Baltic Sea, to take a decision on the imposition of sanctions to the relevant violation provided for in Latvian laws and regulations;

28.1.9. through intermediation of the Fisheries Monitoring Centre, to supervise Latvian fishing vessels in the economic zone waters of the European Union states;

28.2. have the following duties:

28.2.1. to issue fishing logbooks to Latvian fishers;

28.2.2. if the fishing permit (licence) of a Latvian fisher is being suspended or annulled, to notify the Ministry of Agriculture or the relevant coastal local government thereof;

28.2.3. to include in the fishing limit of a fisher the amount of fish caught in violation of this Regulation, as well as the amount of fish confiscated for violation of this Regulation regardless of the place where the violation was discovered;

28.2.4. to ensure the activity of the Fisheries Monitoring Centre;

28.2.5. to use the information of the database of the Fisheries Monitoring Centre only for the purpose of controlling the conformity with the requirements of the legal acts of the European Union and this Regulation;

28.2.6. to submit registration data regarding fishers, who fish for self-consumption to the Institute, each quarter by the 20th date of the month following thereto;

28.2.7. in accordance with the laws and regulations of the European Union to issue a permit for transshipping the catch to another vessel in the territorial waters of the Republic of Latvia or the economic zone waters thereof;

28.2.8. to supervise and control the traceability of the information regarding division of the landed catch in batches;

28.2.9. to create a register regarding infringements in fishing activities and to maintain it in conformity with the laws and regulations of the European Union;

28.2.10. to perform an analysis of the data and risk related to fishing activities and, on the basis of such analysis, where appropriate, to request that the relevant fisher performs the physical verification of the engine power of the vessel at the Latvian Maritime Academy, which is referred to in Article 41 of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring 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, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (hereinafter – Regulation No 1224/2009);

28.2.11. to aggregate information regarding legal and natural persons who own a fishing vessel registered in a third country or who own shares (stocks) of such commercial company to which a fishing vessel registered in a third country belongs, as well as regarding employees who perform activities related to fishing on a vessel registered in a third country;

28.2.12. to maintain and apply a penalty point system for infringements in the fishing field in accordance with the laws and regulations of the European Union.

[26 May 2009; 22 December 2009; 22 January 2013]

29. The State Environmental Service, in conformity with Sub-paragraphs 4.3 and 7.1 of this Regulation and on the basis of the fishing rights lease agreement concluded by the fisher and the issued special fishing permit (licence) thereto for commercial activities in fishery, shall issue fishing permits (licences) for fishing beyond coastal waters, as well as for fishing in coastal waters with vessels the overall length of which is more than 10 m or more (Annex 8) and for vessels the overall length of which is less than 10 m (Annex 9).

29.¹ Verification of the engine power of fishing vessels according to the Sampling Plan for the Conformity Supervision of the Engine Power of Fishing Vessels (Annex 10), which has been drawn up in accordance with the laws and regulations of the European Union, shall be ensured by the State Environmental Service in co-operation with the Maritime Administration of Latvia and the Latvian Maritime Academy, including:

29.¹ 1. the Maritime Administration of Latvia shall issue a sailing capability certificate, in which the engine power shall be indicated according to the information provided by the classification society supervising the construction of engines of the vessels and determined in the laws and regulations regarding the procedures for supervisions of classification societies (recognised organisations), or the manufacturer. Within the meaning of this Regulation and Regulation No 1224/2009 a sailing capability certificate shall be the certificate of the engine power of a fishing vessel;

29.¹ 2. the Latvian Maritime Academy upon request of the State Environmental Service shall perform physical verification of the engine power of the vessel in accordance with Article 41 of Regulation No 1224/2009 and the Sampling Plan for the Conformity Supervision of the Engine Power of Fishing Vessels determined in Annex 10 to this Regulation.

[22 January 2013]

IX. Closing Provisions

30. Cabinet Regulation No. 41 of 11 January 2005, Regulations Regarding Commercial Fishing in Territorial Waters and Economic Zone Waters (*Latvijas Vēstnesis*, 2005, No. 11) is repealed.

31. Annex 1 to this Regulation shall come into force on 1 July 2007.

32. Annex 2 of this Regulation shall be in force until 30 June 2007.

33. The confirmation of the National Board of Fisheries of the Ministry of Agriculture for the purchase (construction, transformation) of a fishing vessel or for the change of engine of the fishing vessel with an increase of tonnage or without it, or with an increase of engine power or without it, which has been issued until 31 December 2008 in accordance with Sub-paragraph 8.11.1 of this Regulation, shall be in effect for one year from the receipt thereof at the Board of Fisheries or in accordance with the term specified in the extension of the confirmation.

[26 May 2009]

Prime Minister

A. Kalvītis

Minister for Agriculture

M. Roze

Logbook for Coastal Waters Fishing No.

_____ year _____
(month)

1. Fishing site

(Baltic Sea, Gulf of Riga or Irbe Strait if fishing in the area from Ovīši to Cape Kolka)

(district, local government)

(city, village)

2. Owner of the licence

(name of the legal person, registration number; given name, surname (personal identity number) of the natural person or registration number of the individual merchant)

(given name, surname and personal identity number of the responsible fisher or individual fisher)

(address, telephone number)

3. The completed logbook shall be submitted to the issuer by the sixth date of the following month.

4. The logbook was issued by the State Environmental Service Marine and Inland Waters Administration

_____ sector of control

(given name, surname and telephone number of the inspector)

(signature)

Place for a seal

Date: _____ 20_____

No.	Month and date	Fishing gear		Catch by species of fish (kg) (for salmon and sea trout – no. of fish/kg)*										Total (kg)	Registration number of the vessel used in fishing
		name, number, mesh size	fishing day or number of hauling of seines												
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
			TOTAL												

The person responsible for fishing

_____ (signature and full name)

*The name of the fish species shall be entered by the fisher in the relevant column.

Fishing gear to be used

No.	Fishing gear	Number	Dimensions	Marking

Explanatory notes

1. In the table of fishing gear to be used, the names (types) and quantity of permitted fishing gear shall be entered; in the column for dimensions – the size of the mesh opening, and also for trap nets the length of the fence, for seines – also the opening; in the column for marking – marking of the fishing gear used.
2. The amount of fish caught on the relevant date, the type of fishing gear used, the quantity of fishing gear used, size of mesh opening and the number of days on the relevant fishing voyage when the gear referred to was used in fishing shall be immediately indicated in the fishing logbook after fishing.
3. For seine fishing information regarding the catch shall be entered for each fishing day, and the number of hauling of seine per day shall be indicated.
4. The catch of salmon, sea trout and rainbow trout shall be indicated as the number of fish and kilograms on two sides of the slash (no. of fish/kg).

Notes.

1. Information regarding the catching of marked or rare fish, harbour porpises and seals, indicating the time of catch, location and fishing gear, shall be provided to the issuer of the licence or sent to the State scientific institute “Institute of Food Safety, Animal Health and Environment”.

2. The sender of the fish tags shall receive information regarding the conditions of marking and possible migration of the fish.

Minister for Agriculture

M. Roze

Logbook for Coastal Waters Fishing No.

_____ year _____
(month)

1. Fishing site _____
(Baltic Sea, Gulf of Riga or Irbe Strait if fishing in the area from Ovīši to
Cape Kolka)

(district, local government)

(city, village)

2. Owner of the licence _____
(name of the legal person, registration number; given name, surname
(personal identity number) of the natural person or registration number
of the individual merchant)

(given name, surname and personal identity number of the responsible fisher or individual
fisher)

(address, telephone)

3. The completed logbook shall be submitted to the issuer by the sixth date of the following month.

4. The logbook was issued by the State Environmental Service Marine and Inland Waters Administration _____ sector of control

(given name, surname and telephone number of the inspector)

(signature)

Place for a seal

Date: _____ 20_____

No.	Month and date	Fishing gear		Catch by species of fish (kg) (for salmon and sea trout – no. of fish/kg)*										Total (kg)	Notes regarding inspection
		name, number, mesh size	fishing day or number of hauling of seines	5	6	7	8	9	10	11	12	13	14		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
			TOTAL												

The person responsible for fishing _____
(signature and full name)

*The name of the fish species shall be entered by the fisher in the relevant column.

Fishing gear to be used

No.	Fishing gear	Number	Dimensions	Marking

Explanatory notes

1. In the table of fishing gear to be used, the names (types) and quantity of permitted fishing gear shall be entered; in the column for dimensions – the size of the mesh opening, and also for trap nets the length of the fence, for seines – also the opening; in the column for marking – marking of the fishing gear used.
2. The amount of fish caught on the relevant date, the type of fishing gear used, the quantity of fishing gear used, size of mesh opening and the number of days on the relevant fishing voyage when the gear referred to was utilised in fishing shall be immediately indicated in the fishing logbook after fishing.
3. For seine fishing information regarding the catch shall be entered for each fishing day, and the number of seine hauls per day shall be indicated.
4. The catch of salmon, sea trout and rainbow trout shall be indicated as the number of fish and kilograms on two sides of the slash (no. of fish/kg).

Notes.

1. Information regarding the catching of rare fish, harbour porpoise and seals, indicating the time of catch, location and fishing gear, shall be provided to the issuer of the licence or sent to the State scientific institute “Institute of Food Safety, Animal Health and Environment”.

2. The sender of the fish tags shall receive information regarding the conditions of marking and possible migration of the fish.

Minister for Agriculture

M. Roze

Report Regarding Fishing
Date: _____ **20**_____

Data regarding catch and fish landed shall be compiled, using logbook entries. A report shall be submitted for each fishing vessel.

1. Lessee of the fishing rights _____

2. Name of the vessel _____

3. Date _____

No.	Species of fish	Fishing sub-divisions ¹	Fishing limit	Catch		Landed per month			Landed per year		
				per month	per year____	In Latvia	In other states (indicate)	At sea	In Latvia	In other states (indicate)	At sea
1.	Herring	22–24									
		25–27, 28.2, 29 un 32									
		28.1									
2.	Sprat	22–32									
3.	Cod ²	22–24									
		25–32									
4.	Salmon ³	22–31									
5.	Flounder	22–32									
6.	Fish of other species ⁴										

4. Limit of fishing days _____

5. Fishing days per month _____

6. Fishing days from the beginning of the year _____

¹ To write RU in the free boxes when fishing in the fishing zone of Russia.

² Conversion factor 1.17 shall be used for determination of the weight for gutted cod with head on and for gutted cod without the head – 1.6 that have been caught in the territorial waters and economic zone waters of the Republic of Latvia, but for gutted cod caught in the waters of other states - a coefficient that is used in the relevant state in the economic zone waters of which the cod have been caught.

³ Number and weight (no. of fish/kg) shall be indicated. The conversion factor 1.1 shall be used for determination of weight for gutted salmon with head on that have been caught in territorial waters and economic zone waters of the Republic of Latvia, but for gutted salmon with head on that have been caught in the economic zone waters of the other states – a coefficient that is used in the relevant state in economic zone waters of which the salmon have been caught.

⁴ To indicate the rest of the species of fish and fishing data thereof in the free boxes.

(signature of the lessee of the fishing rights)

Place for a seal

Received in the State Environmental Service Marine and Inland Waters Administration

sector of control Date: _____ 20_____.

Minister for Agriculture

M. Roze

Basic Rates of Tax for the Calculation of the Sum to be Collected for Loss that Natural Persons or Legal Persons have Caused by Illegally Obtaining Fish

No.	Species of fish	Compensation for losses (in <i>lats</i>)	Unit of measurement
1.	Salmon, whitefish, sea trout	100	1 piece
2.	Eel	50	1 piece
3.	Ide, pike, vimba, pike-perch	20	1 piece
4.	Turbot, cod	10	1 kg
5.	Perch, flounder	5	1 kg
6.	Sprat, herring, smelt	0.5	1 kg
7.	Fish of other species	1.0	1 kg
8.	Fish roe	100	100 g

Minister for Agriculture

M. Roze

Content of the Report Prior to the Vessel Arrival at Port

1. Name of the vessel.
2. Name of the port for unloading and the number or name of the berth.
3. Expected time of arrival of the vessel (Latvian time) at port.
4. Identification code of the caught fish (herring – HER, sprat – SPR, cod – COD, salmon – SAL, sea trout – TRS, flounder – FLE, turbot – TUR, smelt – SME, eel-pout – ELP) and weight in kilograms.
5. Identification code and weight in kilograms of the by-catch fish.

Minister for Agriculture

M. Roze

Permissible Specifications for Component Parts of Fishing Gear in Coastal Fishing (in addition to fishing gear the specifications of which are regulated by the laws and regulations of the European Union in the field of fishery)

I. Active Fishing Gear

No.	Name	Length of wing (m)	Mesh size of netting (mm)
1.	Fish seine	not limited	not less than 60, observing the range of mesh size for fishing of the relevant species of fish specified in the laws and regulations of the European Union
2.	Flounder seine	not more than 20	observing the range of mesh size specified in the laws and regulations of the European Union
3.	Baitfish seine	not more than 10	from 12 to 24

II. Passive Fishing Gear

No.	Name	Length of fence or net (m)	Mesh size of fence, net mesh size or hook size (mm)	Mesh size of component part ¹ (mm)
1.	Pound net for herring	not more than 600	from 32 to 60 ¹	from 28 to 50
2.	Fish trap nets	not more than 600	from 60 to 240 ¹	not less than 60, except the bunt the length of which does not exceed half of the structure
3.	Undersized fish trap	not more than 600	from 36 to 60 ¹	from 32 to 36
4.	Eelpout fyke net	not more than 30	from 36 to 40 ¹	from 36 to 40, except the bunt the length of which does not exceed half of the structure
5.	Fishing net			—

¹ The diameter of the netting is not less than 1 mm in any component.

No.	Name	Length of fence or net (m)	Mesh size of fence, net mesh size or hook size (mm)	Mesh size of component part ¹ (mm)
5.1.		more than 50, but not more than 100, fleets of gill-nets in the coastal waters of the Gulf of Riga – 300, fleets of gill-nets in the rest of the coastal waters – 800, but in depth exceeding 10 metres not more than 1800	from 80 to 180	–
5.2.		up to 50 (for use only for self-consumption fishing)	from 80 to 180	–
6.	Herring and sprat net			–
6.1.		more than 50, but not more than 100, fleets of gill-nets in the coastal waters of the Gulf of Riga – 300, fleet of gill-nets in the rest of the coastal waters – 800, but in depth exceeding 10 metres not more than 1800	from 28 to 50	–
6.2.		up to 50 (for use only for self-consumption fishing)	from 28 to 50	–
7.	Longline for fishing of cod, flounder (not more than 2000 hooks)		size of a hook is not less than 15	–
8.	Longline (not more than 2000 hooks)		size of a hook not less than 10	–
9.	Turbot net	from 50 to 100, fleets of gill-nets in the coastal waters of the Gulf of Riga – 300, fleet of gill-nets in the rest of the coastal waters – 800	from 220 to 240	–

Minister for Agriculture

M. Roze

Ģerboņa vieta
Coat of arms

(valsts iestādes nosaukums
name of State authority)

Papildu pilnvarojums (īpaša atļauja) Nr. _____
zvejai _____ ūdeņos
(Baltijas jūra, Rīgas jūras līcis)

Additional authorization (special fishing permit) No. _____ for fishing
in the waters of _____
(*the Baltic Sea, the Gulf of Rīga*)

Šis papildu pilnvarojums (īpaša atļauja) dod tiesības zvejas kuģim veikt zvejas darbības, kas saistītas ar komerciālo zveju _____ ūdeņos saskaņā ar šādiem nosacījumiem.

(Baltijas jūra, Rīgas jūras līcis)

This additional authorization (special fishing permit) entitles the fishing vessel to carry out fishing operations for commercial purposes in the waters of _____ in accordance with conditions set forth below.

(the Baltic Sea, the Gulf of Riga)

1. Kuģa nosaukums
Name of the vessel _____

2. Flotes reģistra Nr.
Internal fleet register number _____

3. Latvijas Kuģu reģistra reģistrācijas Nr.
Latvian Ship Register number _____

4. Kuģa īpašnieks/operators
Vessel owner/operator _____

5. Zvejas zona (apakšrajons)
Fishing zone (subdivision) _____

6. Limitētās zivju sugas
Limited fish species _____

7. Zvejas rīki
Fishing gear _____

8. Citi nosacījumi, prasības
Other conditions, requirements

9. Izsniegšanas datums
Date of issue

10. Spēkā esības laiks
Period of validity

(no.../.../...līdz.../.../...)

(from.../.../...to.../.../...)

11. Izsniedzējs
Issued by

(valsts amatpersonas amats, vārds un uzvārds/
position, given name and surname of the State official)

Valsts amatpersonas paraksts
Signature of the State official

Z.v.
Seal

Minister for Agriculture

M. Roze

Ģerboņa vieta
Coat of arms

(valsts iestādes nosaukums
name of the State authority)

Zvejas atļauja (licence) Nr. _____ zvejai Baltijas jūrā
Fishing permit (licence) No. _____ for fishing in the Baltic Sea

1. Zvejas vieta (zona)
Fishing ground (zone) _____
2. Zvejas mērķis
Fishing purpose _____
(rūpnieciskā zveja vai zveja zinātniskos u.c. īpašos nolūkos/
commercial fishing or scientific and other non commercial fishing)
3. Kuģa ārējais apzīmējums
External identification _____
4. Pazīšanas signāls
Call sign. _____
5. Kuģa tips
Type of vessel _____
6. Pieraksta osta
Port of Registration. _____
7. Īpašnieks/operators un adrese
Owner/operator and address _____
8. Kapteiņa vārds, uzvārds
Given name, surname of the master _____
9. Tilpība pēc Oslo konvencijas
Tonnage by Oslo Convention _____
pēc cita standarta
by another standard _____
10. Dzinēja jauda, kW
Power of engine, kW _____
11. Ātrums (mezgli)
Speed (knots) _____
12. Lielākais garums
Overall length _____
13. Komanda (skaits)
Crew (number) _____
14. Zivju suga
Fish species _____
15. Zvejas rīki
Fishing gear _____
16. Nozvejas limits
Fishing limit _____

17. Izsniegšanas datums _____
Date of issue

18. Derīga līdz _____
Expiry date

19. Izsniedzējs _____
Issued by

(valsts amatpersonas amats, vārds un uzvārds/
position, name and surname of the state official)

Valsts amatpersonas paraksts _____
Signature of the state official

Minister for Agriculture

M. Roze

Coat of arms

(State authority)

Permit (Licence) for Coastal Waters Fishing

1. Place of issuing _____
2. Date of issuing _____
3. Purpose of fishing _____
(fishing for self-consumption or commercial fishing (for commercial fishing indicate the number of the special fishing permit (licence) for commercial activity in fishery))
4. Fishing permit (licence) was issued to _____
(name of a legal person, registration number
or name, surname and personal identity number of a natural person or the registration number of an individual merchant)

(address, telephone)
5. Justification for issue _____
(number of the protocol of the lease agreement and date of issue)
6. Fishing site _____
(coastal territory of a local government)
7. Fishing gear _____
(type, number, mesh size)
8. Species of fish and the amount of catch (if a limit has been specified) _____
(species of fish, amount in kilograms)
9. Marking of fishing gear _____
10. Vessel (fishing boat) _____
(registration number, identification number)
11. Fishing permit (licence) was received by _____
(given name, surname, personal identity

number, address)

12. The term of validity of the permit (licence) from _____ to _____

13. Issued by _____
(position, given name, surname and signature of the official of the
State authority)

Place for a seal

Picture of the fisher when fishing for self- consumption
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Minister for Agriculture

M. Roze

Sampling Plan for the Conformity Supervision of the Engine Power of Fishing Vessels

I. General Provisions

1. The Sampling Plan for the Conformity Supervision of the Engine Power of Fishing Vessels has been drawn up in order to improve and ensure the conformity of the capacity of the fishing fleet with the requirements of the laws and regulations of the European Union and the national laws and regulations.
2. The Plan determines the group of the fishing fleet vessels and engines to be used thereby, as well as the measures which are necessary for the supervision and verification of the conformity of the individual certified engine power of fishing vessels.
3. Certified engine power is the maximum continuous engine power which can be obtained at the output flange of an engine. Such power shall be certified by a sailing capacity certificate issued by the Maritime Administration of Latvia to an engine that has been installed until 31 December 2011, on the basis of the information provided by the recognised organisation determined in the laws and regulations regarding the procedures for supervision of classification societies (recognised organisations) (hereinafter – classification society), or the manufacturer of the engine. A certificate shall be issued to engines that have been installed after 31 December 2011 on the basis of the information provided by the classification society.
4. According to this Plan the Maritime Administration of Latvia is the competent authority of Latvia, which approves the engine power according to the information provided by the classification society.
5. The State Environmental Service is the competent authority which requests the natural verification of the engine power in case of non-conformity of the information related to the engine power, as well as documentary check in accordance with Paragraph 14 of this Plan.
6. The Latvian Maritime Academy shall perform physical verification of the engine power upon request of the State Environmental Service.
7. Officials of the competent authorities of Latvia are entitled to perform a non-discriminating inspection and verification of engines of fishing vessels at sea, ports or during transportation.
8. Officials of the competent authorities of Latvia have a permanent and free access to information and documents related to engines of fishing vessels, as well as to such rooms of vessels where engines are located.
9. Fishers have a duty to co-operate with the competent authorities in order to ensure documentary and physical checking of the main engine power, as well as to cover all expenditure related thereto.

II. Risk Analysis and Verification

10. In order to identify in the fishing fleet a group of fishing vessels in which there is a risk that a lower main engine power can be declared than the actual engine power, the State Environmental Service shall perform analysis of the data and relevant parameters of vessels once a year (until 31 December), evaluating the list of vessels approved by the Ministry of Agriculture for fishing.

11. The evaluation referred to in Paragraph 10 of this Plan shall be based on at least the following high risk criteria:

11.1. fishing vessels engaged in fishing for which a fishing effort regime has been determined (particularly such fishing vessels which have been allocated individual fishing effort in kilowatt-days);

11.2. fishing vessels to which the engine power restrictions stipulated in the laws and regulations of the European Union and national laws and regulations apply;

11.3. fishing vessels the ratio of the engine power (kW) and the gross tonnage is by 50 per cent lower than the average ration characteristic to the fishing vessels of the same type, type of the fishing gear and fishing target species.

12. In performing the evaluation referred to in Paragraph 10 of this Plan, a fishing fleet shall be grouped according to one or several of the following criteria (fishing fleet segments or management units determined in legal acts):

12.1. vessel length categories;

12.2. vessel tonnage categories;

12.3. fishing gear used;

12.3. fishing target species.

13. The State Environmental Service shall randomly select fishing vessels from each group of fishing vessels which conforms to one or several of the risk criteria referred to in Paragraph 11 of this Plan (hereinafter – sample vessel). The number of sample vessels shall be equivalent to the square root of the number of fishing vessels belonging to the relevant group, which has been rounded up to the next whole number.

14. In checking sample vessels selected according to Paragraph 13 of this Plan, the State Environmental Service shall use:

14.1. registers of the vessel monitoring system;

14.2. the fishing logbook;

14.3. the Engine International Air Pollution Prevention (EIAPP) certificate;

14.4. the class certificate issued by an organisation which is authorised to carry out check and survey of vessels;

14.5. the sea trial certificate;

14.6. the European Community fishing fleet register;

14.7. the engine specification indicated by the manufacturer in the catalogue, if the specification is available;

14.8. other documents which provide a corresponding information regarding engine power of the vessel or technical parameters related thereto.

15. If the indications determined in performing documentary verification according to Paragraph 14 of this Plan show that the engine power of the fishing vessel is higher than that indicated in the fishing licence, the State Environmental Service shall submit a request to the Latvian Maritime Academy to perform physical inspection of the engine power of the relevant vessel.

III. Physical Inspection

16. The Latvian Maritime Academy shall perform physical inspection of the engine power of the relevant vessel within three months after receipt of the request referred to in Paragraph 15 of this Plan.

17. If concurrently physical inspection of the engine power of several fishing vessels is requested, trawlers engaged in fishing, to which fishing effort regime applies, shall be inspected as a priority.

18. In performing physical inspection of the main engine power, the main engine power shall be measured in the most accessible point between the propeller and the engine.

19. If the main engine power is measured behind the regulator, the measurement shall be adjusted accordingly in order to calculate the main engine power behind the output flange of an engine. In performing the referred-to correction, the power losses caused by gearbox shall be taken into account on the basis of the official technical data provided by the manufacturer of the gearbox.

20. Within two weeks after physical inspection of the engine power of the relevant vessel the Latvian Maritime Academy shall provide a written opinion thereon to the State Environmental Service. The following shall be indicated in the opinion:

- 20.1. the name of the inspected vessel;
- 20.2. the time of inspection;
- 20.3. the place of inspection;
- 20.4. the type of engine;
- 20.5. the identification number of engine;
- 20.6. the engine power indicated in the vessel documents;
- 20.7. the method used in inspection;
- 20.8. the engine power determined during inspection;
- 20.9. the name, position and signature of the responsible person who performed inspection;
- 20.10. a reference to the request of the State Environmental Service;
- 20.11. the number and date of preparation of the opinion.

21. If the Latvian Maritime Academy determines a higher main engine power than that indicated in documents, the State Environmental Service is entitled to impose an administrative punishment to the shipowner for infringement of fishing provisions.