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Republic of Latvia

Cabinet

Regulation No. 55

Adopted 17 February 1998

Regulations Regarding Commercial Fishing in the Territorial Waters and Economic Zone Waters of the Republic of Latvia and in the Gulf of Riga

Issued pursuant to Section 13 of the Fishery Law

I. General Provisions

1. These Regulations prescribe the procedures by which foreign natural persons and legal persons conduct commercial fishing in the territorial waters and economic zone waters of the Republic of Latvia and in the Gulf of Riga (hereinafter – marine waters), as well as prescribe the conditions for surveys and protection of commercial fish resources.
2. Within the meaning of these Regulations, marine waters are waters that lie on the sea side of the coastline, and at the outfalls of rivers into the Baltic sea and the Gulf of Riga – waters that lie on the sea side of the line which connects the points on the opposite banks of rivers located furthest out to sea, but in ports – the points of hydrotechnic or other structures at the opposite sides of a port located furthest out to sea, and such waters shall include the territorial waters, the economic zone waters in the Baltic Sea and waters of the Gulf of Riga where jurisdiction of Latvia is exercised.
3. Marine waters, depending on the type of commercial fishing (hereinafter – fishing), fishing location and the specific characteristics of fish protection and regulation, shall be categorised as follows:
 - 3.1. coastal area – the area of territorial waters of the Republic of Latvia and the area of waters of the Gulf of Riga that lie within two miles of the shore and the depth of which does not exceed 20 metres;
 - 3.2. Gulf of Riga – marine waters demarcated by a line that is determined in accordance with the Law On the Agreement Between the Republic of Latvia and the Republic of Estonia Regarding Determination of the Sea Border in the Gulf of Riga, Irbe Strait and the Baltic Sea, and that joins the southern part of Cape Loade (57° 57.4760'N; 21° 58.2789'E) with the Oviši lighthouse (57° 34.1234'N; 21° 42.9574'E), and the border between both states in the Gulf of Riga in accordance with the agreement; and
 - 3.3. sea – the territorial waters of the Republic of Latvia and the waters of the Gulf of Riga beyond the coastal water area, and the economic zone waters.
4. In order to conduct fishery surveys and research on fish resources, marine waters shall be divided according to the borders and numbering indicated in Annex 1 of these Regulations, into sub-divisions, zones and statistical rectangles.
5. Fishing in marine waters shall be permitted if the following documents have been completed:
 - 5.1. for legal persons – if they have a licence for the performance of fishery business, and for fishermen – individual workers – if they are registered with the Marine Environment Administration of the Ministry of Environmental Protection and Regional Development (hereinafter – the Marine Environment Administration);
 - 5.2. if the natural persons and legal persons (hereinafter – fishermen) have signed lease agreements for fishing rights, have a specified catch limit or fishing gear number limit (hereinafter – fishing limit) and have obtained a fishing permit (licence) issued by the Marine Environment Administration, but in the cases referred to in Paragraph 8 of these Regulations – the State Environment Inspection of the Ministry of Environmental Protection and Regional Development (hereinafter – the State Environment Inspection).

6. Natural persons and legal persons of foreign states (hereinafter – foreign fishermen) shall be permitted to fish within the economic zone waters of the Republic of Latvia and the Gulf of Riga on the basis of the procedures specified in the current annual agreement protocol signed in accordance with international agreements binding on Latvia.

7. Fishery in marine waters shall be permitted:

7.1. in accordance with the specified fishing limits which are determined each year by the National Board of Fisheries of the Ministry of Agriculture (hereinafter – Board of Fisheries) following co-ordination with the Ministry of Environmental Protection and Regional Development, and taking into account the catch quota assigned to Latvia by the International Baltic Sea Fishery Commission and the recommendations of the Latvian Fisheries Research Institute; and

7.2. with fishing vessels the list of which shall be approved annually by the Board of Fisheries according to the fishing locations in the sea and the fish species.

8. Fishing in marine waters and for scientific and other special purposes (fish farming, acclimatisation, surveys, ameliorative and other forms of fishing), pursuant to co-ordination with the Board of Fisheries and after receipt of a relevant fishing permit (license) issued by the State Environment Inspection, shall be conducted by specialised research vessels or other fishing vessels and floating means of conveyance. Foreign fishermen (also international organisations) may conduct scientific research if a relevant permit has been obtained from the Ministry of Foreign Affairs in accordance with the procedures prescribed in Latvia.

II. Obligations of Fishermen

9. General obligations:

9.1. to fish with vessels included in the lists approved by the Board of Fisheries and not to exceed fishing limits;

9.2. to ensure separate statistics of catch and fish unloading by species and by weight of fish (if necessary – by count), in coastal fishing – also by type of fishing gear;

9.3. to record fishing data in fishing log-books approved by the Board of Fisheries: in coastal fishing – after return to shore before the sale or transportation of fish, in fishing at sea – after the performance of each fishing operation, and for foreign fishermen – in the fishing log-books of the relevant state;

9.4. to compile data, in ascending order, regarding the amount of catch by fish species in each fishing sub-division or coastal fishing location, and to submit, in accordance with the summary forms approved by the Board of Fisheries, the relevant information to the Marine Environment Administration:

9.4.1. for fishermen of Latvia – not later than by the sixth date of the month following the accounting month; and

9.4.2. for foreign fishermen – not later than by the twentieth date of the month following the accounting month.

9.5. upon request by the Board of Fisheries, the State Environment Inspection or the Marine Environment Administration, to provide information describing the fishing in marine waters, and information related to identification and description of vessels and boats;

9.6. to mark the drifting and floating anchored fishing gear in accordance with Annex 2 of these Regulations;

9.7. after lifting the catch, to perform sorting of the fish without delay and, if the by-catch exceeds the amount of by-catch specified in Paragraph 22 of these Regulations, to release the relevant quantity of fish into the sea;

9.8. not to allow the performance of such actions related to fishing, fish processing at sea and fish transportation as might cause environmental pollution at sea, in ports and on the shore;

9.9. by entering into relevant contracts, to provide the possibility for scientific research institutions to perform biological analyses of fish. The amount of catch utilised for biological analyses and other scientific research shall not be included in the catch limits specified for fishermen, unless otherwise specified by the contract;

9.10. to notify the Latvian Fisheries Research Institute of the catching of marked fish and birds, as well as marine mammals (for example, seals);

9.11. in order to ensure conformity of the Latvian fishing fleet with the available fish resources, to co-ordinate with the Board of Fisheries the purchase of new fishing vessels and construction of new fishing vessels; and

9.12. to permit authorised officials from the State Environment Inspection and the Marine Environment Administration to inspect all areas of a vessel, to present for inspection the fishing location, the caught and processed fish, the finished products, the fishing gear and documents related to fishing, and to permit to transcribe parts thereof, as well as provide the assistance necessary for performance of the inspection.

10. The obligations of captains of vessels and of captains' mates (deck officers) during fishing, as well as during the processing and transportation of fish:

10.1. upon their request, to take on board and transfer to another vessel authorised officials of the State Environment Inspection and the Marine Environment Administration in the performance of their official duties;

10.2. to permit authorised officials of the State Environment Inspection and the Marine Environment Administration in the performance of their official duties to stay on board vessels at sea free of charge;

10.3. to transmit from the ship's radio, free of charge, official reports of authorised officials of the State Environment Inspection and the Marine Environment Administration;

10.4. to keep on board these Regulations and other documents that regulate fishing, but on foreign vessels – to keep the documents specified in the agreement protocol of the current year signed in accordance with international agreements;

10.5. to ensure that the identification marks of the fishing vessel or the floating means of conveyance are clearly legible;

10.6. two hours prior to the vessel entering port, to notify the port service of the freight of the vessel – the fish caught in marine waters – and of the anticipated time of entering the port;

10.7. the captains of foreign fishing vessels have the additional obligation to transmit reports regarding entering and leaving the marine waters under the jurisdiction of Latvia in compliance with the procedures specified in the agreement protocol of the current year, signed in accordance with the fishery agreement between the Republic of Latvia and the relevant state.

III. Provisions for the Use of Fishing Gear

11. Fishermen are prohibited:

11.1. to keep on board a vessel or on a floating means of conveyance such fishing gear as is not referred to in Annex 3 of these Regulations, as well as to be in the coastal area with fishing gear ready for use which is prohibited to be used at the relevant time in the relevant fishing location. The allowed spare fishing gear shall be kept separate from the fishing gear in use;

11.2. to use anchored and floating fishing gear without markings or with markings that do not comply with the requirements specified in Annex 2 of these Regulations;

11.3. to attach such devices to fishing gear as might cover the netting meshes or reduce their size, except in the cases provided for in Paragraphs 13 and 14 of these Regulations;

11.4. to use mechanical means of transportation for pulling a seine to shore;

11.5. in coastal fishing, to set nets, fleets of nets, longlines, eelpout fyke nets and groups of eelpout fyke nets less than 100 m from each other in any direction, and pound nets for Baltic herring, fish traps and eel (small fish) fyke nets less than 700 m from each other sideways and less than 100 m in other directions;

11.6. to utilise explosives, toxic or narcotic substances in fishing, to conduct electric fishing, as well as to use pneumatic weapons and spears; and

11.7. to use a beach seine for fishing if the specified hook limit is less than 300 hooks and a licence for fishing with a beach seine has not been obtained from the Marine Environment Administration.

12. The fishing gear referred to in Paragraph 11 and Annex 3 of these Regulations shall not be considered ready for use if:

12.1. the trawl doors are made fast to the inside or outside of the bulwark or to the gallows, and the trawl warps and cables are disconnected from the trawl door or the spools;

12.2. the bottom wire of the seine is disconnected from the net part of the seine;

- 12.3. nets are placed in cases; and
- 12.4. longlines and hooks are placed in closed boxes.

13. In order to prevent premature wear of the netting material, it is permitted:

- 13.1. to fasten canvas (tarpaulin), netting or other material to the lower part of the trawl codend;
- 13.2. in order to increase the durability of the trawl codend, its crater and cylindrical part, to use strengthening bags made of equivalent or coarser material than used for making the codend, with the size of mesh opening at least twice as large as the size of mesh opening in the codend, but not less than 80 mm if the size of mesh opening in the codend is less than 40 mm. The strengthening bag may be attached at the forward or rear edge of the codend or between them by lacing it circumferentially to the codend pocket or lacing it longitudinally along a single row of meshes of the codend.

14. In trawls and beach seines it is permitted to use a flapper (non-return net) with a smaller size mesh opening than in the trawl codend. The flapper shall be fastened to the inside front part of the codend. The distance from the point of forward attachment of the flapper to the rear end of the codend shall be at least three times the length of the flapper.

IV. Specifications and Allowed Quantity of Fishing Gear

15. It is prohibited in fishing to use fishing gear the specifications of which differ from the allowed specifications referred to in Annex 4 of these Regulations, including:

15.1. trawls and seines if the size of mesh opening of the netting is less than the following sizes specified for specialised fishing:

- 15.1.1. for cod fishing with normal trawls – 120 mm;
- 15.1.2. for cod fishing with trawls equipped with exit windows or other constructions that ensure 50% retention of 38 mm long cod – 105 mm;
- 15.1.3. for flounder fishing in Sub-division 26 – 120 mm;
- 15.1.4. for flounder fishing in Sub-division 28 – 110 mm;

15.2. nets if the size of mesh opening is less than:

- 15.2.1. for cod fishing – 105 mm;
- 15.2.2. for flounder fishing in Sub-division 26 – 120 mm;
- 15.2.3. for flounder fishing in Sub-division 28 – 110 mm;

15.3. trawls if the mesh bar length of the netting is less than the following sizes specified for specialised fishing:

- 15.3.1. for Baltic herring fishing in Sub-division 26 – 16 mm;
- 15.3.2. for Baltic herring fishing in Sub-division 28 – 14 mm;
- 15.3.3. for sprat fishing in Sub-divisions 26 and 28 – 8 mm;

15.4. in specialised fishing – fishing gear if the netting mesh bar length of such does not conform to the following sizes:

- 15.4.1. Baltic herring and smelt fishing with nets and pound nets – from 14 to 25 mm;
- 15.4.2. for sprat fishing with nets – from 10 to 15 mm;
- 15.4.3. for eelpout fishing with an eelpout fyke nets – from 16 to 20 mm (except the bunt);

15.5. for specialised salmon and sea trout fishing:

15.5.1. drifting nets and floating anchored nets if the size of mesh opening is less than 157 mm;

15.5.2. to use more than 600 drifting nets and floating anchored nets on one fishing vessel, taking into account that the length of each net shall not exceed 35 m measured along the head-line;

15.5.3. to use simultaneously from one fishing vessel such drifting or anchored longlines as have more than 2000 hooks in total;

15.5.4. to keep more than 100 spare nets and 200 spare hooks on one fishing vessel;

15.5.5. to use hooks for which the shortest distance from the spire to the stem is less than 19 mm;

15.6. in coastal fishing:

- 15.6.1. separate nets if the length of such exceeds 100 m;

15.6.2. fish traps and eel (small fish) fyke nets and pound nets for Baltic herring if the length of the fence of such exceeds 600 m;

15.6.3. nets if the mesh bar length of such is less than 40 mm (except in the cases referred to in Sub-paragraph 15.4 of these Regulations);

15.6.4. fish traps and seines if the netting mesh bar length of such in any of the construction elements, except the codend, is less than 30 mm;

15.6.5. eelpout fyke nets if the height of such exceeds 2 m or the length of the fence exceeds 30 m;

15.6.6. eel (small fish) fyke nets if the netting mesh bar length of such is less than 16 mm or greater than 18 mm, but in the fence – less than 18 mm or more than 30 mm; and

15.6.7. beach seines if the length of the wing exceeds 10 m and the netting mesh bar length is less than 6 mm or more than 12 mm.

16. In specialised cod fishing it is prohibited to keep on the vessel such fishing gear whose mesh size is less than the mesh size of fishing gear permitted in cod fishing.

V. Fishing Prohibition Periods and Areas

17. The following shall be prohibited:

17.1. specialised flounder fishing – from 15 February to 15 May;

17.2. any turbot fishing, the processing or storage of such on vessels or other floating means of conveyance – from 1 June to 31 July;

17.3. Baltic herring fishing with trawls in the Gulf of Riga – from 12 May to 10 June;

17.4. fishing with any type of fishing gear throughout the whole year in the outfall areas of the rivers Salaca, Gauja, Daugava, Lielupe and Venta within 1000 m of the outfall, but in the outfall areas of other rivers and canals – within 200 m of the outfall;

17.5. coastal fishing with any type of fishing gear:

17.5.1. from 1 May to 31 May, except specialised Baltic herring and eelpout fishing. During this prohibition period specialised flounder fishing with seines shall be permitted starting 16 May;

17.5.2. from 1 October to 15 November, except specialised flounder fishing with flounder seines and specialised Baltic herring fishing with Baltic herring nets;

17.6. eelpout fishing:

17.6.1. with trawls – throughout the whole year;

17.6.2. specialised fishing with fish traps – from 1 October to 30 April;

17.7. fishing with seines throughout the whole year along the coast of the Gulf of Riga, except flounder fishing within the area from Cape Oviši to Cape Kolka, and fishing with a beach seine;

17.8. flounder fishing with seines in locations where the depth does not exceed 5 m;

17.9. specialised sprat fishing with trawls in the Gulf of Riga throughout the whole year;

17.10. fishing with trawls in locations where the depth does not exceed 20 m, as well as in Irbe Strait between the lines connecting the Oviši 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 Kavinin lighthouse (57° 59,00'N; 22° 36,80'E) in the east, and in statistical rectangles 187, 194 and 201 (Annex 1);

17.11. fishing in the Gulf of Riga with trawls with a groundrope attached – throughout the whole year;

17.12. specialised fishing for technological needs and animal feed (except sprat and Baltic herring fishing) or committing for such purposes more than 10% of the total catch without co-ordination with the Board of Fisheries and the State Environment Inspection; and

17.13. transferring of cod to other vessels or floating means of conveyance at sea.

18. Specialised salmon and fresh water salmon fishing shall be prohibited:

18.1. with drifting nets and floating anchored nets – from 1 June to 15 September;

18.2. with drifting and anchored longlines – from 1 April to 15 November;

18.3. with drifting nets, floating anchored nets and drifting or anchored longlines in the Gulf of Riga and along the seacoast – throughout the whole year; and

18.4. with any type of fishing gear in coastal areas – from 1 October to 15 November.

19. Fishing referred to in Paragraphs 15, 16, 17 and 18 of these Regulations shall be considered as specialised if:

19.1. fishing for a particular species of fish is conducted with fishing gear intended for this species of fish and the relevant species of fish and the fishing gear are noted in the fishing permit (licence); and

19.2. the weight of a certain species of fish repeatedly exceeds 50% of the total weight of the catch obtained by the relevant trawling or net setting if fishing is performed by the same fishing gear without changing the fishing location by a distance not exceeding five nautical miles from any point on the line of trawling or net setting performed on the same day.

VI. Minimum Lengths of Fish and Amount of By-catch

20. While fishing, it is prohibited to exceed the amount of by-catch of undersized fish referred to in Paragraph 22 of these Regulations, as well as accept, process, transport and sell fish of such species if the size of such in fresh state is less than:

20.1. for sprat (*Sprattus sprattus balticus*) – 10 cm;

20.2. for smelt (*Osmerus eperlanus*) – 11 cm;

20.3. for Baltic herring (*Clupea harengus membras*):

20.3.1. in the Gulf of Riga and coastal area thereof – 11 cm;

20.3.2. at sea and in coastal areas – 13 cm;

20.4. for perch (*Perca fluviatilis*) – 17 cm;

20.5. for eelpout (*Zoarces viviparus*) – 20 cm;

20.6. for flounder (*Platichthys flesus trachurus*) – 21 cm;

20.7. for vimba (*Vimba vimba*) – 29 cm;

20.8. for bream (*Abramis brama*) – 29 cm;

20.9. for ide (*Leuciscus idus*) – 29 cm;

20.10. for turbot (*Psetta maxima*) – 30 cm;

20.11. for whitefish (*Coregonus lavaretus*) – 35 cm;

20.12. for cod (*Gadus morhua callarias*) – 35 cm;

20.13. for eel (*Anguilla anguilla*) – 45 cm;

20.14. for pike perch (*Stizostedion lucioperca*) – 45 cm;

20.15. for pike (*Esox lucius*) – 45 cm;

20.16. for sea trout (*Salmo trutta*) – 50 cm; and

20.17. for salmon (*Salmo salar*) – 60 cm.

21. The size of fish referred to in Paragraph 20 of these Regulations shall be determined by measuring the fish from the tip of the snout (with mouth closed) to the end of the caudal fin. If processed fish (salted, smoked or dried) are measured, the specified size shall be reduced by 4%.

22. The permitted amount of by-catch shall be as follows:

22.1. by-catch of cod in Baltic herring and sprat fishing shall not exceed 10% of the total weight of the catch, except in the case referred to in Sub-paragraph 22.8 of these Regulations. Undersized cod shall not constitute more than 5% of the cod by-catch;

22.2. by-catch of undersized cod, flounder and turbot shall not exceed 5% of the weight of the relevant species in one trawl haul or net haul;

22.3. by-catch of undersized Baltic herring and sprat in the catch of each relevant species shall not exceed 15% of the quantity of such in one trawl haul, except the first trawl haul after which, if the by-catch exceeds the specified per cent, fishing must be discontinued or the fishing location must be changed;

22.4. by-catch of undersized eelpout in fishing with eelpout fyke nets shall not exceed 15% of the total weight of the eelpout catch;

22.5. by-catch of undersized whitefish, vimba, ide and pike-perch in fishing with fish traps and nets shall not exceed 5% of the quantity of the catch of the relevant fish;

22.6. in cod fishing the by-catch of flounder during fishing prohibition of such shall not exceed 10% in Sub-division 28 and 30% in Sub-division 26 of the total weight of cod catch, except in case referred to in Sub-paragraph 22.8 of these Regulations;

22.7. the total by-catch of other undersized fish which are not mentioned in Sub-paragraphs 22.1, 22.2, 22.3, 22.4, 22.5 and 22.6 of these Regulations shall not exceed 5% of the total weight of the catch; and

22.8. after complete exhaustion of the fishing limit of a particular species of fish, the by-catch of such species shall not exceed 5% of the total weight of the catch.

23. The following shall not be permitted:

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

23.2. by-catch of turbot during fishing prohibition of such; and

23.3. by-catch of species of fish referred to in Paragraph 20 of these Regulations (regardless of their size) in bait fishing with a beach seine.

24. If the by-catch exceeds the amount of by-catch specified in Paragraphs 22 and 23 of these Regulations, the relevant amount of fish shall be immediately released at sea and a relevant entry shall be made in the fishing log-book, taking into account that:

24.1. by-catch shall mean 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); and

24.2. in case of a large catch (1 t or more), in order to establish the amount of by-catch at least three samples shall be taken from several parts, and the percentage of by-catch shall be determined as the mean of the percentages of the separate samples.

VII. Rights and Duties of the Board of Fisheries and Rights and Duties of Fishery Management Authorities

25. The Board of Fisheries, on the basis of recommendations from the Latvian Fisheries Research Institute and pursuant to co-ordination with the Ministry of Environmental Protection and Regional Development, has the following rights and obligations:

25.1. to determine, in compliance with recommendations of the International Baltic Sea Fishery Commission regarding changes in the international fishing regulations for the relevant year, to determine the current measures for the regulation of fishing;

25.2. to determine additional measures in the regulation of fishing, to stop fishing in certain locations in marine waters, as well as to take decisions regarding termination of fishing of certain species of fish if the amounts specified in limits and quotas have been fully exhausted or exceeded;

25.3. depending on the hydrometeorological conditions, to change the beginning date of fishing prohibition by 15 days without changing the total duration of the prohibition period, and to maintain such periods of prohibition as have been specified by the International Baltic Sea Fishing Commission; and

25.4. in compliance with the catch quotas allocated to Latvia by the International Baltic Sea Fishing Commission, to determine fishing limits and amounts of catch exchanges that are provided for in protocols signed in accordance with intergovernmental agreements, as well as to specify the allowed number and type of fishing vessels for fishing in marine waters, and to allocate fishing quotas to fishermen.

26. The Board of Fisheries shall have the right not to enter into a lease agreement on commercial fishing rights, as well as the right not to allocate additional fishing quotas and to not issue new licences for fishing entrepreneurial activity if the purchase or construction of fishing vessels has not been previously co-ordinated with the Board of Fisheries.

27. Authorised officials of the State Environment Inspection and the Marine Environment Administration shall have the following rights and duties:

27.1. to issue fishing permits (licences) and determine the procedures for the issuance and extension of such, as well as examine the knowledge of fishing regulations prior to issuing a fishing permit (licence), and to register fishermen – individual workers;

27.2. in cases of violation of these Regulations, to temporarily suspend or annul fishing permits (licences) and to notify thereof the Board of Fisheries or the relevant coastal local government;

27.3. to stay on fishing vessels and floating means of conveyance, to perform inspection of the premises of vessels, fish caught and processed, finished products, fishing nets, fishing locations and documents related to fishing, as well as to extract the necessary information from the documents referred to;

27.4. to request information from fishermen regarding fishing;

27.5. to perform inspection and registration of documents relating to unloading and first sale of fish;
and

27.6. to summarise the information received from fishermen regarding the catch of the current month and to submit a summary regarding the catch of the previous month to the Board of Fisheries and the Latvian Fisheries Research Institute by the 15th day of the month following the month of the summary.

VIII. Liability for Failure to Comply with These Regulations

28. Natural persons and legal persons have the obligation, in accordance with Annex 5 of these Regulations and regardless of the imposed administrative sanction or criminal penalty, to compensate for losses caused to fish resources as a result of violation of these Regulations.

29. Regardless of the imposed administrative sanction or criminal penalty if these Regulations are violated repeatedly, authorised officials of the State Environment Inspection and the Marine Environment Administration are entitled to annul the fishing permit (licence) issued. The committed violation of fishing regulations may be grounds for refusal to grant a catch quota for the following year or for termination of a lease agreement on fishing rights.

30. Authorised officials from the State Environment Inspection and the Marine Environment Administration shall, by completing the relevant documents and regardless of the place of detecting the violation, confiscate such fish as have been obtained not in compliance with these Regulations and sell such to fish processing or trade undertakings (companies), and shall include the amount of the caught fish in the catch quota of the fisherman.

31. Upon the request of authorised officials of the State Environment Inspection and the Marine Environment Administration, the violator of regulations shall transport the fishing gear and floating means of conveyance used in fishing not in compliance with these Regulations, as well as the fish caught, to the place of sale or storage of such.

IX. Transitional Provisions

32. The prohibition of the use of eelpout fishing gear, set out in Sub-paragraph 15.4.3 of these Regulations, shall come into force on 1 January 1999.

33. Prohibition of trawl fishing with a groundrope, set out in Sub-paragraph 17.11 of these Regulations, shall come into force on 1 January 2000.

34. Prohibition of fishing without a licence for entrepreneurial activity or registration, as set out in Sub-paragraph 5.1 of these Regulations, shall come into force on 1 January 1999.

35. The following are repealed:

35.1. Cabinet Regulation No. 99 of 3 May 1994, On Commercial Fishing in the Territorial Marine Waters and Economic Zone Waters of the Republic of Latvia and in the Gulf of Riga (*Latvijas Vēstnesis*, 1994, No. 60; 1996, No. 120); and

35.2. Cabinet Regulation No. 258 of 9 July 1996, Amendments to Cabinet Regulation No. 99 On Commercial Fishing in the Territorial Marine Waters and Economic Zone Waters of the Republic of Latvia and in the Gulf of Riga (*Latvijas Vēstnesis*, 1996, No. 120).

Prime Minister

G. Krasts

Minister for Agriculture

A. Rāviņš

Annex 1
Cabinet Regulation No. 55
17 February 1998

**Borders and Numbering of Sub-divisions, Zones and
Statistical Rectangles of the Baltic Sea**

See the Annex of the original.

Marking of Fishing Gear

1. In the Baltic Sea and the Gulf of Riga beyond the coastal water area (two nautical miles beyond the base line) fishing gear shall be equipped as follows:

1.1. the spar buoy in the west sector (from south through west to north inclusive) shall be equipped with two flags, two luminous tape-strips and, in cases of restricted visibility, also with two white lights. The spar buoy in the east sector (from north through east to south inclusive) shall be equipped with one flag, one luminous tape-stripe and, in cases of restricted visibility, also with one light;

1.2. fishing gear, the length of which exceeds one nautical mile, shall be equipped with middle spar buoys for each nautical mile. The spar buoys shall be equipped as in the east sector but the flag shall be white;

1.3. drifting fleets of nets shall be equipped with spar buoys at either end, and such shall be equipped the same as in the east sector. The end of the fishing gear attached to a vessel does not have to be equipped with a spar buoy;

1.4. if the fishing gear is located near the water surface, spar buoys thereof shall be equipped with spherical top signs and lights;

1.5. the rope connecting the fishing gear and spar buoys shall be made of sinking material or carry weights;

1.6. a spar buoy shall reach at least 1.5 m above the water surface. The flag shall be rectangular with each side of the flag not less than 40 cm. The distance between two flags along the vertical line shall be at least 20 cm. The distance between a flag and the water surface shall be at least 80 cm. The flags showing the ends of the same fishing gear shall have identical colour (except white) and be the same size. The top sign shall be spherical (round) 25 cm in diameter and equipped with luminous tape. A spherical radar-reflector may be used instead of such sign. The luminous tape shall be at least 6 cm wide. The light shall be yellow, flash at five-second intervals and be visible from a distance of at least two nautical miles. The signal reflected by the radar-reflector shall be visible in the radar of a vessel from a distance of at least two nautical miles. The spar buoy or the top sign of the spar buoy shall not be red or green. The number or name of the vessel shall be on the spar buoy or the flag.

2. In coastal areas all fishing gear shall be marked as follows:

2.1. the marking sign shall be made of foam plastic, cork or other waterproof material, and the size of such shall not be less than 5 x 10 cm, or of white metal (aluminium or other light metal) – with the size of the plate 3 x 6 cm;

2.2. the following information shall be indicated on the marking sign:

2.2.1. the number of the fishing permit (licence);

2.2.2. the name of the legal person or the given name and surname of the natural person. The size of letters and figures and the degree of wear of the written information shall be such that the writing and markings are clearly legible;

2.3. the marking signs shall be attached:

2.3.1. to the upper rope at either end of the net not more than one metre from each end;

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

2.3.3. to the anchor buoys at both ends of an eelpout fyke net;

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

2.4. the marking signs shall also be attached to one of the net anchor or target buoys. Such buoys shall be marked by a distinctive dark blue or black flag that differs from the flags of other buoys. The size of flags shall be not less than 20 x 30 cm. In places where the depth so permits, flags may be attached to inserted poles instead of buoys;

2.5. fishing gear that is used, in accordance with agreements for research purposes shall in addition be marked with the mark of the research institution.

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Permitted Fishing Gear

1. Trawl – active type fishing gear consisting of a cable or rope construction to which is attached a conical netting bag with a codend and which is towed by one or two vessels:
 - 1.1. ground-trawl – a trawl with a groundrope;
 - 1.2. pelagic trawl – a trawl without a groundrope; and
 - 1.3. two-boat trawl – a pelagic trawl dragged by two vessels.
2. Seine – active type fishing gear consisting of ropes, netting wings and a netting bag (bunt):
 - 2.1. flounder seine – a seine for specialised flounder fishing; and
 - 2.2. beach seine – a small seine with fine mesh netting for catching bait fish for line fishing.
3. Net – passive type fishing gear consisting of single-wall or three-wall netting and tied (mounted) to ropes (top lines):
 - 3.1. drifting net – a net that moves freely influenced by wind or current;
 - 3.2. floating anchored net – a net that is anchored to the ground; and
 - 3.3. fleet of nets – a line of nets mutually joined at the top line.
4. Pound net for Baltic herring – stationary fishing gear of trap type, consisting of a fence, a yard and one or two boxes open at the top with a funnel (riser).
5. Fish trap – stationary fishing gear of trap type consisting of a fence, a yard, one or two flappers and a bunt:
 - 5.1. fish-trap – a fishing basket with the mesh bar length of the netting not less than 30 cm;
 - 5.2. eel (small fish) fyke net – a fyke net with the mesh bar length of the netting from 16 to 18 mm;
 - 5.3. eelpout fyke net – a fyke net for specialised eelpout fishing, consisting of a fence and two fyke nets with a codend (bunt);
 - 5.4. group of eelpout fyke nets – a line of mutually joined eelpout fyke nets.
6. Longline – a fleet of hooks attached to the main rope by lines, drifting or anchored.

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Allowed Specifications for Components of Commercial Fishing Gear

1. Active fishing gear

Name	Length of wing (m)	Mesh size of netting (mm)
Cod trawl		
regular	-	not less than 120*
with a selective window	-	not less than 105*
Flounder seine		
Sub-division 26	-	not less than 120*
Sub-division 28	-	not less than 110*
Baltic herring trawl		
Sub-division 26	-	not less than 16**
Sub-division 28	-	not less than 14**
Sprat trawl	-	not less than 8**
Flounder seine		
Sub-division 26	not more than 20	not less than 120*
Sub-division 28	not more than 20	not less than 110*
Seine	not more than 20	not less than 30**
Beach seine	not more than 10	from 6 to 12**

2. Passive fishing gear

Name	Length of fence or net (m)	Mesh size of fence or net (mm)	Mesh size of netting (mm)
1	2	3	4
Pound net for Baltic herring	not more than 600	from 16 to 30**	from 14 to 25**
Fish trap	not more than 600	from 30 to 120**	not less than 30**, except the codend or bunt
Eel (small fish) fyke net	not more than 600	from 18 to 30**	from 16 to 18**
Eelpout fyke net	not more than 30	from 16 to 20**	from 16 to 20**, except the codend or bunt
Fishing net	not more than 100	not less than 40**	-
Baltic herring and sprat net	not more than 100	from 14 to 25**	-
Sprat net	not more than 100	from 10 to 15**	-
Cod net	not more than 100	not less than 105*	-
Flounder net			
Sub-division 26	not more than 100	not less than 120*	-
Sub-division 28	not more than 100	not less than 110*	-

Salmon and fresh water salmon net	not more than 35	not less than 157*	-
Salmon and fresh water salmon longline	size of hook not less than 19		

Notes: * The size of mesh opening of netting shall be determined using a flat, 2 mm thick gauge made of material resistant to wear, inscribed in millimetres, with a taper of 2 cm in each 8 cm length of the gauge. The gauge shall be inserted into the mesh opening manually and the measurement read. Mesh openings shall be measured with the netting stretched, perpendicular to the lacing rope, seam or lifting strop. Measurements shall be taken only when the netting is wet by choosing one of 20 meshes of the long axis of the net not closer than 50 cm from netting seams, lacing rope or lifting strop.

** The mesh bar length of netting shall be determined by measuring on wet fishing gear the distance between 11 consecutive knots of gathered netting and dividing it by 10. The basis for measurement shall be the average size of 20 (consecutive) meshes in the direction of the long axis of the fishing gear not closer than 10 meshes (but not closer than 50 cm) from seams, lacing ropes or lifting strops.

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Rates for Calculation of Sums to be Collected for Losses Caused by Natural or Legal Persons by Catching Fish Illegally in Marine Waters of the Baltic Sea

No.	Species of fish	Compensation for losses (in <i>lati</i>)	Unit of measurement
1.	Sprat, Baltic herring, smelt	0.5	1 kg
2.	Eelpout, flounder, vimba, bream, ide, perch	0.5	each
3.	Pike	1.5	each
4.	Cod, turbot, whitefish, eel, pike-perch	5.0	each
5.	Salmon, fresh water salmon	25.0	each
6.	Fish of other species referred to in Paragraph 18 of these Regulations	1.0	1 kg

Note. Losses caused as a result of foreign fishermen obtaining fish illegally may be compensated in convertible currency in accordance with the exchange rate set by the Bank of Latvia on the day of compensation of the losses.

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