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**Decision of the Ministry of Agriculture and Forestry
on the Registers of the Fishing Industry
(1575/1994, amendments up to 798/1997)**

Chapter 1

General provisions

Section 1

Scope of application

- (1) This decision concerns the registers referred to in section 4 of the Act on Implementing the Common Fisheries Policy of the European Union (1139/1994).
- (2) A fishing vessel register, register on professional fishermen, catch register and fish marketing register are kept for monitoring and compiling statistics as required by the common fisheries policy.

Chapter 2

Fishing vessel register

Section 2

Vessels and freshwater vessels entered into the fishing vessel register

- (1) Vessels and boats, hereafter referred to as *vessel*, flying the flag of Finland practising professional fishing in the maritime area shall be entered into the fishing vessel register. (798/97)
- (2) From the application of a professional fisherman referred to in section 6a(1) of the Fishing Act (286/82) also the vessels and boats, hereafter referred to as the *freshwater vessel*, practising professional fishing in the freshwater area shall be entered into the register.
- (3) In this decision a fishing vessel shall refer to a vessel and a freshwater vessel.

Section 3

Data entered into the register

- (1) The data referred to in the Commission Regulation (EC) No 109/94 concerning the fishing vessel register of the Community about the vessel and the licence granted to it shall be entered into the fishing vessel register. Concerning the freshwater vessel the data referred to in section 8(1) of the Boat Traffic Decree (152/1969) shall be entered into the register. In addition the name, profession, identity number, language code, home address, phone number and the ownership share of the owner(s) shall be entered into the register. (798/97)

Section 4 *Grouping*

- (1) The fishing vessels are grouped into four categories according to their principal use of fishing as follows:
 1. category 1: trawlers;
 2. category 2: vessels fishing with drift gillnets and longlines;
 3. category 3: other vessels;
 4. category 4: freshwater vessels. (798/97)
- (2) The vessel entered into the register shall be given three letters as well as an identification containing a numeric part. The letter part of the identification shall contain the letters FIN and the numeric part by vessel categories a number given in consecutive numerical order in front of which is added a number indicating the vessel category referred to in subsection 1.
- (3) A freshwater vessel entered into the register shall be given three letters as well as an identification containing a numeric part. The letter part of the identification shall contain the letters KAL and the numeric part a number given in consecutive numerical order.

Section 5 *Registration*

- (1) Before a vessel is taken into use, the owner of the vessel shall enter it into the fishing vessel register. An attested copy of the document indicating the transfer of ownership, and in terms of inspected vessels also the copies of the inspection certificates, shall be annexed to the application. (798/97)
- (2) The registration shall be performed and the fishing licence of the vessel granted by the employment and economic development centre in whose territory the owner resides. Before the vessel is entered into the register and granted a fishing licence, the employment and economic development centre must receive a confirmation of the registration and fishing licence from the Ministry of Agriculture and Forestry. The Ministry shall grant confirmation in accordance with Article 11 of Council Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture and within the limits of the multi-annual guidance programme of fishing fleet.
- (3) If the vessel is at least 15 metres in length, it shall also be entered into the vessel register referred to in the Vessel Register Act (512/1993). Even a vessel smaller than the above-mentioned length may be entered into the vessel register, if it is at least 10 metres in length.

Section 5 a *Registration limitation*

- (1) If financing aid has been granted to someone for the permanent cessation of fishing, the vessel procured by the beneficiary shall not be registered to that vessel category in which the vessel laid up with the help of aid was registered.

- (2) The vessel shall not be registered or granted a fishing licence, if the obligations set in the Council Decision (97/413/EC) concerning the objectives and detailed rules for restructuring the Community fisheries sector for the period from 1 January 1997 to 31 December 2001 with a view to achieving balance on a sustainable basis between resources and their exploitation, prevent it. (798/97)

Section 6

Registration certificate and fishing licence

- (1) When a fishing vessel is entered into the fishing vessel register a registration certificate is given which at the same time is the fishing licence of the vessel. (798/97)

Section 7

The marking of name, identification and home port on the vessel

- (1) The provisions concerning the marking of the name, identification and home port on a vessel entered into the fishing vessel register are laid down in Commission Regulation (EEC) No 1381/87 establishing detailed rules concerning the marking and documentation of fishing vessels.

Section 8

Fishing with an unregistered vessel

- (1) The vessel shall not be used for professional fishing before the vessel has been entered into the fishing vessel register and before a registration certificate and a fishing licence have been granted.

Section 9

Removal from the register

- (1) The vessel shall be removed from the fishing vessel register on the basis of the owner's declaration. If the vessel has been destroyed, broken up, delivered abroad or is no longer used for fishing purposes or the vessel has not been used for fishing during the previous calendar year, it may be removed from the register even without a declaration. The registrar shall reserve the party concerned a chance to be heard before making a decision. The fishing licence granted to the vessel lapses when the vessel is removed from the register. (798/97)
- (2) The freshwater vessel shall be removed from the fishing vessel register on the basis of the declaration of the owner or the professional fisherman. The freshwater vessel may be removed from the register, if it has been destroyed or it has not been used for fishing purposes during the previous calendar year. The registrar shall reserve the party concerned a chance to be heard before making a decision.

Section 10

Duty to notify changes for entry into the fishing vessel register and the checking of the fishing vessel register

- (1) If the registered vessel has been destroyed or delivered abroad or it is no longer used for professional fishing in Finland or some other essential change has happened concerning the data entered into the register, the owner of the fishing vessel shall notify it without delay. (798/97)
- (2) If the change is otherwise known by the rural business district, it may after having heard the party concerned check the register's data in keeping with the changed circumstances.

Chapter 3

Section 11

Keeping a register of professional fishermen

- (1) A professional fishermen register shall be kept in connection with the fishing vessel register. In the keeping of the register, the data in the fishing vessel register shall be used as a basis.

Section 12

Fishermen entered into the register

- (1) Such an owner of a registered fishing vessel shall be entered into the professional fisherman register who practises professional fishing in a maritime area. Some other person practising professional fishing in a maritime area shall also be entered into the register. On application, a professional fisherman of a freshwater area may also be entered into the register. (798/97)
- (2) The fishermen referred to in subsection 1 above shall be registered in four categories as follows:
 1. category 1: fishermen of a maritime area whose amount of taxable income received from fishing in State taxation is at least 30% of their total taxable income in State taxation;
 2. category 2: fishermen of a maritime area whose amount of taxable income received from fishing in State taxation is under 30% but over 15% of their total taxable income in State taxation;
 3. category 3: other fishermen practising professional fishing in a maritime area;
 4. category 4: fishermen of a freshwater area whose amount of taxable income received from fishing in State taxation is at least 30% of their total taxable income in State taxation;

Section 13

Registering into the professional fishermen register

- (1) The fisherman referred to in section 12(2)(1-3) of this decision shall notify the employment and economic development centre before taking up fishing activities. The fisherman shall annex to the notification the clarifications necessary to fulfil the

requirements laid down in section 6a of the Fishing Act (286/1982) and section 12(2) of this decision. (798/97)

- (2) The professional fisherman of a freshwater area shall annex in his/her report the corresponding data referred to in subsection 1.
- (3) For the checking of the register the professional fisherman is obligated to give the data referred to in subsection 1 also at a later date.

Section 14

Registration certificate

- (1) Anyone who is entered into the professional fisherman register may be given a certificate of the registration. The fisherman category in which the fisherman belongs to shall be marked on the certificate. (179/97)

Section 14 a

Removal from the professional fisherman register

- (1) The fisherman shall be removed from the professional fisherman register on the basis of his/her own declaration. A fisherman who does not fulfil the requirements laid down in section 6 a of the Fishing Act and in section 12(2) of this decision may be removed from the register even without a declaration. The registrar shall reserve the party concerned a chance to be heard before making a decision. (179/97)

Chapter 4

Catch register

Section 15

Registered data

- (1) The data of the catch logbook as well as the data concerning the landing of the catch referred to in title II of Council Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy shall be entered into the catch register.
- (2) The register shall be kept on the basis of those declarations which the fishermen and the masters of the fishing vessels are obligated to give under decree referred to in subsection 1 as well as by virtue of section 16.

Section 16

The fisherman's duty to notify

- (1) The master of a vessel practising the fishing of the allocated quotas of species of fish in a maritime area shall be obligated within 48 hours of landing to submit a declaration to the employment and economic development centre. A party who practises fishing with a vessel under 10 metres in total length shall make a declaration containing the corresponding data from each calendar month not later than the fifth day of the following month. (798/97)

- (2) The masters of fishing vessels flying the flag of third countries shall give a landing declaration concerning imported catch to the customs authorities which shall submit it further to the rural business districts.

Chapter 5
Fish marketing register

Section 17
Data entered into the fish marketing register

- (1) The data related to the first buying of fishery products referred to in Council Regulation (EEC) No 2847/93 title II shall be entered into the fish marketing register.

Section 18
The buyer's duty to notify

- (1) The first buyer of the fishery products shall be obligated to submit to the rural business district concerning the allocated species of fish a written sales note referred to in Council Regulation (EEC) No 2847/93 title II of each fish lot he/she has purchased.

Chapter 6
Miscellaneous provisions

Section 19
Registrar

- (1) The employment and economic development centres referred to in section 1 of the Government decision on the territories and offices of the employment and economic development centres (122/1997) and in section 1 of the decision of the Ministry of Agriculture and Forestry concerning the performing of duties of the fishing industry in the employment and economic development centres (619/1997) shall keep the national registers referred to in this decision in accordance with the integrated system. The registers shall always be kept updated. (798/97)
- (2) The Ministry of Agriculture and Forestry and the Finnish Game and Fisheries Research Institute shall have the right to use the registers in their duties.

Section 20
Submitting declarations

- (1) The declarations referred to in this decision shall be submitted to that employment and economic development centre referred to in section 19 in whose territory the owner of the fishing vessel or the fisherman resides. The declarations related to transshipment,

landing and first buy of the catch shall be, however, submitted to that employment and economic development centre in whose territory the catch has been landed. (798/97)

- (2) The declarations referred to in this decision shall be submitted in writing. The forms shall be available in the employment and economic development centres.

Section 21

Transportation document

- (1) The transporter of the fishery products shall be exempt from the obligation to draw up the transportation document referred to in Article 13 of Council Regulation (EEC) No 2847/93, if the fish are transported not more than 20 kilometres.

Section 22

Publicity of the registers

- (1) The provisions of the Publicity of Official Documents Act (83/51) and Council Regulation (EEC) No 2847/93 shall be applied to the registers referred to in this decision.

Section 23

Submitting the register data

- (1) The Ministry of Agriculture and Forestry shall submit on the basis of the registers referred to in this decision the data enacted in the regulations of the European Community to the Community institutions and to other Member States.

Section 24

Åland Islands

- (1) The performing of the duties in the Province of Åland ordered for the rural business districts in this decision shall be attended to by the organs of the Province in accordance with the provisions of the Self-Government Act of Åland (1144/91) or what is laid down on the grounds thereof.

Section 25

Entry into force and transitional provisions

- (1) This decision enters into force on 1 January 1995.
- (2) The Ministry of Agriculture and Forestry shall transfer the vessels entered into the fishing vessel register in conformance with the Decree on the Registration and Symbols of Fishing and Catching Vessels (708/72) and used for fishing to the register in conformance with this decision from 1 July 1995.
- (3) The owners of the vessels shall be obligated to give the rural business district the necessary data for the checking of the fishing vessel register with a form confirmed by the Ministry of Agriculture and Forestry 1 June 1995 at the latest.

