

**SCOTTISH GOVERNMENT MARINE
DIRECTORATE**

**Consultation on the Implementation of
Detailed Rules on Electronic Recording and
Reporting of Fishing Activities and on Means
of Remote Sensing in Scotland**

11 February 2008



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Scottish Government
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EH1 3DG

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CHAPTER 1: INTRODUCTION

1.1 This consultation document sets out the Scottish Government proposals for implement Council Regulation 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing.

1.2 The Scottish Government has maintained contact with stakeholders and has written to them throughout the drafting of the detailed rules to keep them up-to-date with developments.

1.3 In early discussions with fishermen's groups, some concerns have been expressed about how this Regulation will impact on current practice and the costs associated with its implementation. Many businesses currently use electronic systems as part of their everyday activities. We have sought to develop proposals which can be incorporated within existing electronic systems without undue burden.

1.4 We believe this is a positive measure for all concerned which offers reduction in the burden of administration for fishing businesses. The Scottish Fisheries Protection Agency who will be provided with daily catch reports and for industry who will not longer be required to complete and keep paper logbooks, to hail in and out with catch on board reports for certain fishing areas nor to complete paper landing declarations. There will be a reduction in the administration associated with sales notes and logsheets. We envisage that the proposals also have the potential to assist vessel owners with the onward marketing of their catch and record keeping.

1.5 This consultation is focussed on the proposal for implementation of the Regulation. We will use the outcome of this consultation to assist us in drafting the legislation and Regulatory Impact Assessment to transpose the Council Regulation. The forthcoming Regulations will apply to Scotland only.

1.6 Other Fisheries Administrations in the UK are consulting in similar terms.

CHAPTER 2: PURPOSE OF CONSULTATION

2.1 What are we consulting about?

2.1.1 We are looking to establish a UK electronic Sales Note and electronic Logbook IT system. This proposal is in accordance with EC legislative requirements of Member States under the EU Council's Regulation No 1966/2006. The Regulation sets out the obligations on Member States for eSales Notes from January 2009 and for eLogbooks from January 2010. Electronic Recording and Reporting Systems (ERS) will be applicable to registered buyers and sellers of first sale fish and also fishing vessels over 15 metres in overall length.

2.1.2 Due to the timetable for implementation of the Regulation it is important to concentrate initially on the eSales Notes requirement. The Regulation states that eSales Notes must be in operation by 01 January 2009:

2.2 Why are the changes proposed?

2.2.1 The aim of this Regulation is the simplification of recording and onward transmission of information allowing vessels and Member States to take advantage of modern communication techniques. It also contributes to the standardisation across Europe of access to information.

2.2 Who might be affected by the proposals?

2.3.1 The fish catching sector in Scotland, registered buyers and sellers of first sale fish, vessels from other flag states that fish in Scottish waters and the SFPA.

2.4 What will be the financial impacts?

2.4.1 There may be additional costs but these will be based on what option is implemented and will be mitigated by the reduction in the administrative burden associated with paper record keeping for fishing businesses. We will undertake a detailed assessment of the costs. A Regulatory Impact Assessment is being developed and will accompany draft legislation for further consultation in the Summer. The RIA will contain a full assessment of the costs of the available range of options.

2.5 How will the proposals be taken forward?

2.5.1 Following this consultation and taking into account the responses received, the output of which will be used to inform the implementation policy and the drafting of Regulations. We will then consult on the draft Regulations and Regulatory Impact Assessment. The Marine Directorate will also issue a guidance note to industry following the introduction of the Regulations.

Assessment. The Marine Directorate will also issue a guidance note to industry following the introduction of the Regulations.

2.6 By when are comments requested?

2.7.1 The Scottish Government generally allows 12 weeks for consultations and that time scale is considered to be appropriate for this consultation. Comments are therefore requested by 5 May 2008.

2.8 What comments are requested?

2.8.1 The Scottish Government welcomes your comments on the proposed implementation and your responses to the following questions taken from Chapter 3 :

Question 1:

Are there other formats or transmission methods you would wish us to consider and what are your preferences?

Question 2:

Would it be preferable for such 'holders' to use the web-based system or simply to submit the required information in an excel spreadsheet or similar using email? Are there any other means of submission that we could consider for this declaration?

Question 3:

What are your views on the use of such electronic notifications? Would it reduce the administrative burdens currently placed on vessels fishing in and around these areas?

Question 4:

Do you think vessels between 15 and 24m should be allowed to complete logbooks and landing declarations electronically before 1 July 2011?

Question 5:

Do you think vessels below 15m should be allowed to complete logbooks and landing declarations electronically?

Question 6:

If you are a day boat would you prefer to be able to complete logbooks and landing declarations electronically or on paper?

Question 7:

What are your views on each option? Are there any others we should be considering?

Comments are invited by mail or by email and should be sent to:

Jamie Combe
Sea Fisheries (Management) - Compliance and Licensing Policy
Branch
Marine Directorate
DG - Environment
Scottish Government,
Room 511, Pentland House,
47 Robbs Loan,
Edinburgh,
EH14 1TY

Email: Licensingandcompliance@scotland.gsi.gov.uk
Fax: 0131 244 6288

The Scottish Government may make the responses to this consultation paper available to the public and to the Scottish Parliament. We will acknowledge responses and may publish an analysis of the responses after the consultation. If you respond to this consultation you are requested to complete the enclosed Respondee Information Form attached at Annex A. This will ensure that we handle your responses appropriately.

CHAPTER 3 – PROPOSALS FOR IMPLEMENTATION

3.1 Introduction

3.1.1 In November 2006 European Ministers agreed to the introduction of electronic recording and reporting of fishing activities for certain groups including registered buyers and sellers of first sale fish and also fishing vessels over 15 metres in overall length. They also agreed that Member State Fisheries Monitoring Centres (FMCs) must possess the technical capability for them to match positions derived by remote sensing with the data received from vessel monitoring systems (VMS). This decision is set down in Council Regulation 1966/2006.

3.1.2 Detailed rules on the implementation of electronic recording and reporting have now been agreed in Brussels. They are contained in Commission Regulation 1566/2007. A copy of this Regulation is available on the internet at: www.scotland.gov.uk/topics/fisheries/sea-fisheries/compliance or in Chapter 4.

3.1.3 This Chapter explains the implications for you of this decision and seeks your comments on our proposed approach for implementation. This Regulation will change current reporting practices and it is important that we have your views on its implementation. Please read the relevant section carefully.

3.2 If you are a Registered Buyer or Seller of First Sale Fish

3.2.1 From 1 January 2009, if you are a registered buyer or seller and your annual turnover in fishery products is more than €400,000 (approx £240,000) you will be required to record and submit your records of first sales of fish to us by electronic means. You will no longer have to submit paper copies of sales notes. Fisheries Administrations will be required to maintain a list of all registered buyers and sellers caught by this requirement and will initially need you to provide this information to us.

3.2.2 We propose in addition to allow you to record and submit your sales note electronically even if your turnover in fisheries products is below 400,000€. If you choose to do this you will not have to submit paper copies to us.

3.2.3 Where you already have electronic records or a database containing the necessary information, we will provide you with the format for submission and the codes that you will need to use in order to transmit that information to us. Various data formats are being considered including CSV, excel workbook and worksheet formats, flat file and XML. You will then be able to email the information to us in line with the requirement to submit sales notes within 48 hours of completion of sale. i.e. when you have all the relevant information available. We also propose to support the transmission of batches of sales notes alongside transmission of individual notes.

QUESTION 1:

Are there other formats or transmission methods you would wish us to consider and what are your preferences?

3.2.4 If you do not currently have electronic records or databases, we are considering developing a web-based system which will enable you to enter and submit individual sales notes electronically. When you log-on to the system, it will use your user name to retrieve your details and thus save you time in completing and submitting sales notes. The system will then store your submissions securely for you to access for your own purposes at any future date.

3.2.5 The regulation requires e-sales notes to be transmitted to the competent authorities of the state in which the buyer or seller is registered. Where the place of the first sale is different from the country of landing, the fisheries administration will then automatically route the electronic sales note to the MS in which the fish was landed.

3.2.6 This Regulation **does not change** the actual information that must be provided on a sales note or the deadlines for submission of information. If you wish to check the information required, please contact your local port office.

3.3 Take over declarations

3.3.1 Under current EU rules, where fish is landed but is not offered for sale or is intended for sale at a later date, the owner of the fish or their agent (“the holder”) must complete and submit a take-over declaration. This document must contain similar information to the sales note information (except for the price paid) and must also indicate the place where the products are stored. Under the new Regulations the ‘holder’ of the fish, must submit this information to Fisheries Administrations by electronic means.

QUESTION 2:

Would it be preferable for such ‘holders’ to use the web-based system or simply to submit the required information in an excel spreadsheet or similar using email? Are there any other means of submission that we could consider for this declaration?

3.4 If you are a fishing vessel owner

3.4.1 If you are a Master of a fishing vessel you will be required to record and submit logbooks, transshipment and landing declarations electronically from the following dates:

- 1 January 2010 if your vessel is over 24m in overall length;
- 1 July 2011 if your vessel is over 15m overall length.

3.4.2 You will no longer have to complete paper copies of these documents. In addition, when landing abroad you will no longer have to provide copies to authorities in the coastal state. Instead, we will forward copies to them of the relevant electronic logbooks and landing declarations which you have submitted to us.

3.4.3 The electronic logbook may also be the means by which you will in future give prior notice of entry into port, record catch on board on entry into and exit from recovery or management areas and record entry to and exit from Western waters effort management areas.

QUESTION 3:

What are your views on the use of such electronic notifications? Would it reduce the administrative burdens currently placed on vessels fishing in and around these areas?

3.4.4 The effect of this new Regulation means that the 'official logbook' for vessels using electronic logbooks will now lie with Fisheries Administrations rather than on-board the vessel. It also removes the burden from the Master of providing paper copies of logbooks, landing and transshipment declarations to the flag State when landing into a port of another Member State, as the Master will have transmitted the electronic logbook and landing declaration to the flag State which in turn will forward it automatically to the landing State's Fisheries Monitoring Centre.

3.4.5 The rules also allow us to:

- apply the rules earlier than the above dates;
- require or allow smaller vessels to use e-logbooks and landing declarations and therefore benefit from the new technology; and
- exempt day boats (i.e. vessels carrying out fishing trips of 24hrs or less) from the need to complete logbooks and landing declarations electronically if they fish exclusively within British Fishery Limits. (Such vessels would have to continue completing paper copies of these forms.)

3.4.6 There is also an exemption for vessels used exclusively for aquaculture.

3.4.7 We are unlikely to have the necessary systems in place to allow vessels to use e-logbooks before 1 January 2010. However:

QUESTION 4:

Do you think vessels between 15 and 24m should be allowed to complete logbooks and landing declarations electronically before 1 July 2011?

QUESTION 5:

Do you think vessels below 15m should be allowed to complete logbooks and landing declarations electronically?

QUESTION 6:**If you are a day boat would you prefer to be able to complete logbooks and landing declarations electronically or on paper?****3.5 How will the system work?**

3.5.1 You will receive an acknowledgement message for all messages sent to the Fisheries FMC. Where no receipt or return message has been received after a set number of retries, or where there is a breakdown of equipment on board the vessel preventing transmission, manual reporting is to be used. The Regulation states that the master of the vessel shall transmit relevant logbook data at least once a day and at the request of the competent authority.

3.5.2 If your system malfunctions you will not be allowed to leave port to begin another fishing trip until we are satisfied that the system is working properly or we otherwise give you permission.

3.5.3 Fisheries Administrations will enable Masters and owners to access the vessel's current and previous trips through a secured access procedure

3.5.4 Boarding at sea – requirements remain that a Master must bring the logbook up to date on request and be able to provide access to the current logbook details e.g. via a print out from an on-board system, or by screen display.

3.6 Funding

3.6.1 There may be limited funding available through the European Fisheries Fund to assist in the cost of purchase of any electronic logbook system or system component. It is believed this would provide up to a maximum of 50%. We will keep you updated on the likelihood and/or availability of such funding over the next few months.

3.7 Options for the on-board system

3.7.1 In order to make the system as useful as possible, the UK Authorities are considering a range of options for the on-board system

3.7.2 Option 1: to only state the data definitions, formats and communication requirements that each vessel must meet in transmitting their electronic logbook/landing declarations. This would enable vessels with existing equipment and catch recording systems to extract the e-log information and transmit this without adding any more assets to the on-board system. Vessels without catch recording systems would be able to purchase those that best suited their business needs. Vessels would be responsible for purchasing their own equipment and software from those available on the market.

3.7.3 Option 2 to provide a piece of software to enable the on screen capture of logbook data and/or a feed of the data from an existing system, to reformat this to the required definitions etc, to highlight any errors, then to transmit on Master

instruction through existing on-board communication systems. This again would enable Masters to continue to use existing systems with the added benefit that electronic logbook transmissions would be checked for conformance with the data definition prior to transmission. Vessels would use government issued software and would be responsible for providing their own equipment.

3.7.4 Option 3 to provide a list of systems (hardware and software and comms) that have been checked as being able to be configured to meet the electronic logbook requirements. This would enable Masters to choose a new system that could be expanded to best meet their other business needs. Vessels would select equipment and software from a government approved list.

3.7.5 Option 4 to specify one hardware and software system that all Masters are to deploy. Vessels would use government approved software and equipment.

QUESTION 7:

What are your views on each option? Are there any others we should be considering?

COMMISSION REGULATION (EC) No 1566/2007

of 21 December 2007

laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1966/2006 of 21 December 2006 on electronic recording and reporting of fishing activities and on means of remote sensing⁽¹⁾, and in particular Article 5 thereof,

Whereas:

(1) Article 22(1)(c) of Council Regulation (EC) No 2371/2002⁽²⁾ provides that activities within the scope of the common fisheries policy are prohibited unless a master, without undue delay records and reports information on fishing activities, including landings and transshipments and that copies of the records shall be made available to the authorities.

(2) In accordance with Council Regulation (EC) No 1966/2006 the obligation to electronically record and transmit logbook, landing declaration and transshipment data applies to masters of Community fishing vessels exceeding 24 m length overall within 24 months of entry into force of the implementing rules and to masters of Community fishing vessels exceeding 15 m length overall within 42 months of entry into force of the implementing rules.

(3) Daily reporting of fishing activities creates the potential to enhance significantly the efficiency and effectiveness of monitoring, control and surveillance operations both at sea and on land.

(4) Article 6 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽³⁾ provides that masters of Community fishing vessels shall keep a logbook of their operations.

(5) Article 8 of Council Regulation (EEC) No 2847/93 provides that the master of each Community fishing vessel having an overall length equal to or more than 10 m or his representative, shall after each fishing trip and within 48 hours of landing submit a declaration to the competent authorities of the Member States where the landing takes place.

(6) Article 9 of Council Regulation (EEC) No 2847/93 provides that auction centres or other bodies or persons authorised by Member States which are responsible for the first marketing of fishery products shall, upon first sale, submit a sales note to the competent authorities in whose territory the first marketing takes place.

(7) Article 9 of Council Regulation (EEC) No 2847/93 also provides that where the first marketing of fisheries products does not take place in the Member State where the products have been landed, the Member State responsible for monitoring the first marketing shall ensure that a copy of the sales note is submitted to the authorities responsible for monitoring the landing of the products as soon as possible.

(8) Article 19 of Council Regulation (EEC) No 2847/93 requires Member States to create computerised databases and to establish a validation system comprising in particular cross-checks and verification of data.

(9) Article 19b and 19e of Council Regulation (EEC) No 2847/93 require masters of Community fishing vessels to make effort reports and to record them in their logbook.

(10) Article 5 of Council Regulation (EC) No 2347/2002⁽⁴⁾ requires the master of a Community fishing vessel holding a deep-sea fishing permit to record in a logbook or in a form provided by the flag Member State information concerning fishing gear characteristics and fishing operations.

⁽¹⁾ OJ L 409, 30.12.2006, p. 1, as corrected by OJ L 36, 8.2.2007, p. 3.

⁽²⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽³⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11, as corrected by OJ L 36, 8.2.2007, p. 6).

⁽⁴⁾ OJ L 351, 28.12.2002, p. 6. Regulation as amended by Regulation (EC) No 2269/2004 (OJ L 396, 31.12.2004, p. 1).

- (11) Council Regulation (EC) No 768/2005 ⁽¹⁾ establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy provides for the operation of joint deployment plans.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture.

5. Member States may conclude bilateral agreements on the use of electronic reporting systems on vessels flying their flags within the waters under their sovereignty or jurisdiction on condition that the vessels comply with all rules laid down in this regulation.

6. This Regulation shall apply to Community fishing vessels regardless of the waters or ports they are carrying out fishing operations in.

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1. This Regulation shall apply to:
- (a) Community fishing vessels exceeding 24 metres length overall, as from 1 January 2010;
- (b) Community fishing vessels exceeding 15 metres length overall, as from 1 July 2011;
- (c) Registered buyers, registered auctions or other entities or persons authorised by Member States that are responsible for the first sale of fisheries products with an annual financial turnover in first sales of fishery products in excess of EUR 400 000, as from 1 January 2009.
2. Notwithstanding paragraph 1(a), this Regulation shall apply as from a date earlier than 1 January 2010 to Community fishing vessels flying the flag of a given Member State and exceeding 24 metres length overall, if it is so provided by that State.
3. Notwithstanding paragraph 1(b), this Regulation shall apply as from a date earlier than 1 July 2011 to Community fishing vessels flying the flag of a given Member State and exceeding 15 metres length overall, if it is so provided by that State.
4. Notwithstanding the dates laid down in paragraphs 1(a) and 1(b), a Member State may decide to apply this regulation to vessels of 15 metres or less flying its flag prior to those dates in accordance with Article 3, paragraph 2 of Regulation (EC) No 1966/2006.

⁽¹⁾ OJ L 128, 21.5.2005, p. 1.

7. This Regulation shall not apply to Community fishing vessels used exclusively for exploitation of aquaculture.

Article 2

List of operators and vessels

1. Each Member State shall establish a list of registered buyers, registered auctions or other entities or persons that it has authorised and that are responsible for the first sale of fishery products with an annual financial turnover of fishery products in excess of EUR 400 000. The first reference year shall be 2007 and the list shall be updated on 1 January of the current year (year *n*) on the basis of the annual financial turnover of fishery products in excess of EUR 400 000 in year *n*-2. That list shall be published on an official website of the Member State.

2. Each Member State shall establish and periodically update lists of Community fishing vessels flying its flag to which the provisions of this regulation apply in accordance with Article 1 paragraphs 2, 3, 4 and 5. The lists shall be published on an official website of the Member State and shall be in the format to be decided in consultations between the Member States and the Commission.

Article 3

Definitions

For the purpose of this Regulation the following definitions shall apply:

- (a) 'fishing operation' means all activities in connection with searching for fish, the shooting, setting and hauling of a fishing gear and the removal of any catch from the gear;
- (b) 'joint deployment plan' means a plan setting out operational arrangements for the deployment of available means of control and inspection.

CHAPTER II

ELECTRONIC TRANSMISSION

Article 4

Information to be transmitted by masters of vessels or their representatives

1. Masters of Community fishing vessels shall transmit logbook and transshipment data by electronic means to the competent authorities of the flag Member State.

2. Masters of Community fishing vessels or their representatives shall transmit landing declaration data by electronic means to the competent authorities of the flag State.

3. When a Community fishing vessel lands its catch in a Member State other than the flag Member State, the competent authorities of the flag Member States shall immediately upon receipt forward the landing declaration data by electronic means to the competent authorities of the Member State where the catch was landed.

4. Masters of Community fishing vessels shall, where required under Community rules, transmit by electronic means to the competent authority of the flag Member State prior notification of entry into port at the time that it is required to be transmitted.

5. When a vessel intends to enter a port in a Member State other than the flag Member State, the competent authorities of the flag Member State shall immediately upon receipt forward the prior notification referred to in paragraph 4 by electronic means to the competent authorities of the coastal Member State.

Article 5

Information to be transmitted by entities or persons responsible for first sale or take-over

1. Registered buyers, registered auctions or other entities or persons authorised by Member States, that are responsible for the first sale of fishery products shall transmit information required to be recorded in a sales note by electronic means to the competent authorities of the Member State in whose territory the first marketing takes place.

2. When the first marketing takes place in a Member State other than the flag Member State, the competent authorities of the Member State where the first marketing takes place shall ensure that a copy of the sales notes data is submitted by

electronic means to the competent authorities of the flag Member State on receipt of relevant information.

3. Where the first marketing of fisheries products does not take place in the Member State where the products have been landed, the Member State where the first marketing takes place shall ensure that a copy of the sales note data is submitted by electronic means immediately on receipt of relevant information, to the following authorities:

(a) the competent authorities of the Member State where the fishery products have been landed and

(b) the competent authorities of the flag Member State of the vessel that landed the fishery products.

4. The holder of the take-over declaration shall transmit by electronic means the information required to be recorded in a take-over declaration to the competent authorities of the Member State in whose territory the take-over physically takes place.

Article 6

Frequency of transmission

1. The master shall transmit the electronic logbook information to the competent authorities of the flag Member State at least on a daily basis not later than 24.00 hours even when there are no catches. He shall also send such data:

(a) at the request of the competent authority of the flag Member State;

(b) immediately after the last fishing operation has been completed;

(c) before entering into port;

(d) at the time of any inspection at sea;

(e) at the time of events defined in Community legislation or by the flag State.

2. The master may transmit corrections to the electronic logbook and transshipment declarations up to the last transmission made at the end of the fishing trip and before entering into port. Corrections shall be easily identifiable. All original electronic logbook data and corrections to those data shall be stored by the competent authorities of the flag Member State.

3. The master or his representatives shall transmit the landing declaration by electronic means immediately after the landing declaration has been established

4. The master of the donor vessel and the receiving vessel shall transmit transshipment data by electronic means immediately after the transshipment.

5. The master shall keep a copy of the information referred to in paragraph 1 on board the fishing vessel for the duration of each fishing trip until the landing declaration has been submitted.

Article 7

Format for transmission of data from a vessel to the competent authority of its flag state

Each Member State shall determine the format for the transmission of data from vessels flying its flag to its competent authorities.

Article 8

Return messages

Member States shall ensure that return messages are issued to vessels flying their flag for each transmission of logbook, transshipment and landing data. The return message shall contain an acknowledgement of receipt.

CHAPTER III

EXEMPTIONS

Article 9

Exemptions

1. A Member State may exempt masters of vessels flying its flag from the obligations referred to in Article 4, paragraph 1, when they carry out fishing trips of 24 hours or less within the waters under its sovereignty or jurisdiction on condition that they do not land their catch outside the territory of the flag Member State.

2. Masters of Community fishing vessels shall be exempt from the obligation to complete paper logbook, landing and transshipment declarations.

3. Masters of Community vessels, or their representatives, that land their catch in a Member State other than the flag Member State shall be exempt from the requirement to submit a paper landing declaration to the coastal Member State.

4. Member States may conclude bilateral agreements on the use of electronic reporting systems on vessels flying their flags

within the waters under their sovereignty or jurisdiction. The vessels falling within the scope of such agreements shall be exempt from completing a paper logbook within those waters.

5. Masters of Community vessels that record in their electronic logbooks the fishing effort information required under Article 19b of Regulation (EEC) No 2847/93 shall be exempt from the obligation to transmit effort reports by telex, by VMS, by fax, by telephone or by radio.

CHAPTER IV

FUNCTIONING OF ELECTRONIC RECORDING AND REPORTING SYSTEMS

Article 10

Provisions in the event of technical failure or non functioning of electronic recording and reporting systems

1. In the event of a technical failure or non-functioning of the electronic recording and reporting system the master or the owner of the vessel or their representative shall communicate logbook, landing declaration and transshipment data to the competent authorities of the flag Member State in a way established by the flag Member State on a daily basis and no later than 24.00 hours even when there are no catches:

- (a) at the request of the competent authority of the Flag State;
- (b) immediately after the last fishing operation has been completed;
- (c) before entering into port;
- (d) at the time of any inspection at sea;
- (e) at the time of events defined in Community legislation or by the flag State.

2. The competent authorities of the flag Member State shall update the electronic logbook immediately on receipt of the data referred to in paragraph 1.

3. A Community fishing vessel shall not leave a port, following a technical failure or non-functioning of its electronic recording and reporting system before it is functioning to the satisfaction of the competent authorities of the flag Member State or before it is otherwise authorised to leave by the competent authorities of the flag Member State. The flag Member State shall immediately notify the coastal Member State when it has authorised a vessel flying its flag to leave a port in the coastal Member State.

*Article 11***Non-receipt of data**

1. When the competent authorities of a flag Member State have not received data transmissions in accordance with Article 4, paragraphs 1 and 2 they shall notify the master or the owner of the vessel or their representative thereof as soon as possible. If, in respect of a particular vessel, this situation occurs more than three times within a period of one year, the flag Member State shall ensure that the electronic reporting system in question is checked. The Member State concerned shall investigate the matter in order to determine why data have not been received.

2. When the competent authorities of a flag Member State have not received data transmissions in accordance with Article 4, paragraph 1 and 2 and the last position received through the Vessel Monitoring System was from within the waters of a coastal Member State they shall notify the competent authorities of that coastal Member State thereof as soon as possible.

3. The master or the owner of the vessel or their representative shall send all data for which a notification was received in accordance with paragraph 1 to the competent authorities of the flag Member State immediately on receipt of the notification.

*Article 12***Data access failure**

1. When the competent authorities of a coastal Member State observe a vessel flying the flag of another Member State in their waters and can not access data in accordance with Article 15 they shall request the competent authorities of the flag Member State to ensure access.

2. If the access referred to in paragraph 1 is not ensured within four hours of the request, the coastal Member State shall notify the flag Member State. On receipt of the notification the flag Member State shall immediately send the data to the coastal Member State by any available electronic means.

3. If the coastal Member State does not receive the data referred to in paragraph 2, the master or owner of the vessel or their representative shall send the data and a copy of the return message referred to in Article 8 to the competent authorities of the coastal Member State on request and by any available electronic means.

4. If the master or owner of the vessel or their representative can not provide the competent authorities of the coastal Member State with a copy of the return message referred to

in Article 8, fishing activities in the waters of the coastal Member State by the vessel concerned shall be prohibited until the master or his representative can provide a copy of the return message or information referred in Article 6(1) to the said authorities.

*Article 13***Data on the functioning of the electronic reporting system**

1. Member States shall maintain databases on the functioning of their electronic reporting system. They shall contain at least the following information:

- (a) the list of fishing vessels flying their flag whose electronic reporting systems have experienced technical failure or have failed to function;
- (b) the number of electronic logbook transmissions received per day and the average number of transmissions received per vessel, broken down by flag Member State;
- (c) the number of landing declaration, transhipment declaration, takeover declaration and sales note transmissions received, broken down by flag State.

2. Summaries of information on the functioning of Member States' electronic reporting systems shall be sent to the Commission on its request in a format and at time intervals to be decided in consultation between Member States and the Commission.

CHAPTER V

DATA EXCHANGE AND ACCESS*Article 14***Format for exchange of information between Member States**

1. Information shall be exchanged between Member States using the format defined in the Annex which is based on extensible mark-up language (XML).

2. Corrections to the information referred to in paragraph 1 shall be clearly identified.

3. When a Member State receives electronic information from another Member State it shall ensure that a return message is issued to the competent authorities of that Member State. The return message shall contain an acknowledgement of receipt.

4. Data elements in the Annex that are mandatory for Masters to record in their logbook according to Community rules shall also be mandatory in exchanges between Member States.

Article 15

Access to data

1. A flag Member State shall ensure that a coastal Member State has on-line access in real time to electronic logbook and landing declaration data of vessels flying its flag when conducting fishing operations in the waters under the sovereignty or jurisdiction of the coastal Member State.

2. The data referred to in paragraph 1 shall at least cover the data from the last departure from port to the time when the landing is completed. Data from fishing trips for the previous 12 months shall be made available on request.

3. The master of a Community fishing vessel shall have secure access to his own electronic logbook information stored in the database of the flag Member State on a 24-hour, seven days a week basis.

4. A coastal Member State shall grant on-line access to its logbook database to a fishery patrol vessel of another Member State in the context of a joint deployment plan.

Article 16

Exchange of data between Member States

1. Access to the data referred to in Article 15, paragraph 1 shall be by secure Internet connection on a 24-hour, seven days a week basis.

2. Member States shall exchange the relevant technical information to ensure mutual access to electronic logbooks.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 December 2007.

3. Member States shall:

(a) Ensure that data received according to this Regulation are safely stored in computerised databases and take all necessary measures to ensure that they are treated as confidential;

(b) Take all necessary technical measures to protect such data against any accidental or illicit destruction, accidental loss, deterioration, distribution or unauthorised consultation.

Article 17

Single authority

1. In each Member State, a single authority shall be responsible for transmitting, receiving, managing and processing all data covered by this Regulation.

2. Member States shall exchange lists and contact details of the authorities referred to in paragraph 1 and shall inform the Commission thereof.

3. Any changes in the information referred to in paragraphs 1 and 2 shall be communicated to the Commission and other Member States without delay.

CHAPTER VI

FINAL PROVISIONS

Article 18

Entry into force

This Regulation shall enter into force on 1 January 2008.

For the Commission

Joe BORG

Member of the Commission

ANNEX

ELECTRONIC INFORMATION EXCHANGE FORMAT

Envelope data elements

Data elements	Field code	Description and content
Start/end of record		
Start of record	SR	Tag indicating start of the logbook, sales note declaration or return message
Sub-elements		
Address	AD	Destination: ISO alpha-3 country code
From	FR	Country transmitting the data (ISO alpha-3 country code)
Type of message	TM	Letter code of the type of message (LOG, SAL, RET or COR)
Return status	RS	Indicates the status of the received message/report, either ACK (acknowledged) or NAK (not acknowledged)
Return error code	RE	Numerical codes indicating errors on messages/reports received (101 — message unreadable, 102 — data value or size out of range, 104 — mandatory data missing, 106 — unauthorised data source, 150 — sequence error, 151 — date/time in the future, 250 — attempt to renotify a vessel, 251 — vessel is not notified, 302 — transshipment prior to Catch on Entry, 303 — Catch on Exit prior to Catch on Entry, 304 — no position received, 350 — position without Catch on Entry)
Record number	RN	Serial number of retransmission of the message by the FMC (annual count)
Record date	RD	Date of retransmission of the message/report (YYYYMMDD)
Record time	RT	Time of retransmission of the message/report (HHMM in UTC)

Logbook data elements

Data elements	Field code	Description and content
Start/end logbook element		
Start of logbook declaration	LOG	Tag indicating start of the logbook declaration (contains RC, XR, IR, NA, VO, MA or TN attribute and DEP, CAT, ENT, EXI, CRO, TRZ, TRA, LAN or RTP element)
Main elements		
Departure declaration	DEP	Tag indicating the departure from a harbour at the start of a fishing trip (contains DA, TI and PO attributes)
Return to port declaration	RTP	Tag indicating the return to the harbour at the end of the fishing trip (contains DA, TI and PO attributes)

Data elements	Field code	Description and content
Catch declaration	CAT	Tag indicating start of a catch declaration (contains DA, TI, FO and DU attributes and POS, GEA or SPE sub-elements)
Transshipment declaration	TRA	Tag indicating start of a transshipment declaration (contains DA, TI, TT, TF, TC and FC attributes and SPE sub-elements)
Landing declaration	LAN	Tag indicating start of a landing declaration (contains DA, TI and PO attributes and POS and SPE sub-elements)
Effort declaration: Entry in zone	ENT	Tag indicating start of an declaration on entry into the effort zone (contains DA, TI attributes and POS, SPE sub-elements)
Effort declaration: Exit out of zone	EXI	Tag indicating start of a declaration on exit of the effort zone (contains DA, TI attributes and POS, SPE sub-elements)
Effort declaration: Crossing of a zone	CRO	Tag indicating start of a declaration on crossing the effort zone (contains ENT and EXI elements)
Effort declaration: Trans-zonal fishing	TRZ	Tag indicating start of a declaration on trans-zonal fishing within the effort zone (contains ENT and EXI elements)
Sub-elements		
Species sub-declaration	SPE	Tag containing fish species details (contains SN, WT or WL or WS, NF attributes and PRO sub-elements)
Processing sub-declaration	PRO	Tag containing fish processing details (contains PR, CF and TY attributes or DIS (discards))
Position sub-declaration	POS	Tag containing detailed information on the location of the fishing vessel (contains ZO attribute and for fishing effort: LA and LO attributes)
Gear sub-declaration	GEA	Tag containing detailed information on the gear used during a fishing operation (contains GE, ME, GD and GL as required by the effort declaration). For DSS contains NH, IT, FO and FD
Attributes		
Trip number	TN	Number of fishing trip in current year (001-999)
Date	DA	Date of transmission (YYYYMMDD)
Time	TI	Time of transmission (HHMM in UTC)
Vessel's main identification	RC	International radio call sign
Vessel's external identification	XR	Side (hull) registration number of the vessel
Vessel's identification (CFR)	IR	Community Fleet Register number
Name of vessel	NA	Name of the vessel
Name of vessel owner	VO	Name of the vessel owner
Name of the master	MA	Name of the master

Data elements	Field code	Description and content
Port name	PO	Port code (2 letter country code (ISO alpha-3 country code) + 3 letter port code). I.e for Edinburgh – GBEDI, Kiel – DEKEL or Vigo – ESGO)
Fishing operations	FO	Number of fishing operations (hauls) per 24 hour period
Fishing time	DU	Duration of fishing activity in minutes
Position: Latitude	LA	Latitude expressed in degrees and minutes (N/S DDMM)
Position: Longitude	LO	Longitude expressed in degrees and minutes (E/W DDMM)
Fishing zone	ZO	The smallest statistical area (sub-area, division, subdivision etc.) covered by the FAO Major fishing area [and ICES] classification (i.e. 27.3.24 [or III24] for the ICES sub-division 24 in the Baltic sea, 21,1F [or 1F] for NAFO division 21,1F etc.)
Gear name	GE	Letter code according to FAO's 'International Standard Statistical Classification of the Fishing Gear'
Gear mesh size	ME	Size of mesh (in millimetres)
Gear height	GD	Gear height (in metres)
Gear length	GL	Gear length (in metres)
Species name	SN	Name of the species caught (FAO alpha-3 code)
Weight of fish	WT	Weight of live fish (in kilograms)
Number of fish	NF	Number of fish caught (when quota is allocated in numbers of fish i.e. salmon)
Conversion factor	CF	Factors for the conversion of fish and fish product landed weights to live weight equivalents
Weight of fish landed	WL	Product weight in the landing declaration
Presentation of fish	PR	Letter code of the product presentation (way fish has been processed): (WHL whole fish, GUT — gutted, GUH gutted + headed, GUG — gutted and gilled, GUL — gutted liver in, GTF — gutted, tailed and finned, GUS — gutted, headed, skinned, FIL — filleted, FIS — filleted + skinned, FSB — filleted with skin + bones, FSP — filleted skinned with pinbone on, HEA — headed, WNG — wings, WNG + SKI — wings + skinned, SKI — skinned, DIS — discarded)
Processing's type of packaging	TY	3 letter code (CRT = cartons, BOX = boxes, BGS = bags, BLC = blocks)
Transshipment: receiving vessel	TT	International radio call sign of the receiving vessel
Transshipment: (donor) vessel	TF	International radio call sign of the donor vessel
Transshipment: flag state of receiving vessel	TC	Flag state of vessel receiving the transshipment (ISO alpha-3 country code)
Transshipment: flag state of donor vessel	FC	Flag state of the donor vessel (ISO alpha-3 country code)

Data elements	Field code	Description and content
Deep sea additional codes		
Average number of hooks used on longlines	NH	Average number of hooks per longline
Immersion time	IT	The total time gear was in the water (fishing) per 24 hour period
Fishing operations	FO	Number of fishing operations (hauls for nets and towed gears or longline shoots) per 24 hour period
Fishing depths	FD	Distance between the sea floor and the surface of the sea

Sales notes data elements

Data elements	Field code	Description and content
Start/end sales note element		
Start of sales note declaration	SAL	Tag indicating start of sales note declaration (contains XR (RC, IR), NA, VO and MA attributes and SIF or TOV sub-elements)
Main elements		
Sales note info	SIF	Tag containing details of a sale (contains DA, TI, SL, SC, NS, NB, CN and TD attributes and SIT sub-elements)
Takeover info	TOV	Tag containing details of a takeover declaration (contains DA, TI, SL, NS, NB, CN and TD attributes and SIT sub-elements)
Sub-elements		
Sale item	SIT	Tag containing details of an item within a sale (contains FP, FF, SF, DL, PO, QC, PD and ZO attributes and SPE, POS and PRO sub-elements)
Species sub-declaration	SPE	Tag containing fish species details (contains SN, WT or WL or WS and MZ attributes and PRO sub-elements)
Processing sub-declaration	PRO	Tag containing fish processing details (contains PR, CF and TY attributes)
Attributes		
Date	DA	Date of the sale (YYYYMMDD)
Time	TI	Time of the sale (HHMM in UTC)
Sale location	SL	Port code or place name (if not in port) where the sale took place
Sale country	SC	Country where the sale took place (ISO alpha-3 country code)
Vessel's main identification	RC	International radio call sign

Data elements	Field code	Description and content
Vessel's external identification	XR	Side (hull) number of registration of the vessel that landed the fish
Vessel's identification (CFR)	IR	Community Fleet Register number
Name of vessel	NA	Name of the vessel that landed the fish
Name of vessel owner or master	VO	Name of the vessel owner or master
Name of seller	NS	Name of auction centre, other body or person selling the fish
Name of buyer	NB	Name of auction centre, other body or person buying the fish
Sales contract reference number	CN	Sales contract reference number
Transport document reference	TD	Reference to the transport or T 2 M document (Article 13 of Regulation (EEC) No 2847/93)
Date of landing	DL	Date of landing (YYYYMMDD)
Port name	PO	Port code (port of landing) (2 letter country code (ISO alpha-3 country code) + 3 letter port code). I.e for Edinburgh – GBEDI, Kiel – DEKEL or Vigo – ESVGGO)
Species name	SN	Name of the species caught (FAO alpha-3 code)
Geographical area of origin	ZO	According to the FAO major fishing area classification i.e. 27.3.24 [or III24] for the ICES subdivision 24 in the Baltic sea, 21,1F [or 1F] for NAFO division 21,1F etc.
Quota country	QC	ISO alpha-3 country code of the vessel which lands fish received by transhipment in case flag state of donor and recipient vessel is different
Weight of fish sold	WS	Weight of fish sold (in kilograms)
Fish size category	SF	Size of fish (1-8; one size or kg, g, cm, mm or number of fish per kg as appropriate)
Fish freshness category	FF	Fish freshness category (Extra, A, B, E)
Minimum fish size	MZ	Minimum size of fish (in millimetres)
Conversion factor	CF	Factors for the conversion of fish and fish product landed weights to live weight equivalents
Presentation of fish	PR	Letter code of the product presentation (way fish has been processed): (WHL whole fish, GUT — gutted, GUH gutted + headed, GUG — gutted and gilled, GUL — gutted liver in, GTF — gutted, tailed and finned, GUS — gutted, headed, skinned, FIL — filleted, FIS — filleted + skinned, FSB — filleted with skin + bones, FSP — filleted skinned with pinbone on, HEA — headed, WNG — wings, WNG + SKI — wings + skinned, SKI — skinned.)

Data elements	Field code	Description and content
Processing's type of packaging	TY	3 letter code (CRT = cartons, BOX = boxes, BGS = bags, BLC = blocks)
Fish price	FP	Price per kg (currency of transaction/kg)
Product destination	PD	Codes for human consumption, carry-over, industrial purposes

Annex A: INFORMATION ON YOUR CONSULTATION/INVITATION TO RESPOND

Responding to this consultation paper

We are inviting written responses to this consultation paper by 5 May 2008. **Please send your response to:**

Licensingandcompliance@scotland.gsi.gov.uk

or

**Jamie Combe
Sea Fisheries (Management) - Compliance and Licensing Policy Branch
Marine Directorate
DG - Environment
Scottish Government
Room 511, Pentland House,
47 Robbs Loan,
Edinburgh,
EH14 1TY**

Fax: 0131 244 6288

We would be grateful if you could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>. You can telephone Freephone 0800 77 1234 to find out where your nearest public internet access point is.

The Scottish Government now has an email alert system for consultations (**SEconsult**: <http://www.scotland.gov.uk/consultations/seconsult.aspx>). This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). SGconsult complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public (see the attached Respondent Information Form), these will be made available to the public in the Scottish Government Library at the beginning of 2008. We will check all responses where agreement to publish has been given for any potentially defamatory material before logging them in the library or placing them on the website. You can make arrangements to view responses by contacting the SG Library on 0131 244 4565. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on the text of the statutory guidance. We aim to issue a report on this consultation process in early 2008.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the address above.



RESPONDENT INFORMATION FORM:

Consultation on the Implementation of Detailed Rules on Electronic Recording and Reporting of Fishing Activities and on Means of Remote Sensing in Scotland

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:

Postal Address:

1. Are you responding: (please tick one box)
- (a) as an individual go to Q2a/b and then Q4
- (b) **on behalf of** a group/organisation go to Q3 and then Q4

INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish Executive website)?

Yes (go to 2b below)

No, not at all We will treat your response as confidential

- 2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (**please tick one** of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

- 3 The name and address of your organisation **will be** made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your **response** to be made available?

Yes

No We will treat your response as confidential



SHARING RESPONSES/FUTURE ENGAGEMENT

4 We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in the future in relation to this consultation response?

Yes

No

THE SCOTTISH GOVERNMENT CONSULTATION PROCESS

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses¹. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (eg, analysis of response reports) can be accessed at: <http://www.scotland.gov.uk/consultations>

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

¹ <http://www.scotland.gov.uk/consultations>

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

ANNEX A LIST OF CONSULTEES

- | | | | |
|-----|---|-----|---|
| 1. | Aberdeen Fish Producers' Organisation | 36. | Scottish Seafood Processors Federation Ltd |
| 2. | Anglo Scottish Fishermen's Association | 37. | Scottish Fishermen's Federation |
| 3. | Arbroath Fishermen's Association | 38. | Scottish Fishermen's Organisation Ltd |
| 4. | Caley Fisheries Ltd, Fraserburgh | 39. | Scottish Fishing Services Association |
| 5. | Caley Fisheries Ltd, Peterhead | 40. | Scottish Pelagic Fishermen's Association |
| 6. | Clyde Fishermen's Association | 41. | Scottish Whitefish Producers' Association |
| 7. | Clyde and South West Static Gear Association | 42. | Shetland Catch |
| 8. | Cockenzie & Port Seton Fishermen's Association | 43. | Shetland Fishermen's Association |
| 9. | Denholm Fishselling Ltd, Edinburgh | 44. | Shetland Fish Producers' Organisation Ltd |
| 10. | Denholm Fishselling Ltd, Peterhead | 45. | Skye & Lochalsh Fishermen's Association |
| 11. | East Coast Licensed Small Boats Association | 46. | J Smith |
| 12. | Federation of Highlands and Islands Fishermen | 47. | The 10 Metre and Under Association |
| 13. | Fife Fish Producers' Organisation Ltd | 48. | Ullapool Assynt Fishermen's Association |
| 14. | Fife Fishermen's Association | 49. | West of Four Fisheries Management Group |
| 15. | Fishermen's Association Ltd | 50. | West of Scotland Fish Producers' Organisation |
| 16. | Herring Buyers Association Limited | 51. | Western Isles Fishermen's Association |
| 17. | Highland & Islands Fishermen's Association | 52. | Westward Fishing Co. |
| 18. | Hooktone Ltd | 53. | Wigtown Fishermen's Association |
| 19. | IMT Marine Consultants Ltd | 54. | Alex Buchan Ltd |
| 20. | LHD Limited | 55. | Croan Seafoods |
| 21. | Live Shellfish Traders' Association | 56. | Fresh Catch |
| 22. | Local Economic Development Services (East) | 57. | Pelagic Freezing (Scotland) Ltd |
| 23. | Lunar Fishing Co. | 58. | United Fish Products |
| 24. | Mackinnons, Solicitors | 59. | Under and over 10metres licence vessel owners |
| 25. | Mallaig & North West Fishermen's Association | 60. | Careers Scotland |
| 26. | Mull Fishermen's Association | 61. | Commission for Racial Equality |
| 27. | North East of Scotland Fishermen's Organisation Ltd | 62. | Cosla |
| 28. | Northern Producers' Organisation | 63. | Crown Estates Office |
| 29. | Oban Port Association | 64. | Disability Rights Commission |
| 30. | Orkney Fish Producers' Organisation | 65. | Document Supply centre |
| 31. | Orkney Fisheries Association | 66. | Federation of Small Business |
| 32. | Peter & J. Johnstone Ltd | 67. | Food Standards Agency |
| 33. | Peterhead Fishermen Ltd | 68. | Friends of the Earth Scotland |
| 34. | SAC Management Division | 68. | Highlands and Islands Enterprise |
| 35. | Scallop Association | 69. | Historic Scotland |
| | | 70. | Keep Scotland Beautiful |

71. Royal Faculty of Procurators
72. Scottish Civic Forum
73. Scottish Enterprise
74. Scottish Members of the European Parliament
75. Scottish Natural Heritage
76. Convener Scottish Parliament ERAD Committee
77. Scottish Water
78. Scottish Environment Protection Agency
79. WWF
80. Local Authorities
81. Registered Buyers and Sellers

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