

## **EXECUTIVE NOTE**

### **THE SEA FISHING (EU RECORDING AND REPORTING REQUIREMENTS) (SCOTLAND) ORDER 2010 (SSI 2010/334)**

1. This Order was made in exercise of the powers conferred by section 30(2) of the Fisheries Act 1981 and paragraph 1A of Schedule 2 to the European Communities Act 1972. Paragraph 1A of Schedule 2 is used so that any reference in the Order to Council Regulation (EC) No. 1224/2009 is construed as a reference to that Regulation as amended from time to time. The Order is subject to negative resolution procedure.

#### **Policy Objectives**

2. This Order is necessary to enforce the EU obligations contained in Council Regulations 2847/93, 1006/2008 and 1224/2009 and Commission Regulations 1077/2008 and 201/2010.

3. The primary objective is to enforce Council Regulation 1224/2009 (the Control Regulation) so far as it requires the recording and reporting of information relating to fishing activity undertaken by EU fishing boats and to the landing and first sale of fishery products in the EU. The recording and reporting requirements (RRRs) in the Control Regulation come into force, and replace existing RRRs, in stages. Accordingly, the Order enforces the transitional RRRs contained in Regulations 2847/93 and 1077/2008, pending the coming into force on 1 January 2011 of Articles 63, 67 and 68 of the Control Regulation and the implementation of detailed rules for Articles 14, 21 and 23 of that Regulation. The Order also enforces the RRRs contained in Regulations 1006/2008 and 201/2010, which apply to third country fishing boats within EU waters.

4. This Order consolidates all EU obligations relating to the keeping and submission of paper logbooks, declarations and documents and to the transmission of electronic logbooks, declarations and sales notes. The information relating to fishing activity and fishery products that is required to be recorded and reported essentially remains the same. However, the required method of reporting this information has changed. The introduction of electronic recording and reporting of fisheries data ensures quicker and more accurate recording and reporting of information and better access to data for monitoring and enforcement purposes.

5. The Order makes it an offence to contravene any of the RRRs specified in Schedules 1 and 2 to the Order or to record or report materially false information in purported compliance with any such requirement. It applies to Scottish fishing boats wherever they may be and equally to EU and third country fishing boats within the Scottish zone. It also applies to registered buyers and sellers of fishery products in Scotland.

6. The Order requires information relating to fishing activity undertaken in the Scottish zone or by Scottish fishing boats, and to fishery products landed or marketed in Scotland, to be reported to the Scottish Ministers.

7. Electronic sales notes and take-over declarations are required from those registered buyers and sellers of fishery products in Scotland, which have an annual financial turnover in first sales of fishery products in excess of €400,000. The Scottish Ministers are required to maintain a register of those who have this prescribed annual financial turnover (which is

calculated using the financial turnover for a person for a calendar year and based on the European Central Bank's official average euro foreign exchange reference rate applicable for that calendar year).

Electronic sales notes and take-over declarations must be transmitted to the Scottish Ministers, as per current practice, via one of the electronic reporting systems (ERS) specified by them. The ERS are specified in a form, issued annually to all registered buyers and sellers for the purpose of maintaining the register, and on the Scottish Government's website<sup>1</sup>. This ensures that the ERS are compatible with the electronic sales note system which the Scottish Ministers (and other UK Fisheries Administrations) operate to discharge their EU monitoring and enforcement duties. The Scottish Ministers engaged closely with buyers and sellers on the electronic options available, to provide them with some flexibility in relation to their business needs. Buyers and sellers, which are not subject to the electronic RRRs, can opt to transmit sales notes and take-over declarations via a specified ERS.

8. Electronic logbooks, landing and transshipment declarations and prior notifications are subject to phased implementation and are required from fishing boats with an overall length of –

- 24 metres or more, as from 1 January 2010;
- 15 to 24 metres that operate in third country waters, as from 1 January 2011;
- 15 to 24 metres that operate in EU waters, as from 1 July 2011; and
- 12 to 15 metres, as from 1 January 2012.

They must be transmitted to the Scottish Ministers via an electronic logbook software system (ELSS) approved by them. ELSS suppliers submit their products for approval. This requires an assessment, undertaken by the National Computer Centre on behalf of the UK Fisheries Administrations, that the ELSS meets the specification requirements of the UK Fisheries Administrations' Electronic Recording and Reporting System<sup>2</sup>. This ensures compatibility of systems for data-processing purposes and introduces more choice for fishing boats and competition for software suppliers. Details of approved ELSS are available on the Scottish Government's website<sup>3</sup>, as is a list of all fishing boats equipped with electronic logbooks. Guidance for industry on electronic logbooks will also be available on the website to supplement the training given by software suppliers. Fishing boats require an authorisation message to ensure that the ELSS is functional prior to leaving port. Any failure of the ELSS at sea must be reported to the UK Fisheries Call Centre (0131 271 9700) and authorisation obtained to manually report the required data.

9. Paper logbooks, declarations and documents are required from those who are not subject to the electronic RRRs. They must be submitted to the Scottish Ministers, as per current practice, by submitting them to a local Fishery Office<sup>4</sup>, depositing them in a box marked for this purpose at the port of landing or handing them to a British sea-fishery officer. Details of these reporting methods will be available on the Scottish Government's website<sup>5</sup> and any changes will be intimated to industry members in writing.

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<sup>1</sup> <http://www.scotland.gov.uk/Topics/marine/Sea-Fisheries/fish-register>.

<sup>2</sup> Details of the specification requirements are contained in the document entitled "UK Fishing Vessel's Electronic Logbook Functional Requirements Specification" (dated 15 April 2010), which is available via the Marine Scotland link on the following website: <http://www.fishregister.gov.uk>.

<sup>3</sup> <http://www.scotland.gov.uk/Topics/marine/Sea-Fisheries/Regulation/approveduk>.

<sup>4</sup> Contact details for which are available on the Scottish Government's website: <http://www.scotland.gov.uk/Topics/marine/Compliance/resources/fisheriesoffices>.

<sup>5</sup> <http://www.scotland.gov.uk/Topics/marine/Sea-Fisheries/Regulation>.

10. The Order revokes the Sea Fishing (Enforcement of Community Control Measures) (Scotland) Order 2000 (S.S.I 2000/7) (the 2000 Order) and both the Sea Fishing (Enforcement of Community Control Measures) (Scotland) Amendment Orders of 2005 (S.S.I. 2005/552) and 2009 (S.S.I. 2009/304). Pending detailed rules for the Control Regulation coming into force, the Order re-enacts articles 2A and 3(3) and (4) of the 2000 Order, and article 3(1) and (2) so far as it applies to Articles 6, 8(1), 11(1) and 13 of Regulation 2847/93. The Order makes savings in relation to the 2000 Order and its amending orders for the purposes of certain investigations and criminal proceedings, relating to contraventions of EU control measures, which are pending. The 2000 Order and its amending orders continue to apply for the purposes of any investigation or legal proceedings relating to any acts or omissions which occurred before 31 October 2010 and constitute an offence under the 2000 Order.

11. Detailed Rules for the Control Regulation are expected to be published in December 2010 and come into force early in 2011. This Order will be amended accordingly. The control measures in the Control Regulation, which are not covered by this Order, will be enforced by statutory instrument once the EU has implemented the necessary detailed rules. In the meantime, any contravention of such control measures will be enforced by section 30(1) of the Fisheries Act 1981, as appropriate.

12. It is expedient for references to the Control Regulation in the Order to be construed as references to that Regulation as amended from time to time, simply to cover technical amendments to that Regulation which relate to financial or boat size thresholds or to time limits imposed by certain requirements. Any such amendments to the Control Regulation will be published on the Scottish Government's website and intimated to industry members in writing.

### **Consultation**

13. Along with the rest of the UK, the Scottish Government issued a written consultation to all registered buyers and sellers and fishing representative groups on 11 February – 5 May 2008 on the initial detailed rules on electronic recording and reporting of fishing activities (Regulation 1566/2007, subsequently replaced by Regulation 1077/2008) and the UK's proposals for implementation. The response to the consultation was extremely low. Masters will work closely with Marine Scotland Compliance to ensure that they are confident with electronic logbooks and declarations before moving away from paper logbooks and declarations. Installing the electronic logbook software requires training and a period of education, often this will only take a couple of fishing trips.

14. Marine Scotland will notify industry representatives, Masters of vessels and buyers and sellers of their requirements under this SSI. The transition to electronic reporting will be managed by Marine Scotland Compliance Fishery Offices as it has the day to day contact with those subject to RRRs.

### **Financial Effects**

15. There are financial implications associated with the RRRs, which are detailed in the Business Regulatory Impact Assessment. To mitigate the costs of implementing electronic logbooks, Marine Scotland has successfully obtained funding from the EU. Masters of

Scottish registered and administered vessels will be able to apply for up to £2000 towards the costs of the electronic logbook software. This grant will broadly cover the complete cost. In the longer term, Masters and Marine Scotland Compliance should benefit from a reduced administrative burden. No significant additional enforcement costs are anticipated for Marine Scotland Compliance.

Marine Scotland  
Scottish Government  
**September 2010**

# Business and Regulatory Impact Assessment

## Title of Proposal

### Introduction of Electronic Reporting Requirements for Scottish Fishing Vessels

#### Purpose and intended effect

- **Objectives**

1.1 The aim is to establish an electronic logbook recording and reporting system. This is being achieved through The Sea Fishing (EU Recording and Reporting Requirements) (Scotland) Order 2010. Vessels currently use paper to record catches. Electronic submission will minimise the current administrative burden associated with paper recording, data entry and cross checking for Marine Scotland Compliance. The data gathered from logbooks and landing declarations is crucial to the UK's management of quota and control scheme. In line with the timeframe set out in EU legislation, electronic sales notes were implemented separately in 2009 and this SSI consolidates the electronic reporting requirements. A Regulatory Impact Assessment was prepared in 2009 and no additional costs or requirements are being implemented so this BRIA focuses solely on the electronic logbook data, takeover and transshipment declarations and landing declarations.

1.2 Marine Scotland was able to benefit from funding offered by the EU for 95-90% funding towards new technologies used for control purposes which will be used towards implementing electronic logbooks. A separate SSI was required to implement the associated grant scheme.

- **Background**

1.3 Article 15 of Council Regulation 1224/1009 introduces a requirement for EC fishing vessels exceeding 12 metres in overall length to use electronic logbooks rather than record and submit fishing activity on paper logbooks as is currently required. This will be done in three stages with the initial stage applying only to fishing vessels exceeding 24 metres in overall length by 1 January 2010 (156 vessels) and the second stage for those vessels exceeding 15 metres in overall length (338 vessels) by 1 July 2011 (applies from 1 January 2011 if fishing within waters of a 3<sup>rd</sup> Country – Council Regulation (EC) No. 1006/2008) and 1 January 2012 12-15 metres in overall length (85 vessels). The 1 January 2010 deadline was missed by all EU member States. However the Annual EU Norway Agreement set a date of 1 July 2010 for all EU vessels operating in Norwegian waters. Given that the Scottish fleet has a significant interest in those fishing grounds Scottish vessels with the intention of accessing those fishing grounds began installing electronic logbooks from June 2010 in order to comply by the Norwegian date.

1.4 To help vessels comply with this new requirement and meet the new additional financial costs associated with electronic logbooks Scottish Ministers made an

application to the EU new technologies fund and agreed to meet the costs of the balance, which totals £144,000. A Statutory Instrument has been drafted to support this grant scheme.

1.5 The UK Fisheries Administrations opted for a type approval process for the suppliers of electronic logbooks. The accreditation of software suppliers was undertaken independently on behalf of the UK Fisheries Administrations by the National Computer Centre. Following application from suppliers the software is assessed against the UK technical standard for electronic logbooks, this is based upon the technical annex published by the EU Commission with the UK requirements set out in “UK Fishing Vessel’s Electronic Logbook Functional Requirements Specification”. By accrediting suppliers rather than opting for one approved supplier Marine Scotland hoped to introduce more choice for vessels and competition for software suppliers. Details of the approved suppliers can be found on the Scottish Government website:

<http://www.scotland.gov.uk/Topics/marine/Sea-Fisheries/Regulation/approveduk>

1.6 Only approved products will be permitted to transmit electronic logbook data to the UK Fisheries Electronic Recording and Reporting Systems (ERS). The Electronic Logbook Software System must capture all data necessary for recording the fishing activities undertaken by a UK fishing vessel. The Electronic Logbook Software System must output the data as an XML file for transmission to the UK fisheries administrations’ ERS system. The Electronic Logbook Software System data must be validated against the UK XML/XSD before transmission from the fishing vessel. The Electronic Logbook Software System data must be transmitted at the required times set out. Each Electronic Logbook Software System data transmission will be acknowledged by a return message from the UK fisheries administrations’ ERS system.

- **Rationale for Government intervention**

1.7 Logbook data is central to the fisheries control regime. Fishing activity data is currently recorded in paper logbooks with duplicate copies posted to several different areas: the fishery office, agent and producer organisation. This is time consuming for fishers completing the paper forms, and resource intensive for Marine Scotland Compliance, which requires staff to enter the information onto its FIN database. The EU requires all vessels over 12 metres in overall length to use electronic means to record and submit fishing activity data currently recorded in a paper logbook. The introduction of electronic logbooks requires government intervention to ensure a compatible and consistent approach is adopted. Using a totally voluntary scheme would not guarantee that vessels would comply with the requirements. Moving to electronic logbooks will reduce the administrative burden for Masters of fishing vessels and costs for the Marine Scotland Compliance. Electronic Logbooks will deliver better enforcement by reducing the opportunities for misreporting. The benefits for compliance in having better data on a faster timescale will improve Marine Scotland’s policy and compliance decisions. There will be additional benefits for quota management and improvements in the quality of the data used to underpin



the science.

1.8 Marine Scotland's role is to ensure a well managed fishery, maximising the fishing opportunities for the Scottish fleet and ensuring stock sustainability for the longer term benefit of future generations. A well managed fishery contributes to sustainable economic growth and the Scottish Government's National Performance Framework. A weak fisheries control system undermines sustainable economic growth.

It will also ensure proper application of EU law and thereby avoid the risk of infraction proceedings.

## **Consultation**

- **Within Government**

2.1 As with any other Council Regulation the detailed rules were developed within an EU working group. The Scottish Government participated in those discussions with DEFRA, DARDNI and WAG. Through implementation of the Regulation and in developing the electronic systems Marine Scotland has engaged fully with procurement, legal, IT, FISS Board and Marine Scotland Compliance. A UK project board was set up and each administration established its own implementation board.

- **Public Consultation**

2.2 A public consultation was held on from 11 February to 5 May 2008 on government's proposals to implement the new European rules. Very few responses were received from the 500 consultation documents that were issued. Marine Scotland regularly updated licence holders and of fishing industry representatives throughout the discussions and drafting process of the Regulation and that transparency is hoped to be the reason for such a low response.

- **Business**

2.3 This is the most significant change to logbooks since their introduction in 1983. The obligation to report and record catches is well understood by the fleet. Indeed, the main difference with the introduction of electronic logbooks is the method of submission rather than the data items recorded. Masters, owners and skippers of vessels understand and accept that they are legally required to record and submit logbook information. All the individual vessels approached about the implementation of electronic logbooks fully appreciate the need for full compliance capability to ensure a well managed fishery. The UK is not proposing to exempt any vessel over 12 metres from submitting electronically.

2.4 The introduction of electronic logbooks is phased, starting with the larger and more profitable vessels. This BRIA therefore refers to implementation on the over 24 metre vessels, as they are currently going through the process. Marine Scotland's

direct liaison with vessels indicates that they were well aware of the new requirement and their obligations. In general industry is satisfied that government is making a contribution towards the software costs and in most instances this will cover the whole cost. To date 30 vessels have installed the electronic logbooks, there has been no resistance or reluctance to comply with the new requirements. On the whole there is a willingness for vessels to adopt electronic logbooks and a good appreciation of what they achieve.

## **Options**

**Option 1 – Do not implement the regulation, do nothing.**

**Option 2 – Implement the regulation and implement electronic logbooks**

- **Sectors and groups affected**

3.1 For the purposes of fisheries management many vessels can be classified as small businesses. The majority of businesses affected will be small or micro businesses. The measures apply to all fishing vessels over 12 metres in overall length that operate in the sea areas specified. There will be no additional impact on small/micro firms as this Order continues the current arrangements and only changes the submission method. Failure to implement these measures will result in unregulated activity which will have a negative impact of the management of sustainable stocks and the businesses that rely upon them.

- **Benefits**

3.2 **Option 1** - there are no benefits associated with this option. There is a risk that non-implementation of this EU requirement could mean that Scottish vessels would be prevented from fishing in other Member States waters, 3<sup>rd</sup> Country waters (Norway) or in certain Regional Fisheries Management Organisations (RFMO) like NEAFC or NAFO. It could also leave the UK open to infraction proceedings by the Commission. The likelihood of this risk being realised is high, since the Commission is taking a close interest in the implementation of fisheries enforcement requirements by Member States following criticism by the European Court of Auditors of Commission and Member States' controls under the CFP.

**Option 2** Implementing the proposal in full would deliver the following benefits:

Benefits to industry

3.3 There will be an annual admin burden reduction for Masters of vessels as they will no longer be required to keep a paper logbook. Although the time taken to complete the logbook electronically is currently not known with certainty, it is expected that there would be a substantial time saving when using the electronic version. Vessels will continue to be able to access fisheries in other waters and be compliant with the associated reporting rules and regulations.



## Benefits to fisheries Administrations

3.4 There will be savings from implementation of these requirements in time spent by Marine Scotland Compliance. This will allow this time to be freed up to perform other fisheries duties as the keying effort/burden reduces from automatic transmission of data by the master of the vessel. The automated inputting will reduce the number of keying errors and allow better risk assessment of the data using the automated cross-checking system. Implementing the proposal in full will ensure proper application of the Commission Regulation and thereby avoid the risk of infraction proceedings.

3.5 Marine Scotland is confident that the electronic submission of information will result in more efficient transmission of catch data. Further detail was set out in the section on rationale for government intervention.

- **Costs**

**Costs – option 1. There are no costs associated with option 1 as it does not implement the EU Regulation. However, there are potentially costs associated with any infraction proceedings that the European Union may bring against the UK and Scottish Government and infraction fines. There is an untold cost for industry if it is unable to access fisheries in other waters because of the failure to adopt electronic reporting.**

**Costs Option 2 – the costs to industry and Marine Scotland are as follows:**

### Costs to government

3.6 This is being taken forward as a UK project. Fisheries Departments have developed the necessary IT systems to receive and analyse electronic logbook data. In addition to the obligation on the fleet to use electronic logbooks there is an additional element whereby the UK must be able to exchange logbook data with other member states and those third countries that are active in Scottish waters.

3.7 The total one-off costs of developing an IT system (communication hub) to allow the recording and submission of sales notes and electronic logbook information from vessels equipped with electronic logbooks (and registered buyers and sellers) and to provide automated cross-checking of this data with other fisheries information (transshipment declarations, sales notes and VMS) will be around **£327,000** as set out in the contract with the chosen service provider. 40% of those costs will be met by Marine Scotland (£131K), 40% by Defra (£133k), 15% from Northern Ireland (£49,000) and 5% from Wales (£16K). Once the communication hub is completed the 40% Marine Scotland share of the annual running costs according to the contract between the service provider will be £24,000. The total annual fee for operational support and communications is £60,000.

vessel Type	No. of vessels	Full contribution (£2000 per unit)	Contribution required from MS (£200 per unit)	Percentage expected from EU	Financial Year
24 Metre	156	£312,000	£31,200	95%	2010-11

<i>Of which: 24 Metre with access to Norwegian waterc<sub>ress</sub></i>	80	£160,000	£16,000	95%	2010
15-24 Metre	338	£676,000	£67,600	90%?	2011-12 or accelerate to 2010-11
12-15 Metre	85	£170,000	£17,000	90%?	2011-12 or accelerate to 2010-11
10-12 Metre	144	£288,000	£28,000	90%?	To be decided. Accelerate to 2010-11
<b>TOTAL</b>	<b>579</b>	<b>£1,446,000</b>	<b>£143,800</b>	<b>90%</b>	

### Costs to industry

Scottish Ministers made a commitment to provide a contribution toward the cost of the software (a maximum of £2,000 per vessel) and a funding scheme is being developed to look at delivery of this funding. Therefore, the one-off costs to vessels of purchasing the e-logbook software will be incurred by government. .

3.8 Marine Scotland has tried to mitigate the cost to industry as possible. It has accessed funding from the European Union's New Technology for Fisheries Control which will meet between 90-95% of the costs. However, the offer of funding has been accelerated to provide for early adoption. Vessels can secure grant aid retrospectively and have until 31 March 2011 to apply for funding. For vessels under 24 metres this means an accelerated installation programme by comparison with the one set out in paragraph 1.3.

The estimated costs for electronic logbook software were £2,000 per vessel. There is the option to have additional capability but this is not being funded by Marine Scotland. Having a range of suppliers to choose from allows vessels to assesses their own needs in addition to the legal requirement and integrate the product best suited to them with their onboard IT and communication systems.

### Scottish Firms Impact Test

4.1 For the purposes of this Regulatory Impact Assessment fishing vessels are considered to be businesses. As set out in the consultation section of this BRIA, each individual vessel had one-to-one discussions with Marine Scotland during the installation. Discussions with vessel owners (around a dozen vessels) took different forms in telephone conversations and face-to-face meetings. Largely the impact focused on the process for purchasing the electronic logbook systems and the Marine Scotland funding arrangements. The requirements to complete logbooks are well understood and the move to electronic submission has been readily accepted. Scottish Ministers made a commitment to fund reasonable costs to help industry implement electronic logbooks. Industry welcomes this assistance and

acknowledges that it is a requirement that is being applied fleet wide to all 12 metre and over vessels.

### **Competition Assessment**

4.2 We do not believe that the Order will have an impact on the competitiveness of Scottish companies within the UK, or elsewhere in Europe. The obligations set out in the Order are applied equally to all over 12 metre vessels on a phased timetable. Rather than having a preferred supplier there is a range of suppliers approved which gives vessels a range of options to select from and does not limit the ability of suppliers to compete. The Order transposes an EU Regulation that the entire European fishing fleet and as such all fisheries businesses in Scotland and the rest of the UK and Europe are equally affected by the Regulation.

4.3 The Order does not reduce suppliers' incentives to compete vigorously. It will not prevent or enable the exchange of information on prices, costs, sales or outputs between suppliers.

### **Test run of business forms**

4.4 Although there is little difference between the paper and electronic logbooks this is significant change in submitting the information. To facilitate this change Marine Scotland's Marine Monitoring Centre is providing support and guidance to skippers and the suppliers of the software are providing training and guidance. In order to ensure a smooth transition to electronic logbooks, vessels continue to keep paper logbooks until the skippers are sufficiently confident with using the system. As with any change, there will be a period of education to allow new users to get to grips with the new system. Marine Scotland has also prepared detailed guidance and a helpline to assist skippers.

### **Legal Aid Impact Test**

4.5 This proposal does not alter the current legal requirements to complete and submit a logbook, it only changes the submission method. The proposals will not have any impact upon legally compliant Masters. Masters of EU fishing vessels over 10 metres are required to keep and submit logbook data, transshipment declarations and landing declarations. Persistent failure to comply with that requirement undermines the credibility of catch data and stock sustainability. It is then the responsibility of Marine Scotland Compliance to investigate whether the failure to submit sales data is because of the trafficking of "black-fish". In that event, Marine Scotland Compliance will still be able to refer cases to the COPFS for prosecution but this does not alter or undermine an individual's access to the justice system. It does, in the majority of cases, allow them to accept and pay an administrative penalty without venturing into the court system should they elect to do so. Given that the proposed changes are unlikely to result in any increase in the number of cases currently proceeding to court, the impact on legal aid, if any, will be minimal.

### **Enforcement, sanctions and monitoring**

5.1 We will be taking a pragmatic view with the transition to electronic submission as it may take Masters some time to get to grips with the software and there will be a sensible period of education. Masters have been advised to maintain a paper logbook until they have sufficient confidence that their systems are operational and that Masters are comfortable with the transmission. However, the failure to submit sales notes in one or other format will be taken very seriously and may result in a referral to the Procurator Fiscal. A conviction for failure to submit a logbook carries a maximum £50,000 fine.

### **Implementation and delivery plan**

#### **6.1 Option 1**

There is no implementation and delivery plan for Option 1.

#### **6.2 Option 2**

Marine Scotland, in conjunction with the rest of the UK Fisheries Administrations, has devised an implementation and delivery plan. This involves working closely with the approved suppliers on installation and fitting, on training of skippers. The timescales for implementation have been driven by dates set by the European Commission and Norway. There were delays with the implementation of electronic logbooks and the initial deadline of 1 January 2010 was not met: this was missed across the EU. The annual agreement with the Norwegian Government about fisheries opportunities set a deadline of 1 July for EU vessels intending to fish in Norwegian waters. Scottish vessels began installing electronic logbooks from June 2010.

6.3 As part of the delivery plan it is acknowledged that there is a need for a formal post-implementation review within 10 years of regulations coming into force

#### **Post-implementation review**

**6.4 Given the importance of logbook data the implementation of the electronic system will be carefully monitored by the ERS Project Board, FISS Board and UK Heads of Enforcement Board.**

### **Summary and recommendation**

Option 2 to implement electronic logbooks and bring in a new SSI is being recommended.

- **Summary costs and benefits table**

<b>Option</b>	<b>Total benefit per annum:</b> - economic, environmental, social	<b>Total cost per annum:</b> - economic, environmental, social - policy and administrative
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1	There are no benefits, only risks, identified with this option.	This option poses significant direct reputational and financial risk (£millions) to the Scottish Government. Also risks sustainable fish stocks, sea fisheries and the rural economies (over £443m and 5000 jobs) that depend upon them.
2	Safeguards sustainable fish stocks, sea fisheries and the rural economies through robust and efficient collection of catch data (over £443m and 5000 jobs) that depend upon them. Compliance with EU obligations under fisheries management and control	Cost of £144,000 (31 March 2011) Annual cost of £60,000

**Declaration and publication**

*"I have read the impact assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact has been assessed with the support of businesses in Scotland".*

**Signed by the responsible Minister**

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**Date** .....