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WJZ/amending the Fisheries Implementing Regulation in
connection with the imposition of a monitoring system for
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Regulation of the State Secretary for Agriculture, Fisheries, Food Security and Nature No 26823197 WJZ/amending the Fisheries Implementing Regulation in connection with the imposition of a monitoring system for shrimp fishing in coastal waters

The State Secretary for Agriculture, Fisheries, Food Security and Nature,

Having regard to Article 19(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJEU 2013, L, 354) and Article 3(1)(a) and (b) and (4) of the Maritime and Coastal Fisheries Regulations 1977;

Hereby decrees:

ARTICLE I

The Implementing regulation for maritime fisheries is amended as follows:

A

In Article 1, the full stop at the end of item gg is replaced with a semicolon and a new definition is added, reading:

hh. Blackbox system: A system complying with NTA 8390: 2025.

B

The heading of Chapter 2 now reads:

Chapter 2. Designation provisions, administrative obligations and black box system obligation.

C

A section shall be added to Chapter 2 after Article 10b, reading as follows:

§ 2.4. Black box system obligation and other obligations

Article 10c

1. The owner of a vessel shall acquire a black box system if its vessel:
 - a. has a length exceeding 9 metres;
 - b. is used to fish with demersal towed nets with a mesh size of 16 to 31 millimetres; and
 - c. is used for fishing in coastal waters, the sea area or the fishing zone up to 3 nautical miles from the Dutch coastline.
2. A person fishing with a vessel as referred to in paragraph 1 shall have a working black box system installed on board no later than 1 September 2026.

3. At the request of the Minister, the owner or the person fishing with a vessel as referred to in the first paragraph shall demonstrate that this system complies with NTA 8390: 2025. They do this using a template provided by the Minister.

4. The Minister shall use the data generated and recorded by the black box system, the email address of the person fishing with a vessel as referred to in paragraph 1 and the external registration number of a vessel as referred to in paragraph 1, for the supervision and enforcement of the provisions under or pursuant to the Fisheries Act 1963 or Article 5.1(1)(e) of the Environment Act.

5. The Minister shall also use the data referred to in the fourth paragraph in the context of the determination of the subsidy referred to in section 3.7 of the Regulation on European EZK and LNV Subsidies 2021.

6. The person fishing with a vessel as referred to in paragraph 1 shall provide the information referred to in paragraph 4 to the Minister by having it sent to a central server to be determined by the Minister.

7. The data referred to in the fourth paragraph shall be retained by the Minister for ten years.

8. Paragraphs 1 to 3 and 6 shall not apply to the person who has applied for or obtained a subsidy for the permanent cessation of fishing activities as referred to in Article 2.26.2(1) of the Regulation on national EZK and LNV subsidies.

9. An alarm system as referred to in this arrangement shall be considered as systems lawfully manufactured or marketed in another Member State of the European Union or in a State other than a Member State of the European Union, that is a party to a customs union treaty, or which are lawfully produced in a State that is a party to a free trade area treaty binding the Netherlands, and which meet the requirements providing a level of protection at least equivalent to the level pursued by NTA 8390:2025. In that case, paragraph 3 shall apply accordingly.

ARTICLE II

This order enters into force on 1 April 2026.

This Regulation and Explanatory Memorandum will be published in the Government Gazette.

The Hague,

The State Secretary for Agriculture, Fisheries, Food Security and Nature,

EXPLANATORY STATEMENT

1. Content of the regulation

1.1. Introduction

This Regulation includes an obligation for shrimp fishermen fishing in coastal waters, the fishing zone and the sea area up to 3 nautical miles¹ to have a functioning black box system on board.

Owners of fishing vessels fishing for shrimp using demersal towed nets with a mesh size of 16-31 mm shall be required to purchase the black box system and shall present proof of purchase as of 1 April 2026 upon request. In many cases, this owner will also be the fisherman who is obliged to have the black box system working on board. The obligation to have the black box system operational on board will take effect on 1 September 2026.

With the help of a black box system, digital data is collected to determine in which areas the fisherman has fished, how long is fished and for what period. These functions of the black box system are described in NTA 8390:2025 (for details, see section 1.3).

1.2. Usefulness and necessity

Making a black box system mandatory for all shrimp fishing vessels is necessary because without a black box system it is not possible to accurately identify the location of the shrimp fishermen and to determine where the vessel is fishing or sailing in, for example, an area closed to shrimp fishing or Natura 2000 area. With the new and fraud-proof black box system, the supervision and control by the enforcement bodies can be carried out more efficiently and effectively. A black box system generates and records sailing/fishing activity in near real time, and with data from a fraud-proof black box system, fewer additional physical checks by the supervisory authority are required. The black box system is more accurate than alternative enforcement systems such as Vessel Monitoring System (VMS), because it records and transmits more data. In addition to the location of the fishing vessel, these data can also be used to determine whether a vessel is fishing or not and in which direction the vessel is moving. Effective enforcement is important to safeguard the health of the marine ecosystem and to ensure the conservation of fish stocks that are important to the fishing industry, such as shrimp and (juvenile) flatfish.

The black box system with net sensors according to NTA 8390: 2025 is mandatory for shrimp fishers and not for other types of fisheries taking place in the Dutch coastal zone. The reason for this is that for other types of fisheries, it is sufficient to observe a difference between fishing and sailing based on speed and, where applicable, another type of black box system is also prescribed in the natural permit. However, in shrimp fishing, speed is a less accurate factor in determining the difference between fishing and sailing, because both sailing and fishing take place at similar speeds. For effective and accurate enforcement, it is necessary to be able to observe the difference between fishing and boating.

Prescribing a black box system is necessary because in certain areas and during certain periods, it is prohibited for fishermen to fish under the fisheries regulations. One example is Article 11 of the Fisheries Implementing Regulation (hereinafter: the Implementing Regulation), under which it is prohibited to fish in the area indicated in Annex 3 to this Regulation. This control contributes to the conservation of fish stocks on which the Minister may lay down rules pursuant to Article 3(1)(b) of the Rules of Procedure. In the context of fish stock conservation, the black box system can also be used to monitor compliance with the ban on carrying out Natura 2000 activities without an environmental permit. After all, the ban on carrying out Natura 2000 activities without an environmental permit may be more difficult to enforce if the black box system is only included as an

¹ The coastal waters and the sea area are defined in the Decree on the designation of the sea area and coastal waters.

obligation in the nature permit based on the Environment Act (hereinafter: nature permit), because this ban also requires the supervision of shrimp fishermen without a nature permit. Making a black box system mandatory in this regulation therefore prevents fishermen without a nature permit, who are therefore not required by the nature permit to have a black box system on board, from fishing undetected in the Natura 2000 areas.

1.3. Elaboration and design of the scheme

In order to establish clear conditions for the black box system, the NEN (Royal Netherlands Standardisation Institute) has drawn up a Dutch Technical Agreement (NTA) entitled 'Black box for shrimp fishing – Method based on radio beacons' (NTA 8390:2025). This standard can be found on the website of the Royal Netherlands Standardization Institute ² and is made available to fishermen free of charge. By using a NEN standard, the fraud resistance of the black box system can be guaranteed.

In order to demonstrate that the black box system complies with NTA 8390:2025, the fisherman or the owner of the vessel shall, upon request, be able to provide a self-declaration from the supplier of the black box system installed on board. With this declaration, the supplier, who was involved in the development of the NTA standard, declares that the system complies with NTA 8390:2025. This declaration consists of a completed format made available by the Netherlands Enterprise Agency (RVO). This declaration shall also be requested if the fisherman participates in the subsidy referred to in section 3.7 of the Regulation on European EZK and LNV Subsidies 2021 (hereinafter: the subsidy scheme).

The data from the black box must be sent to a central server designated by the Minister. The central server to be determined by the Minister is necessary in order to convert the data generated and recorded by the black box into data that is accessible and usable for monitoring purposes. By collecting and analysing this data within a single system, it is possible to identify whether a fisherman is in violation of the rules. The data organised in the central server will not be mixed with logbook data because linking these data is not necessary for monitoring and enforcement. The fisherman concerned may at any time consult his own data within the central server. During a transitional period, the central server must be managed by a market participant for technical reasons. After the transition period, the management will be taken over by the Minister. The system and the temporary operator of the central server were chosen on the basis of discussions with the economic operators of this type of system and a bidding process in which several parties were invited to submit an offer. Given the threshold amounts for tendering, neither the central server nor its management are subject to the obligation to follow a tendering procedure.

This Regulation distinguishes between two obligations, the obligation to acquire a black box system and the obligation to have a black box system working on board. A separate obligation to procure the black box system has been included to ensure its timely procurement. After the purchase, it is expected that it will take up to six months until the black box system is produced and can be installed on board. In addition, due to the limited sales market, production of this system will only start after sufficient orders have been received. It is therefore important that the owner of a shrimp fishing vessel purchases the black box system in good time.

The obligation to purchase a black box system is limited to the owners of vessels used to fish with fishing gear suitable for catching shrimps. The obligation to purchase a black box system applies to the owner of a fishing vessel because it is

² <https://www.nen.nl/nta-8390-2025-nl-331078>

a system that must be installed on his vessel. This obligation is specifically limited to fishing vessels used to fish with demersal towed nets with a mesh size of 16 to 31 millimetres. The obligation is limited to the trawl nets mentioned, because these trawl nets are used for bottom fishing. This specifically concerns demersal trawls because smelt fishermen, who are not subject to this obligation, use pelagic trawls with a similar mesh size. Shrimps may also be caught with passive fishing gear. This is still being investigated. With these gears, the difference between boating and fishing is not relevant because these gears are continuously in the water. The black box system is aimed at measuring the difference between boating and fishing. Fishermen using only these passive gears will therefore not have to have a black box system on board. By limiting this obligation to vessels that use the aforementioned trawl nets, the obligation is future-proof.

Another limitation is that the obligation only applies to vessels larger than 9 metres in length because the black box system is not yet suitable for installation on smaller vessels. This concerns a maximum of 10 vessels. This exception is proportionate and without significant impact on enforcement. This is because the enforcement and control of this small group of small vessels is also possible by other means (for example by physical observation or mobile VMS equipment). Furthermore, within the group of shrimp fishermen, this is a relatively small group.

The obligations to acquire and keep on board a black box system do not apply to a fisherman or owner of a vessel who has submitted an application under the 'Temporary Subsidy Scheme for the Remediation of Shrimp Fishing' ('the Remediation Scheme') or who has obtained a subsidy under the aforementioned Remediation Scheme. After all, this concerns fishermen who are obliged to have their fishing vessel scrapped on the basis of the remediation scheme. It is therefore not necessary to install a black box system on these fishing vessels. In this case, an exception is included in paragraph 8. This provides that the exemption from the obligation to purchase and install the black box system does not apply to the person who has applied for or obtained a subsidy under the remediation scheme. If, on the basis of the restructuring scheme, a subsidy application is withdrawn or rejected, or a subsidy is set at zero, this exception shall no longer apply to the vessel, fisherman or owner concerned. In such cases, the obligation to acquire and retain on board a functioning black box system shall apply.

The obligation to have a working black box system on board is included in Chapter 2 as a separate obligation. It is not a prohibition because this regulation does not concern the prohibition of a fishing activity.

Furthermore, it has not been decided to include this obligation in the licence to carry out shrimp fishing pursuant to Article 70 (1) of the Implementing Regulation. In order to ensure effective enforcement, the obligation to have a functioning black box system on board should apply to all shrimp fishermen in coastal waters. This includes shrimp fishers fishing exclusively on the Westerschelde and Oosterschelde-Oost. Fishing for shrimp in these waters is subject to an exemption (under certain conditions) pursuant to Articles 21 and 43(1) of the Implementing Regulation.

The obligation is therefore included in a new section in the Implementing Regulation. There are currently no other obligations in preparation.

1.4. Relationship with other regulations

This regulation is based on Articles 3(1)(a) and (b) and 3(4) of the 1977 Sea and Coastal Fisheries Rules (hereinafter: the Rules). It is explained below that the obligations and powers arising from this regulation derive from a power granted on

the basis of an EU regulation, as referred to in Article 3(1)(a) of the Rules. In addition, this Regulation is also a requirement for compliance with rules for the protection of fish stocks as referred to in Article 3(1)(b) and (4) of the Rules. This is because requiring a black box allows greater supervision of compliance with prohibitions under fisheries legislation for fishing in certain areas and during certain periods (as explained above). These prohibitions are also intended to protect fish stocks.

Pursuant to Article 19(1) of Regulation (EU) No 1380/2013 ('the basic regulation')³, Member States have the power to adopt national measures that contribute to the conservation of fishery resources. These measures can only apply to Dutch fishing vessels under this paragraph, they must be no less stringent than EU law and they must be compatible with the objectives of the CFP set out in Article 2 of the basic regulation. These conditions have been met. The obligations to have a functioning black box system on board and to provide the data from this black box system, as well as the authority to use this data, are necessary to monitor compliance with fisheries regulations and the prohibition on carrying out Natura 2000 activities without an environmental permit. An important objective of fisheries regulation is the conservation of fish stocks. The aforementioned obligation aims to protect nature, including fish stocks. A black box system contributes to the control of compliance with fisheries regulations and thus to the conservation of fish stocks. The latter is an important objective of the CFP. The obligation only applies to Dutch fishing vessels and Belgian fishing vessels, which are permitted to fish in Dutch coastal waters, the fishing zone or the sea area up to 3 nautical miles under the Benelux Treaty.⁴ It follows from the Benelux Treaty that Belgian fishing vessels are equivalent to Dutch fishing vessels within the meaning of the basic regulation.

The revision of the Control Regulation means that, from 10 January 2028, rules will be laid down on the continuous measurement of the engine power of fishing vessels. It is expected that the black box prescribed by this Regulation can be adapted to meet the conditions set out in the amended Control Regulation.

The requirement that a black box must comply with NTA 8390:2025 may restrict the free movement of goods, as referred to in Article 34 of the Treaty on the Functioning of the European Union (hereinafter: TFEU). This restriction on free movement is justified because it is necessary for the protection of the health and life of animals, as referred to in Article 36 TFEU. As explained earlier, a black box system contributes to the conservation of fish stocks and it is necessary to prescribe this system. It is necessary for effective control and enforcement of rules that aim to protect fish stocks because alternative systems record less accurate data used for such control and enforcement. For these reasons, the restriction on free movement resulting from this regulation is justified.

The restriction on free movement is less severe because a provision on mutual recognition has been included in the proposed Article 10c(9). This provision means that any company can supply a black box system, provided that it has been manufactured in accordance with national technical regulations that are at least equivalent to the aforementioned NTA standard. Equivalence means, among other

³ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJEU, L 354).

⁴ Treaty establishing the Benelux Economic Union, Article 2(2)(b) in conjunction with Article 61.

things, that it must be possible to provide the data registered by the system to Dutch enforcement authorities.

1.5. Data processing

The main objective of the obligation to have a black box system on board is to improve the monitoring and enforcement of shrimp fishing. In view of this objective, the following personal data are processed: the skipper's email address, vessel identification data, location information of the vessel (geographical position), fishing activities (fishing and sailing) and detection of malicious or sabotage activities on the black box system. This is the minimum set of (personal) data necessary for the purposes of supervision and enforcement to ascertain whether an offence is being committed and by whom and to enable the skipper to be alerted when the skipper may be committing an offence.

This data is stored in the black box and provided by the fisherman and owner to the Minister of LNVN by sending it, or having it sent by the manufacturer of the black box, to a central server to be determined by the Minister. This central server is further explained in section 1.3 and will be the same as the central server currently in use, the Fisheries Monitor. In the Fisheries Monitor, the data from the black box is organized, translated into concrete data about time and place, and these data can be consulted. The data in this system are compared with entered regulatory-based limit values. When a limit value is exceeded, a signal shall be sent to the relevant enforcement authorities (depending on the context) and to the shipmaster himself. It is then up to the enforcement authority to follow up on this report and assess whether an offence has actually been committed.

There is no automatic decision-making based on the personal data processed in the Fisheries Monitor at any time.

Data may also be exported for the purpose of improving supervision and enforcement. The data may also be used (further processed) to determine the subsidy for the purchase or update of a black box system. A basis for this has been included in these Regulations. In practice, the Netherlands Food and Consumer Product Safety Authority (NVWA) provides these data to the RVO, so that the RVO can determine the subsidy on behalf of the Minister. The NVWA has access to the Fisheries Monitor and supervises the timely purchase and operation of the black box system. The information provided can be used to verify whether the subsidy recipient has carried out the eligible activity by installing and operating a black box system on board.

Data is pseudonymised and archived three years after processing, after which only limited access is possible. The data shall be archived because it concerns archive documents as referred to in the Archives Act. The three-year period is based on the minimum period for which VMS data must be retained pursuant to Article 27(2) of Implementing Regulation (EU) No 404/2011. Since a black box system registers data that are comparable in application to VMS data, the same timeframe is used in this regulation. If the fisherman holds a natural licence for shrimp fishing, the data shall be pseudonymised and archived seven years after processing. The reason for this is that the data must be available for longer in order to be able to correctly monitor the number of ecological fishing hours made in Natura 2000 areas. Each year, the nature permit allows a maximum number of ecological fishing hours per Natura 2000 area that shrimp fishermen can use collectively. During seven years, any exceedances or undercuts in ecological fishing hours may be compensated, as long as the total ecological fishing hours made in those seven years does not exceed seven times the annual number. In order to properly monitor this, data must be available for inspection in the Fisheries Monitor for seven years, with it being important to know which fishermen had a natural licence in those years. The pseudonymised and archived data will be deleted ten

years after processing. This time limit is in line with the time limits which, according to the Minister's archiving policy, are applied to data collected as a result of inspections or checks.

The following parties are involved in the data processing: the boatmaster, as a data subject and provider of the personal data; the Inspector-General of the NVWA, who, on behalf of the Minister of LNV, is the controller for the consultation and use of those data for monitoring and enforcement; and the Director of Fisheries and Large Waters (part of the Directorate-General for Nature and Fisheries) of the Ministry of LNV, who, on behalf of the Minister of LNV, is the controller for the collection and retention of data in the Fisheries Monitor and, insofar as the Waddenunit and the Nature Licensing Team that are part of the Directorate-General are concerned, the consultation and use of those data for monitoring and enforcement.

The two main risks associated with data processing are: 1) unauthorised persons gain access to personal data due to incorrect entry of contact or authorisation details; and 2) unauthorised persons gain access to personal data due to software or security errors. These risks are mitigated by minimising the storage of personal data, and by ensuring that the software supplier meets (state) quality and security requirements set out in the bidding procedure for the system, the Fisheries Monitor. The likelihood of these risks occurring is therefore assessed as low. Moreover, the impact of such an event remains limited and is therefore estimated to be low. Only the location of the vessel and the skipper concerned of the 'near real-time' information in the Fisheries Monitor, could be considered sensitive. However, vessel locations are already required to be public via the AIS system. The Fisheries Monitor does not contain any new information regarding sensitive data. A shipmaster shall also have other equipment on board to determine the geographical position and course of navigation. There is therefore no risk that unauthorised persons could, if they had been granted access to the Fisheries Monitor, use the Fisheries Monitor to manipulate the geographical information on the basis of which the skipper operates. Other information from the Fisheries Monitor, such as the difference between the fishing/farming activity or the detection of molest on the black box system, is not sensitive information which, when unauthorised persons have access to the information, leads to a direct risk to the skipper and/or crew.

Personal data is processed pursuant to this Regulation. Therefore, a Data Privacy Impact Assessment (DPIA) has been carried out. On the basis of the DPIA, the regulatory text was submitted to the Data Protection Authority (DPA) for its opinion. The recommendation of the AP is to better substantiate the retention period of the personal data processed. In response to this, the retention period has been further substantiated in the explanatory notes.

2. Regulatory burden and administrative costs

This Regulation imposes a limited administrative burden on the fisherman. For the acquisition of the black box system, an owner of a Dutch fishing vessel could use a subsidy scheme that fully covers the acquisition costs. The fisherman himself has to pay for the installation of the black box system. It is estimated that this amounts to approximately 1000 EUR. The obligation does not lead to other costs per average company for separate subgroups (e.g. SMEs and large companies); therefore, this distinction has not been made here either. If a fisherman is not eligible for the subsidy, for instance because it is the owner of a Belgian fishing

vessel, the purchase cost of a black box system is expected to be around 10,000 EUR.

Most Dutch and Belgian shrimp fishers fishing in Dutch waters are already required to have a black box system on board because this was also prescribed in the tolerance decision for shrimp fishing in Natura 2000 coastal areas. The black box system in accordance with NTA 8390:2025 is also prescribed in the new nature permit for shrimp fishers. In addition, shrimp fishers are bound by the Vibeg and VisWad agreements, which prescribe a similar black box system (albeit without radio beacons). The new system is merely a supplement to what most shrimp fishermen have already installed on board. Most shrimp fishers therefore already have an agreement with a supplier. In those cases where a black box is already on board, it is conceivable that a software update from the current black box may be sufficient; in that case, only the radio beacons should be acquired new. The (subsidised) purchase amount and the installation amount will then be lower.

The technical and practical feasibility of the proposed black box system was tested in a field trial involving shrimp fishermen. Although the focus was on the functioning of the net sensors and radio beacons, the practical test showed that the black box system was practically workable for individual fishermen and did not hinder them in their regular fishing activities. According to the Advisory Board for the Assessment of Regulatory Pressure (ATR), the regulatory burden has been sufficiently mapped. The ATR has not selected this case for a formal opinion because it does not have a significant impact on regulatory burden.

3. Implementation and enforcement

The NVWA and Waddenunit enforce Fisheries Regulations, the Waddenunit specifically in the Waddenzee. The Wadden Unit is part of the Ministry of Agriculture, Nature and Food Quality. Both authorities may use the data from the black box to enforce Fisheries Regulations. It has therefore been stipulated that the data from the black box will be sent to the Minister for LNVN. Both the NVWA and the Waddenunit are subordinate to the Minister for LNVN.

For this Regulation, the NVWA has carried out an Enforcement, Feasibility and Fraud Resistance Test (HUF test). This test shows that this Regulation is enforceable and practicable. According to the NVWA, there is no need for an expansion of capacity in order to implement this Regulation.

4. Consultation

Stakeholders (supervisors and the fisheries sector) are involved during the process of testing the black box system and following the process to come to regulation. In addition, an internet consultation took place. The online consultation produced 4 responses. Inquiries were made about interference from the black box system with other navigation/radio equipment. The use of the NTA 8390: 2025 ensures that there will be no interference of the black box system with other navigation/radio equipment, because the NTA refers to official standards with which the system has to comply in this respect.

It was also asked about the periodic inspection and maintenance of the black box system; and the fraud-proofing of the system. As regards the periodic inspection and maintenance of the black box system, there are no specific requirements imposed by the authorities. However, NTA 8390:2025 does include several requirements to ensure that the black box system itself recognises deviations in its functioning and emits an alarm signal to that effect. This informs the regulators

that the black box system is not functioning correctly. The supervisor can then enforce this because the fisherman must have a working black box system on board. The fraud sensitivity of the black box system is estimated to be very low on the basis of research and of the practical test. Various measures have been taken to prevent, for example, manipulation (for example by spoofing) of the GPS signal.

It has also been noted that the NTA 8390:2025 refers in one place to an outdated standard (NEN-EN 50102, which has been replaced by NEN-EN-IEC 62262:2002). This concerns an editorial error in the NTA 8390:2025, which does not affect the content of the NTA. Indeed, the specific element referred to is the same in both the current and the outdated standard. If an NTA 8390:2025 amendment round takes place in the future, this will be included.

The internet consultation raised questions about the added value of the black box system compared to other control and enforcement systems, such as increasing the VMS frequency and traceability rules. The added value of the black box system has already been explained in section 1.2. of the Explanatory Memorandum. The system mainly focuses on being able to accurately detect a difference between fishing and boating activities because the black box system registers when the gear is underwater for a long time. This is particularly important for enforcing fishing regulations in areas closed to fishing, which are often open to navigation. The black box system therefore provides additional tools for effective supervision and enforcement.

In addition, it has been argued that the proposed amendment to the Fisheries Implementing Regulation may lead to disproportionate and unequal treatment of foreign vessels because the system is technically only available in the Netherlands and there is certification of only Dutch systems. These are specifically Belgian fishing vessels authorised under the Benelux Treaty to fish in the waters covered by the obligation. However, there is no certification of one or more Dutch systems. The NTA 8390:2025 only describes the technical requirements that a system must meet. Thus, in principle (in line with the principle of mutual recognition), it is possible for any supplier, regardless of the country where the company is established, to offer a system as long as it meets requirements equivalent to the aforementioned NTA standard and as long as the supplier declares this (see Article 10c(3) and (9)).

The responses to the internet consultation did not lead to any changes in the regulatory text, with the exception of some clarifications in the explanatory memorandum.

5. Notification of a technical regulation

PM Include the process and outcome of the notification here.

6. Entry into force and Fixed Change Moments (FCM)

This Regulation comes into force on 1 January 2026. This deviates from the principle that publication must take place no later than two months before entry into force. This is justified on the basis of Instruction 4.17, paragraph 5, part a, because postponement could lead to significant undesirable consequences. The black box system is important in the context of the enforcement of fisheries regulations. Furthermore, the proposed content of this regulation was already announced in April 2025 in a letter to the Dutch shrimp sector. Consultations with the Belgian sector were initiated in March 2025 to announce the proposed content of this scheme. Prior to the process of amending the Fisheries Implementing

Regulation, a practical trial with several black box systems took place in 2023 and 2024, in which Dutch producer organisations and some participating shrimp fishermen were closely involved. The Dutch shrimp sector has also been involved in the development of NTA 8390:2025.

The Hague,

The State Secretary for Agriculture, Fisheries, Food Security and Nature,