

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

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Pursuant to Article 1020, paragraph 1, indent 2 of the Maritime Code (Official Gazette 181/2004), the Government of the Republic of Croatia, at its session on 5 April 2006, adopted the following

REGULATION

ON REQUIRMENTS FOR ARRIVAL AND STAY OF FOREIGN YACHTS AND BOATS INTENDED FOR SPORT AND RECREATION PURPOSES IN INTERNAL WATERS AND TERRITORIAL SEA OF THE REPUBLIC OF CROATIA

Article 1

This Regulation lays down the requirements for arrival and stay of foreign yachts and boats in internal waters and territorial sea of the Republic of Croatia, for recreational purposes, tourist cruising, participation in sports competitions or nautical fairs.

Article 2

The terms used in this Regulation have the following meanings:

- a craft is the boat or yacht of foreign nationality;
- a master of the craft is a person who operates the craft and is responsible for its safety and lawful use;
- a vignette is a label proving the reporting of arrival, the compliance with requirements for navigation in the Republic of Croatia, and the payment of navigational safety fee, light dues and information chart;
- navigation in the Republic of Croatia is navigation in internal waters and territorial sea of the Republic of Croatia, with the exception of innocent passage through the territorial sea;
- a craft not provided with facility for longer stay aboard is a craft with no beds aboard.

Article 3

The craft referred to in Article 1 of this Regulation may not operate passenger transport service in the Republic of Croatia for a fee, or carry out commercial activity. Crafts referred to in Article 1 of this Regulation must, on the occasion of navigation in internal waters and territorial sea of the Republic of Croatia, comply with statutory rules of navigation as well as with other laws of the Republic of Croatia regulating the safety of navigation and protection of the sea against pollution, as well as with customs regulations.

I ARRIVAL, STAY OF FOREIGN CRAFTS IN THE REPUBLIC OF CROATIA

Article 4

Master of the craft entering the Republic of Croatia by sea, shall use the shortest route to call at the nearest port open to international traffic in order to undergo border control and carry out the following:

- obtain a vignette;
- endorse the crew and passenger list or the list of persons in the harbourmaster's office or branch office.

Article 5

Master of the craft transported into the Republic of Croatia by land or tended to in the port or at some other approved place in the Republic of Croatia shall prior to commence a journey undertake the following:

- obtain a vignette;
- endorse the crew and passenger list or the list of persons in the harbourmaster's office or branch office.

Article 6

There is no obligation of producing a crew and passenger list for crafts not provided with facility for longer stay on board.

II VIGNETTE

Article 7

A craft must be marked with a vignette in a conspicuous place.

A vignette is mandatory for any craft whose length is 3 metres and above as well as for any craft whose length is less than 3 metres and propulsion gear power totals 5 kW or above.

A vignette is not mandatory for rowing boats, regardless of their length (e.g. kayak, canoe, pedalo, etc.).

A vignette is not mandatory for a craft while tended to in the port or at some other approved place in the Republic of Croatia.

The validity of a vignette shall be one year as from the date of issue thereof, whereby a single vignette only may be issued annually per craft.

A vignette is issued by harbourmaster's office or branch office.

On the occasion of issuing vignette, the harbourmaster's office or branch office must check whether the craft and the crew comply with the requirements for navigation in the Republic of Croatia.

On board the vessel where vignette is mandatory, the vignette slip must be affixed to the list of persons referred to in Article 8 of this Regulation.

A model of the vignette is provided in Annex 1 which constitutes an integral part of this Regulation.

III LIST OF PERSONS

Article 8

The master of the craft on board on which the persons will permute while navigating in the Republic of Croatia must procure a list of persons in the harbourmaster's office or branch office.

A list of persons is a name list of persons who may throughout the validity of the vignette stay and navigate on board the craft referred to under Article 1 of the Regulation, and is produced on the model provided in Annex 2 which constitutes an integral part of this Regulation.

A list of persons is endorsed by a vignette slip.

The total number of persons indicated on the List of persons must not exceed twice the capacity augmented by 30% of craft's unit capacity.

Children under 12 years of age are not entered on the list of persons referred to under paragraph 2 of this Article, and they are not included in the number of persons which may board the craft during navigation in internal waters and territorial sea of the Republic of Croatia.

The capacity of a craft referred to under paragraph 4 of this Article shall be determined in accordance with craft certificates, and insofar as the craft capacity is not indicated in craft certificates, it will be determined pursuant to the Ordinance on boats and yachts and the Rules for statutory certification of boats and yachts.

Persons staying on board a craft during stay of the craft in port or at the anchorage shall not be entered on the list.

The List of persons may be procured on the occasion of obtaining a vignette or afterwards upon crew shift change in inland waters and territorial sea of the Republic of Croatia. The list of persons may also be completed consecutively, but no later than upon embarkation on the craft of each individual person.

If the List of persons is completed consecutively, it is endorsed in the harbourmaster's office or branch office on the occasion of each completion.

Should in course of inspection and control be ascertained that on board the craft referred to under paragraph 1 of this Article there is a person not entered on the List of persons or the List of persons has not been endorsed by the part of vignette, or it is not available, it shall be deemed that the craft operates cabotage service.

Article 9

The following documents in original must be available on board the craft navigating in the Republic of Croatia:

- a vignette;
- an endorsed crew and passenger list (except for the craft referred to under Article 6 of this Regulation) and/or endorsed list of persons staying on board the craft (in respect of crafts dealt with by Article 8 of this Regulation);
- evidence of seaworthiness of the craft;
- evidence that a person in command of the craft has competency to operate the craft, pursuant to national legislation of the state whose flag it flies, or pursuant to legislation of the Republic of Croatia
- evidence of insured liability for claims to third persons;
- proof of ownership or power of attorney for using the craft.

Crafts obliged to provide a list of persons on board need not to provide a crew and passenger list except on the occasion of entering and leaving internal waters and territorial sea of the Republic of Croatia.

IV. DEPARTURE OF A CRAFT FROM THE REPUBLIC OF CROATIA

Article 10

A master of the craft must prior to leaving the Republic of Croatia undertake the following:

- undergo border control and
 - endorse a crew and passenger list in the harbourmaster's office or branch office.
- Upon fulfilling the obligations referred to under paragraph 1 of this Article, the master of the craft must leave internal waters and territorial sea of the Republic of Croatia using the shortest route.

V STAYING WITH THE PURPOSE OF PARTICIPATION IN SPORTS COMPETITIONS OR NAUTICAL FAIRS

Article 11

A craft taking part in sports competitions or entering the Republic of Croatia to be exhibited at a nautical fair, needs not to be provided with a vignette, on condition that the organiser of the sports competition or nautical fair has reported the craft to the competent harbourmaster's office no later than 5 days prior to the start of a competition or fair.

Derogation referred to in paragraph 1 of this Article refers to crafts exhibited at a nautical fair and not intended for navigation in the Republic of Croatia.

The organizer of a sports competition shall be obliged to submit, appended to the registration form, a list of persons to be on board the craft.

VI INSPECTION AND CONTROL

Article 12

Control over implementation of this Regulation shall be carried out by navigational safety inspectors as well as by the persons authorized to exercise inspection and control of the safety of navigation, persons authorized to exercise customs control, as well as the police.

Should a person referred to under paragraph 1 of this Article ascertain that a craft or master is not complying with requirements referred to in this Regulation, he/she will prohibit navigation of the said craft pending remediation of the shortcoming ascertained.

Should the shortcoming not be remediable within a reasonable period, and the craft has entered the Republic of Croatia by sea, a person referred to under paragraph 1 of this Article shall order the craft to leave internal waters and territorial sea of the Republic of Croatia.

Apart from the measures referred to in paragraph 2 and 3 of this Article, the persons referred to under paragraph 1 of this Article shall initiate an infringement procedure and pronounce other measures envisaged by law.

VII TRANSITIONAL AND FINAL PROVISIONS

Article 13

Reports of arrival and stay of foreign yachts and boats in internal waters and territorial sea of the Republic of Croatia secured prior to entering of this Regulation in force shall remain in force throughout the validity thereof.

Where pursuant to national laws of a state whose flag a craft is flying, a person operating a craft does not need to have competency for operating, he/she must procure appropriate certificate of competency, pursuant to the laws of the Republic of Croatia.

Article 14

On the date of the entry into force of this Regulation, the Regulation on requirements for arrival and stay of foreign yachts and boats intended for sport and recreation purposes in internal waters and territorial sea of the Republic of Croatia (Official Gazette 2/2005 and 34/2005) shall cease to have effect.

Article 15

This Regulation shall enter into force on the eighth day after the day of its publication in the Official Gazette.

Class: 342-01/06-01/02

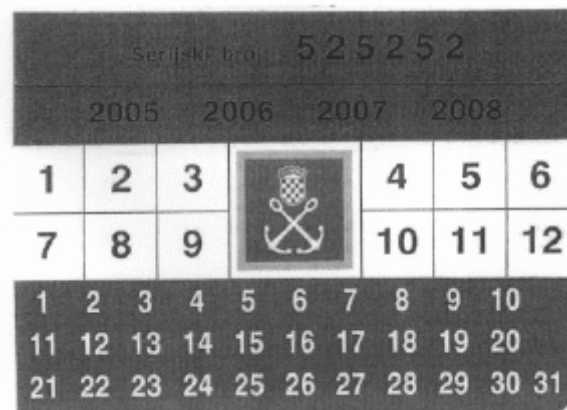
No: 5030114-06-1

Zagreb, 5 April 2006

Vice Prime Minister
and Minister for the Family, Veterans' Affairs
and Intergenerational Solidarity
Jadranka Kosor, LL.B., m.p.

ANNEX 1

Model 1



ANNEX 2

Model 2

POPIS OSOBA
LIST OF PERSONS

VINJETA/*Vignette*

RED. BROJ No.	IME I PREZIME Name and surname	MJESTO, DRŽAVA I DATUM ROĐENJA Place, contry and date of birth	DRŽAVLJANSTVO Nationality	VRSTA I BROJ ISPRAVE O IDENTI- TETU Type and number of identity document	DATUM PRIJAVE OSOBE Date of registration of person
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ZAPOVJEDNIK/SKIPPER

(potpis/signature)