

GUIDELINES
FOR REGISTRATION IN THE CROATIAN REGISTER OF YACHTS AND BOAT RECORD BOOKS

I. In compliance with Article 1030 of the Croatian Maritime Code (Official Gazette, No.181/04), chartering operations in the territorial sea and internal sea waters of the Republic of Croatia involving a foreign yacht or boat, which on the date of entry into force of the Maritime Code herein holds a valid charter licence, may be continued until no later than 30th June 2005, on the condition that:

1. the owner or operator of the craft has submitted an application for entering his yacht or boat into the Register of Yachts or Boat Record Book.

The application for registry shall be submitted on a special form, i.e. **Form CH 1** (Obrazac CH 1), to be attached to the Guidelines herein. The entry of the yacht into the register shall be made with the harbourmasters' office having jurisdiction over the area of the head-office of the physical or legal person owning the yacht or with the harbourmasters' office where the yacht predominantly stays. The entry of boats into the register shall be made with the harbourmasters' office or its branch offices having jurisdiction over the area of the head-office of the physical or legal person owning the boat or the harbourmasters' office or its branch offices, where the boat predominantly stays.

2. the owner or operator of the craft has been duly registered for conducting the subject chartering operations in the Republic of Croatia.

The application for entry into the register may be made by the owner or operator of the craft. However, in compliance with Article 9, Paragraph 4 of the Croatian Maritime Code, prior to the date of passing the decision on the final entry into the register, the owner of the craft shall have been entered as a Croatian physical or legal person registered for conducting the subject business operations, also satisfying the requirements stipulated by a separate regulation.

3. the application is accompanied by the following:

3.1. Licence for Temporary Conduct of Chartering Operations

The licence referred to in Paragraph 3.1. shall be issued by the Ministry and shall be valid for a period of no longer than 30th September 2005. It shall be issued against the payment of a fee. The amount of the fee shall be regulated by the Minister in his Decree on the Licence Fee for Chartering Yachts and Boats. The amount of the licence fee is shown in **Attachment CH 2** which shall be an integrated part of these Guidelines. The Licence may be applied for by the owner or operator of a foreign yacht or boat, holding a valid charter licence. The Licence Fee for Temporary Chartering of Yachts and Boats shall be payable in favour of the State Budget of the Republic of Croatia, account No.: 1001005-1863000160. When filling out the money order form, number '65' shall be entered in the model box whereas number '7005-051-1087' shall be entered in the main box named 'poziv na broj odobrenja' («Reference Number - Credit Booking»).

3.2. Proof of ownership of the craft

The following can be submitted as proof of ownership of the craft: contract of sale, leasing contract, statement from an earlier register. All the documents (public or private) shall have the force of a proprietary document.

3.3. Evidence of deletion of the craft from the foreign register, in cases where the craft was entered into a foreign register.

If, at the time of submitting the application, the owner of the craft is not in a position to secure evidence of deletion (Deletion Certificate), he may, instead, submit the application for deletion, certified by a notary public, but shall be bound to submit the Deletion Certificate by the date of the final settlement of registration, which shall occur no later than 30th September 2005.

3.4. Certificate of Technical Specifications of the craft, accompanied with a certificate that the craft is technically acceptable for entry into the Croatian register or boat record book.

Where the floating craft bears the mark CE or a certificate issued by the competent administration or classification society as specified in **Attachment CH 3** of these Guidelines, the aforesaid document shall be acceptable on condition that the harbourmasters' office or its branch office carries out the basic survey inspection equivalent to the survey that was conducted at the time when the Chartering Application was submitted prior to the entry into force of the Maritime Code herein.

Within a period of one year as of the date of registry, the basic survey shall be carried out with the object of establishing the seaworthiness of the boat, in accordance with the Boat and Yacht Regulations as well as the the relevant Technical Rules.

The basic boat survey (for craft up to 12 metres in length) shall be carried out by the harbourmasters' office or its branch office whereas the basic yacht survey (for craft larger than 12 metres in length) shall be carried out by the Croatian Register of Shipping. If the craft does not carry all the aforesaid documents issued by a comepent body, the Croatian Register of Shipping shall examine the documents and the survey report of the craft with a view to ascertain compliance with the technical requirements for entry into a Croatian register or boat record book.

3.5. Yacht Name Certificate

The name certificate must be obtained for yachts (i.e. craft larger than 12 metres in length) whereas it is not required for boats. The Yacht Name Certificate shall be granted by the Ministry. The application form for obtaining the yacht name certificate is shown in **Attachment CH 4** of the Guidelines herein.

3.6. Certificate against liability for damage caused to third persons

The insurance policy is not required for craft with a propulsion unit output smaller than 15 kW.

3.7. Evidence of payment effected as compensation for entry of a yacht or boat into the register of yachts or a boat record book . The amout of the compensation fee is shown in the **Attachment CH 5**.

The Yacht and Boat Compensation Fee shall be payable in favour of the beneficiary, i.e. State Budget of the Republic of Croatia, acc. No.: 1001005-1863000160. When filling out the money order form, number '65' shall be entered in the model box whereas number '7005-043-1087' shall be entered in the main box named 'poziv na broj odobrenja' («Reference Number - Credit Booking»).

3.8. Custom Declaration relative to the Temporary Import of the floating craft

II. On the basis of the application as referred to in Paragraph I. of this Instruction, a harbourmasters' office or its branch office shall issue the certificate of pre-emption entry for the yacht or boat.

III. The craft referred to in Paraphraph II. herein shall have the right and duty to fly the flag of the Republic of Croatia and is, consequently, not required to obtain the vignette.

IV. When, in addition to the documents referred to in Paragraph I.3, the boat or yacht owner submits the Deletion Certificate, certificate of custom clearance, and evidence that the value added tax has been paid, the harbourmasters' office shall conduct the final stage of the registry procedure and issue the Yacht Certificate of Registry or the Boat Sailing Licence respectively.

V. Should, by 30th September 2005, the boat or yacht owner fail to submit the Deletion Certificate, certificate of custom clearance/examination, and the payment of tax, the harbourmasters' office or its branch office shall issue the certificate of cancellation of the pre-emption entry for the yacht or boat.