



INSTRUCTIONS FOR CHARTER COMPANIES INTENDING TO CARRY OUT CHARTERING OF FOREIGN YACHTS AND BOATS

- PROVISION OF ACCOMODATION SERVICES ON YACHTS AND BOATS -

Zagreb, June 2014

Charter companies which, according to the provisions of the Ordinance on the conditions for the chartering of vessels with or without crew and the provision of accommodation services on board (Official Gazette no. 99/13), intend to **provide accommodation services on board of foreign vessels** have the following obligations, depending on the vessel's flag:

A) EU FLAG

Along with the written [request](#) for the granting of the right to use the central database (Annex 1) and data submitted according to the provision of Article 9 paragraph 2 of the Ordinance, within the meaning of the regulation of technical requirements, they are required to submit evidence that the yacht or boat satisfies the statutory requirements, at least those for yachts flying the flag of the Republic of Croatia (Regulation on statutory certification of boats and yachts):

1. FOR BOATS AND YACHTS OF UP TO 24 METERS HULL LENGTH:

- registration sheet/traffic licence or another equivalent document;
- if this document does not contain one of the following details: vessel's name or identification, country and registration port, maximum allowed number of persons which can be transported on board, vessel length and data on the owner of the vessel, it is necessary to submit other documentation in evidence of the requested data (e.g. declaration of conformity etc.);
- a record or report of the most recent technical inspection of the vessel, which must not be older than 12 months, specifying the location, date, extent and results of the inspection, as well as who performed it;,,
- proof of payment in the amount of HRK 200.00 for boats; HRK 350.00 for yachts of up to 24 meters in length; to the bank account number HR1210010051863000160, with the transaction code HR64 7005-1087-444 and designation "*Inspection of documentation and equipment of 'Name or identification of yacht/boat'*".

2. YACHTS OF OVER 24 METERS HULL LENGTH:

- registration sheet or certificate issued by the maritime administration of the flag state;
- a record or report of the most recent technical inspection of the vessel, which must not be older than 12 months, specifying the location, date, extent and results of the inspection, as well as who performed it;
- proof of payment in the amount of HRK 500.00 for yachts of over 24 meters hull length, to the bank account number HR1210010051863000160, with the transaction code HR64 7005-1087-444 and designation "*Inspection of documentation and equipment of 'Name or identification of yacht/boat'*";
- class certificate issued by a classification society recognised pursuant to Regulation (EC) No. 391/2009;
- the following statutory certificates:
 - International Tonnage Certificate 1969 (TMC69);

- International Load Line Certificate, 1966.

3. YACHTS OF A GROSS TONNAGE OVER OR EQUAL TO 300:

The following document is required, in addition to the ones specified under item 2:

- International Cargo Ship Safety Radio Certificate.

4. YACHTS OF A GROSS TONNAGE OVER OR EQUAL TO 400:

The following documents are required, in addition to the ones specified under item 3:

- International Oil Pollution Prevention Certificate;
- Engine International Air Pollution Prevention Certificate for each propulsion or auxiliary engine whose strength exceeds 130 kW, while an Engine International Air Pollution Prevention Certificate must also be issued for the yacht, for economic purposes;
- International Anti-fouling System Certificate;
- International Sewage Pollution Prevention Certificate – issued also for yachts whose gross tonnage is under 400 if they carry more than 15 persons on board.

5. YACHTS OF A GROSS TONNAGE OVER OR EQUAL TO 500:

The following documents are required, in addition to the ones specified under item 3:

- International Cargo Ship Safety Construction Certificate;
- International Cargo Ship Safety Equipment Certificate;
- Safety Management Certificate;
- International Ship Security Certificate.

While carrying out chartering yachts are authorized to transport 12 passengers, except in cases when the flag state reported to the International Maritime Organization (IMO) the "equivalent arrangement" in accordance with the SOLAS 74 Convention, ILLC 66 Convention and STCW 78 Convention, as amended and pursuant to chapter 1, part A, rule 5 of the SOLAS Convention, and if such "equivalent arrangement" is accepted by IMO and is published in the form of the Circular on their website.

If the authorization to carry more than 12 passengers is requested, along with the written request for the granting of the right to use the central database, charter companies are also required to provide the IMO's Circular for yacht's flag state.

A vessel owned by a natural person who does not carry out a business activity can be chartered solely on the basis of a lease contract. The contract does not have to be delivered to the Ministry, but must be registered with the competent Tax Administration office and kept in the business premises of the charter company.

If it is not clear from the delivered documentation on the basis of which statutory rules the required statutory certificates were issued, the Ministry will request from the applicant to submit additional information and, if necessary, the statutory rules.

INSPECTION OF DOCUMENTATION AND EQUIPMENT

Following the receipt of all necessary documentation, the Ministry will:

1. establish whether the documentation and the extent of the technical inspection comply with the requirements for the vessel with the same technical characteristics flying the Croatian flag;
2. determine the authorised person which will establish, by way of inspection, whether the vessel's equipment complies with the Rules for the statutory certification of yachts and boats and whether the condition of the equipment following servicing corresponds to the data in the submitted documents.
As a rule, the inspection will be carried out no later than prior to the commencement of the provision of charter services from the first Croatian port of departure. The exact time and place of the inspection will be arranged with the charter company.
3. If all the technical prerequisites are met, a certificate/record of performed technical inspection of a yacht/boat will be issued to the vessel for economic purposes and will be valid for a year.

If not otherwise indicated in the request, in cases when the navigation area of a yacht or boat stated in the documents of the flag state does not correspond to the navigation areas determined for Croatian yachts and boats, the following equipment requirements apply:

- a) for yachts of over 24 meters in length - equipment for navigation area I;
- b) for boats and yachts of up to 24 meters in length - equipment for navigation area IIa.

If the technical inspection of a foreign vessel was not carried out by the maritime administration of its flag state or an organisation authorised by that administration, the inspection can be carried out in the Republic of Croatia by the following authorities:

1. the port authority or a local office of the port authority on whose area the boat is located - for boats;
2. the Croatian Register of Shipping as a recognised organisation - for yachts.

B) THIRD COUNTRY FLAG

Charter services can also be provided using yachts flying the flag of a third country, whose hull length is over 40 meters, if they possess a cabotage permit.

The hull length of a yacht is the distance between the utmost points on the stern and the bow of the integral part of the hull, measured in parallel with the waterline when the yacht is stocked to the full and under maximum permissible load.

The cabotage permit is issued following the submission of a request by a charter company or maritime agent to the Ministry of Maritime Affairs, Transport and Infrastructure, with the following documents enclosed:

1. the relevant documentation indicated in part A) EU FLAG;
2. proof of payment of the administrative fee in the amount of HRK 1,875.00 according to tariff number 38 under paragraph 3 of the Act on Administrative Fees (Official Gazette, no. 8/96, 77/96, 95/97, 131/97, 68/98, 66/99, 145/99, 30/00, 116/00, 163/03, 17/04, 110/04, 141/04, 150/05, 153/05, 129/06, 117/07, 25/08, 60/08, 20/10 and 69/10, 49/11, 126/11, 112/12, 19/13 and 80/13). The fee is paid to the bank account number HR1210010051863000160, with the transaction code HR64 5002-1087-454 and designation "*Cabotage certificate for yacht 'Name of yacht'*".

The cabotage permit is valid for no longer than a year.

The maximum number of permits to be issued in 2014 is 159.

After the cabotage permit is issued, the inspection of the equipment will be carried out in the same manner as the one determined for yachts flying an EU flag.

(Name and surname or title of the applicant)

**MINISTRY OF MARITIME AFFAIRS,
TRANSPORT AND INFRASTRUCTURE
Zagreb, Prisavlje 14
Fax: 01 6169 069, 01 6169 084**

**REQUEST FOR GRANTING OF THE RIGHT TO USE THE CENTRAL
DATABASE FOR THE REGISTRATION OF THE CREW AND
PASSENGER LISTS OF CHARTER VESSELS**

We wish to request the granting of the right to use the central database and the password to use the application for the registration of the Crew and Passenger List, according to the provisions of the Ordinance on the conditions for the chartering of vessels with or without crew and the provision of accommodation services on board (OG no. 99/13).

Address of the charter company headquarters:

Personal identification number of the charter company:

Name and surname of the responsible person:

Name and surname of the person responsible for safety:

E-mail address:

Telephone number:

Name and surname of the person/s carrying out the registration:

List of yachts (indicate names) and/or boats (indicate identification):

(Place and date of submission of request)

(Signature/seal of applicant)

The following must be attached to the request:

- a copy of a valid traffic licence (for boats);
- a copy of a valid registration sheet (for yachts).