

TRANSITIONAL PROVISIONS ON BOAT'S AND YACHT'S REGISTRATION

Article 1030

(1) Within a period of six months of the entry into force of the Maritime Code herein, registers of yachts shall be established.

(2) Within a period of six months of the entry into force of the Maritime Code herein, the Croatian Register of Ships shall pass the Technical Rules concerning yachts and boats.

(3) Within a period of one year of the date when the register of ships was established, owners of passenger boats and pleasure craft entered in the same register of ships, which are to be classified as yachts, pursuant to Article 5, Section 1, Paragraph 20 of this Code, shall apply for the entry of their floating craft in the register of yachts.

(4) Within a period of five years of the date when the register of ships was established, owners of passenger boats and pleasure craft entered in the Boat Record Book, which are to be classified as yachts pursuant to Article 5, Section 1, Paragraph 20 of this Code, shall apply for the entry of their craft in the register of yachts.

(5) Within a period of one year following the date of the establishment of the register of yachts, owners of ships/yachts entered in the registers of ships, which are to be classified as yachts pursuant to Article 5, Section 1, Paragraph 20 of this Code, shall apply for the entry of their respective floating craft in the register of yachts.

(6) The chartering operations involving foreign yachts or boats, for which a charter licence had been issued, permitting the chartering operations involving foreign flag yachts and boats in the territorial sea and internal sea waters of the Republic of Croatia, pursuant to the Decree on the Conditions for Entry and Stay of Foreign Sport and Pleasure Craft in the Territorial Sea and Internal Sea Waters of the Republic of Croatia («Official Gazette», Nos. 16/01., 118/01. and 45/04.), may be continued until the expiry of the validity of such charter licence.

(7) The chartering operations in the territorial sea and internal sea waters of the Republic of Croatia involving a foreign yacht or boat holding a valid charter licence as specified in Section 6 of this Article may be continued until no later than 30th June 2005, on the condition that:

- the owner or operator of the floating craft is registered for conducting the respective business operations in the Republic of Croatia;
- no later than the expiry date of the validity of the charter licence the owner of the floating craft submits an application for entry in the Croatian register or boat record book, and that payment of the required register fee has been effected;
- the owner or operator of the floating craft has obtained the Licence for Temporary Conduct of **Business / Chartering Operations**.

(8) The Licence for Temporary Conduct of **Business / Chartering** Operations shall be issued by the (authorized) Ministry and shall be valid for a period not exceeding 30th September 2005, provided that the floating craft is seaworthy as required by the national regulations of the country whose flag the floating craft is flying. The aforesaid Licence shall be issued upon the payment of a fee, the amount of which shall be determined by the Minister. During the period of validity of such licence the respective floating craft may operate under temporary import status.

(9) With the entry application under Section 7 of this Article, the owner of the floating craft shall enclose the following:

- certificate proving ownership of the floating craft

- certificate proving the cancellation of the floating craft from a foreign register, in the case the floating craft had been entered in a foreign register
- certificate of technical specifications of the floating craft, accompanied with a certificate proving that the floating craft is technically acceptable for entry in the Croatian register or boat record book;
- certificate of yacht name;
- certificate of insurance against liability for damage caused to third persons
- Photocopy of the Licence specified in Section 8 of this Article.

(10) On the basis of the entry application referred to in Section 7 of this Article the harbourmaster's office or branch office shall make an appropriate pre-emption entry.

(11) If, upon the expiry of the Licence under Section 8 of this Article, the owner of the floating craft specified in Section 7 of this Article fails to provide the harbourmaster's office or branch-office with the evidence proving that the requirements of Section 9, Para 4 of this Code have been complied with, including also the provision of the evidence that the final custom clearance has been completed and that the relevant tax authorities have been satisfied, the authorized harbourmaster's office or its branch-office shall carry out the procedure of cancellation of the floating craft from the register or the record book.

(12) Until the establishment of the register of yachts and the passing of the Technical Rules under Section 2 of this Article, the provisions of the Boat Rule Book («Official Gazette» Nos. 8/94., 77/01. and 8/02.) and appropriate Technical Rules issued by the Croatian Register of Ships shall apply in determining a yacht's or boat's seaworthiness, whereas the registry of yachts shall be regulated by the provisions of the Maritime Code herein.