

# MINISTRY OF MARITIME AFFAIRS, TRANSPORT AND INFRASTRUCTURE

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Pursuant to Article 64, paragraph 1, point 3 of the Act on Amendments of Maritime Code (Official Gazette, No. 61/2011) and Article 24, paragraph 1, and in connection with Articles 64a and 75a of the Maritime Code (Official Gazette, Nos. 181/2004, 76/2007, 146/2008, 61/2011 and 56/2013), the Minister of Maritime Affairs, Transport and Infrastructures hereby issues the following

## ORDINANCE

### ON SAFETY OF MARITIME TRANSPORT IN INTERNAL WATERS AND TERRITORIAL SEA OF THE REPUBLIC OF CROATIA AND ON THE MANNER AND CONDITIONS OF VESSEL TRAFFIC MANAGEMENT AND INFORMATION

#### Part I GENERAL PROVISIONS

*Harmonisation with legal acts of the European Union*

#### Article 1

This Ordinance transposes into the legislation of the Republic of Croatia the following directives:

- Directive 2002/59/EC of European Parliament and Deliberates of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5. 8. 2002);
- Directive 2009/17/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system (OJ L 131, 28. 5. 2009);
- Commission Directive 2011/15/EU of 23 February 2011 amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system (OJ L 49, 24. 2. 2011)

#### Article 2

(1) This Ordinance prescribes regulations for preventing collisions at sea, signals and marks, reporting system for vessels and maritime structures and maritime transport safety conditions to be applied by masters, crew members, persons operating boats or yachts and crew members of boats or yachts, and masters of seaplanes in internal waters and territorial sea of the

Republic of Croatia, as well as methods and conditions of vessel traffic management and information.

(2) When specifically mentioned in the provisions of this Ordinance, particular provisions apply to the master and crew members of vessels and maritime structures of Croatian nationality, regardless of the navigation area.

(3) Provisions of this Ordinance referring to vessels or maritime structures shall be applied by masters, crew members, persons operating boats or yachts and crew members of boats or yachts, and masters of seaplanes on sea, unless provisions of this Ordinance state otherwise.

### Article 3

For the purposes of this Ordinance, the following terms shall have the following meanings:

1. *SOLAS Convention* is the International Convention for the Safety of Life at Sea, 1974, with all subsequent amendments ("Official Gazette – International Agreements", Nos. 1/1992, 13/1999.),

2. *IMO Resolution A.851(20)* is the Resolution 851(20) of the International Maritime Organisation entitled "General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants";

3. *Master* means the person operating the vessel;

4. *Port managing authority* means the port authority or concession holder for special purpose ports;

5. *Port area* means the area of the port as established in accordance with special regulations;

6. *Harbourmaster's office* means the competent harbourmaster's office or harbourmaster's branch office;

7. *Estimated time of arrival of a vessel at port* (hereinafter: ETA) means the estimated time of arrival of a vessel to the pilot station to the position of (coastal or) port pilotage, to the berth or anchorage, whichever occurs sooner.

8. *Actual time of arrival of a vessel at port* (hereinafter: ATA) means the time when a vessel drops its anchor at anchorage, veers out anchor cable and puts out anchor buoys, and confirms via radio station the anchoring time and position, i.e. the time of arrival of the vessel to the pilot station, if the vessel calls to port with the aid of a pilot chart or, if the vessel calls to port without a pilot chart, the time of stay at the approved berth, whichever occurs sooner.

9. *Estimated time of departure of a vessel from port* (hereinafter: ETD) means the estimated time of departure of a vessel for the pilot station to the position of (coastal or) port pilotage, departure of a vessel from the berth or anchorage, whichever occurs sooner.

10. *Actual time of departure of a ship from port* (hereinafter: ATD) means the time at which the vessel raises the anchor at anchorage, and confirms via radio station the time of departure, or the time of unberthing from the approved berth, whichever occurs later.

11. *The vessel/port interface* means the interaction which occurs when the ship is directly and immediately affected by actions involving the movement of persons or goods or provision of port services on or from the vessel.

12. *Vessel at anchorage* means a vessel in port area, or another area under port jurisdiction, but not at berth, which has an established ship/port connection.

13. *Maritime liner service* means a series of frequent journeys of a vessel between two or more ports according to the sailing list approved based on special regulations which define maritime transport service.

14. *Harmful substances* means substances specified by a regulation which defines handling, loading, unloading and transport of harmful substances in vessel traffic.

15. *Pollutants* means substances specified by a regulation which defines handling, loading, unloading and transport of harmful substances in vessel traffic.

16. *The Ministry* means the ministry responsible for maritime affairs.

17. *The minister* means the minister of the ministry responsible for maritime affairs.

## Part II REGULATIONS FOR PREVENTING COLLISIONS

### Title I General provisions

#### Article 4

(1) Provisions of this Part of the Ordinance shall apply on vessels and maritime structures of Croatian nationality, regardless of the navigation area.

(2) Provisions of this Part of the Ordinance shall apply in internal waters and territorial sea, unless stated otherwise in provisions of this Ordinance and special regulations.

(3) For warships and vessels proceeding under convoy, and fishing vessels engaged in group fishing, the Ministry can prescribe by a special decision additional navigation or signal lights, signs or sound signals which have to be such that, as far as is possible, they cannot be replaced by any light, sign or signal prescribed in this Part of the Ordinance.

#### Article 5

(1) Nothing in this Part of the Ordinance shall exonerate any vessel or maritime structure or the owner, master or crew thereof, from the consequences of any neglect to comply with this Part of the Ordinance, or of the neglect of any precaution which may be required by ordinary practice of seamen, or by the special circumstances of the case.

(2) In special circumstances, for the purpose of avoidance of imminent risk of collision, in case of limited possibilities, a vessel can depart from provisions in this Part of the Ordinance.

## Article 6

### *General definitions*

Specific words and expressions used in this Part of the Ordinance, unless stated otherwise in a particular Article, shall have the following meanings:

1. "*Vessel*" means any type of watercraft, including non-displacement vessels, WIGs and seaplanes, used or capable of being used as a means of transportation on the water;
2. "*Power-driven vessel*" means any vessel having an engine as the principal means of propulsion;
3. "*Sailing vessel*" means any vessel under sail, provided that propelling machinery, if fitted, is not being used;
4. "*Vessel engaged in fishing*" means any vessel fishing with nets, lines, dragnets (trawls) or other fishing equipment which restricts manoeuvrability, but does not include a vessel fishing with trolling lines or other fishing equipment which does not restrict manoeuvrability;
5. "*Seaplane*" means any aircraft designed to manoeuvre on water;
6. "*Vessel not under command*" means a vessel which through some exceptional circumstance is unable to manoeuvre as required by provisions of this Part of the Ordinance;
7. "*Vessel restricted in its ability to manoeuvre*" means a vessel which from the nature of its work is unable to manoeuvre as required by provisions of this Part of the Ordinance, and is therefore unable to keep out of the way of another vessel. The term "vessels restricted in their ability to manoeuvre" shall include but not be limited to:
  - a) a vessel engaged in laying, servicing or picking up a navigation mark, submarine cable or pipeline,
  - b) a vessel engaged in dredging, surveying or underwater operations,
  - c) a vessel engaged in replenishment or transferring persons, provisions or cargo while underway,
  - d) a vessel engaged in the launching or recovery of aircraft,
  - e) a vessel engaged in mine clearance operations,
  - f) a vessel engaged in a towing operation such as severely restricts the towing vessel and its tow in their ability to deviate from their course;

8. "*Vessel constrained by its draught*" means a power-driven vessel which, because of its draught in relation to the available depth and width of navigable water, is severely restricted in its ability to deviate from the course it is following;

9. "*Underway*" means that a vessel is not at anchor, or made fast to the shore, or aground;

10. "*Length*" and "*breadth*" of a vessel mean its length overall and greatest breadth;

11. Vessels shall be deemed to be "*in sight of one another*" only when one can be observed visually from the other;

12. "*Restricted visibility*" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes.

13. "*Wing-in-Ground (WIG)*" means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilizing surface-effect action.

## **Title II** **Steering and sailing rules**

### Chapter 1 Conduct of vessels in any condition of visibility

#### Article 7

#### *Application*

Rules in this Chapter apply in any condition of visibility.

#### Article 8

#### *Investigation*

Every vessel shall at all times maintain a proper look-out by sight and hearing, as well as by all available means appropriate in the prevailing circumstances and conditions, so as to make a full appraisal of the situation and of the risk of collision.

#### Article 9

#### *Safe speed*

(1) Every vessel shall at all times proceed at a safe speed so that it can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions; in determining a safe speed the following factors shall be among those taken into account:

1. By all vessels:

a) the state of visibility,

- b) the traffic density including concentrations of fishing vessels or any other vessels,
  - c) the manoeuvrability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions,
  - d) the presence of background light at night, such as from shore lights or from back scatter of its own lights,
  - e) the state of wind, sea and current, and the proximity of navigational hazards,
  - f) the draught in relation to the available depth of water;
2. Additionally, by vessels with operational radar:
- a) the characteristics, efficiency and limitations of the radar equipment,
  - b) any constraints imposed by the radar range scale in use,
  - c) the effect on radar detection of the sea state, weather and other sources of interference,
  - d) the possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range,
  - e) the number, location and movement of vessels detected by radar,
  - f) the more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

## Article 10

### *Risk of collision*

- (1) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt, such risk shall be deemed to exist.
- (2) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning, to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.
- (3) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.
- (4) In determining if risk of collision exists, the following considerations shall be among those taken into account:
  - a) such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change,

b) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

## Article 11

### *Action to avoid collision*

(1) Any action taken to avoid collision shall be taken in accordance with the rules of this Title and shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.

(2) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar. A succession of small alterations of course and/or speed should be avoided.

(3) If there is sufficient sea-room, alteration of course alone may be the most effective action to avoid a close-quarters situation, provided that it is made in good time, is substantial and does not result in another close-quarters situation.

(4) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.

(5) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken its speed or take all way off by stopping or reversing its means of propulsion.

(6) A vessel which, by any of the rules of this Ordinance, is required not to impede the passage or safe passage of another vessel shall, when required by the circumstances of the case, take early action to allow sufficient sea-room for the safe passage of the other vessel.

(7) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by the rules of this Title.

(8) A vessel the passage of which is not to be impeded remains fully obliged to comply with the rules of this Title when the two vessels are approaching one another so as to involve risk of collision.

## Article 12

### *Narrow channels*

(1) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on its starboard side as is safe and practicable.

(2) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.

(3) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(4) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Article 37 paragraph 4 of this Part of the Ordinance if in doubt as to the intention of the crossing vessel.

(5) In a narrow channel or fairway, when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate its intention by sounding the appropriate signal prescribed in Article 37 paragraph 3 point a) of this Part of the Ordinance.

(6) The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Article 37 paragraph 3 point b) of this Part of the Ordinance and take steps to permit safe passing. If in doubt, it may sound the signals prescribed in Article 37 paragraph 4 of this Part of the Ordinance.

(7) This Article does not relieve the overtaking vessel of its obligation under Article 16 of this Part of the Ordinance.

(8) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Article 37 paragraph 5 of this Part of the Ordinance.

(9) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

## Article 13

### *Traffic separation schemes*

(1) A vessel using a traffic separation scheme adopted by International Maritime Organisation (IMO) or established in accordance with special regulations shall:

a) proceed in the appropriate traffic lane in the general direction of traffic flow for that lane,

b) so far as practicable, keep clear of a traffic separation line or separation zone,

c) normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(2) A vessel shall, so far as practicable, avoid crossing traffic lanes but, if obliged to do so, shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.



(3) A vessel shall not use an inshore traffic zone when it can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 metres in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.

(4) Notwithstanding paragraph 4 of this Article, a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger.

(5) A vessel, other than a crossing vessel or a vessel joining or leaving a lane, shall not normally enter a separation zone or cross a separation line, except:

a) in cases of emergency to avoid immediate danger,

b) to engage in fishing within a separation zone.

(6) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.

(7) A vessel shall, so far as practicable, avoid anchoring in a traffic separation scheme or in areas near its terminations.

(8) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

(9) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(10) A vessel of less than 20 metres in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

(11) A vessel restricted in its ability to manoeuvre when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this Article to the extent necessary to carry out the operation.

(12) A vessel restricted in its ability to manoeuvre when engaged in an operation for the laying, servicing or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this Article to the extent necessary to carry out the operation.

(13) Provisions of this Article do not release any vessel from its obligations under any other Article of this Part of the Ordinance.

## Chapter 2

### Conduct of vessels in sight of one another

#### Article 14

#### *Application*

Rules in this Chapter apply to vessels in sight of one another.

## Article 15

### *Sailing vessels*

(1) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

a) when each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other,

b) when both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward,

c) if a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, it shall keep out of the way of the other.

(2) For the purposes of this Article, the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

## Article 16

### *Overtaking*

(1) Notwithstanding anything contained in the Chapters 1 and 2, Title II of this Part of the Ordinance, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

(2) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft its beam, that is, in such a position with reference to the vessel it is overtaking, that at night it would be able to see only the stern light of that vessel but neither of its sidelights.

(3) When a vessel is in any doubt as to whether it is overtaking another, it shall assume that this is the case and act accordingly.

(4) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel, within the meaning of the provisions of this Part of the Ordinance, or relieve it of the duty of keeping clear of the overtaken vessel until it is finally past and clear.

## Article 17

### *Head-on situation*

(1) When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision, each shall alter its course to starboard so that each shall pass on the port side of the other.

(2) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead, and by night it would see the mast head lights of the other in a line or nearly in a line and/or both sidelights, and by day it observes the corresponding aspect of the other vessel.

(3) When a vessel is in any doubt as to whether such a situation exists, it shall assume that it does exist and act accordingly.

## Article 18

### *Crossing situation*

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on its own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

## Article 19

### *Action by give-way vessel*

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

## Article 20

### *Action by stand-on vessel*

(1) When, based on this Part of the Ordinance, one of two vessels is required to keep out of the way of the other vessel, the other vessel shall keep its course and speed unchanged.

(2) The latter vessel may, however, take action to avoid collision by its manoeuvre alone, as soon as it becomes apparent to it that the vessel required to keep out of the way is not taking appropriate action in compliance with this Part of the Ordinance.

(3) When, from any cause, the vessel required to keep its course and speed finds itself so close that collision cannot be avoided by the action of the give-way vessel alone, it shall take such action as will best aid to avoid collision.

(4) A power-driven vessel which takes action in a crossing situation in accordance with paragraph 2 of this Article to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on its own port side.

(5) This Article does not relieve the give-way vessel of its obligation to keep out of the way.

## Article 21

### *Responsibilities between vessels*

(1) Except where Articles 12, 13 and 16 of this part of the Ordinance otherwise require:

1. A power-driven vessel underway shall keep out of the way of:

- a) a vessel not under command,
- b) a vessel restricted in its ability to manoeuvre,
- c) a vessel engaged in fishing,
- d) a sailing vessel;

2. A sailing vessel underway shall keep out of the way of:

- a) a vessel not under command,
- b) a vessel restricted in its ability to manoeuvre,
- c) a vessel engaged in fishing;

3. A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:

- a) a vessel not under command,
- b) a vessel restricted in its ability to manoeuvre.

(2) Any vessel other than a vessel not under command or a vessel restricted in its ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding safe passage of a vessel constrained by its draught, exhibiting the signals in accordance with the provisions of Article 31 of this part of the Ordinance.

(3) A vessel constrained by its draught shall navigate with particular caution, paying full regard to its special condition.

(4) A seaplane on the water shall in general keep well clear of all vessels and avoid impeding their navigation. However, when there is risk of collision, the seaplane shall behave in accordance with the provisions in the Articles of this Title.

(5) A WIG craft shall, when taking off, landing, and in flight near the surface, keep well clear of all other vessels and avoid impeding their navigation.

(6) A WIG craft operating on the water surface shall comply with the provisions in the Articles of this Title as a power-driven vessel.

### Chapter 3 Conduct of vessels in restricted visibility

#### Article 22

#### *Conduct of vessels in restricted visibility*

(1) The provisions of this Article shall apply to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(2) Every vessel shall proceed at a safe speed, adjusted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have its engines ready for immediate manoeuvre.

(3) Every vessel shall have due regard to the circumstances and the conditions of restricted visibility when complying with the provisions of the Articles of Chapter 1 of this Title.

(4) A vessel which detects by radar alone the presence of another vessel shall determine whether a close-quarters situation is developing and/or risk of collision exists. If so, the vessel shall make timely avoiding actions. If that action includes an alteration of course, it shall avoid so far as possible:

a) an alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken,

b) an alteration of course towards a vessel abeam or abaft the beam.

(5) Every vessel that hears a fog sound signal from another vessel forward of her beam, or a vessel that cannot avoid a close-quarters situation with another vessel forward of its beam shall decelerate to the minimum at which it can be kept on its course, except when it is determined that there is no risk of collision. If necessary, it shall take all her way off and in any event navigate with extreme caution until the danger of collision is over.

### **Title III. Lights and shapes**

#### Article 23

##### *Application*

(1) The rules of this Title shall be complied with in all weathers.

(2) The provisions in the Articles of this Title related to lights shall be applied from sunset to sunrise and during such times no other lights shall be exhibited, unless such lights as cannot be mistaken for the lights specified in this part of the Ordinance or impair their visibility or distinctive characteristics and don't interfere with the keeping of a proper look-out.

(3) The lights prescribed by this part of the Ordinance shall, if arranged, also be exhibited from sunset to sunrise in restricted visibility and in all other circumstances when it is deemed necessary.

(4) The provisions in the Articles of this Title concerning shapes shall be complied with by day.

(5) The lights and shapes mentioned in this part of the Ordinance shall comply with the provisions of Technical requirements for statutory certification of vessels and maritime structures.

#### Article 24

## *Definitions*

The expressions used in this Title of the Ordinance shall have the following meanings:

1. "*Masthead light*" means a white light showing an unbroken light over an arc of the horizon of 225°, placed over the fore and aft centreline of the vessel and fixed so as to show the light from the right ahead to 22,5° abaft the beam on either side of the vessel.
2. "*Sidelights*" means a green light on the starboard side and a red light on the port side, each showing an unbroken light in an arc of the horizon of 112,5° and so fixed as to see the light from the right ahead to 22,5°, abaft the beam on the vessel side in question. Vessels of less than 20 meters in length may have the light in one lantern carried on the fore and aft centreline of the vessel.
3. "*Sternlight*" means a white light showing an unbroken light of 135° degrees, set as close as practicable to the stern and fastened so that the light can be seen at 67,5° from right aft on each side of the vessel.
4. "*Towing light*" means a yellow light with the same characteristics as "sternlight", prescribed by paragraph 3 of this Article.
5. "*All-round light*" means a light showing an unbroken light over an arc of the horizon of 360°.
6. "*Flashing light*" means a light flashing at regular intervals at a frequency of 120 flashes or more per minute.

## Article 25

### *Visibility of lights*

Lights prescribed by the provisions of this Article shall have the intensity as specified in Technical requirements for the statutory certification of vessels and maritime structures so as to be visible at the following minimum ranges:

1. in vessels of 50 meters or more in length:
  - masthead light – 6 miles,
  - sidelight – 3 miles,
  - sternlight – 3 miles,
  - towing light – 3 miles,
  - white, red, green or yellow all-round light – 3 miles;
2. in vessels of 12 metres or more in length but less than 50 meters in length:
  - masthead light – 5 miles, and for vessels under 20 meters in length – 3 miles,

- sidelight – 2 miles,
- sternlight – 2 miles,
- towing light – 2 miles,
- white, red, green or yellow all-round light – 2 miles;

3. in vessels of less than 12 meters in length:

- masthead light – 2 miles,
- sidelight – 1 mile,
- sternlight – 2 miles,
- towing light – 2 miles,
- white, red, green or yellow all-round light – 2 miles;

4. in inconspicuous, partly submerged vessels or objects being towed:

- white all-round light – 3 miles.

## Article 26

### *Power-driven vessels underway*

(1) A power-driven vessel underway shall exhibit:

- a) masthead light forward,
- b) another masthead light abaft of and higher than the forward one; a vessel under 50 meters shall not be obliged to exhibit such light but may do so,
- c) sidelights,
- d) sternlight.

(2) An air-cushion vessel when operating in the non-displacement mode shall, in addition to the light prescribed in paragraph 1 of this Article, exhibit an all-round yellow flashing light.

(3) A WIG craft only when taking-off, landing and in flight near the surface shall, in addition to the light prescribed by paragraph 1 of this Article, exhibit a high intensity all-round flashing red light.

(4) A power-driven vessel of less than 12 meters in length may in lieu of the lights prescribed in paragraph 1 of this Article, exhibit a white all-round light and sidelights.

(5) A power-driven vessel of less than 7 meters in length whose maximum speed does not exceed 7 knots may in lieu of lights prescribed in paragraph 1 of this Article, exhibit an all-round white light and shall, if practicable, also exhibit sidelights.

(6) A masthead light or white all-round light on a power-driven vessel of less than 12 meters in length may be displaced from the fore and aft centre line of the vessel if centreline fitting is not practicable, provided that the sidelights are combined in one lantern set on the fore and aft centre line or located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light

## Article 27

### *Towing and pushing*

(1) A power-driven vessel when towing shall exhibit:

a) instead of the light prescribed in Article 26, paragraph 1, point a) or point b) of this part of the Ordinance, two masthead lights in a vertical line; when the length of the tow, measured from the stern of the towing vessel to the after end of the tow exceeds 200 meters, three such lights in a vertical line,

b) sidelights,

c) sternlight,

d) towing light in a vertical line above the sternlight,

e) when the length of the tow exceeds 200 meters, a diamond signal shape shall be placed where it can best be seen.

(2) If the pushing vessel and the vessel being pushed are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in Article 26 of this part of the Ordinance.

(3) A power-driven vessel shall exhibit the following when pushing ahead or towing alongside, except when it is part of a composite unit:

a) instead of the light prescribed in Article 26, paragraph 1, point a) or point b) of this part of the Ordinance - two masthead lights in a vertical line,

b) sidelights,

c) sternlight.

(4) A power-driven vessel to which paragraphs 1 and 3 of this Article apply shall also comply with Article 26, paragraph 1, point b) of this part of the Ordinance.

(5) A vessel or object being towed, other than those mentioned in paragraph 7 of this Article, shall exhibit:



a) sidelights,

b) sternlight,

c) when the length of the tow exceeds 200 metres - a diamond shape where it can best be seen.

(6) If any number of vessels are towed sideways or pushed in a group, they shall be lighted as one vessel:

a) a vessel being pushed ahead, not being part of the composite unit, shall exhibit at the forward end sidelights,

b) a vessel being towed alongside shall exhibit a sternlight and at the forward end sidelights.

(7) An inconspicuous, partially submerged vessel or object, or a combination of such vessels or objects, shall exhibit:

a) if it is less than 25 meters in breadth, one all-round white light at or near the forward end and one such light at or near the after end, except that dracones (plastic liquid cylinders, so called "sausages") need not exhibit a light at or near the forward end,

b) if it is 25 meters or more in breadth, two additional all-round white lights at or near the extremities of its breadth,

c) if it exceeds 100 meters in length, additional all-round white lights between the lights prescribed in points a) and b) of this paragraph so that the distance between the lights shall not exceed 100 meters,

d) a diamond shape at or near the aftermost extremity of the last vessel or object of the tow, and if the length of the tow exceeds 200 meters, another diamond shape shall be set where it can best be seen and if possible, located as far forward as practicable.

(8) If it is, for any justified reasons, impossible for the towed vessel or object to have lights or signs prescribed in paragraphs 5 and 7 of this Article, all measures shall be undertaken to light up the towed vessel or object or at least to indicate the presence of such a vessel or object.

(9) If for any justified reasons it is not possible for a vessel not usually in towing operations to exhibit lights prescribed in paragraphs 1 and 3 of this Article, that vessel is not required to exhibit those lights when towing a vessel in danger or in another emergency. All necessary measures shall be undertaken to warn about the nature of the relation between the towing vessel and the vessel towed, as allowed per the provision of Article 9 of this part of the Ordinance - special lighting of the towline.

## Article 28

### *Sailing vessels underway and vessels under oars*

(1) A sailing vessel underway shall exhibit:

a) sidelights,

b) sternlight.

(2) In a sailing vessel of less than 20 metres in length the lights prescribed in paragraph 1 of this Article may be combined in one lantern carried at or near the top of the mast where it can best be seen.

(3) A sailing vessel underway, in addition to the lights prescribed in paragraph 1 of this Article, may exhibit at the top or near the top of the mast where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green; these lights shall not be exhibited in conjunction with the combined lantern allowed by paragraph 2 of this Article.

(4) A sailing vessel of less than 7 meters in length shall, if practicable, exhibit the lights prescribed in paragraphs 1 or 2 of this Article, but if it does not, it shall keep ready at hand an electric torch or a lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(5) A vessel under oars may exhibit prescribed in the provisions of this Article for sailing vessels, but if it does not, it shall keep ready at hand an electric torch or lighted lantern that shall be exhibited in sufficient time to prevent collision.

(6) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downwards.

## Article 29

### *Fishing vessels*

(1) A vessel engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed in this Article.

(2) A vessel when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit:

a) two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other,

b) a masthead light abaft of and higher than the all-round green light; a vessel of less than 50 metres in length shall not be obliged to exhibit such a light but may do so,

c) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(3) A vessel engaged in fishing, other than trawling, shall exhibit:

a) two all-round lights in a vertical line, the upper being red and the lower white, or a shape consisting of two cones with apexes together in a vertical line one above the other,

b) when there is outlying gear extending more than 150 metres horizontally from the vessel, an all-round white light or a cone apex upwards in the direction of the gear,

c) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(4) The additional signals described in Articles 41 through 43 of this part of the Ordinance apply to a vessel engaged in fishing in close proximity to other vessels engaged in fishing.

(5) A vessel when not engaged in fishing shall not exhibit the lights or shapes prescribed in this Article, but only those prescribed for a vessel of its length.

### Article 30

#### *Vessels not under command or restricted in their ability to manoeuvre*

(1) A vessel not under command shall exhibit:

a) two all-round red lights set one above the other where they can best be seen,

b) two balls or similar shapes set one above the other where they can best be seen,

c) when making way through the water, sidelights and the sternlight in addition to the lights prescribed in this paragraph.

(2) A vessel restricted in its ability to manoeuvre, except a vessel in mine-clearance operations, shall exhibit:

a) three all-round lights set in a vertical line where they can best be seen, the highest and lowest of these lights shall be red, and the middle light shall be white,

b) three shapes set in a vertical line where they can best be seen, the highest and lowest shapes shall be balls, and the middle one shall be a diamond,

c) when making way through water, in addition to the light prescribed in point a) of this paragraph, a masthead light or lights, sidelights and sternlight,

d) when at anchor, in addition to the lights and signs prescribed in points a) and b) of this paragraph, the light, lights or shape prescribed in Article 33 of this part of the Ordinance.

(3) A power-driven vessel engaged in a towing operation such as severely restricts the towing vessel and its tow in their ability to deviate from their course shall, in addition to the lights and shapes prescribed in Article 27, paragraph 1 of this part of the Ordinance, exhibit the lights and shapes prescribed in paragraph 2, points a) and b) of this Article.

(4) A vessel engaged in dredging or underwater operations, when restricted in its ability to manoeuvre, shall exhibit the lights and shapes prescribed in paragraph 2, points a), b) and c) of this Article, and if any obstacle is present, it shall also exhibit:

a) two all-round red lights or two balls, in a vertical line to indicate the side where the obstruction exists,

b) two all-round green lights or two diamonds, in a vertical line to indicate the side on which another vessel may pass,

c) when at anchor, the lights and shapes prescribed in this paragraph, instead of the lights and shapes prescribed in Article 33 of this part of the Ordinance.

(5) Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed in paragraph 4 of this Article, the following shall be exhibited:

a) three all-round vessels set in a vertical line where they can best be seen; the highest and lowest lights shall be red and the middle one shall be white,

b) a rigid replica of the International Code flag "A" not less than 1 metre in height. Measures shall be taken to ensure its all-round visibility.

(6) A vessel engaged in mine-clearance operations shall, in addition to the lights prescribed for a power-driven vessel in Article 26 of this part of the Ordinance, or in addition to the lights and signs prescribed for anchored vessels in Article 33 of this part of the Ordinance, exhibit three all-round green lights or three balls. One of those lights or shapes shall be exhibited near the foremast head, and one on each end of the fore yard. These lights or signs shall warn other vessels that it is dangerous for another vessel to approach within 1000 metres of the mine clearance vessel.

(7) Vessels of less than 12 metres in length, except those engaged in diving operations, shall not be required to exhibit the lights and shapes prescribed in this Article.

(8) The signals prescribed in this Article are not signals for vessels in danger and requiring assistance. Those signals are prescribed in Article 40 of this part of the Ordinance.

#### Article 31

##### *Vessels constrained by their draught*

A vessel constrained by its draught may, in addition to the lights prescribed in Article 26 of this part of the Ordinance for power-driven vessels, exhibit where they can best be seen, three all-round red lights in a vertical line or a cylinder.

#### Article 32

##### *Pilot vessels*

(1) A vessel engaged on pilotage duty shall exhibit:

a) at or near the masthead two all-round lights in a vertical line, the upper being white and the lower red,

b) when underway, in addition, sidelights and a sternlight,

c) when at anchor, in addition to the lights prescribed in point a) of this paragraph, the light(s) or signs prescribed in Article 33 of this part of the Ordinance for vessels at anchor.

(2) A pilot vessel when not engaged on pilotage duty, it shall exhibit the lights and signs prescribed for a similar vessel of its length.

#### Article 33

##### *Anchored vessels and vessels aground*

(1) A vessel at anchor shall exhibit where it can best be seen:

a) in the fore part, an all-round white light or one ball,

b) at or near the stern and at a lower level than the light prescribed in point a) of this paragraph, an all-round white light.

(2) A vessel of less than 50 metres in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in paragraph 1 of this Article.

(3) A vessel at anchor may, and a vessel of 100 metres and more in length shall, also use the available working or equivalent lights to illuminate its decks.

(4) A vessel aground shall exhibit the lights prescribed in paragraphs 1 and 2 of this Article and in addition, where they can best be seen:

a) two all-round red lights in a vertical line;

b) three balls in a vertical line.

(5) A vessel of less than 7 metres in length, when at anchor, not in or near a narrow channel, fairway or anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shape prescribed in paragraphs 1 and 2 of this Article.

(6) A vessel of less than 12 metres in length, when aground, shall not be required to exhibit the lights or shapes prescribed in paragraph 4, points a) and b) of this Article.

#### Article 34

##### *Seaplanes*

Where it is impracticable for a seaplane or a WIG craft to exhibit lights and shapes of the characteristics or in the positions prescribed in the Articles of this Title it shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

### **Title IV. Sound and light signals**

## Article 35

### *Definitions*

The expressions used in this Title of the Ordinance have the following meanings:

1. The word “*whistle*” means any sound signalling appliance capable of producing the prescribed blasts and which complies with the Technical requirements for the statutory certification of vessels and maritime structures.
2. The term “short blast” means a blast of about one second’s duration.
3. The term “*prolonged blast*” means a blast of four to six seconds’ duration.

## Article 36

### *Equipment for sound signals*

(1) A vessel of 12 metres or more in length shall be provided with a whistle, a vessel of 20 metres or more in length shall be provided with a bell in addition to a whistle, and a vessel of 100 metres or more in length shall, in addition, be provided with a gong, the tone and sound of which cannot be confused with that of the bell. The whistle, bell and gong shall comply with the specifications in Technical requirements for the statutory certification of vessels and maritime structures. The bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.

(2) A vessel of less than 12 metres in length shall not be obliged to carry the sound signalling appliances prescribed in paragraph 1 of this Article but if it does not, it shall be provided with some other means of making an efficient sound signal.

## Article 37

### *Manoeuvring and warning signals*

(1) When vessels are in sight of one another, a power-driven vessel underway, when manoeuvring as authorized or required by this part of the Ordinance, shall indicate that manoeuvre by the following signals on its whistle:

- one short blast to mean “I am altering my course to starboard”,
- two short blasts to mean “I am altering my course to port”,
- three short blasts to mean “I am operating astern propulsion”.

(2) Any vessel may supplement the whistle signals prescribed in paragraph 1 of this Article by light signals, repeated as appropriate, whilst the manoeuvre is being carried out:

- a) these light signals shall have the following meaning:

- one flash to mean “I am altering my course to starboard”,
  - two flashes to mean “I am altering my course to port”,
  - three flashes to mean “I am operating astern propulsion”,
- b) the duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall be not less than ten seconds,
- c) the light used for this signal shall, if fitted, be an all-round white light, visible at a minimum range of 5 miles, and shall comply with the provisions of the Technical requirements for the statutory certification of vessels and maritime structures.
- (3) When in sight of one another in a narrow channel or fairway:
- a) a vessel intending to overtake another shall in compliance with Article 12, paragraph 5 of this part of the Ordinance indicate its intention by the following signals on its whistle:
- two prolonged blasts followed by one short blast to mean “I intend to overtake you on your starboard side”,
  - two prolonged blasts followed by two short blasts to mean “I intend to overtake you on your port side”,
- b) the vessel about to be overtaken when acting in accordance with Article 12, paragraph 5 of this part of the Ordinance shall indicate its agreement by the following signal on its whistle:
- one prolonged, one short, one prolonged and one short blast, in that order.
- (4) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.
- (5) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. Such signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.
- (6) If whistles are fitted on a vessel at a distance apart of more than 100 metres, one whistle only shall be used for giving manoeuvring and warning signals.

## Article 38

### *Sound signals in low visibility*

In or near an area of low visibility, whether by day or night, the signals prescribed in this Article shall be used as follows:

1. A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes one prolonged blast;
2. A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than 2 minutes two prolonged blasts in succession with an interval of about 2 seconds between them;
3. A vessel not under command, a vessel restricted in its ability to manoeuvre, a vessel constrained by its draught, a sailing vessel, a vessel engaged in fishing and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in points 1 or 2 of this Article, sound at intervals of not more than 2 minutes three blasts in succession, namely one prolonged followed by two short blasts;
4. A vessel engaged in fishing, when at anchor, and a vessel restricted in its ability to manoeuvre when carrying out its work at anchor, shall instead of the signals prescribed in point 7 of this Rule sound the signal prescribed in point 3 of this Article;
5. A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than 2 minutes sound four blasts in succession, namely one prolonged followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel;
6. When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and shall give the signals prescribed in points 1 or 2 of this Article;
7. A vessel at anchor shall at intervals of not more than one minute ring the bell rapidly for about 5 seconds. In a vessel of 100 metres or more in length the bell shall be sounded in the forepart of the vessel and immediately after the ringing of the bell the gong shall be sounded rapidly for about 5 seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession, namely one short, one prolonged and one short blast, to give warning of its position and of the possibility of collision to an approaching vessel;
8. A vessel aground shall give the bell signal and if required the gong signal prescribed in point 7 of this Article and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle signal;
- .
9. A vessel of 12 metres or more but less than 20 metres in length shall not be obliged to give the bell signals prescribed in points 7 and 8 of this Article. However, if it does not, it shall make some other efficient sound signal at intervals of not more than 2 minutes;
10. A vessel of less than 12 metres in length shall not be obliged to give the above-mentioned signals but, if it does not, shall make some other efficient sound signal at intervals of not more than 2 minutes;
11. A pilot vessel when engaged on pilotage duty may in addition to the signals prescribed in points 1, 2 and 7 of this Article sound an identity signal consisting of four short blasts.



## Article 39

### *Signals to attract attention*

(1) If necessary to attract the attention of another vessel any vessel may make light or sound signals that cannot be mistaken for any signal authorised elsewhere in this Ordinance, or may direct the beam of her searchlight in the direction of the danger, in such a way as not to embarrass any vessel.

(2) Any light to attract the attention of another vessel shall be such that it cannot be mistaken for any aid to navigation. For the purpose of this Ordinance the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

## Article 40

### *Distress signals*

(1) When a vessel is in distress and requires assistance it shall use or exhibit distress signals. The following signals, used or exhibited either together or separately, indicate distress and need of assistance:

- a) a gun or other explosive signal fired at intervals of about a minute,
- b) a continuous sounding with any fog-signalling apparatus,
- c) rockets or shells, throwing red stars fired one at a time at short intervals,
- d) a signal made by radiotelegraphy or by any other signalling method consisting of the group ...-... (SOS) in Morse Code,
- e) a signal sent by radiotelephony consisting of the spoken word "MAYDAY",
- f) the International Code Signal of distress indicated by N.C.,
- g) a signal consisting of a square flag having above or below it a ball anything resembling a ball,
- h) flames on the vessel (as from a burning tar barrel, oil barrel, etc.),
- i) a rocket parachute flare or a hand flare showing a red light,
- j) a smoke signal giving off orange-coloured smoke,
- k) slowly and repeatedly raising and lowering arms outstretched to each side,
- l) a distress alert by means of digital selective calling (DSC) transmitted on:  
– VHF channel 70, or

– MF/HF on the following frequencies: 2187.5 kHz, 8414.5 kHz, 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz,

m) a ship-to-shore distress alert transmitted by the ship's Inmarsat or other mobile satellite service provider ship earth station,

n) signals transmitted by emergency position-indicating radio beacons,

o) approved signals transmitted by radiocommunication systems, including survival craft radar transponders.

(2) The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

(3) In addition to the signals referred to in paragraph 1 of this Article, the vessel can, in accordance with the International Code of Signals and the International Aeronautical and Maritime Search and Rescue Manual – Volume III, use the following signals:

a) a piece of orange-coloured canvas with either a black square and circle or other appropriate symbol (for identification from the air),

b) a dye marker (signal dye for water).

## **Title V**

### **Additional signals for fishing vessels fishing in close proximity**

#### Article 41

##### *General provision*

The lights mentioned herein shall, if exhibited in pursuance of Article 29 paragraph 4 of this Part of the Ordinance, be placed where they can best be seen; They shall be at least 0.9 metre apart but at a lower level than lights prescribed in Article 29 paragraph 2 point a) and paragraph 3 point a) of this part of the Ordinance; the lights shall be visible all round the horizon at a distance of at least 1 mile but at a lesser distance than the lights prescribed by this Ordinance for fishing vessels.

#### Article 42

##### *Signals for trawlers*

(1) Vessels of 20 metres or more in length when engaged in trawling, whether using demersal or pelagic gear, shall exhibit:

a) when shooting their nets, two white lights in a vertical line;

b) when hauling their nets, one white light over one red light in a vertical line;

- c) when the net has come fast upon an obstruction, two red lights in a vertical line.
- (2) Each vessel of 20 metres or more in length engaged in pair trawling shall exhibit:
- a) by night, a searchlight directed forward and in the direction of the other vessel of the pair,
- b) when shooting or hauling their nets or when the nets have come fast upon an obstruction, the lights prescribed in paragraph 1 of this Article.
- (3) A vessel of less than 20 metres in length engaged in trawling, whether using demersal or pelagic gear or engaged in pair trawling, may exhibit the lights prescribed in paragraphs 1 or 2 of this Article, as appropriate.

#### Article 43

#### *Signals for purse seines*

Vessels engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second and with equal light and occultation duration, may be exhibited only when the vessel is hampered by its fishing gear.

#### Part III

### VESSEL TRAFFIC SAFETY IN INTERNAL WATERS AND THE TERRITORIAL SEA OF THE REPUBLIC OF CROATIA

#### Article 44

For the purpose of avoiding collisions at sea in internal waters and the territorial sea of the Republic of Croatia, vessels are obliged to operate according to the provisions of this part of the Ordinance.

#### **Title I**

#### **Safety conditions of maritime traffic**

#### Article 45

- (1) Watercraft of less than 24 metres in length, regardless of the type of propulsion, shall, during navigation, entering and leaving port, as well as in the area of port entrances in the radius of one nautical mile, calculated from the port entrance, and in narrow channels of internal waters, unless otherwise specified by special regulations for certain parts of internal waters, keep out of the way of larger watercraft.
- (2) In areas of internal waters referred to in paragraph 1 of this Article, watercraft entering the port, river or narrow channel may not obstruct the manoeuvring of the watercraft leaving the port, river or narrow channel.
- (3) If watercraft which have precedence in manoeuvring according to the provisions of paragraphs 1 and 2 of this Article hold that other watercraft do not operate according to these provisions, they must warn them of it with at least five short and rapid sound signals.

#### Article 46

(1) Fishing vessels and fishing boats may not fish in ports with the aid of lights, whereas in other parts of internal waters referred to in Article 45 paragraph 1, they may use only screened lights, so as not to obstruct good and unrestricted visibility of other vessels.

(2) If the lights of fishing vessels or fishing boats obstruct visibility, the fishing vessels or fishing boats shall, following the signal from a vessel which consists of one long blast from the whistle, turn off or screen their lights.

#### Article 47

While navigating through straits, channels, river confluences, next to unprotected coasts and places where coastal or underwater works are carried out and places where warning signs have been positioned and displayed, watercraft shall navigate at such a speed that the waves caused by navigation do not endanger or damage other watercraft on the coast or at sea, nor coastal or underwater works.

#### Article 48

(1) When navigating the internal waters and the territorial sea of the Republic of Croatia, vessels, yachts, boats and seaplanes shall not approach the coast, specifically:

- vessels and seaplanes, to a distance of less than 300 m;
- yachts to a distance of less than 150 m;
- motor boats and gliders to a distance of less than 50 m.

(2) A seaplane shall land at the sea surface or take off from it at a distance of a minimum 300 m from the coast.

(3) By way of derogation from the provision of paragraph 2 of this Article, the seaplane may land at or take off from a sea surface at a distance of no less than 150 m from the coast, with the approval of the harbourmaster's office and under the condition that the location of the takeoff/landing must be published in a notice to mariners.

(4) The seaplane shall report the location and estimated time of takeoff or landing to the competent harbourmaster's office no later than 30 minutes before takeoff via the VHF channels 10 or 16. Landing and takeoff are allowed only during the day in visual meteorological conditions.

(5) In exceptional cases, the vessels and seaplanes referred to in paragraph 1 of this Article can navigate at smaller distances from the coast for the purpose of reaching port and anchorage or docking, if this is required by the configuration of the fairway, but at the same time, they shall reduce their speed so as to enable easy and quick performance of the turning and stopping manoeuvre.

(6) Vessels under oars, sailboards and surfing boards, canoes, kayaks, gondolas, beach canoes and pedal boats may navigate at the distance of less than 50 m from the coast.

(7) In the maritime zone adjacent to a beach, yachts and boats shall navigate at the distance of more than 50 m from the railing of a developed beach, that is, 150 m from a natural beach.

(8) Speedboats and jet-propelled boats (scooters, jetskis, air-cushion boats etc.) may plane only at the distance of more than 300 meters from the coast, in an area in which they are not prohibited to plane.

(9) Areas in which the speedboats and jet-propelled boats are prohibited to plane shall be determined by the competent harbour master's office.

#### Article 49

(1) When choosing the locations for anchoring, the person operating the watercraft shall take into consideration locations where anchoring is prohibited, as well as other anchored watercraft.

(2) Anchoring shall not obstruct the navigation of other watercraft.

(3) Anchoring of watercraft and seaplanes by means of their own anchoring system is prohibited in a maritime zone stretching from the nautical berth coastward, as well as at a distance of 150 m from the nautical berth in the direction of high seas, except in case of *force majeure* or distress at sea.

#### Article 50

It is prohibited to give false signals of danger, messages of distress, urgency or safety, as well as false identification signals, from vessels or maritime structures or the mainland, in any manner (radio, visual or sound signals).

### **Title II**

## **Automatic Identification System and Voyage Data Recorder**

#### Article 51

For the purposes of this Title, specific terms shall have the following meanings:

– *IMO Resolution A.917(22)* – means the resolution of the International Maritime Organisation 917(22) under the heading "Guidelines for the onboard operational use of shipborne automatic identification systems (AIS)" as amended by the IMO Resolution A.956(23), and its later amendments;

– *VDR –Voyage Data Recorder* – means a device the purpose of which is to assist in determining the causes of a marine accident. The functional requirements with which the VDR must comply are presented in Chapter V of the SOLAS Convention, IMO resolution A.861(20) and the IEC 61996 standard, with all their later amendments;

– *S – VDR* – Simplified Voyage Data Recorder – means a device used for assistance in determining the causes of a marine accident. The functional requirements with which the S-VDR must comply are presented in Chapter V of the SOLAS Convention;

– IMO Code means a code for the investigation of marine accidents and incidents, adopted by the International Maritime Organisation by the Assembly resolution A.849 from 27 November 1997, with all its amendments.

– *LRIT* means the Long Range Identification and Tracking System, pursuant to Rule 19-1, Chapter V of the SOLAS Convention.

#### Article 52

(1) Regardless of their nationality, all vessels which call to ports of the Republic of Croatia or navigate in innocent passage shall be equipped with an automatic identification system which meets the requirements of Chapter V of the SOLAS Convention according to the time schedule prescribed in Annex 1, which constitutes an integral part of this Ordinance.

(2) The master of the vessel equipped by the system referred to in paragraph 1 of this Article is responsible for its continuous usability and uninterrupted operation, except in cases when protection of navigation data is prescribed by international agreements, contracts or standards.

(3) Usability referred to in paragraph 2 of this Article means the automatic provision of correct information to adequately equipped coast stations, other vessels or aircraft, including the vessel's identity, type, position, course, speed, navigation status and other information related to safety, as well as the exchange of data with coast stations and their use in accordance with the IMO Resolution A.917 (22).

#### Article 53

(1) Every fishing vessel in the length of 15 meters or more over all and of Croatian nationality or a fishing vessel which is located in or navigates the internal waters and territorial sea of the Republic of Croatia or unloads its catch in the Republic of Croatia shall be equipped by the Automatic Identification System (AIS) of class A, which meets the requirements of Chapter V of the SOLAS Convention according to the time schedule prescribed in Annex 1, which constitutes an integral part of this Ordinance.

(2) Fishing vessels referred to in paragraph 1 of this Article shall ensure the continuous usability and uninterrupted operation of the system. In exceptional cases, the Automatic Identification System (AIS) may be turned off if the master considers it necessary for the safety and security of the vessel.

#### Article 54

All vessels calling to ports in the Republic of Croatia shall be equipped with VDR as follows:

– passenger vessels and fast passenger vessels on international voyages;

– cargo vessels of a gross tonnage of 3000 and more built after 01 July 2002;

– cargo vessels of a gross tonnage of 3000 and more on international voyages built before 01 July 2002 may use S-VDR as of the day of accession of the Republic of Croatia to the European Union.

## Article 55

If calling at the ports of the Republic of Croatia, vessels to which Regulation 19-1 of Chapter V of the SOLAS Convention applies, along with the relevant standards and functional requirements approved by the International Maritime Organisation, shall be equipped with LRIT equipment which meets these standards and requirements.

## Part IV

### VESSEL TRAFFIC MANAGEMENT AND INFORMATION

#### Title I

#### General provisions

## Article 56

(1) The provisions of this part of the Ordinance apply to vessel traffic management and information and vessels or maritime structures located or navigating in the internal waters, territorial sea and the ecological and fisheries protection zone of the Republic of Croatia.

(2) Nothing prescribed in this part of the Ordinance shall exempt the vessel or maritime structure from the responsibility for watercraft safety, navigation safety and protection of human lives and the marine environment.

## Article 57

### *Definitions*

1. *VTS services* refer to IT support – services of data provision of importance for the safe navigation of vessels or maritime structures, and can also include services of providing advice relating to navigation and support during navigation to vessels or maritime structures, as well as navigation organisation and vessel traffic management services.

2. *VTS service* means VTS Croatia – the Vessel Traffic Management and Information Service of the Ministry and harbourmaster's offices, which is authorised for the provision of VTS services and has the possibility of interoperating with vessels or maritime structures and reacting in varying navigation circumstances. Its task is to establish vessel traffic flow in which all participants in vessel traffic can achieve the set goals, while complying with the requirements of navigation safety and environmental protection and the regulations governing navigation.

3. *VTS area* means an area which includes internal waters, the territorial sea and the ecological and fisheries protection zone of the Republic of Croatia, in which vessel traffic management and information operations are carried out and which consists of several VTS departments.

4. *VTS department* means a part of the VTS area which includes a navigational unit and which enables surveillance and management of traffic by a VTS operator. A VTS operator can simultaneously carry out surveillance over several departments; a VTS department may refer to: the surveillance area, the routing area, the manoeuvring area and the exclusion area.

5. *VTS centre* means a centre from which the VTS service provides VTS services; every VTS department may have a VTS sub-centre.

6. *VTS operator (VTSO)* is an adequately trained employee in the service of vessel traffic management and information assigned to a workplace in the VTS Croatia and authorised to provide VTS services.

7. *VTS navigation plan* means a plan of the movement of the watercraft through a VTS area, which has been mutually agreed upon and established between the VTS operator and the watercraft.

8. *VTS display of vessel traffic* means a situational display of watercraft and their movement through the VTS area, as well as of other available data on the circumstances which influence vessel traffic, which is at the disposal of the VTS operator for the purpose of providing an estimate of the situation and VTS services.

9. *Port control centre* (hereinafter: "PCC") means a service of the port authority in a port open for international public transport which monitors the calling at port, anchoring, stay and navigation of watercraft in the port area 24 hours per day, organised in accordance with special regulations.

10. *Destination* – means a port, anchorage or any other place towards which the vessel is navigating.

11. *VTMIS system* means a technical system for vessel traffic management and information consisting of devices and equipment for the automatic identification of vessels (AIS), radar devices and equipment, maritime radiocommunications devices and equipment, electronic nautical charts and a system of supervisory cameras, as well as an integrated maritime information system – CIMIS.

12. *Watch* means the continued availability of a vessel or maritime structure through constant listening of the prescribed VHF radio channels, depending on the equipment of the vessel or maritime structure.

13. *VHF radio channel* means a radio-telephony channel in the VHF wave band (from 156 MHz to 174 MHz), as defined in Annex 18 of the Radio Regulations of the International Telecommunications Union (ITU). 56 VHF channels are used for the operation of the VHF maritime radio service, of which VHF channel 16 (156.800 MHz) is used for distress calls and communication and calls for the purpose of other communication, VHF channel 70 (156.525 MHz) is used for Digital Selective Calling regardless of the type of call, while other VHF channels are used for all types of communication.

14. *Communication* means the delivery and reception of oral or written messages or data, at frequencies of VHF radio channels prescribed by the ITU Radio Regulations which regulate the purpose and order of the use of radio channels for radio-telephony in the VHF wave band.

## **Title II** **VTS services**

### Article 58



(1) VTS services are established in a VTS area in accordance with the following:

– Regulation 12 of Chapter V of the SOLAS Convention, for the purpose of safety and effectiveness of vessel traffic and protection of the marine environment from pollution by watercrafts,

– the IALA VTS Manual, IALA Recommendations V 120, V127, V 136.

(2) VTS services shall be provided in accordance with the provisions of this Title of the Ordinance and the Rules of Procedure of the VTS service.

(3) Comprehensive data on VTS services shall be published in official navigational charts and manuals of the Hydrographic Institute of the Republic of Croatia.

#### Article 59

(1) The VTS service provides information service - IS (hereinafter: "IS") of importance for safe navigation of vessels or maritime structures in the VTS area.

(2) The information service referred to in paragraph 1 of this Article refers to the service of providing the following information:

- a. information on other watercraft in the VTS area,
- b. meteorological and hydrographic information,
- c. information on vessel accommodation at port (berth/anchorage),
- d. information on piloting,
- e. information on conditions on the fairway,
- f. information on the condition of navigational safety facilities,
- g. information on dangers which may represent a threat to watercraft,
- h. other information which may influence vessel traffic safety.

(3) The information service referred to in paragraph 1 of this Article may include the service of provision of information to vessels or maritime structures in the following cases:

- a. if immediate and serious risk of a marine accident is evident,
- b. if a vessel or maritime structure does not comply with the general rules of the profession which apply to navigation safety and thereby indisputably endangers the safety of navigation or the environment,
- c. if a vessel or maritime structure does not comply with the regulations which apply to navigation safety or navigation in general,

d. if a vessel or maritime structure does not dispose of sufficient information about a potential navigation safety threat or if this is likely to be the case,

e. if the conventional application of the rules of the profession with respect to a vessel or maritime structure might, at a later time, lead to complex circumstances related to traffic and navigation.

(4) The information service referred to in paragraphs 1 and 2 of this Article is provided in case of obligatory reporting by a watercraft, at the request of the watercraft or if the VTSO deems it necessary for vessel traffic safety.

(5) The information service referred to in paragraph 3 of this Article is provided if the VTSO deems it necessary for vessel traffic safety or marine environment protection.

(6) The watercraft is obliged, at its own responsibility, to take under consideration data provided in accordance with the provisions of this Article.

(7) Data referred to in paragraph 2 point b) of this Article are based on official meteorological reports of the Meteorological and Hydrological Service – Marine Meteorological Centre Split.

(8) Data referred to in paragraph 2 point f) of this Article are based on official notices to mariners (radio broadcasts, SECURITE messages etc).

#### Article 60

(1) The VTS service provides navigational assistance services (hereinafter: NAS) to vessels or maritime structures in the VTS area in order allow the master to make decisions with which the navigation tasks can be achieved safely and without endangering the watercraft, human lives or environment.

(2) The navigational assistance services referred to in paragraph 1 of this Article shall include the following data:

a. data on the course and speed over ground of the watercraft

b. data on the position of the watercraft with respect to the direction of the shipping route or with respect to the waypoint in accordance with the VTS navigation plan

c. data on the position, identity and intentions of other watercrafts nearby;

d. warnings about particular watercraft during navigation

(3) The services referred to in paragraph 1 of this article shall be provided at the explicit request of the watercraft, and the explicit approval of the VTSO and are exclusively advisory in nature.

(4) The watercraft can request the services referred to in paragraph 1 of this Article in difficult conditions for navigation or difficult meteorological conditions in case of malfunction or irregularity in the operation of the navigation equipment of the watercraft if the safety of the

vessel, people or the environment is not endangered, and can request a determination of a VTS navigation plan.

(5) The provision of the services referred to in paragraph 1 of this Article shall start when the following conditions are met:

a. when the VTSO and the master reach an agreement regarding the communication procedures and the VTMIS devices used for the provision of the services and the VTS navigation plan.

b. when the VTSO informs the master that it accepts the provision of the services.

(6) The watercraft shall be obliged to take the data provided in accordance with the provisions of this Article under consideration at its own responsibility.

(7) The data referred to in paragraph 2 of this Article shall be based on the VTS display of vessel traffic.

(8) The VTSO shall monitor the results of the advice offered in accordance with the provisions of this Article.

#### Article 61

(1) The VTS service shall carry out activities of organising navigation and vessel traffic management (Traffic Organization Service – TOS) (hereinafter: TOS) in order to prevent the development of possible dangerous vessel traffic and navigation situations and to enable the safe and effective navigation of watercraft.

(2) In the performance of duties referred to in paragraph 1 of this Article, the VTSO can give the following obligatorily directions to one or several vessels or maritime structures or to all vessels or maritime structures in the VTS management sector:

a. prohibit the passing or navigation through a certain area to a watercraft or group of watercraft,

b. prohibit overtaking or establish an area for overtaking,

c. prohibit the clearing port or leaving of anchorage or entry into the VTS management sector,

d. prohibit calling to port or anchoring or leaving the management sector,

e. separate vessel traffic in time and/or space,

f. allow or limit the speed over ground,

g. determine a course or VTS voyage plan for vessels that carry dangerous or polluting substances or carry out towage or have limited manoeuvring abilities for other reasons,

h. prohibit anchoring and determine an area for anchoring.

(3) In the performance of duties referred to in paragraph 1 of this Article, the VTSO shall provide the following permissions to vessels or maritime structures in the VTS management sector:

a. permission to enter management sector

b. permission for leaving port in the management sector

c. permission for anchoring in the management sector

d. permission for exemption from the application of provisions of Part III and Part IV of this Ordinance and the special regulation regulating the navigation in specific maritime areas of the Republic of Croatia when such regulations envisage these exemptions.

(4) In the performance of duties referred to in paragraph 2 point e of this Article, the VTSO can:

a. determine the ship safety zone – a circle around the vessel or maritime structure inside which access is prohibited to all other vessels except with a special approval, whereat the size of the zone shall correspond to the dimensions of the shipping route, size and characteristics of the vessel or maritime structure, cargo and risk level.

b. determine a time-based separation of vessel traffic in such a way that a watercraft is ensured exclusive use of a certain area or limited pass for a specific period.

c. determine a separation of vessel traffic in accordance with distance, whereat a minimum mutual distance is determined for vessels or maritime structures.

(5) With the binding instructions and permissions referred to in paragraphs 2, 3 and 4 of this Article, the master undertakes to perform a specific activity and achieve a specific navigation goal, whereat the method of performing a certain activity is the responsibility of the master.

(6) The instructions and permissions referred to in paragraphs 2, 3 and 4 of this Article shall be based on the VTS display of vessel traffic.

## Article 62

(1) The VTS service performs activities of navigation safety monitoring and data collection on vessels or maritime structures and vessel traffic using the VTMS system in the VTS area.

(2) The VTS service monitors the application of the traffic navigation and separation system in the Adriatic Sea adopted by the International Maritime Organisation and published in the documents COLREG.2/Circ. 54 of 28 May 2004 and COLREG.2/Circ. 58 of 11 December 2006 and in the notices to mariners of the Croatian Hydrographic Institute, Volume 11 of November 2004 and volume 3 of March 2007 in the VTS area.

(3) The VTS service monitors the application of the Resolution of IMO's Navigation Safety Committee MSC.139 (76) of 05 December 2002 as published in the Notice to Mariners of the Croatian Hydrographic Institute, Volume 5 of May 2003 on the ADRIREP obligatory ship reporting system in the VTS area.

(4) In cases from Part V of this Ordinance , the VTS service provides its services at the request of MRCC Rijeka or the competent harbourmaster's office.

(5) For the purpose of the performing the activities referred to in this Article, the VTSO shall be competent for communicating with vessels or maritime structures and request information on the vessel or maritime structure, other vessels or maritime structures or the vessel traffic in close proximity to the vessel or maritime structure.

### Article 63

(1) The VTS area shall be divided into the following VTS departments in which individual VTS services shall be provided at the assigned VHF radio channels:

- a. department A – VTS services: IS under Article 59 paragraph 3; VHF radio channels: Ch10, Ch60
- b. Department B – VTS services: IS; VHF radio channels: Ch10,Ch60
- c. Department RIJEKA – VTS services: IS, TOS VHF radio channels: Ch14,, Ch 62
- d. Department ZADAR – VTS services: IS,TOS; VHF radio channels: Ch12, Ch60
- e. Department ŠIBENIK – VTS services: IS, TOS; VHF radio channels: Ch14, Ch60
- f. Department SPLIT – VTS services: IS, TOS; VHF radio channels: Ch12, Ch62
- g. Department PLOČE – VTS services: IS, TOS; VHF radio channels: Ch14
- h. Department DUBROVNIK – VTS services: IS, TOS; VHF radio channels: Ch12

(2) In addition to the VTS departments referred to in paragraph 1 of this Article, the VTS area shall be divided into the following manoeuvring departments in which individual VTS services shall be provided on defined VHF radiocommunication channels:

- a. Pula: VTS services: IS under Article 59 paragraph 3, Ch9,
- b. Rijeka: VTS services: IS under Article 59 paragraph 3, Ch9,
- c. Zadar: VTS services: IS under Article 59 paragraph 3, Ch9,
- d. Šibenik: VTS services: IS under Article 59 paragraph 3, Ch9,
- e. Split: VTS services: IS under Article 59 paragraph 3., Ch9,
- f. Ploče: VTS services: IS under Article 59 paragraph 3, Ch9,
- g. Dubrovnik: VTS services: IS under Article 59 paragraph 3, Ch9.

(3) In manoeuvring departments referred to in paragraph 2 of this Article and in port areas, the VTS services shall provide its services only in case of immediate and serious dangers for navigation safety.

(4) The borders of the departments referred to in paragraph 1 and 2 of this Article are prescribed with groups of geographical coordinates and graphic displays in Annex 2, which forms an integral part of this Ordinance.

(5) The departments referred to in paragraph 1 points c-h are management sectors.

(6) The radio channels Ch60 and Ch62 are secondary VTS VHF radio channels on which VTS services, watches and communication are carried out if the VTSO requests them from one, several or all watercraft in the VTS department.

#### Article 64

(1) In the manoeuvring departments and the port area , the port managing authority provides services of port control centres on the VHF radio channel of the VTS department.

(2) In the cases referred to in Article 68 paragraphs 1 and 3, the port managing authority/port control centre shall be obliged to provide or deny to vessels or maritime structure the authorisation to berth/anchor or the order of berthing/anchoring or authorisation to leave port, all with the agreement of the harbour master's offices, together with the following data:

A. place of anchoring/berthing

B. order of berthing/anchoring or authorisation for leaving port,

C. data on port services.

(3) The authorisation referred to in paragraph 2 of this Article shall be issued after the embarkation of the pilot chart if the vessel has one.

(4) In addition to the duty of reporting referred to in Article 68 and the services referred to in paragraph 2 of this cell Article, the port managing authority can, with the agreement of the competent harbourmaster's office, determine, with special acts, other obligations of communication, services of the port control centre and obligations of vessels or maritime structures in the port area if these do not obstruct or prevent the provision of VTS services, in accordance with the special regulation regulating order in ports.

### **Title III**

#### **Reporting System and Watch Duties**

#### Article 65

(1) The system of obligatory reporting of the watercraft shall be established in accordance with:

– point 4 of Regulation 11 of Title V of the SOLAS Convention for the safety and effectiveness of vessel traffic and marine environment protection from watercraft pollution,

– recommendations of the IMO Resolution A.851 (20).

(2) The provisions of this Title of the Ordinance shall have no impact on the duties of reporting of vessels according to the Resolution of the IMO Marine Environment Protection Committee, MSC.139 (76) of 05 December 2002, as published in the Notice to Mariners of the Croatian Hydrographic Institute, Volume 5 of May 2003, and other duties of reporting of vessels or maritime structures established by special regulations.

(3) The provisions of this Title of the Ordinance that refer to the watercraft shall apply to the master and crew of watercraft.

(4) The provisions of this Title of the Ordinance with respect to the duties of reporting shall not apply to warships for which duties of reporting shall be established with special procedures.

(5) The data on the system of obligatory reporting of watercraft shall be published on official navigational charts and guides of the Croatian Hydrographic Institute.

#### Article 66

(1) When located in or sailing through the VTS area, besides Department A, vessels and yachts shall be obliged to keep watch on the VHF radio channel of the VTS department in which they are located.

(2) Vessels and yachts located in or sailing through Department A, and other vessels or maritime structures located in or sailing through the VTS area that have a vessel VHF radio station can keep watch on the VHF radio channel of the VTS departments in which they are located.

#### Article 67

(1) All watercraft shall be obliged to carry out the communication with the VTS service, harbourmaster's office and the port managing authority on the VHF radio channel of the VTS departments in which they are located.

(2) In exceptional situations, communication can also be carried out via other accessible communication tools (telephone, telefax).

(3) Communication shall, as a rule, be carried out in the English language using the IMO standard maritime communication expressions in accordance with Resolution A.918 (22), and communication shall be exceptionally permitted in the Croatian language.

(4) Communication between the VTS service or port managing authority and the vessel or maritime structure and vice versa shall be carried, whenever possible, by using communication messages and their codes as determined by Annex 3, which forms an integral part of this Ordinance.

#### Article 68

(1) All vessels prepared for clearing port or transfer within a port, from the berth (Single-Up) or anchorage, shall be obliged to report this to the VTS service, harbourmaster's office and port managing authority/port control centre on the VHF radio channel of the VTS department that they are located in and provide the following departure report:

A. name of vessel

B. MMSI

C. statement of intention: "leaving port/transfer"

(2) All vessels that intend to call to port, berth or anchorage, in addition to the port that is located in the manoeuvring department, shall be obliged to reports this to the VTS service, harbourmaster's office and port managing authority/port control centre 15 minutes before the ETA, and at the latest when entering the port and provide the following entry report:

A. name of vessel

B. MMSI

C. statement of intention: "calling to port {name of port}"

D. place of berth/anchoring.

(3) All vessels that intend to call to port, berth or anchorage that is located in the manoeuvring department, shall be obliged to report this to the VTS service, harbourmaster's office and port managing authority/port control centre 15 minutes before the ETA, and at the latest when entering the manoeuvring department and provide via the VHF radio channel of the manoeuvring department the following entry report:

A. name of vessel

B. MMSI

C. statement of intention: "calling to port {name of port}"

D. place of berth/anchoring.

(4) All vessels that have berthed or anchored at port, shall be obliged to report this to the VTS service, harbourmaster's office and the port managing authority/port control centre immediately after completing these activities and provide the following arrival report:

A. name of vessel

B. MMSI

C. statement of current situation: "berthed/anchored", and the place of the berthing or anchoring.



(1) Participating in the VTS services under Title II of this Part of the Ordinance shall be obligatory for:

- a. vessels of gross tonnage of 150 and more,
- b. vessels with a length over all of 50 m and more,
- c. vessels on international voyages,
- d. watercraft of limited manoeuvring abilities,
- e. watercraft that transport dangerous or polluting substances,
- f. all watercraft regardless of the length, tonnage and purpose that they represent or are in a situation of potential risk for navigation or the safety of navigation, persons or environmental protection,
- g. vessels that tow or push other vessels or maritime structures, regardless of their length.

(2) The watercraft referred to in paragraph 1 of this Article shall be obliged to:

- a. report to the VTS service their position and intention via the VHF radio channel of the VTS department in accordance with the provisions of this Ordinance and instructions published in official maritime navigational charts and publications,
- b. follow the instructions of the VTSO, when have the force of a command,
- c. take under consideration the data obtained from the VTSO.

(3) The master of the watercraft referred to in paragraph 1 of this Article shall be responsible for the operation of the watercraft when it participates in VTS services, and shall in case of his inability to do so be obliged to report this to the VTS service.

(4) By way of derogation from paragraph 2 point a of this Article, vessels in domestic regular transport services, when they sail in accordance with the published sailing schedule, and port towing vessels, when performing activities of port towage, shall not be obliged to report to the VTS service.

(5) Other vessels and yachts of a length over all of 40 m and more van participate voluntarily in the VTS services referred to in Title II of this Part of the Ordinance.

(6) By way of derogation from paragraph 2 point a. public vessels that are not equipped with an automatic identification system (AIS) shall be obliged to report the VTS service via telephone.

#### Article 70

(1) The watercraft referred to in Article 69 that has the intention of entering Department B from an international voyage shall be obliged to provide to the VTS service a pre-entry report

at least 15 minutes prior to entering and at the latest when entering the department. The report shall indicate the following:

- A. name of vessel,
- B. MMSI,
- C. position,
- D. course,
- E. speed,
- F. level of safety protection
- G. destination,
- H. estimated time of arrival (ETA).

(2) The provision of paragraph 1 of this Article shall not refer to the vessels or maritime structures that provide the contents of their reports via an automatic identification system (AIS) and do not sail towards a destination within the VTS area, and to vessels that fulfil obligations of vessel reporting in accordance with the Resolution of the IMO Marine Environment Protection Committee, MSC.139 (76) of 05 December 2002.

#### Article 71

The watercraft referred to in Article 69, when sailing in Department B shall be obliged to provide deviation reports to the VTS service if during the navigation the destination has been changed or the estimated time of arrival (ETA) has been significantly changed or if any other deviations from the planned procedures during navigation occur, immediately before the change or deviation, stating the following:

- A. name of vessel,
- B. MMSI,
- C. deviation,
- D. reason for deviation.

#### Article 72

(1) The vessel or maritime structure referred to in Article 69 that intends to enter the Departments RIJEKA, ZADAR, SPLIT, ŠIBENIK, PLOČE or DUBROVNIK shall be obliged to provide to the VTS service a position report 15 prior to entering and at the latest when entering the department via the VHF radio channel of the department, stating the following:

- A. name of vessel,

B. MMSI,

C. draught,

D. course,

E. speed,

F. destination,

G. estimated time of arrival (ETA).

(2) The entering of the port referred to in paragraph 1 of this Article shall be subject to the approval of the VTS service. After receiving the report, the VTS service shall give the instruction on the further procedures.

### Article 73

(1) The vessel or maritime structure referred to in Article 69, when sailing in the Departments RIJEKA, ZADAR, SPLIT, ŠIBENIK, PLOČE or DUBROVNIK, shall be obliged to provide deviation reports to the VTS service if during the navigation the destination has been changed or the estimated time of arrival (ETA) has been significantly changed or if any other deviations from the planned procedures during navigation occur, immediately before the change or deviation, stating the following:

A. name of vessel,

B. MMSI,

C. deviation,

D. reason for deviation,

E. planned procedures.

(2) The deviation referred to in paragraph 1 of this Article shall, among other things, include the floating of the vessel that awaits approval for berthing and exceptional anchoring outside of designated anchorages.

(3) The deviation referred to in paragraph 1 of this Article shall be subject to the approval of the VTS service. After receiving the report, the VTS service provides instructions on further procedures.

### Article 74

(1) The watercraft referred to in Article 69 shall be obliged, 15 minutes before the ETD from the port, berth or anchorage, when leaving port or transferring within the Port of Rijeka, Split or Dubrovnik, via the VHF radio channel of the VTS department in which it is located, provide the VTS service with a pre-departure report that contains the following:

- name of vessel,
- MMSI
- ETD,
- destination.

(2) The pre-departure report referred to in paragraph 1 of this Article shall be subject to an approval of the VTS service and shall apply to entering the control area.

#### Article 75

(1) The watercraft referred to in Article 69 that are leaving the manoeuvring area or control area, when entering Department B shall not be obliged to provide reports.

(2) The VTS service shall contact watercraft for instructions on further procedures.

### Part V

## DUTIES OF REPORTING OF WATERCRAFT IN EMERGENCY SITUATIONS

#### Article 76

(1) The master of a vessel or maritime structure that sails or is located in internal waters, the territorial sea, the ecological and fisheries protection zone of the Republic of Croatia shall be obliged to inform without delay the MRCC Rijeka via the coastal radio station of Ploput d.o.o. on the VHF radio channel 16, VHF DSC channel 70 or the toll-free phone number – 195 (00 385 1 195) of the following:

- a. any accident or incident or extraordinary event that impacts the safety of the watercraft, such as a collision, grounding, damage, malfunction or breakdown, flooding or movement of cargo, any hull damage or damage to the structure of the watercraft, or persons on it.
- b. any accident or incident or extraordinary event that endangers the safety of the maritime transport, such as malfunction that can impact the manoeuvring capacity or seaworthiness of the ship or any disadvantages that impact the propulsion system or rudder mechanism, electric energy production system, navigation equipment or communication equipment;
- c. any situation that could lead to pollution of the sea or coast, such as releasing or danger from releasing dangerous, harmful or polluting substances into the sea;
- d. any pollution of the sea or accident that can cause pollution of the sea, such as pollutant stains, containers or packages floating on the sea.

(2) The report referred to in paragraph 1 of this Article must contain at least the following data:

- A. name of vessel
  - B. MMSI
  - C. position of vessel
  - D. port of departure
  - E. destination
  - F. number of persons on board the vessel
  - G. detailed information on the accident/incident/extraordinary event
  - H. address at which data on dangerous and polluting cargo transported onboard the vessel can be obtained
  - I. activities undertaken to remove the threats and possible results, and
  - J. any other data in accordance with the IMO Resolution A.851 (20).
- (3) Comprehensive data and instructions on the report referred to in paragraph 1 of this Article shall be published in the official navigational charts and guides of the Croatian Hydrographic Institute.

## Part VI TRANSITIONAL AND FINAL PROVISIONS

### Article 77

- (1) The VTS service referred to in Title II of Part IV of this Ordinance, in addition to the activities referred to in Article 62, shall be provided during a testing period of 12 months from 01 January 2014, and after that they shall be provided operationally.
- (2) The provisions of Title III of Part IV of this Ordinance shall apply during a testing period of 8 months from 01 April 2014, after which they shall be provided operationally.
- (3) In the testing period referred to in paragraphs 1 and 2 of this Article, vessels or maritime structures and bodies that manage ports in the monitoring and management of vessel traffic shall participate in the reporting system voluntarily.
- (4) The Croatian Hydrographic Institute shall within 3 months from the entry into force of this Ordinance publish in the "Notices to mariners" reports, comprehensive data and guidelines on the application of Part IV, Part V and Parts VI of this Ordinance.

### Article 78

With the entry into force of this Ordinance, the Ordinance on avoiding collisions at sea ("Official Gazette", No. 17/96.) shall expire.

## Article 79

This Ordinance shall be published in the "Official Gazette", and shall enter into force on the day of the accession of the Republic of Croatia to the European Union.

Class: 011-01/13-02/13

Number: 530-04-13-13

Zagreb, 21 June 2013

Minister  
**Siniša**  
**HajdašDončić,**  
m. p.

### ANNEX 1

The following vessels must have the Automatic Identification System (AIS):

a) on the day of the entry into force of this Ordinance:

- passenger ships of a gross tonnage of 150 and more on international voyages;
- cargo vessels of a gross tonnage of 300 and more;
- high-speed craft of a gross tonnage of 150 and more, built according to the DSC Code, the 1994 HSC Code and the 2000 HSC Code;
- fast passenger vessels of a gross tonnage of less than 150, regardless of the code according to which they have been built, that carry out regular liner services
- passenger vessels of a gross tonnage of 300 and more that sail in navigation areas 5, 6, 7 and 8;

b) on the day of the accession of the Republic of Croatia to the European Union:

- all passenger vessels regardless of their gross tonnage on international voyages
- all tankers regardless of their gross tonnage and navigation area.

All fishing vessels with a length overall of 15 meters and more must have an Automatic Identification System (AIS) as follows:

1. all vessels whose keels are laid on and after 30 November 2010;
2. all vessels whose keels were laid before 30 November 2010, as follows:
  - vessels with a length overall of 18 meters and more, no later than 30 June 2013;

– vessels over 15 meters in length overall, but less than 18 meters, no later than 31 May 2014.

## [ANNEX 2.](#)

### ANNEX 3

#### Types of communication messages and their codes

In order to facilitate coasts-vessel and vessel-coast communication within the framework of the VTS environment, one of the following 8 message codes shall be used in order to increase the probability that the message will be correctly understood. When used, the code needs to be articulated before the messages or part of message.

#### Message codes

There are the 8 following types of communication messages that are often used in VTS:

**Message code "INFORMATION"** – this code is used in reporting of perceived or predicted facts and situations; it is generally used for navigation and traffic information.

**Message code "WARNING"** – this code is used in reporting of potentially hazardous situations or perceived developing potentially hazardous situations. The contents of the warning need to be evaluated immediately together with any additional information that might be unavailable to the VTS centre, and, if necessary, the corrective actions need to be carried out.

**Message code "ADVICE"** – this code indicates that the message contains a recommendation that the recipient needs to take into consideration when making a decision regarding navigation. When it is appropriate to intervene by sending an advice message, the message must be concise and relevant.

**Message code "INSTRUCTION"** – this code indicates that the messages is an instruction provided by the VTSO based on its prescribed authority. The recipient has the legal obligation to follow the instruction from this message unless there are no contradictory safety reasons, which then must be immediately reported to the sender.

**Message code "QUESTION"** – this code indicates that the message that follows is a question and requires a reply. The use of this code removes any doubt as to whether the message is a question or statement.

**Message code "REPLY"** – this code indicates that the message that follows is a reply to the previous question. The reply must not contain an additional question.

**Message code "REQUEST"** – this code indicates that the message that follows is a request for an action from others regarding the vessel. This code is used to indicate the following: "I want something to be organised or achieved".

**Message code "INTENT"** – this code indicates that the message that follows reports others about an immediate navigation activity to be undertaken. The use of this code is logically restricted to messages that announce navigation activities by the vessel sending the message.