

# MINISTRY OF THE SEA, TRANSPORT AND INFRASTRUCTURE

3309

Pursuant to Article 1021 paragraph 3 subparagraph 5 of the Maritime Code ("Official Gazette" No. 181/04 and 76/07) the Minister of the Sea, Transport and Infrastructure issues the following

## ORDINANCE

### ON AMENDMENTS TO THE ORDINANCE ON THE TERMS AND METHODS OF MAINTAINING ORDER IN PORTS AND OTHER PARTS OF INTERNAL WATERS AND TERRITORIAL SEA OF THE REPUBLIC OF CROATIA

#### Article 1

In Article 2 paragraph 1 of the Ordinance on Terms and Methods of Maintaining Order in Ports and Other Parts of Internal Waters and Territorial Sea of the Republic of Croatia (Official Gazette 90/2005 and 10/2008), after item 13, the following items 14 , 15, 16, 17, 18 and 19 are added to read as follows:

"14. *Estimated time of arrival of ship at port (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

15. *Actual time of arrival of ship at port (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.

16. *Estimated time of departure of a vessel from port (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.

17. *Actual time of departure of a ship from port (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.

18. *The ship/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 ship.

19. *Ship at anchorage* means a ship in port area, or another area under port jurisdiction, but not at berth, which has an established ship/port interface."

## Article 2

In Article 34 paragraph 1 subparagraph 1, after the words: "estimated time of departure", the following words are added: "power of propulsion machinery, summer draft and classification society".

In Article 34, new paragraph 5 is added to read as follows:

"Along with the ship arrival notification from paragraph 1 of this Article, the master or the agent shall submit the proof of insurance/financial guarantee and its period of validity, and to the authority/institution which issued the guarantee with regard to:

- damage on account of bunker oil pollution (BUNKER)
- covering the cost of detection, marking and removal of the wreck (WRECK)
- civil liability for oil pollution damage (CLC)."

In Article 34, new paragraphs 6 and 7 are added to read as follows:

"Along with the ship arrival notification referred to in paragraph 1 of this Article, the master or the agent shall submit, when applicable according to special regulations, the data, forms and documents in connection with ballast water management and ship waste."

It is considered that the arrival notices has been lodged if it contains correct data, all fully filled forms and corresponding documents, as indicated in this Article."

## Article 3

After Article 34, new articles 34a, 34b and 34c are added to read as follows:

### Article 34a

"(1) In addition to the announcement from Article 34 of this Ordinance, the master or the ship operator available for expanded inspection shall, in accordance with special regulations regulating the ruled for inspection of ships, announce arrival at port or anchorage by fax, e-mail or via agent to the competent harbourmaster's office, with the following data:

- (a) ship information (name, call sign, IMO number or MMSI, year of construction, ship type);
- (b) estimated time of departure of ship from port/estimated time of stay at port
- (c) for tankers:
  - (i) hull configuration: single hull, single hull with SBT, double hull;
  - (ii) condition of cargo and ballast tanks: full, empty, inerted;
  - (iii) volume and nature of cargo;

(d) planned operations at the port or anchorage of destination (loading, unloading, other);

(e) planned statutory survey inspections and substantial maintenance and repair work to be carried out whilst in the port of destination;

(f) date of last expanded inspection in the Paris MoU region.

(2) Notice of arrival from paragraph 1 of this Article shall be submitted at least 72 hours before the estimated time of arrival of ship at port (ETA) or, at latest, after leaving the previous port if the journey took under 72 hours."

#### Article 34b

(1) Ship's navigation log shall contain the following information:

a) list of ships with the following information: name, nationality and IMO number of the ship,

b) ship's navigation status:

1. notice of arrival: previous port, arrival port, estimated time of arrival of ship at port (ETA), type of notice, time of receipt of the notice, status of the notice (complete /incomplete/cancelled/remarks) and the name of the agent

2. arrived: arrival port, berth/anchorage, actual time of arrival of ship at port (ATA), estimated time of departure of ship from port (ETD)

3. departed: actual time of departure of ship from port (ATD), next port of call.

c) report of special events or obvious irregularities on board the ship (received/not received)

(2) The log referred to in paragraph 1 of this Article shall be kept by the Department for supervision of maritime transport, search and rescue for all ports and anchorages in the area of competent harbourmaster's office in electronic form, and updated at latest within 1 hour from the change of the ship's navigation status referred to in paragraph 1 item b.

(3) The log referred to in paragraph 1 of this Article shall be kept for ships having an obligation of sending notice of arrival from Articles 34 and 34a of this Ordinance.

(4) In addition to the log referred to in paragraph 1 of this Article, the Department for supervision of maritime transport, search and rescue shall submit a daily report of navigation safety containing:

a. information on ships other than ships from Articles 34 and 34a of this Ordinance in ports in the area of the harbourmaster's office,

b. report on the status of navigational safety facilities,

c. report on the status of the system of connections and search and rescue devices,

d. report on progress of line passenger transport and special events.

(5) Department for supervision of maritime transport, search and rescue shall submit the Report from paragraph 4 of this Article to the harbour-master and the port authority by e-mail or fax, based on reports submitted by masters of branch offices in the area of the harbourmaster's office. Daily report shall be submitted to the port authority every day by 9.00 a.m.

(6) In case of special events during days of rest, the employee who has knowledge of the special event referred to in paragraph 4 item d of this Article shall report this by phone to the duty officer of the port authority and the harbourmaster's office.

#### Article 34c

(1) The port managing authority and the pilot chart shall, without delay, inform the harbourmaster's office about obvious irregularities on board the ship observed during regular duties, and which may endanger the navigation safety of the ship or represent the danger of pollution of marine environment.

(2) Report from paragraph 1 of this Article shall be submitted by fax or e-mail and shall contains at least the following information:

- ship information (name, IMO identification number, call sign and flag),
- navigation data (last port, arrival port),
- description of obvious irregularities established on board the ship."

#### Article 5

In Article 64, paragraph 4 is amended to read as follows:

"(4) The port managing authority shall ensure acceptance of waste resulting from cleaning and regular use of vessels or maritime structures, and inform in written form the harbourmaster's office, before leaving the port, about the amount of actually unloaded waste."

#### Article 6

In Article 80a, after subparagraph 3, new subparagraph 4 is added to read as follows:

"*LRIT*" is the system of Long-Range Identification and Tracking of ships, pursuant to Rule 19-1, Chapter V, of the SOLAS Convention"

#### Article 7

After Article 80c, new Articles 80d and 80e are added to read as follows:

#### "Article 80d

(1) Every fishing vessel with overall length of 15 meters or more, of Croatian nationality, or a fishing vessel sailing in internal waters and the territorial sea of the Republic of Croatia, or unloading its catch in the Republic of Croatia, shall be equipped Automated Identification

System (AIS) of class A, which meets the requirements of point 2.4.5, Rule 19, Chapter V, of the SOLAS Convention, according to the timetable prescribed in Annex 2 constituting an integral part of this Ordinance.

(2) Fishing vessels referred to in paragraph 1 of this Article shall ensure continuous usability and uninterrupted system operation. 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 ship.

#### Article 80e

Ships to which Rule 19-1 of Chapter V of the SOLAS Convention and corresponding standards and functional requirements approved by the International Maritime Organisation apply shall be equipped with LRIT equipment which satisfies those standards and requirements if they call at ports in the Republic of Croatia."

#### Article 8

Annex I is amended to read:

**"PODACI O BRODSKOM OTPADU I OSTACIMA OD TERETA KOJI SE  
DOSTAVLJAJU PRIJE UPLOVLJENJA BRODA U LUKU (INFORMATION TO  
BE NOTIFIED ABOUT WASTE AND CARGO RESIDUES BEFORE ENTRY  
INTO PORT OF)**

1. Ime, pozivni znak, IMO broj:

(Name, call sign, IMO number)

2. Država pripadnosti:

(Flag state)

3. Predviđeno vrijeme dolaska:

(Estimated time of arrival ETA)

4. Predviđeno vrijeme odlaska:

(Estimated time of departure ETD)

5. Prethodna luka uplovljenja:

(previous port of call)

6. Sljedeća luka:

(next port of call)

7. Zadnja luka i datum dostavljanja broskog otpada:

(last port and date when ship-generated waste was delivered:

8. Dostavljate li:

(Are you delivering):

Sve  nešto  ništa

(all) (some) (none) (\*)

(\*) Popuni odgovarajuću kućicu

(tick appropriate box)

od brodskog otpada u lučke prihvatne uređaje?

(of your waste in to port reception facilities?)

9. Vrsta i količina otpada i ostataka od tereta koji se dostavlja i/ili ostaje na brodu, i postotak od maksimalnog uskladištenja:

(type and amount of waste residues to be delivered and/or remaining on board, and percentage of maximum storage capacity)

Ako se dostavlja cjelokupni otpad, popuniti drugi stupac.

Ako se dostavlja nešto ili ništa, popuniti sve stupce.

(if delivering all waste, complete second column as appropriate)

(if delivering some or no waste, complete all columns)

Vrsta (type)	Količina za dostavu m <sup>3</sup> (waste to be delivered m <sup>3</sup> )	Maksimalni raspoloživi smještajni prostor m <sup>3</sup> (maximum dedicated storage capacity m <sup>3</sup> )	Količina otpada koja ostaje na brodu m <sup>3</sup> (amount of waste retained on board m <sup>3</sup> )	Luka u kojoj će se dostaviti preostali otpad (port at which remaining waste will be delivered)	Procijenjena količina otpada koja će nastati između prijave i sljedeće luke m <sup>3</sup> (estimated amount of waste to be generated between notification and next port of call m <sup>3</sup> )
1. Otpadna ulja (waste oils)					
Talog (sludge)					
Kaljuže (bilge water)					
Ostalo (navedi) (other (specify))					
2. Smeće (garbage)					
Ostaci hrane (food waste)					
Plastika (plastic)					
Ostalo (other)					
3. Otpadne vode (Sewage)					
4. Otpad od Tereta <sup>(1)</sup> (cargo associated waste) – definiraj					
5. Ostaci tereta <sup>(1)</sup> (Cargo Residues) – definiraj					

(1) može biti procjena. (May be estimates.)

Napomene:

(Notes)

1. Ovi podaci mogu biti upotrijebljeni za inspekcijske svrhe

*(this information may be used for port State control and other inspection purposes)*

2. Dostavlja se lučkoj kapetaniji i lučkoj upravi

*(to be delivered to the Harbourmasters Office and Port Authority)*

3. Ovaj formular se ispunjava uvijek osim ako je brod izuzet u skladu s člankom 9. Direktive 2000/59/EC

*(this form is to be completed unless the ship is covered by an exemption in accordance with Article 9 of Directive 2000/59/EC)*

Potvrđujem da su gore navedeni podaci točni i ispravni i da na brodu ima dovoljno prostora namijenjenog isključivo za brodski otpad gdje će se smjestiti sav otpad koji će nastati između prijave i sljedeće luke u kojoj će se otpad predati.

*(I confirm that above details are accurate and correct and there is sufficient dedicated on board capacity to store all waste generated between notification and next port at which waste will be delivered)*

Datum.....

*(date)*

Vrijeme.....

*(time)*

Potpis.....

*(signature)*

#### Article 9

In Annex II below, the following text is added:

#### **"Fishing vessels**

Automatic Identification System (AIS) shall be installed on all fishing vessels with overall length of 15 meters and more, as follows:

1. all ships whose keels are laid on and after 30 November 2010;

2. all ships whose keels were laid before 30 November 2010, as follows:

- fishing vessels with overall length of 24 meters or more, but less than 45 meters, not later than 31 May 2012;
- fishing vessels with overall length of 18 meters or more, but less than 24 meters, not later than 31 May 2013;
- fishing vessels with overall length of more than 15 meters, but less than 18 meters, not later than 31 May 2014.

#### Article 10

This Ordinance enters into force the eighth day from the day of its publication in the "Official Gazette".

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Zagreb, 26 October 2010

Minister  
**Božidar**  
**Kalmeta, m. p.**