

# “MARINE KAŠTELA d.o.o.” PORT BYLAWS

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Pursuant to Article 9 of the Rules on the Terms and Methods of Maintaining Order in Ports and Other Parts of Internal Waters and the Territorial Sea of the Republic of Croatia (*Narodne novine*, NN; Official Gazette of the Republic of Croatia No. 72/2021), the management of MARINE KAŠTELA d.o.o., F. Tuđmana 213, Kaštel Gomilica, Personal Identification Number /OIB/:91193992241, hereby adopts the following Port Bylaws.

## 1. BASIC PROVISIONS

- 1.1. These Bylaws prescribe the terms and manner of maintaining order in the special purpose port and nautical tourism port, MARINE KAŠTELA d.o.o., hereinafter referred to as the Marina.
- 1.2. These Bylaws apply to the entire marina grounds (both land and sea area) in accordance with the Agreement on granting concession of the maritime domain for the purpose of economic use of the special purpose port – nautical tourism port Marina Kaštela of 23 December 2013, Class: 350-05/11-01/305, Reg.br. 530-03-1-13-49, concluded with the Government of the Republic of Croatia, represented by the Minister of Maritime Affairs, Transport and Infrastructure, dr.sc. Siniša Hajdaš Dončić, as the concession grantor.
- 1.3. The concessionaire i.e. the management of the company MARINE KAŠTELA d.o.o., is responsible for maintaining order in the Marina.

## 2. MOORING ASSIGNMENT

- 2.1. The mooring options in the Marina (hereinafter referred to as berth) for boats, yachts and ships (hereinafter referred to as vessels) include quays and pontoons marked from A1-A60, B1-B60, C1-C60, D1-D60, E1-E60, F1-F60, LUA1-24, LUB1- 72 i LUC1-25.
- 2.2. The pontoons ranging from B1-F60, LUA1-24 LUC1-25 are designated for mooring of vessels in transit and charter vessels.
- 2.3. A permanent berth is assigned by the Marina's receptionist in agreement with the Marina attendants' shift manager.
- 2.4. A permanent berth at the Marina is regulated by virtue of an agreement concluded with the owner i.e. the user of the vessel in accordance with the General Terms and Conditions of Business of the Marina.
- 2.5. A berth for a commercial purpose vessel (charter) is designated by a person authorised by the Marina management (marina receptionist, in agreement with the attendants' shift manager), upon presentation of documentation for the performance of charter activities prescribed by the law.
- 2.6. A transient berth for a vessel without a permanent berth in the Marina is assigned by the Marina attendants' shift manager.
- 2.7. A dry berth, i.e. areas between KOP-1 and KOP-160, is determined in accordance with the area plan.
- 2.8. A vessel in the port has to be moored by using corresponding and functional ropes and mooring accessories (cleats, shackles etc.).
- 2.9. Boaters are issued with a valid weather forecast prepared by the Croatian Meteorological and Hydrological Service at the marina reception.

### **3. ENTERING THE MARINA**

- 3.1. All vessels entering the Marina must be operated in a safe and prudent manner in relation to other vessels, using the shortest possible route, without stopping, sailing on the right side of the waterway and at a speed of up to 2 knots which shall not be exceeded. Every time upon entering the Marina, the master of the vessel undertakes to notify the Marina of their arrival (by phone or VHF station via channel 17).
- 3.2. The master of the vessel is obliged to have a valid navigation permit for the vessel, i.e. a valid document that enables navigation in accordance with the regulations of the Republic of Croatia and a list of persons certified by the harbourmaster.
- 3.3. The master undertakes to report their arrival at the marina reception without delay, presenting the vessel's documents and a list of the crew or persons on the vessel (except for the master of the vessel for which a permanent sea berth agreement with Marine Kaštela d.o.o. has been concluded).
- 3.4. The master undertakes to keep the garbage and waste oils onboard until they arrive at the port, where they are obligated to properly dispose of them.
- 3.5. If anything out of the ordinary potentially hazardous occur on any given vessel, i.e. should anything happen to persons aboard a vessel, hull, equipment, machinery or cargo, or if environmental pollution is noticed, the person operating the vessel undertakes to report it to the Marina without delay.  
Upon reporting the pollution incident, the maintenance unit, which has the means and equipment to contain and repair the damage caused by sea pollution, will proceed with the removal of the consequences of sea pollution.
- 3.6. Vessel masters are obliged to sail at the lowest possible speed when arriving and departing from the port, following the speed reduction signs, next to places where coastal or underwater works are carried out and where marked diving locations are located, so as not to create waves which could cause damage to other vessels, the coast and devices in the port.

### **4. MOORING AND ANCHORING**

- 4.1. Vessels in the Marina have to be moored according to the instructions from the Marina staff (attendants and their shift manager). The mooring of the vessel must be carried out in a safe manner by using functional mooring lines of appropriate dimensions. Mooring lines must not interfere with the navigation of other vessels.
- 4.2. All vessels must be moored to cleats, moorings, etc. as instructed by the Marina. Unless otherwise agreed, the owner undertakes to ensure that the vessel has mooring lines and fenders in sufficient quantity and quality, that they are changed when necessary and maintained and used in the correct manner by the Marina.
- 4.3. Anchoring in the Marina is strictly forbidden except when it is required to reduce possible damage.
- 4.4. Connecting a vessel to electrical and water installations in the Marina is allowed only if the vessel has functional installations compatible with such connections, and only during the crew's stay on the vessel.

### **5. VESSELS IN PORT**

- 5.1. The following is not allowed in the port:
  - 1) obstructing mooring devices in any way;
  - 2) relocating, changing and removing berths, anchors and equipment belonging to another vessel, except when it is necessary to prevent immediate damage or due to the arrival or departure of a vessel;

- 3) mooring vessels to navigational and other markings, devices and equipment not intended for such use, moving over them; unauthorised placement, removal, relocation of or causing damage to navigational and other markings or mooring devices;
- 4) causing damage to the Marina's facilities, jetties and land area, by placing various objects and equipment (antennas, various boxes and containers, floor coverings, carpets, etc.), wedging, or performing any other activity that might cause damage to the Marina's facilities and endanger safety;
- 5) welding, starting open fire on the coast, vessel or mooring devices;
- 6) cleaning, scraping and painting the above-water or underwater hull plating;
- 7) polluting the air by releasing dust, smoke and other gases in concentrations above those permitted in special regulations;
- 8) storing highly flammable and explosive substances and substances with a strong or unpleasant smell in any area of the Marina (vessel, next to the vessel, marina plateau, etc.);
- 9) keeping the vessel's propeller running, except for making necessary manoeuvres;
- 10) bathing, swimming, diving, surfing, skiing or driving motorboats;
- 11) carrying out repairs and reconstruction works on the vessel's formwork, deck, equipment and machinery outside the scope of regular works; a service area is provided for the implementation of works on a vessel;
- 12) excluding contractual subcontractors of Marine Kaštela d.o.o., other natural and legal persons are not allowed to carry out work on a vessel without an identification card and without a valid power of attorney; the card can be obtained at the marina reception upon the payment of the fee for the use of the infrastructure;
- 13) performing works on a vessel for foreign natural and legal persons; foreign legal entities are allowed to carry out works on a vessel only within the warranty period upon the presentation of a warranty order for work, a valid power of attorney issued by the owner of the vessel and with a card obtained at the marina reception, after the payment of the fee for the use of the infrastructure;
- 14) incinerating waste on a vessel;
- 15) endangering the safety of navigation, human lives and the environment in any way;
- 16) engaging in any activity aboard a vessel that can put human life at risk, cause a fire, pollute the sea or cause damage to other vessels, the coast, port devices, devices and facilities;
- 17) refuelling by the berth user;
- 18) having the cable plugged into a power socket while the crew is not aboard a vessel. When leaving the vessel, the cable must be disconnected or the Marina's attendants will do it;
- 19) using the vessel's toilet and emptying the black tank;
- 20) disturbing the peace at night between 11:00 p.m. and 8:00 a.m. by a berth user;
- 21) parking the vehicle in the service zone, below someone else's vessel on land and outside the areas marked for vehicle parking;
- 22) driving in and leaving a camper in the Marina;
- 23) staying in caravans and campers; caravans and campers used as personal vehicles can be parked exclusively on the plateau;

5.2 The following is allowed in the port:

- 1) Loading of fuel on vessels berthed in the port, in accordance with the Ordinance on handling dangerous goods, the conditions and method of transport in maritime traffic, loading and unloading of dangerous goods, bulk and other cargo in ports and the method of preventing the spreading of oil spills in ports (Narodne *novine*, NN; Official Gazette of the Republic of Croatia Nos. 51/05,127/10,34/13,98/13.79/15 53/16, 41/17 and 23/20)

**The vessel will be supplied with fuel at two locations in the port, namely;**

- **Location no. 1 - the root of the outer breakwater of the Marina Kaštela port**
- **Location no. 2.-southwestern part of the Marina Kaštela port service base (south of the travel lift)**

## **6. ARRIVAL OF VESSELS BY LAND**

- 6.1. Before transporting the vessel to the marina by land, with a towing vehicle on a trailer or by truck, the owner of the vessel is obliged to familiarise themselves with the regulations pertaining to the entry of the vessel into the Republic of Croatia, and to promptly announce the arrival of the vessel to Marina Kaštela in order to prepare customs documentation and refer it to forwarding, if needed. If a Single Customs Declaration (SCD) has been issued to the carrier at the border crossing for the entry of a vessel, the carrier and the owner of the vessel are responsible for the inspection of a vessel before arriving at the marina, at a competent customs office, in order to clear the SCD, and to follow the instructions of a shipping company and the marina in order to complete the clearance procedure.
- 6.2. When arriving by land, with a towing vehicle and a vessel on a trailer, the master of the vessel is obliged to report their arrival at the marina reception.
- 6.3. If a vessel arrives by land, and the vessel is only in transit, the master of the vessel is obliged to hand over the personal documents of the entire crew to the marina reception staff in order to register the stay of the persons, to open a work order for lowering the vessel into the sea and parking the vehicle and the trailer.
- 6.4. The master of the vessel is obliged to submit the vessel's documents at the marina reception and obtain a prepaid card for entering and exiting the Marina.
- 6.5. The master of a vessel, having a pending work order, is given back the personal documents at the marina reception. Furthermore, the receptionist is obliged to give them a mandatory GUEST REGISTRATION form for each person.
- 6.6. The master of the vessel, a foreigner, who has entered into a permanent berth agreement with the Marina, is obliged to register their arrival at the marina reception with the presentation of personal documents of the entire crew (foreigners) in order to register them as guests (pursuant to the Aliens Act).

## **7. DEPARTURE FROM THE MARINA**

- 7.1. When leaving the Marina, the master undertakes to disconnect the vessel from the Marina's electrical and water connections.
- 7.2. When leaving the Marina, the master undertakes to leave mooring equipment in a functional state and good condition.
- 7.3. If a vessel in transit leaves the Marina by land, all operations in relation to lifting and loading of a vessel onto a vehicle or a trailer are carried out via the marina reception.
- 7.4. The master navigating a vessel for which a berth agreement was concluded is obliged to report to the Marina any absence of the vessel from the Marina longer than 7 days.
- 7.5. If the vessel for which a berth agreement was concluded leaves the marina permanently, the master must notify the marina reception of the departure of the vessel, and cancel the berth agreement in writing.
- 7.6. If the vessel for which a berth agreement was concluded leaves the marina by land, all operations of vessel lifting and loading it onto a vehicle are carried out through the marina reception.

## **8. WASTE REPORTING AND RECEPTION FROM VESSELS AND REMAINING CARGO**

- 8.1. It is forbidden to pollute the air by releasing dust, smoke and other gases in excess of the permitted amounts set out in special regulations in the Marina, and to keep the vessel's propeller running the ship's propeller, except for the necessary manoeuvring of the vessel.

- 8.2. Toilets and showers of vessels that are not equipped with septic tanks may not be used in the marina. Clothes and dishes may not be washed on such vessels, and the vessels themselves may not be washed using detergents (except those detergents approved by the Marina). The Marina provides the use of toilets, showers and dishwashing stations for all users. If the vessel's users cause pollution of the sea or the facilities of the Marina, the owner will be charged a cleaning fee by the Marina. The owners of polluting vessels may be charged with pollution fines.
- 8.3. The exact locations, description and instructions for disposal of all types of waste are shown on the schematic diagram that is part of the waste management plan in the port, which is displayed on the Marina's official notice board at the Marina's reception. In the event of non-compliance with the same, the Marina will immediately take legal action, and the owner will be charged three times the usual price for the cost of cleaning personnel, materials or equipment to be used during cleaning. Furthermore, failure to comply with the afore-mentioned provides the Marina with valid grounds for a unilateral termination of all existing contracts with the subject owner, and a refund of paid funds will not be possible.
- 8.4. It is forbidden to discharge bilge or waste water or waste of any kind into the sea, outside of designated waste disposal facilities. It is forbidden to dispose garbage anywhere inside the marina except in designated waste disposal facilities. It is prohibited to leave waste or flammable (highly flammable) liquids, i.e. gasoline, thinner, paint, etc., on pontoons, piers or quays, and to discharge oil or sewage waste into the seawater inside the Marina.
- 8.5. The waste from a vessel must be kept in special plastic bags that can be properly tied to avoid spreading of unpleasant odours or attracting flies, mosquitoes, etc., and must be placed in waste containers located in several places within the marina.
- 8.6. The owner is responsible for the daily clean-up of any pollution caused by their vessel. If the same is not done properly, the Marina staff will perform the cleaning, and the owner will be charged for all cleaning actions.
- 8.7. Chemical materials should not be disposed of inside the Marina.
- 8.8. Hazardous, flammable (highly combustible) materials, poisonous and toxic materials, liquid fuels, acids and oils may not be brought into the marina except by transporting them in a safe and well-guarded, leak-proof containers. All local rules and regulations regarding this matter must be strictly applied and the owner is obliged to ensure that no unpleasant odours are released into the environment. If appropriate preventive measures are not taken, the owner will be held responsible and possible costs to rectify the situation will be charged. Explosive or flammable (highly combustible) materials such as gasoline, diesel, LPG, etc., are absolutely prohibited on all vessels in the Marina and it is the owner's responsibility to prevent these materials from being brought onto the vessel. Exceptionally, if there are flammable or explosive materials on the vessel, the Marina director must be informed in advance about the nature and quantity of such material.

## **9. CONTROL MANNER**

- 9.1. The control over the application of these Port Bylaws is performed by the management or a person authorised by it.
- 9.2. Control of steering, docking, mooring, anchoring and sailing of vessels in the Marina is carried out by the marina attendants' shift manager.
- 9.3. The supervision of navigation safety and the enforcement of order in the port and the enforcement of these Bylaws is carried out by the Split Harbourmaster's Office.

## **10. OBLIGATIONS OF THE PORT MANAGING AUTHORITY**

- 10.1. The port managing authority undertakes to organise and carry out constant supervision of the vessels moored in the Marina, in accordance with the relevant laws and the highest standards of the profession.
- 10.2. The Marina undertakes to:
- monitor the condition of vessels and moorings and to notify users of observed defects; obtain, maintain and, if necessary, replace two bow moorings (anchor rope) and lanyards (connection between the anchor rope and the shore);
  - provide the vessel with electricity connection according to the network's capabilities and the functionality of the power cabinet socket;
  - monitor and maintain power cabinets;
  - enable the vessel's water supply and the functionality of the power cabinet tap
  - in the event of visible water ingress and/or fire, intervene and undertake all actions aimed at saving the vessel and the property of the Marina at the cost of the berth user;
  - in case of damage to the vessel caused by other vessels and/or a third party, report to the competent authorities (the Harbourmaster's Office and the Maritime Police);
  - make sure that the vessel is moored in accordance with the instructions of the Marina, at a safe distance from a jetty and with mounted fenders on both sides and the stern of the vessel. Provide and maintain ropes for mooring the vessel to a jetty.
  - the marina is not responsible for any damage caused to vehicles during the use of the parking space in the Marina.
- 10.3. In the absence of the user's vessel, the Marina has the right to temporarily use the berth, while the berth user undertakes to inform the Marina about the return of the vessel 24 (twenty-four) hours in advance by phone or via radio connection (channel 17). The berth user is obliged to report any absence of the vessel. The absence of the vessel from the Marina is not deducted from the berth price.
- 10.4. The port managing authority undertakes to display the weather forecast of the Croatian Meteorological and Hydrological Service in a visible location.
- 10.5. The port managing authority is obliged to inform all users of the services provided by Marine Kaštela d.o.o. and the manner of submitting complaints and/or objections to the quality of the services provided. Any user of the services provided by the Marina can submit a written complaint and/or objection, to which the port managing authority is obliged to respond within the legal deadline.
- 10.6. The port managing authority will equip the Marina with suitable facilities for waste reception and taking necessary actions to prevent pollution.

## 11. FINAL PROVISIONS

- 11.1. With the day these Bylaws enter into force, the previous Bylaws on maintaining order in ports and other parts of internal sea waters and territorial sea of the Republic of Croatia cease to be valid for the special purpose port of MARINE KAŠTELA d.o.o. of 19 November 2015.
- 11.2. These Bylaws shall enter into force once approved by the Split Harbourmaster's Office.

Pursuant to the regulations of the Republic of Croatia, Marine Kaštela d.o.o., with the adoption of these Bylaws Code, as the user of the nautical tourism port of Marina Kaštela, i.e. as the port managing authority, has met its obligation to prescribe port bylaws.

Published on:

Marine Kaštela d.o.o.

Valid as of:

Director: Ivona Smoljić, dipl.iur.

SPLIT HARBOURMASTER'S OFFICE

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HARBOURMASTER:

Stamp: */Republic of Croatia, Ministry of the Sea,  
Transport and Infrastructure, Navigation Safety  
Department, Split Harbourmaster's Office, Split,  
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Signature: */illegible/*

Split, 10 May 2022