

U skladu s člankom 84 Zakona o pomorskom dobru i morskim lukama (Narodne novine br. 158/03, 141/06, 38/09, 123/11, 56/16, 98/19) i člankom 9, stavkom 2 Pravilnika o uvjetima i načinu održavanja reda u lukama i na ostalim dijelovima unutrašnjih morskih voda i teritorijalnog mora Republike Hrvatske (Narodne novine br. 72/21), MARINA ŠIBENIK d.o.o. OIB: 51380357466, koncesionar na temelju Ugovora o koncesiji pomorskog dobra od 4. siječnja 2008. g. i dodatka broja 2 ugovoru o koncesiji pomorskog dobra od 24. srpnja 2018. ovim putem usvaja i donosi se sljedeći Pravilnik, za svrhu gradnje i gospodarskog korištenja luke posebne namjene – luke za nautički turizam Mandalina-Kuline

## **PRAVILNIK o redu u luci**

luke za nautički turizam Mandalina Kuline

### **1. TEMELJNE ODREDBE**

1.1 Ovaj Pravilnik propisuje namjenu pojedinog dijela Marine, postupak javljanja, načine uplovljavanja, pristajanja, vezivanja, premještanja, sidrenja i isplovljavanja pomorskih objekata, način kontrole nad obavljanjem tih radnji, te obvezuje sve Vlasnike, Kapetane, Posade Plovila, Korisnike Plovila te sve druge osobe koje rade u Marini ili se zadržavaju u Marini.

1.2. Definicije koje se koriste u ovom Pravilniku:

- **Plovilo** – jest sukladno važećem Pomorskom zakoniku plovni objekt (pomorski objekt namijenjen za plovidbu morem, tj. brod, ratni brod, jahta ili brodica) namijenjen za plovidbu morem.
- **Brodica** - jest plovni objekt namijenjen za plovidbu morem koji je ovlašten prevoziti najviše 12 putnika, čija je duljina trupa veća od 2,5 metra, a manja ili jednaka 15 metara
- **Jahta** - jest plovni objekt za sport i razonodu, neovisno o tome koristi li se za osobne potrebe ili za gospodarsku djelatnost, a čija je duljina trupa veća od 15 metara i koji je namijenjen za dulji boravak na moru
- **Dizanje** – jest podizanje Plovila na putnu dizalicu bilo iz mora ili s nosača i završava spuštanjem Plovila koristeći posebnu opremu, bilo na prikolicu ili na suhi vez.
- **Dužina broda (LOA)** - uključuje cijelu dužinu Plovila mjerena između dviju krajnjih točaka na Plovilu na pramcu i na krmi.
- **Kapetan** – osoba zadužena za upravljanje Ploviлом i koja predstavlja vlasnika ili brodaru Plovila
- **Korisnik Plovila** – fizička ili pravna osoba koja koristi Plovilo ili neki njegov dio za poslovne svrhe i koja je poslana ili dovedena u Marinu od strane Vlasnika
- **Marina** – luka posebne namjene – luka za nautički turizam Mandalina Kuline, koja se sastoji od 129 240 m<sup>2</sup> vodene površine i 30 049 m<sup>2</sup> kopnene površine, tj. ukupne površine 159 289 m<sup>2</sup> (kako je opisano u Članku II Odluke o izmjeni odluke o davanju koncesije u svrhu izgradnje i gospodarskog korištenja luke posebne namjene – luke nautičkog turizma Mandalina-Kuline (Narodne novine br. 115/2013), kako je vidljivo iz Dodatka 1 koji čini sastavni dio ovog Pravilnika.

- **Navoz/Porinuće** – započinje podizanjem Plovila koristeći prikolicu ili putnu dizalicu i završava spuštanjem Plovila u more ili na nosače.
- **Područje Marine namijenjeno za radove održavanja** – područja Marine namijenjena za radove popravaka i održavanja.
- **Posada Plovila** – Posadu plovila čine zapovjednik i druge osobe ukrcane za obavljanje poslova na brodu i upisane u popis posade
- **Poslovno područje** – područje Marine iznajmljeno društvima koje pružaju usluge široj javnosti kao i korisnicima Marine,
- **Pravilnik** – ovaj Pravilnik o redu u luci, s njegovim svakodobnim izmjenama i dopunama.
- **Sigurnosna zona Marine**– područje odvojeno od javne površine zaštitnom ogradom ili ogradama, u koje je uključeno manevarsko područje, plutajuća privezišta, rive i luke, stanice za punjenje goriva, stanice za pristajanje trajekta, područje za podizanje Plovila, kao i posebna područja određena za isključivu upotrebu od strane Vlasnika, Kapetana, Posade Plovila i Korisnika Plovila.
- **Širina plovila (B max)** – mjere najveće udaljenosti između korita, odnosno strana trupa broda, primjenjujući kut od 90° po središnjoj liniji.
- **Tehničko područje Marine** – područje gdje djeluje dizalica uključujući dizalicu za bazen.
- **Tijelo koje upravlja lukom ili Marina Šibenik d.o.o.** tj. koncesionar luke posebne namjene – luke nautičkog turizma Mandalina Kuline sa sljedećim tijelima:
  - **Punomoćnici Marine** – osobe zadužene za zastupanje Marine Šibenik d.o.o.,
  - **Osooblje Marine** – osim punomoćnika Marine, sve druge osobe ovlaštene za davanje uputa i informacija vezano uz djelatnosti Marine, vezova, itd. (npr. voditelj recepcije)
- **Ugovor** – ugovor sklopljen između Vlasnika i Marine vezano uz privez, usluge podizanja i spuštanja u more i druge vrste usluga koje pruža Marina.
- **Brodar** jest fizička ili pravna osoba koja je kao posjednik broda nositelj plovidbenog pothvata, s tim što se pretpostavlja, dok se ne dokaže protivno, da je brodar osoba koja je u upisnik brodova upisana kao vlasnik broda

Dodatno uz ovdje naveden Pravilnik, u Marini se primjenjuje sljedeća zakonska regulativa:

- Pomorski zakonik (Narodne novine br. 181/04, 76/07, 146/08,61/11, 56/13,25/16,17/19);
  - Zakon o pomorskom dobru i morskim lukama (Narodne novine br. 158/03, 141/06, 38/09, 123/11,56/16,98/19);
  - Zakon o pružanju usluga u turizmu (Narodne novine br.130/17,25/19,98/19,42/20,70/21)
  - Pravilnik o uvjetima i načinu održavanja reda u lukama i drugim dijelovima unutarnjih morskih voda i teritorijalnog mora Republike Hrvatske (Narodne novine 72/21);
  - Pravilnik o brodicama i jahtama (Narodne novine br.8/20, 52/20);
  - Uredba o uvjetima za dolazak i boravak stranih jahti i brodica namijenjenih sportu i razonodi u unutarnjim morskim vodama i teritorijalnom moru Republike Hrvatske (Narodne novine br. 97/13)
- kao i drugo mjerodavno hrvatsko zakonodavstvo, zakonodavstvo Europske unije i/ili međunarodno zakonodavstvo, ovisno o određenoj situaciji i/ili stvari.

## 2. KONCESIJSKO PODRUČJE

2.1. Na temelju članka 28. stavka 3. Zakona o morskim lukama (NN 108/95), Marina Mandalina, na kojem se primjenjuje ovaj Pravilnik, obuhvaća morski dio kako je opisano u članku 1. Ugovora o koncesiji pomorskog dobra od 4. siječnja 2008. g. i dodatka broja 2 ugovoru o koncesiji pomorskog dobra od 24.srpnja 2018.

### 2.2. Osnovni podaci luke:

Naziv objekta: Marina Mandalina  
Adresa: Obala Jerka Šižgorića 1, 22 000 Šibenik  
Način komunikacije sa lukom: VHF kanal 09

Telefon:022/ 460 800 ; Fax: 022/460 802

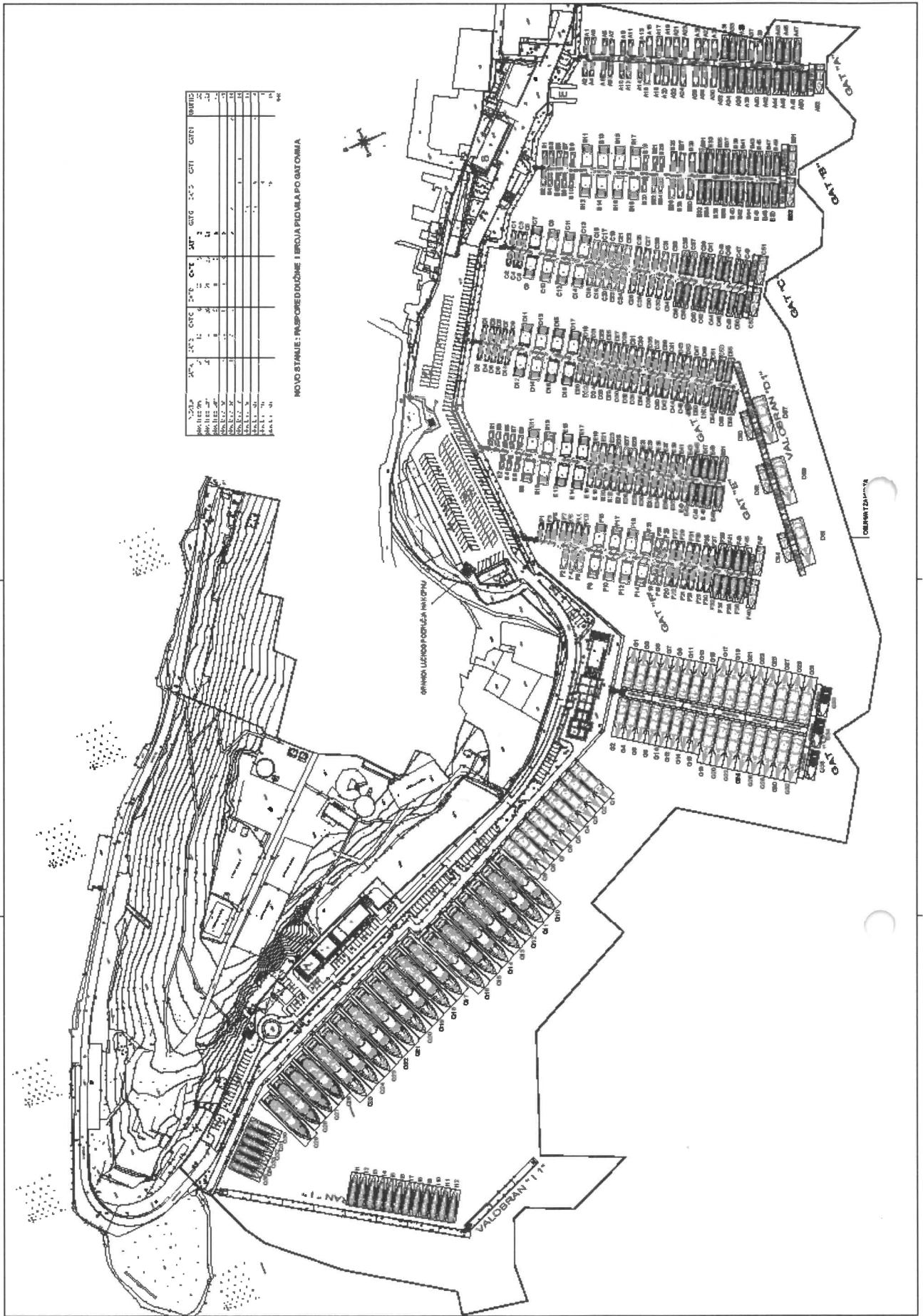
web: www.d-marin.com

Marina Mandalina je smještena na jugozapadnoj obali poluotoka Kuline. Otvorena je cijele godine.

PLOVILA	GAT A	GAT B	GAT C	GAT D	GAT E	GAT F	GAT G	GAT Q	GAT I	GA D1	UKUPNO
plovila do 9m	14	16	6	10	8	2					56
plovila do 12m	18	6	20	34	26	24					128
plovila do 14m		8	8	8	8	8					40
plovila do 15m	17	20	16	5	8	8					74
plovila do 18m	1	2	2			2	3			3	13
plovila do 21m								6	12		18
plovila do 25m							16				16
plovila do 30m							16	9		3	28
plovila do 40m								4			4
plovila do 50m								16			16
											393

## 3. ODREĐIVANJE MJESTA ZA PRIVEZ PLOVILA

3.1. Marina stavlja na raspolaganje vez za korištenje od strane Plovila, za cijenu naznačenu u cjeniku važećem za tekuću godinu. Marina nije obvezna staviti na raspolaganje neki određeni vez. Plan priložen kao Dodatak 2 koji čini sastavni dio ovog Pravilnika prikazuje, unutar pomorskog dobra Marine, lokacije raspoloživih vezova i suhih vezova.



#### **4. POSTUPAK JAVLJANJA**

- 4.1. Sva Plovila koji žele ući u Marinu ili napustiti Marinu dužni su pravodobno obavijestiti Osoblje Marine putem radio veze, na VHF kanalu 17, te ishoditi prethodno odobrenje. Plovila mogu također obavijestiti Osoblje Marine o svojoj namjeri da uđu u Marinu ili napuste Marinu telefonski ili direktno u prijemnom uredu Marine (na recepciji). Osoblje Marine će, ako bude potrebno, dati upute i smjernice za ulazak..
- 4.2. Sva plovila koja plove na području pod upravljanjem Lučke uprave Šibenik imaju obvezu slušanja pomorskog radio prometa na VHF radijskom kanalu 09.

#### **5. UPLOVLJAVANJE BRODICE I KRETANJE UNUTAR MARINE**

- 5.1. Plovilo je obvezno ući u Marinu s dužnom pažnjom u odnosu na druga Plovila, koristeći najkraći mogući put, bez zadržavanja, ploveći desnom stranom plovnog puta i brzinom do 2 čvora, odnosno najmanjom mogućom brzinom broda.
- 5.2. Mornari Marine koji rade na privezištu dužni su kod ulaska Plovila u Marinu isti navoditi pokazivanjem zastavicom ili svircem do mjesta priveza, pružiti pomoć kod privezivanja, te zaželjeti dobrodošlicu gostima i uputiti Kapetana na recepciju Marine.
- 5.3. Mornar Marine koji pruža dobrodošlicu Plovilu dužan je zapisati vrijeme dolaska Plovila, te navesti lokaciju predmetnog veza, uručiti jedan primjerak Kapetanu te drugi primjerak odnijeti na recepciju Marine.
- 5.4. Pri upravljanju krutog čamca na napuhavanje (RIB boat) unutar Marine, Vlasnik je dužan koristiti usluge Marine za navođenje.
- 5.5. Sva Plovila koja koriste objekte Marine dužni su pokazati dokumentaciju kojom dokazuju sposobnost plovidbe, moraju biti potpuno opremljeni te sposobni samostalno ploviti. Vlasnik je dužan osigurati valjan dokaz o osposobljenosti za osobu koja upravlja Plovilom i Posadu Plovila.
- 5.6. Privezivanje Plovila mora se učiniti na siguran način, korištenjem prikladnih konopa za vez odgovarajućih dimenzija. Konopi za vez ne smiju ometati plovidbu drugih Plovila.
- 5.7. Sva Plovila moraju biti privezani za bitve, priveze i drugo prema uputama Marine. Osim ako nije drugačije dogovoreno, Vlasnik je dužan osigurati da Plovilo ima konope i bokobrane u dovoljnoj količini i kvaliteti, da su mijenjani kada je potrebno te održavani i korišteni na ispravan način od strane marine.
- 5.8. Apsolutno je zabranjeno spuštati sidro unutar Marine, osim u nužnim slučajevima da bi se smanjila moguća šteta. Moguće je pričvrstiti Plovilo za bitvu drugog Plovila, međutim to može biti učinjeno samo u skladu s ovim Pravilnikom. U slučajevima nužde, moraju se slijediti upute Osoblja Marine vezano uz vezivanje Plovila na bitve, tj. Vlasnici, Kapetani ili Posada Plovila ne smiju odbiti zavezati ili odvezati svoje konope s bitvi kako bi omogućili pomicanje i zavezivanje ili odvezivanje drugih Plovila.
- 5.9. Pri ulasku u Marinu, izlasku iz Marine ili manevriranju unutar Marine, Plovilo mora biti upravljano na način koji ne ometa i ne ugrožava druga Plovila. Prilikom plovidbe, pristajanja, privezivanja, odvezivanja i sidrenja Plovila u Marini treba se tako postupati da se tim radnjama ne ugroze ljudski životi i ne onečisti more, te ne nanese šteta svom Plovilu, kao i drugim pomorskim objektima u Marini, sudarom, udarom ili nasukavanjem.

- 5.10. Plovila smiju koristiti samo svoje motore za kretanje unutar Marine. Korištenje jedara je zabranjeno. Plovila koji se ne pridržavaju ovog pravila bit će prisiljeni napustiti Marinu. Ako postoji Ugovor vezano uz takvo Plovilo, ovo kršenje daje Marini osnove za raskid Ugovora s trenutnim učinkom.
- 5.11. Tijelo koje upravlja Marinom odlučuje o vezu na koji se Plovilo može vezati. Vlasnik je dužan privezati Plovilo isključivo na dodijeljeni vez. Tijelo koje upravlja Marinom može iz razloga funkcionalne upotrebe operativnih obala i priveznih mjesta za Plovila zatražiti od Vlasnika Plovila da istog premjesti na drugi vez. Ako Vlasnik nije dostupan, odnosno ne premjesti Plovilo na drugi vez, Tijelo koje upravlja Marinom može premjestiti Plovilo na trošak i rizik Vlasnika uz suglasnost kapetanije.  
Isto tako ako se, unatoč upozorenju Osoblja Marine, Plovilo veže na mjestu koje nije dodijeljeni vez, Marina ima pravo jednostrano raskinuti ugovor o vezu za to Plovilo s neposrednim učinkom i to bez povrata sredstava, a takvo Plovilo morat će napustiti Marinu.
- 5.12. Nakon ulaska ili dolaska u Marinu kopnom, Kapetan je dužan bez odlaganja prijaviti dolazak na recepciji Marine, uz predočenje dokumenata Plovila i osobnih isprava, te popisa članova posade (crew list). Vlasnik ili Kapetan dužni su jasno obavijestiti Marinu o statusu Plovila; primjerice predstojeće carinske obveze, davanja i dokumenti o carinjenju ako postoje.
- 5.13. Ograničenje brzine unutar Marine je 2 nautičke milje (2 čvora) za sva Plovila i 20 km/h za sva cestovna vozila. Bilo kojoj osobi koja prekrši pravila o ograničenju brzine neće biti dozvoljeno korištenje Plovila/vozila u Marini, a njihov ulazak u Marinu može biti ograničen.
- 5.14. Ako Vlasnik, Kapetani i/ili Posada Plovila odlaze iz Marine ostavljajući svoje vozilo na parkiralištu Marine, dužni su dostaviti ključeve vozila na recepciju Marine. Nepropisno parkirana vozila bit će uklonjena od strane Osoblja Marine na Vlasnikov trošak.
- 5.15. U slučaju da Vlasnik planira boraviti van Plovila privezanog u Marini duže od 24 sata, dužan je obavijestiti recepciju Marine te ostaviti adresu i broj telefona na koji ga/ju se može lako dobiti. Ključ Plovila mora se dostaviti na recepciju Marine te će Vlasnik dobiti potvrdu za isto.
- 5.16. U slučaju da Vlasnik ili Kapetan moraju napustiti Plovilo (npr. u slučaju nužde) na kratko vrijeme (ali ne duže od 24 sata), on/ona dužni su doći na recepciju Marine te ostaviti adresu i broj telefona na koji ih se može lako dobiti te predati ključeve Plovila Osoblju Marine. Marina neće vratiti ključeve Plovila trećoj strani osim ako one ne dostavi jasno pisano odobrenje/ovlaštenje potpisano od strane Vlasnika Plovila ili Kapetana, već prema slučaju.
- 5.17. Odgovornost Marine za čuvanje i nadzor prestaje kad se ključevi i dokumenti za isplovljavanje predaju Vlasniku na recepciji Marine, bilo da Plovilo ostaje na vezu ili je u plovidbi.

## **6. ISPLOVLJAVANJE**

- 6.1. Prilikom isplovljavanja plovnog objekta, osoba koja upravlja plovnim objektom obavezna je najaviti Marini (VHF 17) isplovljavanje, te zatražiti odobrenje za slobodno isplovljavanje neposredno prije odvezivanja. U slučaju izmjena najavljenoga, osoba koja upravlja plovnim objektom obavezna je o svemu izvijestiti Marinu.
- 6.2. Plovni objekt koji isplovljava iz Marine ima prednost pri manevriranju pred plovnim objektom koji uplovljava u lučko područje.

## 7. BORAVAK PLOVILA U MARINI

- 7.1. Vlasnik ili Korisnik Plovila je osobno i u potpunosti odgovoran za ponašanje svih osoba na svome Plovilu.
- 7.2. O Plovilu koji je privezano u Marini dužan je brinuti se Vlasnik Plovila odnosno Korisnik Plovila te odgovara za svaku štetu koju Plovilo počini drugim plovnim objektima, obali, uređajima, napravama ili postrojenjima.
- 7.3. Zabranjeno je paliti vatru, koristiti roštilj na ugljen, donositi eksploziv na Plovila ili koristiti svijeće, baklje unutar Marine.
- 7.4. Zabranjeno je obavljati radove popravljanja ili održavanja koji mogu onečistiti okolinu, predstavljati rizik od zapaljenja ili uzrokovati neugodnosti susjednim Plovilima u Marini.
- 7.5. Vlasnik je dužan voditi računa da ima sve potrebne produžne kablove ili crijeva kako bi se Plovilo moglo priključiti na stanice unutar Marine za vodu, struju, telefon ili TV.
- 7.6. Vlasnik je dužan osigurati da su sve osobe i oprema na Plovilu prikladno zaštićeni od svih nepovoljnih vremenskih utjecaja ili utjecaja mora.
- 7.7. Vlasnik je dužan zaštititi Plovilo od mogućeg utjecanja vode, kako kiše tako i morske vode. Mora posebnu pozornost posvetiti održavanju svih ventila/jedinica za izbacivanje vode, motora/generatora za hlađenje sustava ventila za utjecanje vode, kaljužne pumpe, sustava za alarmiranje, itd. na Plovilu.
- 7.8. U Marini je zabranjeno
  - onemogućiti pristup napravama za privez;
  - premještati, mijenjati i uklanjati vezove, sidra i uređaje drugog plovnog objekta osim kad je to potrebno radi sprečavanja neposredne i očite štete ili kad je to potrebno zbog dolaska ili odlaska plovnog objekta;
  - vezivati plovne objekte za plovidbene i druge oznake, naprave i uređaje koji nisu namijenjeni za privez i kretati se po njima;
  - neovlašteno postavljati, premještati, mijenjati, uklanjati ili oštećivati plovidbene i druge oznake ili naprave za privez; i
  - oštećivati operativne obale teškim vozilima, smještanjem teških predmeta preko dopuštenog opterećenja, zabijati u obalu klinove, grede i sl., te dizati kamenje s obalnih zidova ili obavljati bilo koju drugu radnju kojom se nanosi šteta operativnim obalama.
- 7.9. Privatne stvari kao što su osobni predmeti, male brodice ili čamci, dodatna oprema za jahtu, bicikli, platforme, šatori, prikolice, karavani, itd. ne smiju biti ostavljeni na pristaništima, izduženim pristaništima, rivama ili na području za dizanje brodova, već se moraju čuvati na Plovilu. Nikada se ne smiju ostaviti na stazama, pontonima, rivama ili pristaništima, gdje bi mogli predstavljati prepreke za uobičajeni promet. Postoje određeni skladišni prostori u Marini te Osoblje Marine dodjeljuje prikladno mjesto za skladištenje ako je potrebno. Pod posebnim okolnostima moguće je od Osoblja Marine dobiti dozvolu da se stvari privremeno ostave izvan za to namijenjenih skladišnih objekata. Sve stvari neprimjereno ostavljene izvan skladišnih prostora Osoblje Marine će pokupiti, prikladno uskladištiti te Vlasniku naplatiti odgovarajuću naknadu
- 7.10. U Marini je zabranjeno plivanje, ronjenje, ribolov, skijanje na vodi, vožnja jet ski motora i jedrenje na dasci, osim iznimno uz izdane uvjete i suglasnost lučke kapetanije
- 7.11. Zabranjeno je prati odjeću, suđe ili vozila na pristaništima izduženim pristaništima ili bilo kojem području Marine. Jedra, cerade i gumeni brodići mogu se oprati i sušiti

na posebno određenim mjestima koja će Osoblje Marine pokazati.

- 7.12. Vlasnik je dužan osigurati da su na Plovilu poduzete sve mjere kako bi se spriječilo izbijanje požara. Mora opremiti Plovilo održanim aparatima za gašenje požara koji su u skladu s propisima.
- 7.13. U nužnim slučajevima u Marini, Vlasnici i Posada Plovila dužni su slijediti sve naloge i upute koje daje Osoblje Marine te moraju biti spremni pružiti pomoć na sve moguće načine.
- 7.14. Plovilo mora jasno označiti registarsku oznaku na samom Plovilu, kao i na čamcima, prikolicama i drugim vozilima koja pripadaju Plovilu.
- 7.15. Osim za kuhanje ili za uobičajene slučajeve kada je potrebno osvjetljenje unutar Plovila nije dozvoljeno koristiti otvorene izvore svjetla niti se smije paliti vatra unutar Marine. Plovila koja namjeravaju koristiti električnu opskrbu od Marine moraju imati svoje električne instalacije usklađene s uobičajenim međunarodnim standardima te izvedene na siguran i profesionalan način; svi priključni kablovi moraju po amperima odgovarati namijenjenoj upotrebi na Plovilu. Za spajanje na električne utičnice u Marini moraju se koristiti posebni električni kablovi kako je to definirano od strane Osoblja Marine. Električni kablovi koji su označeni kao neprikladni od strane Osoblja Marine ne smiju se koristiti.
- 7.16. Sva jedra, konopi i užad moraju biti pričvršćeni za Plovilo na način da ne stvaraju nikakve prepreke slobodnom protoku prometa.
- 7.17. Vlasnici i Posada Plovila moraju parkirati svoja vozila u područjima Marine koja su označena kao parkirališta. Vozilima (osim vozilima u vlasništvu Marine) je dozvoljen pristup Tehničkom području Marine i Području Marine namijenjenom za radove održavanja isključivo uz prethodno odobrenje Osoblja Marine, za kratke boravke koji ne prelaze 5 minuta te za svrhe utovara i istovara.
- 7.18. Isključivo je ovlaštenom Osoblju Marine dozvoljeno podupirati Plovila koristeći prikladne potpornje ili klinove. Opasno je i zabranjeno mijenjati položaj potpornja, klinova.
- 7.19. Iz sigurnosnih razloga, zabranjeno je vezati zimska pokrivala za podupirače ili slične utege za vezanje pokrivala za potpornje.
- 7.20. Vlasnik je dužan osigurati da je sva struja koja vodi do Plovila na suhom vezu isključena kada nitko nije na Plovilu. Također, prije nego se započne s bilo kakvim radovima na Plovilu, Vlasnik mora osigurati da je uzemljenje prikladno izvedeno.
- 7.21. Vlasnik mora instalirati električno uzemljenje za Plovilo. Marina ne odgovara za nepravilan napon, električne prekide, promjene električne frekvencije i moguću štetu nastalu bilo kakvim instrumentima ili uređajima na Plovilu koja je uzrokovana takvim nepravilnostima.
- 7.22. Marina ne prihvaća nikakvu odgovornost za Plovila ili bilo koje druge predmete izvan pravno definiranih obveza Marine. Vlasnik je dužan poduzeti potrebne mjere opreza kako predmeti na njegovom/njezinom Plovilu ne bi bili izgubljeni, ukradeni ili oštećeni.
- 7.23. U slučaju da Plovilo ili bilo koje vozilo koje pripada Plovilu uzrokuje oštećenje mehanizaciji ili uređajima koji pripadaju Marini ili drugom Plovilu ili vozilu, Direktor Marine mora biti smjesta obaviješten o tom događaju od strane Vlasnika ili osobe zadužene za Plovilo koje je uzrokovalo štetu. Vlasnik Plovila/vozila koje je uzrokovalo štetu bit će odgovoran za plaćanje odštete.
- 7.24. Sve usluge navigacije u Marini mogu pružati isključivo osobe s certifikatom za zapovjednika broda, jahte ili voditelja brodice.



7.25. Vlasnik, Posada Plovila i sve druge osobe koje koriste Marinu dužne su:

- pridržavati se ovog Pravilnika; u slučaju nepridržavanja ovog Pravilnika, Marina može raskinuti Ugovor.
- opremiti Plovilo propisanim protupožarnim uređajima koji će efikasno djelovati na samom Plovilu.
- čuvati Plovilo i opremu pažnjom dobrog domaćina; ako Marina smatra da se ugovorna strana ne odnosi prema imovini kao dobar domaćin, može poduzeti mjere kojima će sačuvati imovinu na trošak ugovorne strane.
- opremu navedenu u inventarnoj listi spremiti u zaključan prostor Plovila.
- ključeve Plovila redovito predavati na recepciji Marine.
- prije svakog napuštanja Plovila uvijek isključiti sve električne kabele i vodovodne priključke; ako to ne učine, Osoblje Marine će samo isključiti priključke bez prethodne obavijesti.
- pridržavati se važećih propisa u pogledu boravka i plovidbe u granicama teritorijalnih voda Republike Hrvatske
- Plovilo označiti vidljivom oznakom imena i registracije; ako Vlasnik/Kapetan Plovila to propuste učiniti prijavljuje se kapetaniji.
- Plovilo opremiti kvalitetnim i odgovarajućim konopima i ceradom; Marina može otkloniti uočene nedostatke na opremi Plovila o trošku Vlasnika bez prethodnog obavještenja.
- nadoknaditi štetu na Plovilima, vozilima i opremi trećih osoba koju je prouzrokovala Posada Plovila, Vlasnik ili koja je nastala kao posljedica lošeg održavanja Plovila ili opreme.
- pravilno izvesti privez Plovila, odnosno prema zahtjevu i uputama Osoblja Marine; ako Plovilo nije propisno privezano, Marina će ga privezati na trošak Vlasnika.
- za obavljanje traženih radova na Plovilu dati na uvid tehničku dokumentaciju iz koje se može točno uočiti način rješavanja tehničkog zadatka.
- prilikom Dizanja i Porinuća posebnu pozornost obratiti na opremu na podvodnom dijelu Plovila i dati Marini točne podatke o položaju iste.
- ne činiti ništa što na bilo koji način ugrožava sigurnost prometa, ljudske živote i/ili okoliš.

7.26. Nema rukovanja opasnim tvarima u marini osim iznimno kod opskrbe pogonskim gorivom, a tada pod uvjetima koje odredi lučka kapetanija koja i izdaje rješenje.

## 8. PRIJAVLJIVANJE I PRIHVAT OTPADA S PLOVILA

- 8.1. U Marini je zabranjeno zagađivati zrak ispuštanjem prašine, dima i drugih plinova iznad dozvoljenih količina utvrđenih posebnim propisima te držati u pogonu brodski propeler, osim zbog obavljanja potrebnog manevra Plovila.
- 8.2. Zahodi i tuševi Plovila koji nemaju septičke spremnike ne smiju se koristiti u Marini. Odjeća i posuđe ne smiju se prati na takvim Plovilima, a sama Plovila ne smiju se prati korištenjem deterdženata (osim onih deterdženata koje je odobrila Marina). Marina pruža mogućnost korištenja zahoda, tuševa i postaje za pranje posuđa za sve korisnike. Ako korisnici Plovila onečiste more ili objekte Marine, Marina će naplatiti Vlasniku naknadu za čišćenje. Vlasnicima Plovila koji onečišćavaju mogu se naplatiti kazne za onečišćavanje.
- 8.3. Točne lokacije, opis i upute za odlaganje svih vrsta otpada prikazani su na shematskom prikazu koji je dio plana gospodarenja otpadom u luci, a koji je izložen na službenoj oglasnoj ploči Marine na recepciji Marine. U slučaju nepridržavanja s istima Marina će smjesta poduzeti pravne mjere, a Vlasniku će biti naplaćen trostruki iznos uobičajene cijene za troškove osoblja za čišćenje, materijala ili opreme koja će se koristiti prilikom čišćenja. Nadalje, nepridržavanje Marini daje valjane osnove za jednostrani raskid svih postojećih Ugovora s predmetnim Vlasnikom, te se neće moći tražiti nikakav povrat plaćenih sredstava.
- 8.4. Apsolutno je zabranjeno ispuštanje kaljuže ili otpadne vode ili otpada bilo koje vrste u more, izvan za to određenih objekata za zbrinjavanje otpada. Zabranjeno je ostavljati smeće bilo gdje unutar Marine osim u za to određenim objektima za zbrinjavanje otpada. Nikakav otpad, zapaljive (lako gorive) tekućine tj. benzin, razrjeđivač, boja, itd. ne smije se ostavljati na pontonima, pristaništima ili rivama, ne smije se ispuštati nikakvo ulje i nikakav kanalizacijski otpad u morsku vodu unutar Marine.
- 8.5. Smeće s Plovila mora se čuvati u posebnim plastičnim vrećama koje se mogu prikladno zavezati kako bi se izbjeglo širenje neugodnih mirisa ili privlačenje muha, komaraca, itd. te se iste moraju odložiti u kontejnere za smeće koji se nalaze na više mjesta unutar Marine.
- 8.6. Vlasnik je odgovoran za svakodnevno čišćenje bilo kakvog zagađenja okoliša u vezi s njegovim/njezinim Plovilom. Ako se isto ne učini na pravilan način, Osoblje Marine obaviti će čišćenje, a Vlasniku će se naplatiti sve radnje čišćenja.
- 8.7. Kemijski materijali ne smiju se odlagati unutar Marine.
- 8.8. Opasni, zapaljivi (lako gorivi) materijali, otrovni i toksični materijali, tekuća goriva, kiseline i ulja ne smiju se unositi u Marinu osim na način da se transportiraju u sigurnim i dobro čuvanim, nepropusnim spremnicima. Sva lokalna pravila i odredbe vezano za ovo pitanje moraju se strogo primjenjivati te je Vlasnik dužan osigurati da se nikakvi neugodni mirisi ne ispuštaju u okolinu. Ako se ne poduzmu prikladne preventivne mjere, Vlasnik će se smatrati odgovornim te će se naplatiti mogući troškovi za ispravljanje situacije. Eksplozivni ili zapaljivi (lako gorivi) materijali kao što su benzin, dizel, LPG, itd. apsolutno su zabranjeni na svim Plovilima u Marini te je odgovornost Vlasnika da spriječi donošenje ovih materijala na Plovilo. Izuzetno, ako se na Plovilu nalaze zapaljivi ili eksplozivni materijali, Direktor Marine mora biti unaprijed obaviješten o prirodi i količini takvog materijala.

## **9. RADOVI NA PLOVILU U MARINI**

- 9.1. Općenito je zabranjeno u Marini čistiti i strugati i bojati nadvodni ili podvodni dio oplata plovnog objekta kao i obavljati na Plovilu radove popravka i rekonstrukcije oplata, palube, opreme i stroja izvan uobičajenih poslova ili mijenjati ulje van Područja Marine namijenjenog za radove održavanja. Za navedene radove Vlasnici su dužni ishoditi prethodno odobrenje od Tijela koje upravlja lukom uz suglasnost kapetanije.
- 9.2. Ako Vlasnik organizira bilo kakve radove na Plovilu, dužan je osigurati poduzimanje svih mjera predostrožnosti u pogledu sigurnosti.
- 9.3. Podaci o tome koja društva su ovlaštena za poduzimanje tehničkih radova unutar Marine i/ili za pružanje usluga unutar Marine mogu se dobiti od Direktora Marine. Društva koja nemaju ugovor s Marinom ili društva koja nisu ovlaštena od strane Marine moraju, prije poduzimanja bilo kakvih radova i/ili pružanja bilo kakvih usluga u Marini, dokazati svoju sposobnost vezano uz pravila i propise na snazi u Marini, imati odgovarajuće police osiguranja od odgovornosti i police osiguranja od odgovornosti prema trećima koje su prihvatljive Marini a koje pokrivaju moguću štetu, te moraju biti spremna izdati jamstva za učinjene radove i korištene materijale kako bi dobila ugovor za određeni posao.

## **10. OBVEZE TIJELA KOJE UPRAVLJA MARINOM**

- 10.1. Tijelo koje upravlja Marinom dužno je organizirati i provoditi konstantan nadzor nad Plovilima na vezu u Marini, u skladu s mjerodavnim zakonima i najvišim standardima struke.
- 10.2. Marina se obvezuje:
  - nadzirati stanje Plovila i priveza te o uočenim nedostacima obavijestiti Korisnika veza pribaviti, održavati i po potrebi mijenjati dvije pramčane privezaljke (sidreni konop) i veziljke (spoj sidrenog konopa i obale)
  - omogućiti Plovilu opskrbu električnom energijom prema mogućnostima mreže te ispravnost utičnice na energetske ormariće
  - nadzirati i održavati energetske ormariće;
  - omogućiti Plovilu opskrbu vodom te ispravnost slavine na energetske ormariće
  - u slučaju vidljivog prodora mora i/ili požara intervenirati i poduzeti sve radnje u cilju spašavanja Plovila i imovine Marine o trošku Korisnika veza;
  - u slučaju da dođe do štete nastale uslijed rada djelatnika Marine, nadoknaditi trošak u skladu sa važećom policom, a u vrijednosti priznatoj od strane osiguravajućeg društva;
  - kod šteta na Plovilu uzrokovanih od strane drugih Plovila i/ili trećih osoba izvijestiti nadležna tijela (Lučku kapetaniju i pomorsku policiju);
  - pobrinuti se da je Plovilo privezano sukladno uputama Marine, na sigurnom odstojanju od gata i s postavljenim bokobranima na bokovima i krmi Plovila. Osigurati i održavati konope za privez Plovila na gat;
  - Marina ne odgovara za eventualne štete nastale na vozilima tijekom korištenja parkirnog mjesta u Marini.
- 10.3. U odsutnosti Plovila Korisnika veza, Marina ima pravo privremeno koristiti vez, dok je Korisnik veza o povratku Plovila dužan obavijestiti Marinu 24 (dvadesetčetiri) sata prije povratka putem telefona ili radio veze (kanal 09). Korisnik veza dužan je prijaviti svako odsustvo Plovila. Izbivanje Plovila iz Marine ne odbija se od cijene veza.
- 10.4. Tijelo koje upravlja lukom dužno je, na vidljivoj lokaciji, izložiti vremensku prognozu hrvatskog Državnog hidrometeorološkog zavoda.

10.5. Tijelo koje upravlja lukom dužno je svim korisnicima usluga koje pruža Marina Šibenik d.o.o. staviti na raspolaganje Knjigu pritužbi. Bilo koji korisnik usluga koje pruža Marina može unijeti svoju primjedbu u Knjigu pritužbi koja je dostupna svaki dan tijekom radnih sati na recepciji Marine.

10.6. Tijelo koje upravlja lukom opremit će Marinu prikladnim objektima za prihvatanje otpada te poduzeti radnje potrebne za sprječavanje onečišćenja.

## **11. POSTUPANJE U IZVANREDNIM SITUACIJAMA**

11.1. Posada plovila je dužna ukazati prvu pomoć svim osobama povrijeđenim na plovilu. Plovilo je dužno obavijestiti Lučku kapetaniju s kratkim opisom događaja u slučaju:

- teže povrede jedne osobe,
- lakše povrede više osoba, ili
- smrt osobe na brodu.

Koncesionar, u slučaju teže povrede jedne osobe, lakše povrede više osoba ili smrti osobe na području koncesije, dužan je obavijestiti nadležnu Lučku kapetaniju Šibenik s kratkim opisom događaja.

11.2. U slučaju izbijanja požara na plovilu kapetan marine i mornari, te ako su prisutni zapovjednik plovila i njeni članovi posade hitnom intervencijom poduzimaju mjere za gašenje požara, udaljavaju plovilo tegljem od ostalih plovila i objekata ili udaljavaju okolna plovila od plovila pod požarom, a sve ovisno o uvjetima (broj zaposlenika u tom trenutku prisutnih u marini, vremenski uvjeti, intenzitet požara i sl.) kako se požar ne bi proširio, potom su dužni o tome obavijestiti Lučku kapetaniju.

Hidranti i adekvatna sredstva za gašenje požara stručno su raspoređena u marini prema mogućim požarnim opterećenjima pojedinih zona (rive, parkirališta i zatvoreni prostori). Djelatnici marine uvježbani kako će postupiti u slučaju požara.

11.3. Zapetljavanje propelera, sidra, udar, sudar, prodor vode, nasukavanje ili potapanje plovila u akvatoriju koncesije koncesionar mora odmah prijaviti nadležnoj Lučkoj kapetaniji Šibenik. Ako u Privezištu dođe do izlivanja goriva, gubitka opreme i sl., osoba koja upravlja plovilom dužna je o tome bez odlaganja obavijestiti Koncesionara i nadležnu Lučku kapetaniju Šibenik.

Kapetan marine i mornari svojim angažmanom i stručnim savjetima prilikom manevriranja plovilom u marini te privezivanja/odvezivanja značajno doprinose smanjenju pomorskih nezgoda od sudara, nagnuća i potonuća. U slučaju sudara, nagnuća i potonuća djelatnici marine će poduzeti sve mjere spašavanja ljudskih života, sprječavanje zagađenja okoliša, a naknadno i očuvanja imovine.

11.4. U akvatoriju koncesije nije dozvoljeno bacati otpatke, ostavljati ostatke tereta i ispuštati tekućine i druge tvari koje onečišćuju područje. U slučaju onečišćenja nužno je sanirati nastalo onečišćenje upotrebom opreme luke (upijajuće spužve, krpe, kante i minimalna potrebna količina disperzanata).

Osoba koja koristi obalu dužna je nakon završetka ukrcaja-iskrcaja očistiti korišteni dio obale.

Zapovjednik plovila s kojeg je onečišćeno more ili obala uljem ili na drugi način dužan je odmah obavijestiti Lučku kapetaniju.

O primijećenom onečišćenju mora ili obale uljem ili na drugi način koncesionar je dužan obavijestiti nadležnu Lučku kapetaniju Šibenik.

## 12. INSPEKCIJSKI NADZOR

- 12.1. Inspekcijski nadzor nad primjenom ovog Pravilnika obavljaju inspektori sigurnosti plovidbe i drugi ovlaštteni djelatnici Ministarstva i Kapetanije.
- 12.2. Kapetanija, u obavljanju nadzora nad provođenjem reda u lukama i na ostalim dijelovima unutarnjih morskih voda i teritorijalnog mora, nadzire osobito:
1. Plovidbu, pristajanje, privezivanje, odvezivanje i sidrenje pomorskih objekata;
  2. Ukcavanje i iskrcavanje putnika;
  3. Održavanje reda u akvatoriju, kupanje, plivanje, ronjenje i športske aktivnosti na moru i na ostalim dijelovima pomorskog dobra;
  4. Održavanje čistoće obala i mora od onečišćenja s pomorskih objekata.
- 12.3. Kapetanija nadzire opremu privezišta i na ostalim dijelovima pomorskog dobra.

## 13. POVREDE PRAVILNIKA

- 13.1. Nepoštivanje odobrenog pravilnika od strane korisnika je pomorski prekršaj.

## 14. ZAVRŠNE ODREDBE

- 14.1. Na dan kada ovaj Pravilnik stupi na snagu, prestaje biti valjan i prestaje se primjenjivati *Pravilnik o redu u posebne namjene – luke nautičkog turizma Mandalina-Kuline* donesen 01. kolovoza 2014.g., ovjeren Rješenjem Lučke kapetanije Šibenik, KLASA: UPI/I-342- 01/14-02/02, URBROJ: 530-04-4-5-2-14-2 od 18. kolovoza 2014.
- 14.2. Ovaj Pravilnik stupit će na snagu na dan kada ga odobri Ured lučke kapetanije Šibenik.

Lučki kapetan

kap. Robert Baljkas



PRAVILNIK O OBZEMU PLOVIDBE  
U LUČKI ŠIBENIK

KLASA: UPI-I-342-01/22-02/02  
URBROJ: 530-04-8-3-22-2  
ŠIBENIK 15. 06. 2022. god.

Objavljen dana:  
Stupio na snagu:

Marina Šibenik d.o.o.

Vladimir Kravar, zastupnik po punomoći

Ivana Skorić, zastupnik po punomoći





In accordance with Article 84 of the Maritime Domain and Seaports Act (Official Gazette No. 158/03, 141/06, 38/09, 123/11, 56 / 16, 98 / 19) and Article 9, paragraph 2 of the Ordinance 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 (Official Gazette No. 72/21), MARINA ŠIBENIK d.o.o. OIB: 51380357466, pursuant to the Maritime Domain Concession Agreement of 04 January 2008 and Annexe No. 2 to the Maritime Domain Concession Agreement of 24 July 2018, the concessionaire hereby adopts and promulgates the following Ordinance, for the purpose of construction and economic use of the special purpose port - the port for nautical tourism Mandalina-Kuline

## **ORDINANCE**

### **on maintaining order in the nautical tourism port Mandalina Kuline**

#### **1. BASIC PROVISIONS**

1.1 This Ordinance prescribes the purpose of a specific part of the Marina, the procedure for reporting, methods of entering, docking, mooring, relocating, anchoring and departure of maritime facilities, the manner of control over these activities, and obliges all Owners, Captains, Crews, Users and all other persons who work in the Marina or stay in the Marina.

1.2. Definitions used in this Ordinance:

- **Vessel** - , in accordance with the applicable Maritime Code, a vessel (maritime facility intended for navigation at sea, i.e. a ship, warship, yacht or boat) intended for navigation at sea.
- **Boat** - a vessel intended for navigation at sea authorized to carry a maximum of 12 passengers, whose hull length is over 2,5 meters, and less than or equal to 15 meters
- **Yacht** - a vessel for sports and leisure, regardless of whether it is used for personal needs or for economic activities, and whose hull length is more than 15 meters and which is intended for longer stays at sea
- **Lifting** - the lifting of a Vessel on a road crane either from the sea or from a carrier and ending by lowering the Vessel using special equipment, either on a trailer or on a dry berth.
- **Vessel Length (LOA)** - includes the total length of the Vessel measured between the two endpoints of the Vessel on the bow and the stern.
- **Captain** - the person in charge of operating the Vessel and representing the owner or operator of the Vessel
- **User of the Vessel** - natural or legal person who uses the Vessel or any part thereof for business purposes and who is sent or brought to the Marina by the Owner
- **Marina** - special purpose port - port for nautical tourism Mandalina Kuline, consisting of 129 240 m<sup>2</sup> water surface and 30 049 m<sup>2</sup> land area, i.e. total area 159 289 m<sup>2</sup> (as described in Article II of the Decision on Amending the Decision on Granting a Concession for the Purpose of Construction and Economic Use of a Special Purpose Port - Nautical Tourism Port Mandalina-Kuline (Official Gazette No. 115/2013), as can be seen from Appendix 1, which forms an integral part

of this Ordinance.

- **Slipway/Launch** - starts with the lifting of the Vessel using a trailer or road crane and ends by lowering the Vessel into the sea or on carriers.
- **Marina area intended for maintenance work** - Marina area intended for repair and maintenance work.
- **Vessel crew** - the vessel crew consists of the captain and other persons embarked to perform duties on board and entered in the crew list
- **Business area** - Marina area leased to companies providing services to the general public as well as Marina users,
- **Ordinance** - this Ordinance on order in the port, with all its amendments.
- **Marina security zone** - area separated from the public area by a protective fence or fences, which includes the manoeuvring area, floating moorings, waterfronts and ports, refuelling stations, ferry docking stations, boat lifting area, as well as special areas designated for exclusive use by Owner, Captain, Vessel Crew and Vessel User.
- **Vessel width (B max)** - measures the maximum distance between the hull and the sides of the hull, applying an angle of 90 ° along the centre line.
- **Marina Technical Area** - the area where the crane operates, including the pool crane.
- **Port Managing Authority** or **Marina Šibenik d.o.o.** i.e. concessionaire of the special purpose port - nautical tourism port Mandalina Kuline with the following bodies:
  - **Proxies of the Marina** - persons in charge of representing Marina Šibenik d.o.o.,
  - **Marina Staff** - except for the Marina proxy, all other persons authorized to provide instructions and information related to the activities of the Marina, berths, etc. (e.g. reception manager)
- **Contract** - contract concluded between the Owner and the Marina regarding mooring, lifting and lowering services and other types of services provided by the Marina.
- **Operator** - natural or legal person who, in possession of a ship, is the holder of a shipping undertaking, provided that it is assumed, until proven otherwise, that the operator is the person entered in the ship register as the owner of the ship.

In addition to the Ordinance listed here, the following legal regulations apply in the Marina:

- Maritime Code (Official Gazette no. 181/04, 76/07, 146/08,61/11, 56/13,25/16,17/19);
- Maritime Domain and Seaports Act (Official Gazette no. 158/03, 141/06, 38/09, 123/11,56/16,98/19);
- Provision of Services in Tourism Act (Official Gazette No. 130/17, 25 / 19, 98 / 19, 42 / 20, 70 / 21)
- Ordinance 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 (Official Gazette 72/21);
- Ordinance on Boats and Yachts (Official Gazette No. 8/20, 52/20);
- Decree on the Conditions for the Arrival and Stay of Foreign Yachts and Boats Intended for Sports and Leisure in the Internal Waters and the Territorial Sea of the Republic of Croatia (Official Gazette No. 97/13)



as well as other relevant Croatian legislation, European Union legislation and / or international legislation, depending on the specific situation and / or matter.

## 2. CONCESSION AREA

2.1. Pursuant to Article 28, paragraph 3 of the Seaports Act (OG 108/95), Marina Mandalina, to which this Ordinance applies, comprises of the maritime part as described in Article 1 of the Concession Agreement of 04 January 2008 and Annexe No. 2 to the Maritime Domain Concession Agreement of 24 July 2018.

2.2. Basic information of the port:

Facility name:	Marina Mandalina
Address:	Obala Jerka Šižgorića 1, 22 000 Šibenik
Method of communication with the port:	VHF channel 09

Phone: 022/460 800; Fax: 022/460 802

web: [www.d-marin.com](http://www.d-marin.com)

Marina Mandalina is located on the south-west coast of the Kuline peninsula. It is open all year round.

VESSELS	PIER A	PIER B	PIER C	PIER D	PIER E	PIER F	PIER G	PIER Q	PIER I	PIER D1	TOTAL
vessels up to 9m	14	16	6	10	8	2					56
vessels up to 12m	18	6	20	34	26	24					128
vessels up to 14m		8	8	8	8	8					40
vessels up to 15m	17	20	16	5	8	8					74
vessels up to 18m	1	2	2			2	3			3	13
vessels up to 21m								6	12		18
vessels up to 25m							16				16
vessels up to 30m							16	9		3	28
vessels up to 40m								4			4
vessels up to 50m								16			16
											393

## 3. DETERMINING THE PLACE FOR MOORING OF THE VESSEL

3.1. The Marina provides a berth for use by the Vessel, for the price indicated in the price list valid for the current year. The Marina is not obliged to make a certain berth available. The plan attached as Annexe 2, which forms an integral part of this Ordinance, shows, within the maritime domain of the Marina, the locations of available berths and dry berths.



#### **4. REPORTING PROCEDURE**

- 4.1. All Vessels wishing to enter or leave the Marina are obliged to inform the Marina Staff in a timely manner by radio, on VHF channel 17, and obtain prior approval. Vessels may also notify the Marina Staff of their intention to enter the Marina or leave the Marina by telephone or directly at the Marina reception office (reception). Marina Staff will, if necessary, give instructions and directions for entry.
- 4.2. All vessels sailing in the area managed by the Port of Šibenik have the obligation to listen to maritime radio traffic on the VHF radio channel 09.

#### **5. BOATING AND MOVING INSIDE THE MARINA**

- 5.1. The Vessel is obliged to enter the Marina with due care in relation to other Vessels, using the shortest possible route, without delay, sailing on the right side of the fairway and at a speed of up to 2 knots, or the lowest possible speed of the ship.
- 5.2. Mariners of the Marina who work at the berth are obliged to instruct the entering Vessel by showing them with a flag or audio signs to the berth, to provide assistance with mooring, and to welcome the guests and send the Captain to the reception of the Marina.
- 5.3. The welcoming mariner of the Marina is obliged to record the time of arrival of the Vessel, and state the location of the berth in question, hand one copy to the Captain and take the other copy to the reception of the Marina.
- 5.4. When operating a rigid inflatable boat (RIB boat) inside the Marina, the Owner is obliged to use the services of the Marina for guidance.
- 5.5. All Vessels that use the facilities of the Marina are required to show documentation proving the ability to navigate, must be fully equipped and able to sail independently. The Owner is obliged to provide valid proof of competence for the person operating the Vessel and the Crew of the Vessel.
- 5.6. The mooring of the Vessel must be done in a safe manner, using suitable mooring ropes of appropriate dimensions. Mooring ropes must not interfere with the navigation of other Vessels.
- 5.7. All Vessels must be moored on bollards, moorings and other items according to the instructions of the Marina. Unless otherwise agreed, the Owner is obliged to ensure that the Vessel has ropes and fenders in sufficient quantity and quality, that they are changed when necessary and maintained and used properly by the Marina.
- 5.8. It is absolutely forbidden to drop anchor inside the Marina, except in urgent cases to reduce possible damage. It is possible to attach a Vessel to the bollard of another Vessel, however this can only be done in accordance with this Ordinance. In case of emergency, the instructions of the Marina Staff regarding the mooring of the Vessel to bollards, i.e. Owners, Captains or Crew of the Vessel shall not refuse to tie or untie their ropes from the bollards to allow the movement and mooring or untying of other Vessels.
- 5.9. When entering the Marina, leaving the Marina or manoeuvring within the Marina, the Vessel must be steered in a manner that does not interfere with or endanger other Vessels.  
When navigating, docking, mooring, untying and anchoring Vessels in the Marina, such actions should be taken so as not to endanger human lives and pollute the sea, and not to damage the own Vessel, as well as other maritime facilities in the

Marina by collision, impact or stranding.

- 5.10. Vessels may only use their engines to navigate within the Marina. The use of sails is prohibited. Vessels that do not comply with this rule will be forced to leave the Marina. If there is a Contract relating to such a Vessel, this breach shall give the Marina grounds to terminate the Contract with immediate effect.
- 5.11. The Port Managing Authority shall decide on the berth at which the Vessel may be moored. The Owner is obliged to moor the Vessel exclusively on the assigned berth. The Port Managing Authority may, for reasons of functional use of the operational shores and moorings for the Vessel, request the Vessel Owner to move it to another berth. If the Owner is not available, or does not move the Vessel to another berth, the Port Managing Authority may move the Vessel at the expense and risk of the Owner with the consent of the harbour master.  
Also, if despite a warning from the Marina Staff, the Vessel is moored in a place other than the assigned berth, the Marina has the right to unilaterally terminate the berth contract for that Vessel, with immediate effect and without refund, and such Vessel will have to leave the Marina.
- 5.12. After entering or arriving at the Marina by land, the Captain is obliged to report the arrival at the reception of the Marina without delay, with the presentation of documents of the Vessel and personal documents, as well as a list of crew members (crew list). The Owner or the Captain is obliged to clearly inform the Marina about the status of the Vessel; for example, forthcoming customs duties, charges and customs clearance documents, if any.
- 5.13. The speed limit within the Marina is 2 nautical miles (2 knots) for all Vessels and 20 km / h for all road vehicles. Any person who violates the speed limit rules will not be allowed to use the Boat / Vehicle in the Marina, and their entry into the Marina may be restricted.
- 5.14. If the Owner, Captains and / or Crew of the Vessel leave the Marina leaving their vehicle in the Marina parking lot, they are obliged to leave the vehicle keys at the Marina reception. Improperly parked vehicles will be removed by Marina Staff at the Owner's expense.
- 5.15. In case the Owner plans to stay outside the Vessel moored in the Marina for more than 24 hours, he is obliged to inform the reception of the Marina and leave the address and telephone number where he / she can be easily reached. The key of the Vessel must be left at the reception of the Marina and the Owner will receive a certificate for this.
- 5.16. In case the Owner or Captain has to leave the Vessel (e.g. in case of emergency) for a short time (but not longer than 24 hours), he / she is obliged to come to the reception of the Marina and leave an address and telephone number where they can be easily reached and hand over the keys of the Vessel to the Marina Staff. The Marina will not return the keys of the Vessel to a third party unless they provide a clearly written approval / authorization signed by the Owner of the Vessel or the Captain, as appropriate.
- 5.17. The responsibility of the Marina for safekeeping and supervision ceases when the keys and documents for departure are handed over to the Owner at the reception of the Marina, whether the Vessel remains at berth or is sailing.

## **6. DEPARTURE**

- 6.1. When departing with the Vessel, the person operating the vessel is obliged to announce the departure to the Marina (VHF 17) and request permission for free departure immediately before untying the Vessel. In case of any changes of what has

been announced, the person operating the Vessel is obliged to inform the Marina.

6.2. A Vessel departing from the Marina has precedence in manoeuvring over a Vessel entering the port area.

## **7. VESSEL'S STAY IN THE MARINA**

7.1. The Owner or User of the Vessel is personally and fully responsible for the conduct of all persons on his Vessel.

7.2. The Owner of the Vessel or the User of the Vessel is obliged to take care of the Vessel moored in the Marina and is responsible for any damage caused by the Vessel to other vessels, coast, devices or facilities.

7.3. It is forbidden to light a fire, use a charcoal grill, bring explosives to the Vessel or use candles, torches inside the Marina.

7.4. It is forbidden to perform repair or maintenance work that may pollute the environment, pose a risk of fire or cause inconvenience to neighbouring vessels in the Marina.

7.5. The Owner is obliged to take care that he has all the necessary extension cables or hoses so that the Vessel can be connected to the stations within the Marina for water, electricity, telephone or TV.

7.6. The Owner is obliged to ensure that all persons and equipment on the Vessel are adequately protected from all adverse weather or sea influence.

7.7. The Owner is obliged to protect the Vessel from water inflow, both rain and sea water. Particular attention must be paid to the maintenance of all valves / drainage units, engines / generators for cooling the water impact valve system, bilge pump, alarm system, etc. on board.

7.8. The following is forbidden in the Marina:

- to disable access to mooring devices;
- to move, change and remove berths, anchors and devices of another vessel except when necessary to prevent immediate and obvious damage or when necessary due to the arrival or departure of a vessel;
- to tie vessels to navigation and other markings, appliances and devices that are not intended for mooring and to move on them;
- unauthorized installation, relocation, alteration, removal or damage to navigational and other markings or mooring devices; and
- to damage operational shores with heavy vehicles, by placing heavy objects over the permissible load, drive wedges, beams, etc. into the shore and lift stones from coastal walls or perform any other action that damages operational shores.

7.9. Private items such as personal items, small boats or boats, yacht accessories, bicycles, platforms, tents, trailers, caravans, etc. must not be left on docks, elongated docks, waterfronts or in the boating area, but must be kept on board. They should never be left on trails, pontoons, waterfronts or piers, where they could be obstacles to normal traffic. There are designated storage areas in the Marina and the Marina Staff allocates a suitable storage location if required. Under special circumstances, it is possible to obtain permission from the Marina Staff to temporarily leave items outside the designated storage facilities. All items improperly left outside the storage premises will be picked up by the Marina staff, stored appropriately and the Owner will be charged an appropriate fee

7.10. Swimming, diving, fishing, water skiing, jet skiing and windsurfing are prohibited in

the Marina, except exceptionally with the issued conditions and the consent of the harbour master's office.

- 7.11. It is forbidden to wash clothes, dishes or vehicles on the docks of elongated ports or any area of the Marina. Sails, tarpaulins and dinghies can be washed and dried in specially designated places to be shown by the Marina Staff.
- 7.12. The Owner is obliged to ensure that all measures are taken on the Vessel to prevent the outbreak of fire. The Owner must equip the Vessel with maintained fire extinguishers in accordance with regulations.
- 7.13. In case of emergency in the Marina, the Owners and Crew of the Vessel are obliged to follow all orders and instructions given by the Marina Staff and must be ready to provide assistance in all possible ways.
- 7.14. The Vessel must clearly mark the registration mark on the Vessel itself, as well as on boats, trailers and other vehicles belonging to the Vessel.
- 7.15. Except for cooking or for the usual cases when lighting is needed inside the Vessel, it is not allowed to use open light sources nor to light a fire inside the Marina. Vessels intending to use the electricity supply from the Marina must have their electrical installations compliant with customary international standards and carried out in a safe and professional manner; all connecting cables must correspond in amperes to the intended use on the Vessel. Special electrical cables as defined by the Marina Staff must be used to connect to electrical outlets in the Marina. Electrical cables marked as unsuitable by the Marina Staff must not be used.
- 7.16. All sails and ropes shall be fastened to the Vessel in such a way as not to create any obstruction to the free flow of traffic.
- 7.17. Boat Owners and Crew must park their vehicles in Marina areas designated as car parks. Vehicles (except vehicles owned by the Marina) are allowed access to the Technical Area of the Marina and the Marina Area intended for maintenance work only with prior approval of the Marina Staff, for short stays not exceeding 5 minutes and for loading and unloading.
- 7.18. Only authorized Marina Personnel are allowed to support the Vessel using suitable supports or pegs. It is dangerous and forbidden to change the position of the supports, wedges.
- 7.19. For safety reasons, it is forbidden to tie winter covers to supports or similar weights to tie covers to supports.
- 7.20. The Owner is obliged to ensure that all electricity leading to the Vessel on the dry dock is turned off when no one is on the Vessel. Also, before starting any work on the Vessel, the Owner must ensure that the grounding is properly performed.
- 7.21. The Owner must install an electrical ground for the Vessel. The Marina is not responsible for improper voltage, electrical interruptions, changes in electrical frequency and possible damage caused by any instruments or devices on the Vessel caused by such irregularities.
- 7.22. The Marina does not accept any responsibility for the Vessel or any other items outside the legally defined obligations of the Marina. The Owner is obliged to take the necessary precautions so that the items on his / her Vessel are not lost, stolen or damaged.
- 7.23. In the event that the Vessel or any vehicle belonging to the Vessel causes damage to machinery or equipment belonging to the Marina or other Vessel or vehicle, the Marina Director must be immediately notified of the event by the Owner or the person in charge of the Vessel causing the damage. The Owner of the Vessel / vehicle that caused the damage will be responsible for paying compensation.

7.24. All navigation services in the Marina can be provided exclusively by persons with a certificate of a ship master, yacht master, or skipper.

7.25. The Owner, the Boat Crew and all other persons using the Marina are obliged to:

- comply with this Ordinance; in case of non-compliance with this Ordinance, the Marina may terminate the Agreement.
- equip the Vessel with the prescribed fire-fighting devices that will operate efficiently on the Vessel itself.
- keep the Vessel and equipment with the care of a good host; if the Marina considers that the contracting party does not treat the property as a good host, it may take measures to preserve the property at the expense of the contracting party.
- store the equipment listed in the inventory list in locked spaces of the Vessel.
- keys of the Vessel are regularly handed over at the reception of the Marina.
- always disconnect all electrical cables and plumbing connections before leaving the Vessel; if they fail to do so, the Marina Staff will turn off the connectors without prior notice.
- to comply with the applicable regulations regarding residence and navigation within the territorial waters of the Republic of Croatia
- Mark the Vessel with a visible name and registration mark; if the Owner / Captain of the Vessel fails to do so, he reports to the harbour master's office.
- Equip the boat with good and appropriate ropes and tarpaulins; the Marina may eliminate the observed defects in the equipment of the Vessel at the expense of the Owner without prior notice.
- to compensate for damage to Vessels, vehicles and equipment of third parties caused by the Crew of the Vessel, the Owner or which occurred as a result of poor maintenance of the Vessel or equipment.
- properly perform the mooring of the Vessel, i.e. according to the request and instructions of the Marina Staff; if the Vessel is not moored properly, the Marina will moor it at the expense of the Owner.
- to perform the required works on the Vessel, provide technical inspection documentation from which the manner of solving the technical task can be accurately observed.
- during Lifting and Launching, pay special attention to the equipment on the underwater part of the Vessel and give the Marina accurate information on its position.
- do not do anything that endangers traffic safety, human lives and / or the environment in any way.

7.26. There is no handling of hazardous substances in the marina except in the case of refuelling, and then under the conditions determined by the harbour master's office which issues the decision.

## **8. REPORTING AND ACCEPTANCE OF WASTE FROM VESSELS**

8.1. It is forbidden to pollute the air in the Marina by releasing dust, smoke and other gases above the permitted quantities determined by special regulations and to keep the ship's propeller in operation, except to perform the necessary maneuvering of the Vessel.

8.2. Toilets and showers of Vessels without septic tanks must not be used in the Marina. Clothing and utensils may not be washed on such Vessels, and the Vessel itself may not be washed using detergents (other than those approved by the Marina). The Marina provides the possibility of using toilets, showers and dishwashers for all users. If the users of the Vessel pollute the sea or the facilities of the Marina, the Marina

will charge the Owner a cleaning fee. Owners of Vessels that are polluting may be charged fines for pollution.

- 8.3. Exact locations, descriptions and instructions for the disposal of all types of waste are shown in the schematic part of the waste management plan in the port, which is displayed on the official notice board of the Marina at the reception. In case of non-compliance with the instructions, the Marina will take legal action immediately, and the Owner will be charged three times the usual price for the cost of cleaning staff, materials or equipment to be used during cleaning. Furthermore, non-compliance provides the Marina with a valid basis for unilateral termination of all existing Agreements with the Owner in question, and no refund of paid amounts will be due.
- 8.4. It is absolutely forbidden to discharge bilge or waste water or waste of any kind into the sea, outside the designated waste disposal facilities. It is forbidden to leave garbage anywhere inside the Marina except in designated waste disposal facilities. No waste, flammable (easily combustible) liquids, i.e. petrol, paint thinner, paint, etc. may be left on pontoons, piers or waterfronts, no oil or sewage waste must be discharged into seawater within the Marina.
- 8.5. Garbage from the Vessel must be stored in special plastic bags that can be appropriately tied to avoid the spread of unpleasant odours or attract flies, mosquitoes, etc. and these must be disposed of in garbage containers located on several locations within the Marina.
- 8.6. The Owner is responsible for the daily cleaning of any environmental pollution related to his / her Vessel. If this is not done properly, the Marina Staff will perform the cleaning and the Owner will be charged for all cleaning activities.
- 8.7. Chemical materials must not be disposed of inside the Marina.
- 8.8. Hazardous, flammable (highly combustible) materials, poisonous and toxic materials, liquid fuels, acids and oils must not be brought into the Marina except by being transported in safe and well-kept, airtight containers. All local rules and regulations related to this issue must be strictly applied and the Owner is obliged to ensure that no unpleasant odours are released into the environment. If no appropriate preventive measures are taken, the Owner will be held liable and possible costs will be charged to rectify the situation. Explosive or flammable (combustible) materials such as petrol, diesel, LPG, etc. are strictly prohibited on all Vessels in the Marina and it is the responsibility of the Owner to prevent the bringing of these materials on the Vessel. Exceptionally, if flammable or explosive materials are present on the Vessel, the Director of the Marina must be informed in advance of the nature and quantity of such material.

## **9. WORKS ON THE VESSEL IN THE MARINA**

- 9.1. It is generally forbidden in the Marina to clean and scrape and paint the surface or underwater part of the vessel's formwork as well as to repair and reconstruct the vessel, deck, equipment and machinery outside the usual operations or change oil outside the Marina Area intended for maintenance work. For these works, the Owners are obliged to obtain prior approval from the Port Managing Authority with the consent of the harbour master's office.
- 9.2. If the Owner organizes any work on the Vessel, he is obliged to ensure that all safety precautions are taken.
- 9.3. Information on which companies are authorized to undertake technical work within the Marina and / or to provide services within the Marina can be obtained from the Director of the Marina. Companies that do not have a contract with the Marina or companies that are not authorized by the Marina must, before undertaking any work



and / or providing any services in the Marina, prove their ability regarding the rules and regulations in force in the Marina, have appropriate liability insurance and third-party liability insurance that are acceptable to the Marina and that cover possible damage, and must be prepared to issue warranties for work performed and materials used to obtain a contract for a particular job.

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

10.1. The Port Managing Authority is obliged to organize and carry out constant supervision over the Vessels moored in the Marina, in accordance with the applicable laws and the highest standards of the profession.

10.2. The Marina undertakes to:

- monitor the condition of the Vessel and mooring and inform the User of the berths about the observed deficiencies - obtain, maintain and if necessary change two bow ropes (anchor rope) and ties (connection of anchor rope and the shore)
- enable the Vessel to be supplied with electricity according to the possibilities of the network and the correctness of the socket on the energy cabinet
- monitor and maintain energy cabinets;
- to provide the Vessel with water supply and ensure correctness of the tap on the energy cabinet
- in case of visible penetration of sea water and / or fire, intervene and take all actions in order to save the Vessel and the property of the Marina at the expense of the Berth User;
- in the event of damage caused by the work of employees of the Marina, reimburse the cost in accordance with the applicable policy, and at the value recognized by the insurance company;
- in case of damage to the Vessel caused by other Vessels and / or third parties, inform the competent authorities (harbour master's office and maritime police);
- make sure that the Vessel is moored in accordance with the instructions of the Marina, at a safe distance from the pier and with fenders placed on the sides and stern of the Vessel. Provide and maintain mooring ropes for vessels at the pier;
- 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 Berth User's Vessel, the Marina is entitled to temporarily use the berth, while the Berth User is obliged to inform the Marina about the return of the Vessel 24 (twenty-four) hours before return by phone or radio (channel 09). 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 fee.

10.4. The Port Managing Authority is obliged to present the weather forecast of the Croatian Meteorological and Hydrological Service in a visible location.

10.5. The Port Managing Authority is obliged to make the Book of Complaints available to all users of services provided by Marina Šibenik d.o.o. Any user of services provided by the Marina can enter their remark in the Book of Complaints, which is available every day during working hours at the Marina reception.

10.6. The Port Managing Authority will equip the Marina with suitable waste collection facilities and take necessary actions to prevent pollution.

## **11. ACTION IN EMERGENCY SITUATIONS**

11.1. The Vessel Crew is obliged to provide first aid to all persons injured on the Vessel. The Vessel is obliged to inform the harbour master's office with a brief description of the event in case of:

- serious injuries to one person,
- minor injuries to more than one person, or
- death of a person on board.

In case of serious injury to one person, minor injury to several persons or death of a person in the area of the concession, the concessionaire is obliged to inform the competent Harbour Master's Office Šibenik with a brief description of the event.

11.2. In case of fire on the vessel, the captain of the marina and mariners and the vessel captain and the crew members of the Vessel, if present, take urgent measures to extinguish the fire, remove the Vessel by tow from other vessels and facilities or remove surrounding vessels from the vessel under fire, all depending on the conditions (number of employees present in the marina at that time, weather conditions, fire intensity, etc.) in order to prevent the fire from spreading, they are then obliged to inform the harbour master's office.

Hydrants and adequate fire extinguishers are professionally distributed in the Marina according to possible fire loads of certain zones (waterfronts, parking lots and enclosed spaces) Marina Staff are trained to act in case of fire.

11.3. Entanglement of propeller, anchors, impact, collision, water intrusion, stranding or immersion of a Vessel in the concession area, must be immediately reported by the concessionaire to the competent Harbour Master's Office Šibenik. If there is a fuel spill, loss of equipment, etc. in the berth, the person operating the Vessel is obliged to inform the Concessionaire and the competent Harbour Master's Office Šibenik without delay. The captain of the marina and the mariners, with their engagement and expert advice when maneuvering the vessel in the marina and mooring / unmooring, significantly contribute to the reduction of maritime accidents resulting from collisions, tilts and sinking. In the event of a collision, tilt and sinking, the Marina Staff will take all measures to save human lives, prevent environmental pollution, and subsequently preserve property.

11.4. It is not allowed to throw waste, leave cargo residue and release liquids and other substances that pollute the concession area. In case of pollution, it is necessary to remedy the resulting pollution using port equipment (absorbent sponges, rags, buckets and the minimum required amount of dispersant).

The person using the shore is obliged to clean the used part of the shore after boarding-unboarding.

The captain of the vessel from which the sea or coast is polluted with oil or otherwise is obliged to immediately inform the harbour master's office.

The Concessionaire is obliged to inform the competent Harbour Master's Office Šibenik about the observed pollution of the sea or the coast with oil or in any other way.

## **12. INSPECTION SUPERVISION**

12.1. Inspection supervision over the application of this Ordinance shall be performed by navigation safety inspectors and other authorized employees of the Ministry and the harbour master's office.

12.2. In supervising the implementation of order in ports and other parts of inland waters and the territorial sea, the harbour master's office supervises in particular:

1. Navigation, mooring, berthing, untying and anchoring of maritime facilities;
2. Boarding and unboarding;
3. Maintaining order in the waters, swimming, diving and sports activities at sea and in other parts of the maritime domain;
4. Maintaining the cleanliness of coasts and seas from pollution from maritime facilities.

12.3. The harbour master's office supervises mooring equipment in other parts of the maritime domain.

### 13. VIOLATION OF THE ORDINANCE

13.1. Non-compliance with the approved Ordinance by the User is a maritime offence.

### 14. FINAL PROVISIONS

14.1. On the day this Ordinance enters into force, the *Ordinance on order in the special purpose port - nautical tourism port Mandalina-Kuline*, adopted on 01 August 2014, certified by the Decision of the Harbour Master's Office Šibenik, CLASS: UPI / I-342-01 / 14-02 / 02, REF. NO.: 530-04-4-5-2-14-2 dated 18 August 2014 shall cease to be valid and shall cease to apply.

14.2. This Ordinance shall enter into force on the day it is approved by the Harbour Master's Office Šibenik.

Harbour Master

Marina Šibenik d.o.o.

\_\_\_\_\_  
cap. Robert Baljkas, M.Sc.

\_\_\_\_\_  
Vladimir Kravar, proxy

\_\_\_\_\_  
Ivana Skorić, proxy

Published on:  
Entering into force: