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FINAL DETERMINATION ON ANNUAL CONTRACTOR FEES AND SUPER YACHT CHARGES BY PORT DENARAU MARINA LIMITED**18 JULY 2011****1.0 INTRODUCTION**

- 1.1 On 8 September 2010, the Fiji Commerce Commission ("Commission") released the final determination for prices at Port Denarau Marina Limited ("PDML") based on their submission for increase in fees and charges dated 23 July, 2010. The new authorized charges by the Commission became effective from 1 October, 2010.
- 1.2 Following the release of the final determination for prices at Port Denarau Marina Limited ("PDML") on 8 September 2010, the Fiji Commerce Commission ("Commission") received new submissions from PDML on 15 April and 10 May 2011 requesting for a proposed annual contractor fee, a review of the passenger levy and exemption of the super yachts from the price control or a twenty percent (20%) increase in the current berthing fees.
- 1.3 Based on the submissions made by PDML and the contractor stakeholders, on site visit to understand the operations and nature of the PDML's business model, the Commission's independent research and computations, the Commission has made this determination on the following charges.

2.0 LEGAL FRAMEWORK

- 2.1 The Commission is empowered under the **Commerce (Control of Prices for Ports and Marina Management Services) Order 2010** to control and/or regulate the ports and marina management services in Fiji.
- 2.2 Paragraph 3 of the said Order specifically authorises the control and/or regulation of prices or rates for the supply of all ports and marina management services in Fiji.
- 2.3 The Commerce (Control of Prices for Ports and Marina Management Services) Order 2010 authorises the Commission to regulate and control prices for five (5) years which expires on 24 March 2015.

3.0 COMMISSION'S DETERMINATION

The Commission has authorized the following new/revised charges for PDML with the respective effective dates:

3.1 Annual Contractor Fee

Particulars	Existing Fees (VEP) in \$	Proposed Fees by PDML	Commission's Authorised Fees (Maximum - VEP)
Annual Contractor Fee	0.00	\$ 500.00	\$ 500.00

The authorised fee is effective from 19 July 2011.

3.2 Super yachts

After analysis of the financials, the Commission has determined the following rates for the super yachts at PDML authorising an increase of 25% in the existing berthing rates to be effective from 01 January 2012.

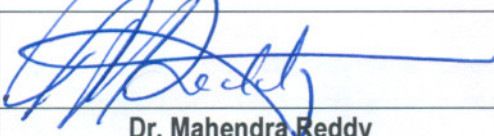

Private Berthing	Existing Prices (VEP) in \$	Proposed Increase (20%) by PDML	Proposed Price by PDML	Commission's Authorised Price (Maximum)
Super Yachts				
35m +				
Daily - Low Season	6.27	1.25	7.52	7.84
Daily - Peak Season	7.61	1.52	9.13	9.51
Monthly - Low Season	169.34	33.87	203.21	211.68
Monthly - Peak Season	205.63	41.13	246.76	257.04
Annual - Monthly fee	187.49	37.50	224.99	234.36

3.3 Passenger Levy

The Commission has decided that the passenger levy will remain the same as previously determined. The Commission will undertake a stakeholder consultation on the proposed increase in passenger levy by PDML. The Commission will make a final determination on passenger levy after submissions from the stakeholders are received and analysed.

The above or any other charges by Port Denarau Marina Limited will remain the same and no new charges will be introduced unless authorised by the Commission.

Commissioners:

	
Dr. Mahendra Reddy	Sepeti Tagilala
Chairman	Commissioner
18/07/2011	18/07/2011

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