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Final Determination on Marina Fees and Charges

VUDA MARINA FIJI ('VMF')

Date Issue: 20th December, 2013

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Promoting Competition in the Fiji Markets

1.0 Introduction

- 1.1 On 24 March 2010, Section 3 of the Commerce Act 1998 was amended through the Commerce Act (Amendment) Decree 2010 (now the Commerce Commission Decree 2010) which authorized the Commission to regulate the Marina Operators in Fiji. Subsequently the Commerce (Control of Prices for Ports and Marina Management Services) Order 2010 was issued which empowers the Fiji Commerce Commission ("Commission") to control and/or regulate the Ports and Marina Management Services in Fiji.
- 1.2 On 08 September 2010, the Commission released the final determination for fees and charges for Vuda Marina Fiji ('VMF'). These fees and charges are applicable to all the users of the Marina Services.
- 1.3 On 23 December 2010, the Commission amended and released the final determination on fees and charges for VMF to take into account the 2011 National Budget announcement for an increase in Value Added Tax rate from 12.5% to 15%.
- 1.4 On 08 January 2013, VMF made a submission to the Commission to seek approval on the proposed fees and charges for foreign vessels only. The fees and charges were approved and issued on 16 January 2013 and came into effect from 01 February 2013.
- 1.5 On 3 October 2013, the Commission received a formal submission from VMF requesting the Commission for the review of marina fees and charges.
- 1.6 On 8 October 2013, the Commission requested for the following information from VMF to be submitted by close of business 18 October 2013 to undertake a detailed analysis of the submission:
- a) Profit and Loss Statement and Balance Sheet for the year 2012;
 - b) Balance Sheet as at 30 September 2013;
 - c) Monthly Segmented revenue and expenses for the following centres for the year 2012 and from January to September 2013:
 - i. In water Berthing;
 - ii. Travel Lift (Return Haul out);
 - iii. Storage;
 - iv. Small Vessel Pontoon; and
 - v. Other revenue and expenses centres for marina operations.
 - d) Monthly number of occupancy for both overseas and local vessels (or estimates of occupancy, where data is unavailable) in 2012 and 2013 for each of the proposed fees and charges namely:
 - i. In water Berthing;
 - ii. Travel Lift (Return Haul out);
 - iii. Storage;
 - iv. Small Vessel Pontoon; and
 - e) Which of the proposed rates would solely apply to local vessels.

1.7 On 17 October 2013, VMF requested for extension of the submission deadline as the September accounts were not finalised and the request was approved by the Commission.

1.8 On 22 October 2013, VMF made its submission; however certain information was not supplied.

1.9 The Commission on 23 October 2013 requested for the missing information which were supplied to the Commission on 6 November 2013. However there were further queries and these were submitted by 19 November 2013.

1.10 Based on the submission made and the Commission's independent research, analysis and computation, the Commission has made this Commission Information Paper and determination.

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 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 Last Review

3.1 The review of VMF's fees and charges can be categorised as fees and charges applicable to foreign vessels and those applicable to local vessels.

3.2 **Foreign Vessels:** On 08 January 2013, VMF made a submission to the Commission to seek approval on the proposed fees and charges for foreign vessels only.

3.3 The Commission upon undertaking the analysis of the submission and its independent investigation determined the rates that amounted to an increase of around 15%.

3.4 The fees and charges were issue on 16 January 2013 and came into effect from 01 February 2013.

3.5 **Local Vessels:** On 15 October 2010, the Commission released the final determination for fees and charges for VMF.

3.6 On 23 December 2010, the Commission amended and released the final determination to take into account the 2011 National Budget announcement for an increase in Value Added Tax rate from 12.5% to 15%.

4.0 Commission's Determination

The Commission after undertaking a detail analysis of the submission from Vuda Marina Fiji and its independent investigation and computation, has determined the following fees and charges as follows:

Table 1: Marina Fees and Charges

ITEM	VMF Current Rates (VIP)	VMF-Requested Rates	Percentage Increase/ (Decrease)	Commission Approved Rates (VIP)
	(\$)	(\$)		(\$)
INWATER BERTHING (Per LOA Foot)				
Daily	0.65	0.70	No Change	0.65
Weekly	3.90	4.20	No Change	3.90
Monthly	13.65	14.70	No Change	13.65
6 Monthly	61.50	73.50	No Change	61.50
TRAVEL LIFT				
RETURN HAULOUT (by weight)				
Less than 2 tonne	320.00	320.00	No Change	320.00
2 - 20 tonne	430.00	430.00	No Change	430.00
20 - less than 35 tonne	540.00	540.00	No Change	540.00
35 - less than 50 tonne	850.00	850.00	No Change	850.00
50 to max 65 tonne	1,400.00	1,400.00	No Change	1,400.00
LIFT AND HOLD (PER HOUR)				
Less than 2 tonne	180.00	180.00	No Change	180.00
2 - 20 tonne	250.00	250.00	No Change	250.00
20 - less than 35 tonne	320.00	320.00	No Change	320.00
35 - less than 50 tonne	510.00	510.00	No Change	510.00
50 to max 60 tonne	800.00	800.00	No Change	800.00
After hours/ Sunday surcharge	125.00	125.00	No Change	125.00
Extra Move	280.00	280.00	No Change	280.00
STORAGE				
HARDSTAND (per LOA foot)				
Daily	0.90	0.95	No Change	0.90
Weekly	5.40	5.70	No Change	5.40
Monthly	18.90	19.90	No Change	18.90
6 Monthly	85.05	99.50	No Change	85.05

Table 1: Marina Fees and Charges (Cont...)

ITEM	VMF Current Rates (VIP)	VMF-Requested Rates	Percentage Increase/ (Decrease)	Commission Approved Rates (VIP)
	(\$)	(\$)		(\$)
PROPS (per piece)				
Daily	2.00	2.20	No Change	2.00
Weekly	12.00	13.20	No Change	12.00
Monthly	42.00	46.20	No Change	42.00
6 Monthly	189.00	207.90	No Change	189.00
YACHT CRADLE (per unit)				
Daily	16.00	16.00	No Change	16.00
Weekly	96.00	96.00	No Change	96.00
Monthly	336.00	336.00	No Change	336.00
6 Monthly	1,512.00	1,512.00	No Change	1,512.00
CYCLONE PITS (per LOA foot)				
Monthly	27.00	31.50	No Change	27.00
6 Monthly	137.50	157.50	No Change	137.50
BOAT & TRAILER – Max 33' LOA (per vessel)				
Monthly	100.00	100.00	No Change	100.00
6 Monthly	500.00	500.00	No Change	500.00
SMALL VESSEL PONTOON – max 33' LOA (per 6 months)				
Local Berthing (pleasure craft/ non-commercial operation)	1,200.00	2,100.00	No Change	1,200.00
Commercial Berthing (unlimited pick up and drop off)	2,500.00	3,200.00	No Change	2,500.00
Passenger Levy	NONE	NONE	No Change	None
One-off Commercial load/ unload (non-registered vessel)	25.00	25.00	No Change	25.00
SUBSIDIARY ITEMS (per day)				
ELECTRICITY				
Normal Usage (eg household items/ lighting)	4.00	4.30	No Change	4.00
Heavy Usage (eg air conditioning/ power tools)	12.00	12.90	No Change	12.00
3 phase	40.00	43.00	No Change	40.00
WATERBLASTING				
Less than 25'	70.00	\$3 per foot	No Change	70.00
25' to 50'	90.00	\$3 per foot	No Change	90.00
over 50'	120.00	\$3 per foot	No Change	120.00

Table 1: Marina Fees and Charges (Cont...)

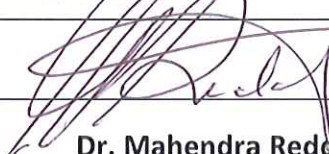
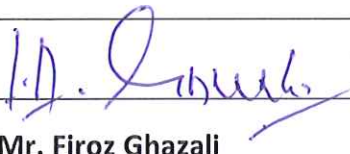
ITEM	VMF Current Rates (VIP)	VMF-Requested Rates	Percentage Increase/ (Decrease)	Commission Approved Rates (VIP)
	(\$)	(\$)		(\$)
Ladders	3.50	5.00	No Change	3.50
Scaffold (2 stands + 1 plank)	8.00	9.00	No Change	8.00
Water for In-water berths	FREE	FREE	No Change	FREE
Boat ramp - own trailer (per use)	10.00	10.00	No Change	10.00
SEVERE WEATHER SURCHARGE (for one-off bookings in the event of an expected Tropical Depression or Tropical Cyclone)				
Pleasure Craft less than 40'	250.00	250.00	No Change	250.00
Pleasure Craft 40' and above	400.00	400.00	No Change	400.00
Commercial vessel less than 40'	1,000.00	1,000.00	No Change	1,000.00
Commercial vessel 40' and above	1,750.00	1,750.00	No Change	1,750.00

NOTE: VESSELS WITH A BEAM OVER 16' ARE CHARGED 150% OF THE ABOVE RATES AND VESSELS WITH A BEAM OVER 24' ARE CHARGED 200% OF THE ABOVE RATES.

The authorised fees and charges are effective from 01 January 2014.

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

Commissioners:

	
Dr. Mahendra Reddy	Mr. Firoz Ghazali
Chairman	Commissioner
20 December 2013	20 December 2013

Date Issue: 20 December 2013

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