



FIJI COMMERCE COMMISSION

HEAD OFFICE & CENTRAL EASTERN DIVISION

Level 1 Garden City Complex, Raiwai,
Suva.
P O Box 5031, Raiwaqa, Suva.
Phone: (679) 337 2178
Fax: (679) 337 2389
Email : helpdesk@commcomm.gov.fj
Website: www.commcomm.gov.fj

WESTERN DIVISION NORTHERN DIVISION

1st Floor, Shah Investment Building,
Office 2, 5 Tukani Street,
P O Box 594, Lautoka
Telephone/Fax: (679) 666 1853

Lot 3, Silas Ramzaan Street,
P O Box 262, Labasa
Telephone/Fax: (679) 881 1155

Final Authorization on Fees and Charges for Foreign Vessels

VUDA MARINA FIJI ("VMF")

Date Issue: 14 February 2014

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"To promote Competition in the Fijian 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 03 October 2013, the Commission received a formal submission from VMF requesting the Commission for the review of marina fees and charges.
- 1.6 On 08 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. Inwater Berthing;
 - ii. Travel Lift (Return Haulout);
 - 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. Inwater Berthing;
 - ii. Travel Lift (Return Haulout);
 - 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 finalized 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 06 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 authorization.

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 Commission's Authorization

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 for foreign vessels only.

Table 1: Marina Fees and Charges for Foreign Vessels

ITEM	VMF Current Rates (VIP) (\$)	Commission Authorised Rates for Foreign Vessels (VIP) (\$)
INWATER BERTHING (Per LOA Foot)		
Daily	0.65	0.70
Weekly	3.90	4.20
Monthly	13.65	14.70
6 Monthly	61.50	73.50
TRAVEL LIFT		
RETURN HAULOUT (by weight)		
Less than 2 tonne	320.00	320.00
2 - 20 tonne	430.00	430.00

Table 1: Marina Fees and Charges for Foreign Vessels (cont...)

ITEM	VMF Current Rates (VIP) (\$)	Commission Approved Rates for Foreign Vessels (VIP) (\$)
20 - less than 35 tonne	540.00	540.00
35 - less than 50 tonne	850.00	850.00
50 to max 65 tonne - new fee	-	1400.00
LIFT AND HOLD (per hour)		
Less than 2 tonne - new fee	-	180.00
2 - 20 tonne - new fee	-	250.00
20 - less than 35 tonne - new fee	-	320.00
35 - less than 50 tonne - new fee	-	510.00
50 to max 60 tonne - new fee	-	800.00
After hours/ Sunday surcharge	125.00	125.00
Extra Move	280.00	280.00
STORAGE		
HARDSTAND (per LOA foot)		
Daily	0.90	0.95
Weekly	5.40	5.70
Monthly	18.90	19.90
6 Monthly	85.05	99.50
PROPS (per piece)		
Daily	2.00	2.20
Weekly	12.00	13.20
Monthly	42.00	46.20
6 Monthly	189.00	207.90
YACHT CRADLE (per unit)		
Daily	16.00	16.00
Weekly	96.00	96.00
Monthly	336.00	336.00
6 Monthly	1,512.00	1,512.00
CYCLONE PITS (per LOA foot)		
Monthly	27.00	31.50
6 Monthly	137.50	157.50
BOAT & TRAILER – Max 33' LOA (per vessel)		
Monthly	100.00	100.00
6 Monthly	500.00	500.00
SMALL VESSEL PONTOON – max 33' LOA (per 6 months)		
Local Berthing (pleasure craft/ non-commercial operation)	1,200.00	1,200.00
Commercial Berthing (unlimited pick up and drop off)	2,500.00	2,500.00
Passenger Levy	NONE	NONE
One-off Commercial load/ unload (non-registered vessel)	25.00	25.00

Table 1: Marina Fees and Charges for Foreign Vessels (cont...)

ITEM	VMF Current Rates (VIP) (\$)	Commission Approved Rates for Foreign Vessels (VIP) (\$)
SUBSIDIARY ITEMS (per day)		
ELECTRICITY		
Normal Usage (e.g. household items/ lighting)	4.00	4.00
Heavy Usage (e.g. air conditioning/ power tools)	12.00	12.00
3 phase	40.00	40.00
WATERBLASTING		
Less than 25'	70.00	\$3 per foot
25' to 50'	90.00	\$3 per foot
Over 50'	120.00	\$3 per foot
Ladders	3.50	5.00
Scaffold (2 stands + 1 plank)	8.00	9.00
Water for inwater berths	FREE	FREE
Boat ramp - own trailer (per use)	10.00	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
Pleasure Craft 40' and above	400.00	400.00
Commercial vessel less than 40'	1,000.00	1000.00
Commercial vessel 40' and above	1,750.00	1750.00

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.


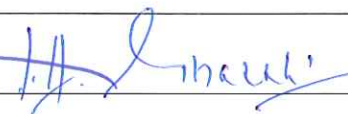
The above final Authorisation is applicable to foreign vessel only and not applicable to local vessel.

The Commission as part of this final determination defines local vessel as:-

A Local Vessel is "a ship or vessel registered, or required to be legally registered under a law of Fiji or an unregistered ship or vessel that has Fijian nationality as a majority owner."

The authorised fees and charges are effective from 1 March 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.

	
Dr. Mahendra Reddy	Mr. Firoz Ghazali
Chairman	Commissioner
14 February 2014	14 February 2014

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