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### FINAL DETERMINATION ON MOORING SERVICES FEES

FOR

COPRA SHED MARINA (CSM)

Date Issue: 20 September, 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 referred as 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 prices for the Copra Shed Marina ("CSM") for Anchoring, Mooring, Stern to Berth, use of Toilets and Shower and use of Dinghy dock only.
- 1.3 On 10 April 2012, the Commission released the final determination for the introduction of fees and charges for CSM new "Floating Dock Berth" facility effective from 01 April 2012.
- 1.4 On 14 May 2013, the Commission received a formal submission from CSM requesting the Commission for the review of mooring fees and charges.
- 1.5 On 16 May 2013, the Commission requested for the following information from CSM to be submitted by close of business 24 May 2013 to undertake a detailed analysis of the submission:
- a) Profit and Loss Statement and Balance Sheet for the year 2011 and 2012;
  - b) Monthly Segmented revenue and expenses for the following centres for the year 2012 and month of January to April 2013:
    - i. Mooring;
    - ii. Berthing;
    - iii. Facilities;
    - iv. Other revenue and expenses centres for marina operations.
  - c) Number of moorings by vessels per year and the average moorings used on a daily, weekly and monthly basis for both on and off seasons;
  - d) What shore facilities includes; and
  - e) Clarification on whether the current moorings fee category based on daily/weekly/monthly charges is to be maintained or a single mooring daily fee of \$15.00 (proposed) is to replace the existing structure.
- 1.6 On 22 May 2013, CSM requested for extension of the submission deadline to 31 May 2013 and the request was approved by the Commission.
- 1.7 On 29 and 30 May 2013, the requested information identified in item 1.5 was received by the Commission.
- 1.8 The Commission on 07 June 2013 requested for additional information and clarification on some issues and CSM furnished the information and responded to the queries on 10 June 2013.

1.9 On 03 July 2013, the Commission sought for clarification on the following for the mooring centre and CSM responded to the queries on the same day:

- a) Detailed breakdown of the calculation of the administration/ management and security cost per mooring per day (\$0.53) VIP;
- b) Details of intercompany transaction and unsecured loan from the partners; and
- c) Details on overall expenses of the business particularly on water bill, security charges, insurance for public liability and fuel expenses since the Commission in its preliminary analysis noted increase in the unit cost of operating the business.

1.10 On 29 and 30 August 2013, the Commission requested for further information to verify and substantiate the submission by CSM.

1.11 Based on the submission made and the Commission's independent research, analysis and computation, the Commission has made this 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 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

Based on the submissions made and through Commission's independent research, study, and analysis, the Commission authorizes the following rates:


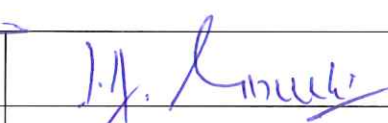
**Table 1: Authorised Fee and Charges for Mooring Services effective from 1<sup>st</sup> October 2013**

Mooring Fee	Current Price (VEP)	Commission's New Authorized Price (VEP)		
		2013	2014	2015
Per Day – In Season	8.89	\$10.21	\$11.54	\$12.87
Per Day – Off Season	7.44	\$8.18	\$9.24	\$10.30
Per Week – In Season	56.00	\$64.36	\$72.72	\$81.09
Per Week – Off Season	45.33	\$52.10	\$58.87	\$65.64
Per Month – In Season	229.33	\$263.57	\$297.82	\$332.06
Per Month – Off Season	186.67	\$214.54	\$242.41	\$270.29

The revised fees and charges are to be effective from 1<sup>st</sup> October each year.

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

Commissioners:

	
<b>Dr. Mahendra Reddy</b>	<b>Mr. Firoz Ghazali</b>
<b>Chairman</b>	<b>Commissioner</b>
<b>20 September 2013</b>	<b>20 September 2013</b>

Date of Issue: 20 September 2013

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