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**FINAL DETERMINATION ON PASSENGER LEVY, WORKSHOP RENTAL AND ELECTRICITY RATES FOR
PORT DENARAU MARINA LIMITED****01 September 2011****1. INTRODUCTION**

1.1 On 18 July 2011, the Fiji Commerce Commission ("Commission") released the final determination on annual contractor fees and super yacht charges for Port Denarau Marina Limited ("PDML") based on their submission dated 15 April 2011 and 23 May 2011 respectively for:

- i. Annual Contractor Fee as authorized for other Marinas;
- ii. Exemption of Super yachts from the Price Control or a twenty percent (20%) increase in the current berthing fees; and
- iii. Increase in passenger levy for the adult-tourist from \$2.00 to \$3.00 or increase from \$2.00 to \$4.00.

1.2 The Commission in the final determination dated 18 July 2011 advised PDML that the passenger levy will remain same as previously determined. The Commission informed PDML that it will undertake stakeholder consultation on the proposed increase in passenger levy by PDML. The Commission will make a final determination on passenger levy after submission from the stakeholders are received and analyzed.

1.3 Following the release of the final determination for prices at PDML on 18 July 2011, the Commission received two (2) new written submissions from PDML on 8 and 10 August 2011 requesting for a proposed mark up on commercial electricity and increase workshop rental.

1.4 The draft determination was sent to PDML on 29 August, 2011 for their comments and feedback.

1.5 Based on the submissions made by PDML and the stakeholders, Commission's independent research, analysis and computations, and PDML's feedback and comments on the draft determination the Commission has made this determination.

2. 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. COMMISSION'S DETERMINATION

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

3.1 Passenger Levy

Passenger Levy	Existing Prices (VEP)	Proposed Increase/ (Decrease) by PDML	Proposed Price by PDML	Commission's Authorised Price (Maximum)
Adult – Tourist	\$2.00	\$1.00 or \$2.00	\$3.00 or 4.00	\$2.50

The authorised price is effective from 1 October 2011.

The Commission will re-visit this levy in December 2012 and also undertake detailed consultation with all stakeholders. Any change, with effective date, will only be made by examining PDML's financial status, the status of stakeholders and the status of the economy.

3.2 Workshops

Workshop	Existing Prices (VEP) in \$	Proposed Increase/ (Decrease) by PDML	Proposed Price by PDML	Commission's Authorised Price (Maximum)
Rental – m ² per month	\$10.22	\$1.88	\$12.10	\$11.25

The authorised price is effective from 1 September 2011.

3.3 Increase in electricity rates for Commercial Operators

	Existing Mark-Up	Proposed Mark-Up by PDML	Commission's Authorised Mark-Up (Maximum)
Commercial Berthing Electricity	NIL	25%	NIL

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

Commissioners:

		
Dr. Mahendra Reddy	Leba Mataitini	Sepeti Tagilala
Chairman	Commissioner	Commissioner
01/09/2011	01/09/2011	01/09/2011

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