

[LEGAL NOTICE NO. 111]

COMMERCE COMMISSION DECREE 2010
(DECREE NO. 49 OF 2010)

**Commerce (Price Control) (Petroleum Prices)
(No. 2) Order 2010**

IN exercise of the powers conferred upon me and on the recommendation of the Fiji Commerce Commission with accordance to section 39 of the Commerce Commission Decree 2010 (Decree No. 49), I hereby by order declare the following—

Citation and commencement

1. This Order may be cited as the Commerce (Price Control) (Petroleum Prices) (No. 2) Order 2010 and comes into force on 23rd October 2010.

Maximum prices

2.—(1) Subject to subparagraph (2) below, the prices set out in Schedule 1 to Schedule 8 herein shall be the maximum retail or wholesale price, as the case may be, at which the goods mentioned therein may be sold in the areas so specified in the Schedule.

(2) Where the maximum price of an item listed in the Schedules is required to be rounded up to the nearest whole number by reason of the cessation of the 1 cent and 2 cents denominations, the consequential increase in the price of that item does not constitute a contravention of this Order.

*Maximum prices**Schedule 1*

3.—(1) The prices set out in Schedule 1 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold within the cities of Suva and Lautoka and the town of Lami.

Schedule 2

(2) The prices set out in Schedule 2 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold within the towns of Ba, Nadi, Nausori and Nasinu and the following areas—

- (a) from the prescribed boundary of the city of Lautoka to the prescribed boundary of the town of Nadi, up to 3 kilometres from the centre point of the Queen's Road on both sides of that road; and
- (b) from the prescribed boundary of the city of Lautoka to the prescribed boundary of the town of Ba, up to 3 kilometres from the centre point of the King's Road on both sides of that road.

Schedule 3

(3) The prices set out in Schedule 3 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area on the island of Viti Levu, located within 1 kilometer from any public road except an area mentioned in Schedule 1 or 2.

Schedule 4

(4) The prices set out in Schedule 4 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area on the island of Viti Levu not mentioned in Schedule 1, 2 or 3.

Schedule 5

(5) The prices set out in Schedule 5 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold within the town of Labasa and any area on the island of Taveuni within a radius of 8 kilometres from the Post Office at Waiyevo.

Schedule 6

(6) The prices set out in Schedule 6 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area on the island of Taveuni, other than the area on that island mentioned in Schedule 5.

Schedule 7

(7) The prices set out in Schedule 7 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold within the town of Savusavu.

Schedule 8

(8) The prices set out in Schedule 8 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold within the town of Levuka.

Schedule 9

(9) The prices set out in Schedule 9 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area on the island of Vanua Levu, within 10 kilometres from the prescribed boundaries of the towns of Labasa and Savusavu.

Schedule 10

(10) The prices set out in Schedule 10 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area on the island of Vanua Levu, beyond 10 kilometres from the prescribed boundaries of the towns of Labasa and Savusavu and within 1 kilometre from any public road.

Schedule 11

(11) The prices set out in Schedule 11 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area on the islands of Vanua Levu and Ovalau not mentioned in Schedule 5, 7, 8, 9 or 10.

Schedule 12

(12) The prices set out in Schedule 12 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area within Fiji Islands, other than the islands of Taveuni, Vanua Levu, Viti Levu, Ovalau and areas beyond a radius of 3 kilometres from the jetty situated at Oinafa on the island of Rotuma.

Schedule 13

(13) The prices set out in Schedule 13 are the maximum retail or wholesale prices, as the case may be, at which the goods specified in it may be sold in any area beyond a radius of 3 kilometres from the jetty situated at Oinafa on the island of Rotuma.

Calculation of retail or re-wholesale prices

4.—(1) Retail or re-wholesale prices for Premix outboard fuel and Kerosene (for household use only) are to be calculated in accordance with the COMMERCE (PRICE CONTROL) (PERCENTAGE CONTROL OF PRICES FOR FOOD ITEMS) (NO. 1) ORDER, 2010.

(2) The wholesale price for premix outboard fuel and kerosene mentioned in the Schedules are for delivery to service stations only by the Oil Company or its agents.

Packaging

5. Except where otherwise stated, prices referred to in paragraph 2 includes the cost of packaging.

Prices to be marked or displayed

6.—(1) Any person having for sale by retail any of the goods specified in any Schedule to this Order must cause the same to be legibly and conspicuously marked with the maximum retail price for the information of the public.

(2) If goods specified in any of the Schedules are not displayed for sale in an individual packet or container, a retailer complies with this Order if he displays in a prominent position a legible and conspicuous notice clearly indicating those goods to which the notice relates and the maximum retail price of the goods.

Calculation of price

7. If the maximum price ascertained in any of the Schedules includes a fraction of a cent, an amount of or in excess of one half ($\frac{1}{2}$) cent is to be reckoned as one cent, and an amount of less than one half ($\frac{1}{2}$) cent is to be ignored.

Value Added Tax (VAT)

8. Wholesalers must state Value Added Tax (VAT) separately in the invoice provided at the time of sale.

Revocation

9. The Counter-Inflation (Price Control) (Petroleum Prices) (No. 16) Order 2010 is revoked.

Made this 21st day of October 2010.

A. SAYED-KHAIYUM
Attorney General and Minister for
Justice, Anti-Corruption, Public Enterprises,
Industry, Tourism, Trade and Communications.

SCHEDULE 1

THE CITIES OF SUVA AND LAUTOKA AND THE TOWN OF LAMI

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.07 | 179.85 c |
| 2. Gasoil (diesoline) | per litre | \$1.82 | 158.80 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 165.15 c |
| 4. Kerosene | per litre (bulk)... | see para. 3 | 139.33 c |
| | per litre (bulk – if container supplied)... | — | 170.33 c |

SCHEDULE 2

THE TOWNS OF BA, NADI, NAUSORI AND NASINU AND THE FOLLOWING
AREAS—

- (a) the prescribed boundary of the city of Lautoka to the prescribed boundary of the town of Nadi, up to 3 kilometers from the centre point of the Queens Road on both sides of that road; and
- (b) from the prescribed boundary of the city of Lautoka to the prescribed boundary of the town of Ba, up to 3 kilometers from the centre point of the King's Road on both sides of that road.

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.07 | 179.96 c |
| 2. Gasoil (diesoline) | per litre | \$1.82 | 158.91 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 165.26 c |
| 4. Kerosene | per litre (bulk)... | see para. 3 | 139.44 c |
| | per litre (bulk – if container supplied)... | — | 170.44 c |

SCHEDULE 3

ANY AREA ON THE ISLAND OF VITI LEVU LOCATED WITHIN 1 KILOMETER FROM ANY PUBLIC ROAD EXCEPT AN AREA MENTIONED IN SCHEDULE 1 OR 2

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|---|-------------------------------|----------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.07 | 180.07 c |
| 2. Gasoil (diesoline) | per litre | \$1.83 | 159.02 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 165.37 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 139.55 c |
| | per litre (bulk – if container supplied)... | — | 170.55 c |

SCHEDULE 4

ANY AREA ON THE ISLAND OF VITI LEVU NOT MENTIONED IN SCHEDULE 1, 2 OR 3

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|---|-------------------------------|----------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.11 | 183.85 c |
| 2. Gasoil (diesoline) | per litre | \$1.87 | 162.80 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 169.15 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 143.33 c |
| | per litre (bulk – if container supplied)... | — | 174.33 c |

SCHEDULE 5

THE TOWN OF LABASA AND ANY AREA ON THE ISLAND OF TAVEUNI WITHIN A RADIUS OF 8 KILOMETERS FROM THE POST OFFICE SITUATED AT WAIYEVO

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|---|-------------------------------|----------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.10 | 182.22 c |
| 2. Gasoil (diesoline) | per litre | \$1.85 | 161.11 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 172.35 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 141.70 c |
| | per litre (bulk – if container supplied)... | — | 172.70 c |

SCHEDULE 6

ANY AREA ON THE ISLAND OF TAVEUNI, OTHER THAN THE
AREA ON THAT ISLAND MENTIONED IN SCHEDULE 5

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.10 | 182.22 c |
| 2. Gasoil (diesoline) | per litre | \$1.86 | 161.61 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 172.85 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 142.20 c |
| | per litre (bulk – if container supplied)... | — | 173.20 c |

SCHEDULE 7

THE TOWN OF SAVUSAVU

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.09 | 181.87 c |
| 2. Gasoil (diesoline) | per litre | \$1.85 | 160.76 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 172.23 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 141.35 c |
| | per litre (bulk – if container supplied)... | — | 172.35 c |

SCHEDULE 8

THE TOWN OF LEVUKA

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.12 | 184.35 c |
| 2. Gasoil (diesoline) | per litre | \$1.84 | 160.29 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 170.03 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 143.83 c |
| | per litre (bulk – if container supplied)... | — | 174.83 c |

SCHEDULE 9

ANY AREA ON THE ISLAND OF VANUA LEVU, WITHIN 10 KILOMETERS FROM THE PRESCRIBED BOUNDARIES OF THE TOWNS OF LABASA AND SAVUSAVU

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|---|-------------------------------|----------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.10 | 182.44 c |
| 2. Gasoil (diesoline) | per litre | \$1.85 | 161.33 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 172.57 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 141.92 c |
| | per litre (bulk – if container supplied)... | — | 172.92 c |

SCHEDULE 10

ANY AREA ON THE VANUA LEVU, BEYOND 10 KILOMETERS FROM THE PRESCRIBED BOUNDARIES OF THE TOWNS OF LABASA AND SAVUSAVU AND WITHIN 1 KILOMETER FROM ANY PUBLIC ROAD

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|---|-------------------------------|----------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.11 | 183.72 c |
| 2. Gasoil (diesoline) | per litre | \$1.87 | 162.61 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 173.85 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 143.20 c |
| | per litre (bulk – if container supplied)... | — | 174.20 c |

SCHEDULE 11

ANY AREA ON THE ISLAND OF VANUA LEVU AND OVALAU NOT MENTIONED IN SCHEDULE 5, 7, 8, 9 OR 10

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|---|-------------------------------|----------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.14 | 185.72 c |
| 2. Gasoil (diesoline) | per litre | \$1.89 | 164.61 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 175.85 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 145.20 c |
| | per litre (bulk – if container supplied)... | — | 176.20 c |

SCHEDULE 12

ANY AREA WITHIN FIJI ISLANDS, OTHER THAN THE ISLANDS OF TAVEUNI, VANUA LEVU, VITI LEVU OVALAU, AND AREAS BEYOND A RADIUS OF 3 KILOMETERS FROM THE JETTY SITUATED AT OINAFI ON THE ISLAND OF ROTUMA

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.25 | 195.51 c |
| 2. Gasoil (diesoline) | per litre | \$1.99 | 173.46 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 180.81 c |
| 4. Kerosene | per litre (bulk).... | see para. 3 | 153.99 c |
| | per litre (bulk – if container supplied)... | — | 184.99 c |

SCHEDULE 13

ANY AREA BEYOND A RADIUS OF 3 KILOMETERS FROM THE JETTY
SITUATED AT OINAFI ON THE ISLAND OF ROTUMA

| GOODS | QUANTITY | RETAIL PRICE INCLUSIVE OF VAT | WHOLESALE PRICE EXCLUSIVE OF VAT |
|----------------------------|--|----------------------------------|-------------------------------------|
| 1. Motor Spirit (Unleaded) | per litre | \$2.28 | 198.51 c |
| 2. Gasoil (diesoline) | per litre | \$2.02 | 176.46 c |
| 3. Pre-mixed Outboard fuel | per litre | see para. 3 | 183.81 c |
| 5. Kerosene | per litre (bulk).... | see para 3 | 156.99 c |
| | per litre (bulk – if container supplied)... | — | 187.99 c |