

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 21

MONDAY, 27th JULY

2015

[LEGAL NOTICE NO. 71]

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

**Commerce (Control of Prices for Marina Management
Services for Passengers on Commercial Ships and
Cargo Transportation) Order 2015**

IN exercise of the powers conferred upon me under section 39 of the Commerce Commission Decree 2010, and on the recommendation of the Fiji Commerce Commission, I hereby make this Order—

Short title and commencement

1. This Order may be cited as the Commerce (Control of Prices for Marina Management Services for Passengers on Commercial Ships and Cargo Transportation) Order 2015 and shall be deemed to have come into force on 26th March, 2015.

Interpretation

2. In this Order, unless the context otherwise requires—

“commercial ship” means a ship that is used for hire or reward and including but not limited to—

- (a) a ship that is provided for transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment or business;
- (b) a ship that is used on any voyage for pleasure if it is normally used or intended to be normally used as a fishing ship or for the carriage of passengers or cargo for hire or reward; or
- (c) a ship that is operated or provided by any club, incorporated society, trust, or business;

but does not include—

- (i) a pleasure craft;
- (ii) a ship solely powered manually; or
- (iii) a ship solely powered by sail;

“Decree” means the Commerce Commission Decree 2010;

“marina management services” means all services and facilities provided by a marina including but not limited to the following—

- (a) services including but not limited to berthing, mooring, anchoring, barge, storage, provision of utility services and sea transportation services; and
- (b) facilities including but not limited to shops, office facilities and car parks; and

“passenger” means any person on a ship, other than—

- (a) the master and members of the crew, and any other person employed or engaged in any capacity on board the ship on the business of the ship;
- (b) a person on board the ship either in pursuance of an obligation laid upon the master to carry shipwrecked, distressed, or other persons, or by reason of any circumstance that neither the master nor the owner nor the charterer (if any) could have prevented or forestalled; and
- (c) a child under the age of one year.

Price Control

3. In accordance with section 39 of the Decree, the prices or rates are controlled for the supply of all marina management services including—

- (a) passenger levies on commercial ships;
- (b) levies on cargo transportation; and
- (c) services to local commercial operators and users in Fiji.

Expiration of Order

4. This Order expires on 26th March, 2018 unless it is varied, extended or earlier revoked.

Made this 26th day of July 2015.

F. S. KOYA
Minister for Industry, Trade and Tourism