

[LEGAL NOTICE NO. 30]

FIJIAN COMPETITION AND CONSUMER COMMISSION ACT 2010

## **Fijian Competition and Consumer Commission (Control of Prices for Marina Management Services for Passengers on Commercial Ships and Cargo Transportation) Order 2021**

IN exercise of the powers conferred on me by section 39 of the Fijian Competition and Consumer Commission Act 2010 and on the recommendation of the Fijian Competition and Consumer Commission, I hereby make this Order—

*Short title and commencement*

1.—(1) This Order may be cited as the Fijian Competition and Consumer Commission (Control of Prices for Marina Management Services for Passengers on Commercial Ships and Cargo Transportation) Order 2021.

(2) This Order comes into force on 28 March 2021.

*Interpretation*

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

“commercial ship” means a ship that is used for hire or reward, 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;

“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 in relation to 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 or the charterer (if any) could have prevented or forestalled; and
- (c) a child under the age of one year.

*Price control*

3. For the purpose of section 39 of the Fijian Competition and Consumer Commission Act 2010, the prices or rates for the supply of all marina management services including passenger levies on commercial ships, levies on cargo transportation and services to local commercial operators and users in Fiji are controlled.

*Expiration of Order*

4. This Order expires on 28 March 2024 unless the Order is varied, extended or revoked.

Made this 22nd day of March 2021.

F. KOYA  
Minister for Commerce and Trade