



## FIJI COMMERCE COMMISSION

*"To promote Competition in the Fijian Markets"*

### NOTICE TO ALL FIJIAN TRADERS / LANDLORDS / AGENTS

#### SPOT FINES FOR OFFENCES UNDER CCD2010

The Fiji Commerce Commission ("Commission") is empowered under Section 59 of the Commerce Commission Decree 2010 ("CCD2010") to impose spot fines for offences under CCD2010. The spot fines are applicable for offences under Section 52 on Prohibited Acts, Section 54 on Prices to be Indicated, Section 55 on Invoice and Section 56 on Records.

The particulars of the offences and applicable fines for each of these offences are as follows:

Section	Section Title	Offence(s)	Natural Person/Entities	Body Corporate
52	Prohibited Acts	<b>s52 (a) and (b):</b> Selling Price Control Items at prices above the maximum prices authorized by the Commission. Commonly known as <b>Over-Charging.</b>	\$100- \$1000/Offence	\$100- \$3000/offence
		<b>s52(c):</b> Applying different methods of fixing or ascertaining the prices of goods or services with intent to evade the provisions of CCD2010. This will be applicable to traders who fail to apply <b>Proportionate Prices for Price Control Items</b> and <b>Illegal Rent Increase</b> by Landlords/any person during the <b>Rent Freeze Period.</b>	\$1000/offence	\$3000/offence
		<b>s52 (d):</b> Sell or agree to sell any goods or provide or offer to provide any service subject to a condition requiring the buying of any other goods or the provisions of any other services. Commonly known as <b>Conditional Sale/ Bundling/Tying.</b>	\$1000/offence	\$3000/offence
54	Prices to be indicated	<b>s54(1):</b> Failure to keep displayed in a prominent position on the premises in which such goods are kept or offered for sale a list showing clearly for the information of the public the maximum price of such goods fixed by such order. List of Price Control Items with the Authorised Prices not displayed.	\$1000/offence	\$3000/offence

		<b>s54 (3):</b> Failure to legibly and conspicuously mark prices for the information of the public for Price Control items. Commonly known as <b>Failure to Mark Prices.</b>	\$1000/offence	\$3000/offence
		<b>s54(4):</b> Prices of Non-Price Control Items to be either price marked or have the prices clearly displayed pursuant to Counter Inflation (Price marking or Price Display of Non-Price Control Items and Services ) Order 1992. Commonly known as <b>Failure to Mark/ Display Prices.</b>	\$1000/offence	\$3000/offence
55	Invoice	Wholesaler of Price Control Items not issuing invoices /receipts with particulars such as the name and address of the seller, date; description of the goods; quantity of goods; price charged and VIP price. Commonly known as <b>Non-Itemisation of Invoices.</b>	\$1000/offence	\$3000/offence
		<b>s56(1) Failure of a Trader to</b> keep to the satisfaction of the Commission such records and accounts, including stock and costing records, as are customary and proper in the type of business carried on by him/her.	\$1000/offence	\$3000/offence
		<b>s56 (1):</b> Not keeping records and accounts, including stock and costing records for three years since the documents originated.	\$1000/offence	\$3000/offence
56	Records	<b>s56 (1) and Paragraph 3 of the Commerce (Rent Increase Restriction on Residential and Ground Rent) Order 2015:</b> Failure of landlords/any person <b>letting residential premises</b> for rent to keep proper <b>Agreements and Receipts.</b>	\$1000/offence	\$3000/offence
		<b>s56(1) and Counter Inflation (Issue of Tax Invoices by Traders ) Order 1998 on failure</b> of traders registered under the VAT Decree 1991 <b>to issue receipts in the manner prescribed in the Order.</b> Commonly known as <b>failure to issue itemised receipts.</b>	\$1000/offence	\$3000/offence

The Commission wishes to advise all traders that the above penalties will be strictly executed for all offences established by the Commission Officers throughout Fiji. The objective of this enforcement instrument is to enhance consumer and trader protection by ensuring that reasonable prices are

charged, price disclosure to the consumers and traders from the suppliers prior to commitment to a transaction, evidence of transactions and proper records for verification purposes.

Traders will be given 21 days from the date of the imposition of the spot fines to pay the fines. If the offender **fails to make payments within 21 days**, the Commission will institute legal proceedings and if proven guilty, the trader is liable to pay a sum **not exceeding \$15000** for a **natural person** and **\$20,000** for a **body corporate**.

The Commission requests the traders to take note of this notice and ensure compliance with the requirements of the CCD2010.

This notice supersedes all previous notice and communications on the matter “Spot Fines for Offences under CCD2010”.

Traders are requested to contact the Commission for further information or clarification on this or any another matters relating to CCD2010.

Ms. Joann Young  
Chairperson  
Fiji Commerce Commission

***Visit our website on [www.commcomm.gov.fj](http://www.commcomm.gov.fj) or visit us on our Facebook (Fiji Commerce Commission) for the latest price lists for all price control items.***