

Act No. 14 of 2007



Tonga

EMERGENCY MANAGEMENT ACT 2007

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Arrangement of Sections

Section

PART I - PRELIMINARY		5
1	Short title and commencement	5
2	Interpretation.....	5
3	Act binds the Crown	6
4	Relationship to other Acts.....	6
5	Effect on powers in other Acts	7
6	Limit on application.....	7
 PART II - EMERGENCY MANAGEMENT COMMITTEES AND OTHER BODIES		 7
7	Establishment National Emergency Management Office.....	7
8	Functions of the Manager	7
9	Establishment.....	8
10	Functions.....	8
11	Membership	8
12	Annual report on emergency management	9
13	Establishment and functions of National Emergency Operations Committee.....	9
14	Membership of National Emergency Operations Committee.....	9
15	Functions of the National Controller	10
16	Establishment and functions of National Emergency Recovery Committee.....	10
17	Membership of National Emergency Recovery Committee	10
18	Establishment and functions of District Emergency Management Committees	11

19	Membership of District Emergency Management Committees	12
20	Annual report of District Emergency Management Committees	12
21	Chairman may give directions.....	12
22	Establishment of the Village Emergency Committee	12
23	Membership of Village Emergency Committee.....	13
24	Annual report of Village Emergency Committee.....	13
25	Committee meetings.....	13
26	Chairing of meetings	13
27	Minutes.....	14

PART III - EMERGENCY MANAGEMENT PLANS **14**

28	National Emergency Management Plan	14
29	District Emergency Management Plans	14
30	Plans to be available to the public	14
31	Guidelines	15

PART IV - DECLARATION OF STATE OF EMERGENCY **15**

32	Declaration of state of emergency.....	15
33	Duration of declaration	15
34	Renewal of declaration.....	15
35	Expiration of declaration.....	16
36	Authorisation for exercise of powers	16
37	Powers on a declaration	16

PART V - OFFENCE PROVISIONS **17**

38	Obstruction of authorised officer	17
39	Failure to comply with direction	17
40	Impersonation of authorised officer	17

PART VI - MISCELLANEOUS **17**

41	Disclosure of information	17
42	Immunity of person exercising powers	17
43	Regulation-making power.....	18



EMERGENCY MANAGEMENT ACT 2007

Act No. 14 of 2007

AN ACT TO MAKE PROVISION FOR EMERGENCY MANAGEMENT IN THE KINGDOM

I assent,
George Tupou V
13 September 2007

Commencement [in force on assent and publication]

PART I - PRELIMINARY

1 Short title and commencement

This Act may be cited as the Emergency Management Act 2007.

2 Interpretation

In this Act, unless the context otherwise requires

“**authorised officer**” means a person authorised to exercise emergency powers for a state of emergency under this Act;

“**Director**” means the Director of Works;

“**emergency**” means an event, actual or imminent, which endangers or threatens to endanger life, property or the environment and which requires a significant and coordinated response;

“emergency management” means arrangements about managing the potential adverse effects of an event, including mitigating community risk, preparing for and responding to threatening events and recovering from an emergency;

“emergency operations” means activities undertaken before, during or after an event happens to help reduce loss of human life, illness or injury to humans, property loss or damage or damage to the environment;

“emergency powers” means the powers authorised under this Act to be exercised on a declaration of a state of emergency;

“event” means any of the following —

- (a) a cyclone, earthquake, storm, storm surge, tornado, tsunami, volcanic eruption or other natural happening;
- (b) an explosion or fire, a chemical, fuel or oil spill, or a gas leak;
- (c) an infestation, plague or epidemic;
- (d) a failure of an essential service or infrastructure;
- (e) a terrorist attack against the Kingdom; or
- (f) any other event similar to an event referred to in paragraphs (a) to (e);

“health practitioner” is as defined in the Health Practitioners Act;

“Manager” means the manager of the National Emergency Management Office;

“military personnel” means members of the Tonga Defence Services and any overseas military personnel who are in the Kingdom under a status of forces agreement;

“Minister” means the Minister responsible for emergency management; and

“National Emergency Management Office” means the National Emergency Management Office established under this Act.

3 Act binds the Crown

This Act binds the Crown.

4 Relationship to other Acts

- (1) Except as provided in section 6, the powers under this Act are in addition to and do not limit the making of a declaration or exercise of a power under any other Act.
- (2) The existence of a declaration under any other Act shall not prevent or limit the declaration of a state of emergency under this Act.

5 Effect on powers in other Acts

- (1) This section applies when a state of emergency has been declared under any other Act.
- (2) Where the exercise of powers under any other Act is inconsistent with the exercise of emergency powers under this Act, the emergency powers shall prevail over the powers under the other Act.

6 Limit on application

This Act shall not apply to situations involving —

- (a) armed combat against an enemy;
- (b) industrial disputes; or
- (c) internal disturbances and tensions such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.

PART II - EMERGENCY MANAGEMENT COMMITTEES AND OTHER BODIES

7 Establishment National Emergency Management Office

The National Emergency Management Office is established as a Division within the Ministry, which shall have the following functions —

- (a) provide support and advice to emergency management committees on emergency management and emergency operations in the Kingdom;
- (b) review and monitor the National Emergency Management Plan;
- (c) implement the policies and decisions of the National Emergency Management Committee;
- (d) coordinate emergency management activities in the Kingdom;
- (e) regularly report to the National Emergency Management Committee about the performance of the National Emergency Management Office's functions; and
- (f) establish and maintain effective communication within Government and with non-government organisations and the private sector on emergency management.

8 Functions of the Manager

The Manager shall be responsible to the Director for the following functions —

- (a) manage the functions of the National Emergency Management Office;
- (b) prepare an annual work program for the development of a budget; and
- (c) other functions relating to emergency management the Director considers appropriate.

9 Establishment

The National Emergency Management Committee is hereby established.

10 Functions

The National Emergency Management Committee shall have the following functions —

- (a) make policy decisions of national significance relating to emergency management for the Kingdom;
- (b) coordinate the development and implementation of effective emergency management for the Kingdom;
- (c) approve and regularly review the National Emergency Management Plan;
- (d) ensure that the regular exercise of operational procedures in the National Emergency Management Plan is carried out;
- (e) have in place arrangements with other nations and relevant bodies to provide support to the Kingdom during major emergencies;
- (f) provide support to District Emergency Management Committees; and
- (g) coordinate effective emergency management and emergency response in communities before, during and after the impact of an event.

11 Membership

The National Emergency Management Committee shall consists of the following members —

- (a) the Minister who shall be the chairman;
- (b) Chief Secretary and Secretary to Cabinet;
- (c) the Director;
- (d) Secretary for Finance and Planning;
- (e) Director of Agriculture, Forestry, Fisheries and Food;
- (f) Director of Health;

- (g) Police Commander;
- (h) Commander of Tonga Defence Services;
- (i) Secretary for Lands, Survey, Natural Resources and Environment;
- (j) the Manager who shall be the Secretary; and
- (k) Director of Education.

12 Annual report on emergency management

The Minister shall prepare a report on emergency management in the Kingdom, as part of his annual report to the Legislative Assembly, including the following —

- (a) information about activities undertaken during the year to maintain or enhance the Kingdom's emergency management;
- (b) details of emergency operations undertaken during the year;
- (c) information about priorities for disaster risk reduction; and
- (d) other matters about emergency management the Minister considers appropriate.

13 Establishment and functions of National Emergency Operations Committee

The National Emergency Operations Committee is hereby established, which shall have the following functions —

- (a) activate ministries and organisations in response to an event that has happened, is happening or may happen;
- (b) liaise with ministries, non government organisations and community groups in the execution of their emergency management roles and responsibilities;
- (c) carry out initial assessment;
- (d) collate and prioritise immediate disaster relief requirements; and
- (e) manage the distribution of immediate relief supplies.

14 Membership of National Emergency Operations Committee

The National Emergency Operations Committee shall consist of the following members —

- (a) the Minister who shall be the chairman;
- (b) the Director;
- (c) Police Commander;
- (d) Commander, Tonga Defence Services;

- (e) Secretary for Foreign Affairs; and
- (f) the Manager.

15 Functions of the National Controller

The National Emergency Operations Committee shall have the following functions —

- (a) determine the priority of the response roles of any Government or non-government agency, in consultation with members of the National Emergency Operations Committee;
- (b) direct and coordinate the activities of any Government or non-government agency; and
- (c) allocate all available resources of the government which the Minister, in consultation with the National Emergency Operations Committee, considers necessary,

for responding to events that may, happen, is happening or about to happen.

16 Establishment and functions of National Emergency Recovery Committee

The National Emergency Recovery Committee is hereby established, which shall have the following functions —

- (a) coordinate the recovery phase following any event;
- (b) carry out detailed assessments in partnership with the relevant committee;
- (c) coordinate the provision of emergency relief; and
- (d) coordinate all recovery and rehabilitation works.

17 Membership of National Emergency Recovery Committee

The National Emergency Recovery Committee shall consist of the following members —

- (a) the Minister who shall be the chairman;
- (b) Chief Secretary and Secretary to Cabinet;
- (c) Secretary for Finance;
- (d) Director;
- (e) Secretary for Foreign Affairs;
- (f) Commander of Tonga Defence Services;
- (g) representative of non-government organisations who may be co-opted as required; and

- (h) Manager who shall be the Secretary.

18 Establishment and functions of District Emergency Management Committees

- (1) A District Emergency Management Committee shall be established for each of the following districts of the Kingdom —
 - (a) Ha'apai
 - (b) Vava'u
 - (c) Niuatoputapu;
 - (d) Niuafu'ou; and
 - (e) 'Eua.
- (2) Each District Emergency Management Committee shall have the following functions —
 - (a) prepare, and regularly review, a District Emergency Management Plan;
 - (b) develop and implement effective emergency management in the district in accordance with any relevant policies issued by the National Emergency Management Committee;
 - (c) provide reports and make recommendations to the National Emergency Management Committee about disaster risk reduction and emergency management activities in the district;
 - (d) regularly conduct exercises of operational procedures as required by the District Emergency Management Plan;
 - (e) provide support to communities to ensure effective emergency management in communities before, during and after the impact of an event;
 - (f) promote community awareness of emergency management, including ways of mitigating, preparing for, responding to and recovering from an emergency;
 - (g) identify and coordinate the use of resources for emergency operations in the district;
 - (h) manage emergency operations in the district in accordance with any policies and procedures issued by the National Emergency Management Committee;
 - (i) establish and review communications systems in the district for use when an event threatens or an emergency happens; and
 - (j) provide information about an event or an emergency in the district to the National Emergency Management Committee.

19 Membership of District Emergency Management Committees

Each District Emergency Management Committee shall consist of the following members —

- (a) the Governor or Government Representative of the district who shall be the chairman; and
- (b) any other members appointed by the chairman with the approval of the Minister.

20 Annual report of District Emergency Management Committees

- (1) Each District Emergency Management Committee shall prepare and give to the National Emergency Management Committee an annual report about emergency management in the district, by 30th March of each year.
- (2) The report shall include the following —
 - (a) information about activities undertaken during the year to maintain or enhance the district's emergency management;
 - (b) details of emergency operations undertaken during the year;
 - (c) other matters about emergency management the National Emergency Management Committee considers appropriate.

21 Chairman may give directions

- (1) The chairman of the National Emergency Management Committee, after consulting with the chairman of the District Emergency Management Committee, may give a District Emergency Management Committee a written direction about the performance of its functions if satisfied it is necessary to ensure the functions are adequately performed.
- (2) The District Emergency Management Committee shall comply with the direction given under subsection (1).

22 Establishment of the Village Emergency Committee

The Village Emergency Committee is hereby established, which shall have the following functions —

- (a) develop and implement effective emergency management in the village in accordance with any relevant policies issued by the National Emergency Management Committee;
- (b) provide reports and make recommendations to the District Emergency Management Committee about disaster risk reduction and emergency management activities in the village;

- (c) provide support to village communities to ensure effective emergency management in village communities before, during and after the impact of an event;
- (d) coordinate village community awareness of emergency management, including ways of mitigating, preparing for, responding to and recovering from an emergency;
- (e) identify and coordinate the use of resources for emergency operations in the village;
- (f) manage emergency operations in the village in accordance with any policies and procedures issued by the National Emergency Management Committee;
- (g) establish and review communications systems in the village for use when an event threatens or an emergency happens; and
- (h) promptly provide information about an event or an emergency in the village to the District Emergency Management Committee.

23 Membership of Village Emergency Committee

A Village Emergency Committee shall consist of the following members —

- (a) town officer who shall be the chairman; and
- (b) representatives appointed by the town officer with the approval of the Minister.

24 Annual report of Village Emergency Committee

- (1) Each Village Committee shall prepare and give to the District Emergency Management Committee an annual report about emergency management in the village by 28th of February of each year.
- (2) The Village Emergency Committee shall comply with the direction given in subsection (1).

25 Committee meetings

Each committee shall hold a meeting at least once each quarter at the time and place decided by the chairman of the committee.

26 Chairing of meetings

If the chairman of a committee is absent from a meeting, the members may elect an acting chairman who shall chair that meeting.

27 Minutes

A committee shall keep minutes of its meetings.

PART III - EMERGENCY MANAGEMENT PLANS**28 National Emergency Management Plan**

The National Emergency Management Committee shall prepare a National Emergency Management Plan, to include provision for the following —

- (a) mitigation, preparedness, response and recovery, based on a risk management process;
- (b) specific events under this Act;
- (c) the roles and responsibilities of relevant bodies;
- (d) priorities for disaster risk reduction;
- (e) arrangements of provision of support from other nations and donor agencies;
- (f) support and coordinate the District Emergency Management Committees; and
- (g) any other matter it considers appropriate.

29 District Emergency Management Plans

A District Emergency Management Committee shall prepare a District Emergency Management Plan for the district, to include provision for the following —

- (a) mitigation, preparedness, response and recovery, based on a risk management process;
- (b) specific events that may happen in the district;
- (c) the roles and responsibilities of relevant entities;
- (d) priorities for disaster risk reduction for the district; and
- (e) any other matter it considers appropriate.

30 Plans to be available to the public

Each committee shall —

- (a) keep a copy of their emergency management plans available for inspection by members of the public during business hours at the Ministry of Works' office; and

- (b) provide a copy of the whole or part of an emergency management plan,
free of charge.

31 Guidelines

The Minister may prepare and issue written guidelines for emergency management committees for the development of emergency management plans and any other matters that he considers necessary.

PART IV - DECLARATION OF STATE OF EMERGENCY

32 Declaration of state of emergency

- (1) The Prime Minister may declare a state of emergency for the Kingdom, or a part of the Kingdom, if satisfied that —
 - (a) an emergency has happened, is happening or may happen in the Kingdom; and
 - (b) it is necessary for emergency powers to be exercised to prevent or minimise —
 - (i) loss of human life;
 - (ii) illness or injury to humans;
 - (iii) property loss or damage; or
 - (iv) damage to the environment.
- (2) A declaration made under subsection (1) applies only to the area specified in the declaration and remains in force for 28 days.

33 Duration of declaration

A state of emergency commences when it is declared and ends 28 days after the day it is declared, unless the Prime Minister ends it earlier.

34 Renewal of declaration

- (1) The Prime Minister may renew the declaration of a state of emergency from time to time for a period of up to 28 days.
- (2) The declaration or its renewal shall be published in such manner as the Prime Minister deems necessary for bringing it to the notice of the public.

35 Expiration of declaration

The declaration ceases to have effect on the expiration of 28 days from the date on which it was made, or if renewed, on the expiration of the time it was renewed for.

36 Authorisation for exercise of powers

- (1) The Minister may authorise any person or class of persons to exercise the emergency powers under this Act.
- (2) Police officers and military personnel may exercise emergency powers.

37 Powers on a declaration

For purposes of this section —

“**place**” includes land, premises and a vehicle; and

“**vehicle**” means anything used for carrying anything or any person by land, water or air.

During the period of a state of emergency an authorised officer may exercise emergency powers necessary for the prevention of loss of human lives, illness or injury to humans or animals, loss or damage to property, and damage to the environment, including but not limited to —

- (a) entering property without warrant;
- (b) evacuation of people and animals;
- (c) preventing people, animals, plants, vehicles, and other things from entering a place;
- (d) preventing people, animals, plants, vehicles, and other things from leaving a place;
- (e) taking necessary equipment onto a place to assist them in carrying out their duties;
- (f) directing the movement of people, animals, vehicles and other things;
- (g) shutting off a supply of electricity, fuel, gas or other service, and taking and using electricity, fuel, gas or water;
- (h) maintaining, restoring, or preventing damage to essential services;
- (i) shutting down or dismantling any equipment or motor;
- (j) removing, demolishing or damaging any building or thing;
- (k) placing property under the control, or at the disposal of an authorised officer;
- (l) decontaminating people and property;

- (m) erecting barriers and closing roads; and
- (n) requiring a person to give the authorised officer reasonable help to exercise the authorised officer's emergency powers.

PART V - OFFENCE PROVISIONS

38 Obstruction of authorised officer

Any person who, without lawful excuse, obstructs an authorised officer in the exercise of a power under this Act, commits an offence and shall be liable upon conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years, or both.

39 Failure to comply with direction

Any person who, without lawful excuse, fails to comply with a direction under this Act, or required by an authorised officer to give assistance, commits an offence and shall be liable upon conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years, or both.

40 Impersonation of authorised officer

Any person who knowingly impersonates an authorised officer, commits an offence and shall be liable upon conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years, or both.

PART VI - MISCELLANEOUS

41 Disclosure of information

Nothing in this Act authorises or requires the disclosure of information which may compromise the safety or security of the Kingdom or its people.

42 Immunity of person exercising powers

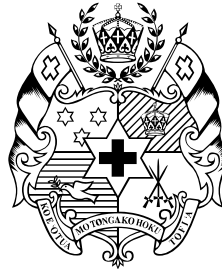
No legal proceeding or claim shall lie against any person for any act done in good faith and without gross negligence in the exercise of any power or performance of any duty conferred upon him by or under this Act.

43 Regulation-making power

The Minister may, with the consent of Cabinet make regulations generally for carrying into effect the provisions of this Act.

Passed by the Legislative Assembly this 28th day of August 2007.

Fika 14 'o e 2007



Tonga

**LAO FAKAANGAANGA KI HE PULE'I 'O
E ME'A FAKAFOKIFA 2007**

Fika 14 'o e 2007



LAO FAKAANGAANGA KI HE PULE'I 'O E ME'A FAKAFOKIFA 2007

Fokotu'utu 'o e Ngaahi Kupu

Kupu

KONGA 1 - TALATEU **5**

1	Hingoa nounou mo e kamata'anga	5
2	'Uhinga'i Lea.....	5
3	Ha'i 'e he Lao 'a e Kalauni.....	7
4	Fehokotaki mo e ngaahi Lao kehe	7
5	Uesia 'o e ngaahi mafai 'i ha ngaahi Lao kehe.....	7
6	Fakangatangata ki hono ngaue'aki.....	7

KONGA II - NGAahi KOMITI MO E NGAahi SINO KEHE KI HONO PULE'I 'O E ME'A FAKAFOKIFA **7**

7	Fokotu'u 'o e 'Ofisi Fakafonua ki he Pule'i 'o e Me'a Fakafokifa	7
8	Ngaahi ngaue 'a e Pule	8
9	Fokotu'u.....	8
10	Ngaahi Ngaue	8
11	Memipa.....	9
12	Fakamatala Fakata'u fekau'aki mo e pule'i 'o e me'a fakafokifa	9
13	Fokotu'u 'o e ngaahi ngaue	10
14	Memipa 'o e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa.....	10
15	Ngaahi ngaue 'a e Pule Lahi Fakafonua ki he Me'a Fakafokifa.....	10
6	Fokotu'u mo e ngaahi ngaue 'a e Komiti Fakafonua ki he Fakaakeake mei ha Me'a Fakafokifa.....	11
17	Memipa 'o e Komiti Fakafonua ki he Fakaakeake mei ha Me'a Fakafokifa	11

18	Fokotu'u mo e ngaahi ngaue 'a e Ngaahi Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa	11
19	Kau Memipa 'o e Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa	12
20	Fakamatala Fakata'u 'a e ngaahi Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa	12
21	Ke 'oatu 'e he Sea ha ngaahi fekau	13
22	Fokotu'u 'o e Komiti Fakakolo ki he Me'a Fakafokifa	13
23	Kau Memipa 'o e Komiti Fakakolo ki he Me'a Fakafokifa	14
24	Fakamatala fakata'u 'a e Komiti Fakakolo ki he Me'a Fakafokifa.....	14
25	Ngaahi Fakataha 'a e Komiti.....	14
26	Sea 'o e ngaahi fakataha.....	14
27	Ngaahi Miniti	15

KONGA III - NGAahi PALANI KI HE PULE'I 'O E ME'A FAKAFOKIFA

15

28	Palani Fakafonua ki he Pule'i 'o e Me'a Fakafokifa.....	15
29	Ngaahi Palani Fakavahe ki he Pule'i 'o e Me'a Fakafokifa.....	15
30	Ke faka'ataa 'a e ngaahi Palani ki he kakai.....	16
31	Ngaahi Fakahinohino	16

KONGA IV - FAKAHA 'O HA TU'UNGA FAKAFOKIFA

16

32	Fakaha 'o ha tu'unga fakafokifa.....	16
33	Loloa 'o e fakaha.....	16
34	Fakafo'ou 'o e fakaha.....	17
35	'Osi 'a e taimi 'o e fakaha fakapule'anga	17
36	Fakamafai ki hono ngaue'aki 'o e ngaahi mafai	17
37	Ngaahi mafai 'i he fanongonongo.....	17

KONGA V - NGAahi TU'UTU'UNI KI HE HIA

18

38	Fakafe'atungia'i 'a e 'ofisa fakamafai	18
39	Ta'e muimui ki he fekau	18
40	Fakapuli ko ha 'ofisa fakamafai	18

KONGA VI - ME'A KEHEKEHE

19

41	Fakaha 'o e fakamatala.....	19
42	'Ikai mo'ua 'a e taha ngaue'aki 'a e mafai.....	19
43	Mafai ke fa'u Tu'utu'uni.....	19



LAO FAKAANGAANGA KI HE PULE'I 'O E ME'A FAKAFOKIFA 2007

Fika 14 'o e 2007

LAO KE TU'UTU'UNI KI HE PULE'I 'O E ME'A FAKAFOKIFA 'I HE
PULE'ANGA NI.

'Oku ou loto ki ai,
SIAOSI TUPOU V,
13 'o Sepitema 2007

'aho kamata ngaue'aki [te'eki ai ke ngaue'aki]

'OKU TU'UTU'UNI 'e he Tu'i mo e Fale Alea 'o Tonga 'i he Fakataha Alea 'o e
Pule'anga 'o pehe:

KONGA 1 - TALATEU

1 Hingoa nounou mo e kamata'anga

'E ui 'a e Lao ni ko e Lao ki he Pule'i 'o e Me'a Fakafokifa 2007.

2 'Uhingai Lea

'I he Lao ni, tukukehe 'okapau 'e fiema'u 'a 'uhinga kehe 'i hono tu'unga —

“**ofisa fakamafai**” 'oku 'uhinga ki ha taha kuo fakamafai ke ne
ngaue'aki 'a e ngaahi mafai ki ha tu'unga fakafokifa 'i he Lao ni;

“**Talekita**” ‘oku ‘uhinga ki he Talekita ‘o e Ngaue;

“**me’a fakafokifa**” ‘oku ‘uhinga ki ha me’a ‘oku hoko, mo’oni pe ‘oku ‘amanaki ke hoko, ‘oku tu’u fakatu’utamaki pe ‘oku tu’u fakamanamana ke fakatu’utamaki ki he mo’ui, koloa pe ko e ‘ataakai pea ‘oku fiema’u ha ngaue malohi mo ma’opo’opo ke ke tali ‘aki.

“**pule’i ‘o e me’a fakafokifa**” ‘oku ‘uhinga ki ha ngaahi fokotu’utu’u fekau’aki mo hono pule’i ‘o e ngaahi ola kovi ‘e ala hoko mei ha me’a ‘e hoko, kau ai ‘a hono fakasi’isi’i ha me’a ‘e kaunga kovi ki he komiuniti, mateuteu mo e tali ki ha ngaahi me’a fakamanamana ‘e hoko mo ha fakaakeake mei ha me’a fakafokifa;

“**ngaahi ngaue ki he me’a fakafokifa**” ‘oku ‘uhinga ki ha ngaahi ngaue ‘oku fakahoko kimu’a, lolotonga pe hili ha hoko ha me’a ke tokoni ki hono fakasi’isi’i ‘a e mole ‘a e mo’ui ‘a e tangata, mahaki pe lavea ki he tangata, mole pe maumau ‘a e koloa pe ko e maumau ki he ‘ataakai;

“**mafai ki he me’a fakafokifa**” ‘oku ‘uhinga ki he ngaahi mafai kuo fakamafai’i ‘i he Lao ni ke fakahoko ‘i ha fakaha fakapule’anga ha tu’unga fakafokifa;

“**me’a ‘oku hoko**” ‘oku ‘uhinga ki he ngaahi me’a ko ‘eni —

- (a) ko ha saikolone, mofuike, afa, matangi malohi, ‘ahiohio, sunami, laku ha mo’ungaafi pe ha fakatamaki fakaenatula kehe;
- (b) ko ha pa ha afi, ha kemikale, lolo fefie pe mahua ‘a e lolo, pe mama ha kasa;
- (c) mahaki pipihi, mahaki faka’auha pe ko e to’umahaki;
- (d) ko e ‘ikai ke to e lava ‘o ngaue ha sevesi matu’aki mahu’inga pe ko ha ngaahi me’angaue fetu’utaki lalahi (infrastructure);
- (e) ko ha ‘ohofi fakatautoitoti ki he Pule’anga ni; pe
- (f) ha me’a ‘oku hoko ‘oku tatau mo ha me’a ‘oku hoko ‘oku lau ki ai ‘i he palakalafi (a) ki he (e);

“**taha ngaue ki he mo’ui**” ‘oku ‘uhinga tatau mo e ‘uhinga’i lea ‘i he Lao ki he Kau Ngaue ki he Mo’ui;

“**Pule**” ‘oku ‘uhinga ki he pule ‘o e ‘Ofisi Fakafonua ki he Pule’i ‘o e Me’a Fakafokifa;

“**memipa**” ‘oku ‘uhinga ki he kau memipa ‘o e Tau Malu’i Fonua ‘o Tonga mo e kau memipa taumalu’i fonua mei muli ‘oku nau ‘i he Pule’anga ni ‘o fakatatau ki ha aleapau fakakautau;

“**Minisita**” ‘oku ‘uhinga ki he Minisita ‘oku ne tokanga’i hono pule’i ‘o e me’a fakafokifa; pea

“**Ofisi Fakafonua ki he Pule’i ‘o e Me’a Fakafokifa**” ‘oku ‘uhinga ki he ‘Ofisi Fakafonua ki he Pule’i ‘o e Me’a Fakafokifa kuo fokotu’u ‘i he Lao ni.

3 Ha'i 'e he Lao 'a e Kalauni

'Oku ha'iha'i 'e he Lao ni 'a e Kalauni.

4 Fehokotaki mo e ngaahi Lao kehe

- (1) Tukukehe 'o hange ko e tu'utu'uni 'i he kupu 6, ko e ngaahi mafai 'i he Lao ni ko e fakalahi atu pe ka 'oku 'ikai ke ne fakangatangata 'a e fakahoko 'o ha fakaha pe ko e fakahoko 'o ha mafai 'i ha Lao kehe.
- (2) Ko e 'i ai ha fakaha 'i ha Lao kehe 'oku 'ikai ke ne ta'ofi pe te ne fakangatangata ai 'e ia 'a e fakaha fakapule'anga 'o ha tu'unga fakafokifa 'i he Lao ni.

5 Uesia 'o e ngaahi mafai 'i ha ngaahi Lao kehe

- (1) 'Oku ngaue'aki 'a e kupu ni ki ha tu'unga fakafokifa kuo fakaha 'i ha Lao kehe.
- (2) Ka fepaki hono ngaue'aki 'o ha ngaahi mafai 'i ha Lao kehe mo e ngaue'aki 'o e ngaahi mafai ki he me'a fakafokifa 'i he Lao ni, kuo pau ke malohi 'a e ngaahi mafai ki he me'a fakafokifa 'i ha ngaahi mafai 'i he Lao kehe.

6 Fakangatangata ki hono ngaue'aki

Kuo pau 'e 'ikai ke ngaue'aki 'a e Lao ni ki ha ngaahi me'a 'oku kau ai —

- (a) 'a e fepaki fakakautau mo ha fili;
- (b) ngaahi fekihiaki fakangaue'anga; pe
- (c) ngaahi fepakipaki mo e ngaahi fakafepaki fakalotofonua 'o hange ko e fakamaveuveu, ngaahi to'onga fakalilifu 'oku hoko to to holo mo ha ngaahi to'onga kehe 'oku natula tatau mo ia, ka 'oku 'ikai ko ha ngaahi fepaki fakakautau.

KONGA II - NGAHI KOMITI MO E NGAHI SINO KEHE KI HONO PULE'I 'O E ME'A FAKAFOKIFA

7 Fokotu'u 'o e 'Ofisi Fakafonua ki he Pule'i 'o e Me'a Fakafokifa

'Oku fokotu'u 'a e 'Ofisi Fakafonua ki he Pule'i 'o e Me'a Fakafokifa ko ha Va'a ia 'o e Potungaue, 'a ia kuo pau ko 'ene ngaahi ngaue 'eni —

- (a) poupu'i mo ha fale'i 'a e ngaahi komiti pule'i 'o e me'a fakafokifa fekau'aki mo e pule'i 'o e me'a fakafokifa mo e ngaahi ngaue ki he me'a fakafokifa 'i he Pule'anga ni;

- (b) toe vakai'i mo siofi 'a e Palani Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (c) fakahoko 'a e ngaahi tu'utu'uni ngaue mo e ngaahi tu'utu'uni 'o e Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (d) fakama'opo'opo 'a e ngaahi ngaue pule'i 'o e me'a fakafokifa 'i he Pule'anga ni;
- (e) toutou lipooti ki he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa fekau'aki mo e fakahoko ngaue 'a e 'Ofisi Fakafonua ki he Pule'i 'o e Me'a Fakafokifa; pea mo
- (f) fakahoko mo tauhi 'a e fetu'utaki vaofi mo e Pule'anga mo e ngaahi kautaha ta'efakapule'anga mo e sekitoa taautaha fekau'aki mo e pule'i 'o e me'a fakafokifa.

8 Ngaahi ngaue 'a e Pule

Kuo pau ke tokanga'i 'a e Pule ki he Talekita 'i he ngaahi ngaue ko 'eni –

- (a) pule'i 'a e ngaahi ngaue 'a e 'Ofisi Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (b) teuteu'i ha polokalama ngaue fakata'u ki hono fa'u ha patiseti; mo e
- (c) ngaahi ngaue kehe fekau'aki mo e pule'i 'o e me'a fakafokifa 'a ia 'oku pehe 'e he Talekita 'oku taau.

9 Fokotu'u

'Oku fokotu'u heni 'a e Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa.

10 Ngaahi Ngaue

Kuo pau ko e ngaahi ngaue 'eni 'a e Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa –

- (a) faitu'utu'uni fekau'aki mo e ngaahi tu'utu'uni ngaue 'oku mahu'inga fakafonua fekau'aki mo e pule'i 'o e me'a fakafokifa ma'a e Pule'anga ni;
- (b) fokotu'utu'u 'o hono fa'u mo fakahoko hono pule'i 'o e me'a fakafokifa 'oku lele lelei ma'ae Pule'anga ni;
- (c) fakangofua mo toutou vakai'i 'a e Palani Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (d) fakapapau'i hono toutou fakahoko 'a e ngaahi founa ngaue 'i he Palani Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (e) fakhoko ha ngaahi fokotu'utu'u mo e ngaahi fonua mo e ngaahi sino kehe ke nau 'omai ha tokoni ki he Pule'anga ni lolotonga 'a e ngaahi me'a fakafokifa lalahi;

- (f) poupou'i 'a e ngaahi Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa; mo e
- (g) foku'u'u'u ha founa pule'i lelei 'o e me'a fakafokifa mo e tali 'o ha me'a fakavavevave kimu'a, lolotonga pe hili ha me'a 'oku hoko.

11 Memipa

Kuo pau ke kau 'a e kau memipa ko 'eni 'i he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa —

- (a) ko e Minisita 'a ia kuo pau 'e Sea;
- (b) Sekelitali Pule mo Sekelitali ki he Kapineti;
- (c) ko e Talekita;
- (d) Sekelitali Pa'anga mo e Palani;
- (e) Talekita ki he Ngoue, Vaota, Toutai mo e Me'atokoni;
- (f) Talekita ki he Mo'ui;
- (g) Komanita Polisi;
- (h) 'Eiki Tau 'o e Tau Malu'i Fonua 'a Tonga;
- (i) Sekelitali ki he Fonua, Savea, Ngaahi Koloa Fakaenatula mo e 'Atakai;
- (j) Pule 'a ia kuo pau ke Sekelitali; mo e
- (k) Talekita Ako.

12 Fakamatala Fakata'u fekau'aki mo e pule'i 'o e me'a fakafokifa

Kuo pau ke teuteu'i 'e he Minisita ha lipooti fekau'aki mo e pule'i 'o e me'a fakafokifa 'i he Pule'anga ni, ko e kongia ia 'o 'ene lipooti fakata'u ki he Fale Alea, kau ai 'a e ngaahi me'a ko 'eni —

- (a) fakamatala fekau'aki mo e ngaahi ngaue kuo fakahoko lolotonga 'a e ta'u ke pukepuke 'aki pe fakalelei'i 'a e pule'i 'o e me'a fakafokifa 'a e Pule'anga ni;
- (b) ngaahi fakaikiiki 'o e ngaue ki he me'a fakafokifa kuo fakahoko lolotonga 'a e ta'u;
- (c) fakamatala fekau'aki mo e ngaahi me'a mahu'inga 'uluaki ki hono fakasi'isi'i 'a e hoko ha fakamataki; mo e
- (d) ngaahi me'a kehe fekau'aki mo e pule'i 'o e me'a fakafokifa 'oku pehe 'e he Minisita 'oku taau.

13 Fokotu'u 'o e ngaahi ngaue

'Oku fokotu'u heni 'a e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa, 'a ia kuo pau ke nau fakahoko 'a e ngaahi ngaue ko 'eni —

- (a) ue'il 'a e ngaahi potungaue mo e ngaahi kautaha ke 'i ai ha'anau tali ki ha me'a kuo hoko, 'oku hoko pe 'e lava ke hoko;
- (b) fengau'e'aki mo e ngaahi potungaue, ngaahi kautaha ta'efakapule'anga mo e ngaahi kulupu 'i he komiuniti 'i hono fakahoko honau ngaahi ngafa mo e ngaahi fatongia fekau'aki mo e pule'i 'o e me'a fakafokifa;
- (c) fakahoko ha sivi kamata;
- (d) fakama'opo'opo 'a e ngaahi tokoni mahu'inga 'uluaki ki he ngaahi fiema'u fakavavevave taha 'i he hoko ha fakatamaki; mo
- (e) pule'i hono tufaki 'a e ngaahi tokoni 'oku fiema'u fakavavevave taha.

14 Memipa 'o e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa

Ko e kau memipa 'eni 'o e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa —

- (a) Minisita 'a ia kuo pau 'e Sea;
- (b) ko e Talekita;
- (c) Komanita Polisi;
- (d) 'Eikitau, Tau Malu'i Fonua 'a Tonga ;
- (e) Sekelitali ki he Potungaue ki Muli; mo e
- (f) Pule.

15 Ngaahi ngaue 'a e Pule Lahi Fakafonua ki he Me'a Fakafokifa

Kuo pau ko e ngaahi ngaue 'eni 'a e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa —

- (a) fakapapau'i 'oku 'oku fika 'uluaki 'a e fatongia tali fakatu'utamaki ha kautaha Pule'anga pe ta'efakapule'anga, 'i he fealea'aki mo e kau memipa 'o e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa;
- (b) tataki mo fokotu'utu'u 'a e ngaahi ngaue ha kautaha Pule'anga pe ta'efakapule'anga; mo
- (c) vahevahe 'a e ngaahi koloa 'a e Pule'anga 'oku ala ma'u 'a ia 'oku pehe 'e he Minisita 'oku taau, 'i ha'ane fealea'aki mo e Komiti Ngaue Fakafonua ki he Me'a Fakafokifa,

ki hono tali ha ngaahi me'a 'oku hoko 'e ala hoko, lolotonga hoko pe 'e hoko.

6 Fokotu'u mo e ngaahi ngaue 'a e Komiti Fakafonua ki he Fakaakeake mei ha Me'a Fakafokifa

'Oku fokotu'u heni 'a e Komiti Fakafonua ki he Fakaakeake mei ha Me'a Fakafokifa, 'a ia kuopau ko 'ene ngaahi ngaue 'eni —

- (a) fokotu'utu'u 'a e vaha'a taimi fakaakeake hili ha hoko ha me'a;
- (b) fakahoko ha ngaahi sivi faka'auliliki 'i ha fengaue'aki fakataha mo e komiti 'oku kaunga ki ai;
- (c) fokotu'utu'u hono 'oatu 'o e tokoni fakavavevave; mo
- (d) fokotu'utu'u 'a e ngaahi ngaue fakaakeake kotoa pe.

17 Memipa 'o e Komiti Fakafonua ki he Fakaakeake mei ha Me'a Fakafokifa

Kuo pau ko e kau memipa 'eni 'o e Komiti Fakafonua ki he Fakaakeake mei ha Me'a Fakafokifa —

- (a) ko e Minisita 'a ia kuo pau ke Sea;
- (b) Sekelitali Pule mo Sekelitali ki he Kapineti;
- (c) Sekelitali ki he Pa'anga;
- (d) Talekita;
- (e) Sekelitali ki he Potungaue ki Muli;
- (f) 'Eikitau 'o e Tau Malu'i Fonua 'a Tonga ;
- (g) fakafofonga 'o ha ngaahi kautaha mei tu'a 'i he Pule'anga 'a ia 'e lava ke fakakau mai 'o ka fiema'u; mo e
- (h) Pule 'a ia kuo pau 'e Sekelitali.

18 Fokotu'u mo e ngaahi ngaue 'a e Ngaahi Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa

(1) Kuo pau ke fokotu'u ha Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa ki he ngaahi vahefonua takitaha 'o e Pule'anga ni 'o pehe ni —

- (a) Ha'apai
- (b) Vava'u
- (c) Niuatoputapu
- (d) Niufo'ou; mo
- (e) 'Eua

(2) Kuo pau ko e ngaahi ngaue takitaha 'eni 'a e Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa —

- (a) teuteu'i, mo toutou vakai'i, ha Palani Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa;

- (b) langa hake mo fakahoko ha founa pule'i ha me'a fakafokifa 'oku lele lelei 'i he vahenga ko ia 'o fakatatau ki he ngaahi tu'utu'uni ngaue kuo tuku atu 'e he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (c) 'oatu 'a e ngaahi lipooti mo fai ha ngaahi fokotu'u ki he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa fekau'aki mo hono fakasi'isi'i ha hoko ha fakatamaki mo e ngaahi ngaue pule'i 'o e me'a fakafokifa 'i he vahenga ko ia;
- (d) toutou fakahoko 'a e ngaahi founa ngaue 'oku fiema'u 'e he Palani Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa;
- (e) 'oatu ha tokoni ki he ngaahi komiunitii ke fakapapau'i 'oku lele lelei 'a e pule'i 'o e me'a fakafokifa 'i he ngaahi komiuniti kimu'a, lolotonga pe hili ha hoko ha me'a;
- (f) fakalakalaka 'a e 'ilo 'a e komiuniti fekau'aki mo e pule'i 'o e me'a fakafokifa, kau ai 'a e ngaahi founa ke fakasi'isi'i, tokateu, ki he tali mo fakaakeake mei ha me'a fakafokifa;
- (g) faka'ilonga'i mo fokotu'utu'u 'a e anga hono ngaue'aki 'o e ngaahi koloa ki he ngaahi ngaue ki he me'a fakafokifa 'i he vahenga;
- (h) pule'i 'a e ngaahi ngaue ki he me'a fakafokifa 'i he vahenga 'o fakatatau ki ha ngaahi tu'utu'uni ngaue mo e ngaahi founa kuo tuku atu 'e he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (i) fokotu'u mo toutou vakai'i 'a e ngaahi sisitemi fetu'utaki 'i he vahenga ke ngaue'aki 'i ha teu ke hoko ha me'a pea ki he hoko ha me'a fakafokifa; mo
- (j) 'oatu ha fakamatala fekau'aki mo ha me'a 'oku hoko pe ko ha me'a fakafokifa 'i he vahenga ki he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa.

19 Kau Memipa 'o e Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa

Kuo pau ko e kau memipa 'eni 'o e Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa takitaha —

- (a) ko e Kovana pe Fakafofonga Pule'anga 'o e vahenga 'a ia kuo pau ke Sea; mo
- (b) ha kau memipa kehe kuo fokotu'u 'e he Sea 'i he fakangofua 'e he Minisita.

20 Fakamatala Fakata'u 'a e ngaahi Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa

- (1) Kuo pau ke teuteu'i 'e he Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa taki taha pea mo 'oatu ki he Komiti Fakafonua ki he Pule'i 'o e

Me'a Fakafokifa ha fakamatala fakata'u fekau'aki mo e pule'i 'o e me'a fakafokifa 'i he vahenga, 'o 'ikai toe tomui ange 'i he 'aho 30 'o Ma'asi 'o e ta'u taki taha.

- (2) Kuo pau ke kau 'i he lipooti 'a e ngaahi me'a ko 'eni —
- (a) fakamatala fekau'aki mo e ngaahi ngaue kuo fakahoko lolotonga 'a e ta'u ke pukepuke'aki pe fakalelei'i 'aki 'a e pule'i 'o e me'a fakafokifa;
 - (b) fakaikiiki 'o e ngaahi ngaue pule'i kuo fakahoko lolotonga 'a e ta'u;
 - (c) fakamatala fekau'aki mo e ngaahi me'a mahu'inga 'uluaki ki hono fakasi'isi'i 'o e hoko ha fakatamaki; mo e
 - (d) ngaahi me'a kehe fekau'aki mo e pule'i 'o e me'a fakavavevave 'oku pehe 'e he Komiti Fakafonua ki hono Pule'i 'o e Me'a Fakavavevave 'oku taau.

21 Ke 'oatu 'e he Sea ha ngaahi fekau

- (1) 'E ngofua ki he Sea 'o e Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa, hili 'ene fealea'aki mo e Sea 'o e Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa, ke ne 'oatu ki he Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa ha fekau tohi fekau'aki mo e fakahoko 'o 'ene ngaue kapau 'oku ne fiemalie 'oku fiema'u ke fakapapau'i 'oku fakahoko lelei 'a e ngaahi ngaue ko ia.
- (2) Kuo pau ke talangofua 'a e Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa ki he fekau kuo 'oatu 'i he kupu si'i(1)

22 Fokotu'u 'o e Komiti Fakakolo ki he Me'a Fakafokifa

'Oku fokotu'u heni ha Komiti Fakakolo ki he Me'a Fakafokifa, 'a ia kuo pau ko 'ene ngaahi ngaue 'eni —

- (a) langa hake mo fakahoko ha pule'i 'o e me'a fakafokifa 'i he kolo 'a ia 'oku lele lelei 'o fakatatau ki ha ngaahi tu'utu'uni ngaue fe'unga kuo tuku atu 'e he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (b) 'oatu ha ngaahi lipooti mo fai ha ngaahi fokotu'u ki he Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa fekau'aki mo hono fakasi'isi'i 'a e ala hoko ha fakatamaki mo e ngaahi ngaue pule'i 'o e me'a fakafokifa 'i he kolo;
- (c) 'oatu 'a e tokoni ki he ngaahi komiuniti 'o e kolo ke fakapapau'i 'oku lele lelei 'a e pule'i 'o e me'a fakafokifa 'i he ngaahi komiuniti 'o e kolo kimu'a, lolotonga pea hili 'a e hoko ha me'a 'oku hoko .

- (d) fokotu'utu'u 'i he kolo ke nau 'ilo 'a e pule'i 'o e me'a fakafokifa, kau ai 'a e ngaahi founa ke fakasi'isi'i, tokateu, tali pe fakaakeake mei ha me'a fakafokifa;
- (e) faka'ilo mo fakama'opo'opo 'a e anga hono ngaue'aki 'o e ngaahi koloa ki he ngaahi ngaue ki he me'a fakafokifa 'i he kolo;
- (f) pule'i 'a e ngaahi ngaue ki he me'a fakafokifa 'i he kolo 'o fakatatau ki he ngaahi tu'utu'uni ngaue mo e ngaahi founa kuo tuku atu 'e he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa;
- (g) fokotu'u mo vakai'i 'a e ngaahi sisitemi fetu'utaki 'i he kolo ki hono ngaue'aki 'i ha teuteu ke hoko ha me'a 'oku hoko pe ha me'a fakafokifa; mo
- (h) 'oatu leva 'a e fakamatala fekau'aki mo ha me'a 'oku hoko pe ha me'a fakafokifa 'i he kolo ki he Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa.

23 Kau Memipa 'o e Komiti Fakakolo ki he Me'a Fakafokifa

Kuo pau ko e kau memipa 'eni 'o e Komiti Fakakolo ki he Me'a Fakafokifa —

- (a) 'ofisa kolo 'a ia kuo pau ke Sea; mo e
- (b) kau fakafofonga 'e fokotu'u 'e he 'ofisa kolo 'i he fakangofua 'e he Minisita.

24 Fakamatala fakata'u 'a e Komiti Fakakolo ki he Me'a Fakafokifa

- (1) Kuo pau ke teuteu'i mo 'oatu 'e he Komiti Fakakolo ki he Komiti Fakavahe ki hono Pule'i 'o e Me'a Fakafokifa ha lipooti fakata'u fekau'aki mo e pule'i 'o e me'a fakafokifa 'i he kolo 'o 'ikai toe tomuiange 'i he 'aho 28 'o e Fepueli 'o e ta'u taki taha.
- (2) Kuo pau ke talangofua 'a e Komiti Fakakolo ki he Me'a Fakafokifa ki he fekau kuo 'oatu 'i he kupu si'i(1).

25 Ngaahi Fakataha 'a e Komiti

Kuo pau ke fakataha 'a e komiti taki taha 'o 'ikai toe si'isi'i ange 'i he tu'o taha 'i he kuata takitaha 'i he taimi mo e feitu'u 'e tu'utu'uni 'e he Sea 'o e komiti.

26 Sea 'o e ngaahi fakataha

Kapau 'oku 'ikai ke ma'u fakataha 'a e Sea 'o ha komiti mei ha fakataha, 'e ngofua ke fili 'e he kau memipa ha Sea le'ole'o 'a ia kuo pau ke Sea 'i he fakataha ko ia.

27 Ngaahi Miniti

Kuo pau ke tauhi 'e ha komiti 'a e ngaahi miniti 'o 'ene ngaahi fakataha.

KONGA III - NGAahi PALANI KI HE PULE'I 'O E ME'A FAKAFOKIFA

28 Palani Fakafonua ki he Pule'i 'o e Me'a Fakafokifa

Kuo pau ke teuteu'i 'e he Komiti Fakafonua ki he Pule'i 'o e Me'a Fakafokifa ha Palani Fakafonua ki he Pule'i 'o e Me'a Fakafokifa, 'o tu'utu'uni ki he ngaahi me'a ko 'eni —

- (a) fakasi'isi'i, tokateu, tali mo e fakaakeake, 'o e ngaue ki hono mapule'i 'o e ngaahi fakatamaki;
- (b) ngaahi me'a 'oku hoko makehe 'e ala hoko 'i he Lao ni;
- (c) ngaahi fatongia mo e ngaahi ngaue 'a e ngaahi kautaha 'oku fekau'aki mo ia;
- (d) ngaahi me'a mahu'inga 'uluaki ki hono fakasi'isi'i ha ala hoko ha fakatamaki;
- (e) fokotu'u ki he ma'u mai ha tokoni mei he ngaahi fonua kehe mo e ngaahi kautaha foaki tokoni;
- (f) poupou'i mo fokotu'utu'u 'a e Ngaahi Komiti ki hono Pule'i 'o e Me'a Fakafokifa; mo ha
- (g) me'a kehe 'oku ne pehe 'oku taau.

29 Ngaahi Palani Fakavahe ki he Pule'i 'o e Me'a Fakafokifa

Kuo pau ke teuteu'i 'e ha Komiti Fakavahe ki hono Pule'i ha Me'a Fakafokifa ha Palani Fakavahe ki he Pule'i ha Me'a Fakafokifa ki he vahenga ko ia, ke kau ai 'a e ngaahi me'a ko 'eni —

- (a) fakasi'isi'i, mateuteu, tali mo e fakaakeake 'o makatu'unga 'i ha ngaue ki hono mapule'i 'a e ngaahi fakatamaki;
- (b) ngaahi me'a pau 'oku hoko 'i he vahenga ko ia;
- (c) ngaahi fatongia mo e ngaahi ngafa 'o e ngaahi kautaha fekau'aki;
- (d) ngaahi me'a mahu'inga 'uluaki ki hono fakasi'isi'i 'o e ala hoko ha fakatamaki 'i he vahenga ko ia; mo
- (e) ha me'a kehe 'oku ne pehe 'oku taau.

30 Ke faka'ataa 'a e ngaahi Palani ki he kakai

Ko e komiti takitaha kotoa pe kuo pau ke nau, 'ikai ha totongi, —

- (a) faka'ata ha tatau 'o 'enua ngaahi palani pule'i 'o e me'a fakafokifa ke sivi 'e he kakai lolotonga 'a e ngaahi houa ngaue 'i he 'Ofisi 'o e Potungaue Ngaue; pea
- (b) 'oatu ha tatau 'o e kotoa pe ko ha konga 'o e palani ki he pule'i 'o e me'a fakafokifa.

31 Ngaahi Fakahinohino

'E ngofua ke teuteu'i mo 'oatu 'e he Minisita ha ngaahi fakahinohino tohi ki he ngaahi komiti pule'i 'o e me'a fakafokifa ki hono fakalalakaka 'o e ngaahi palani pule'i 'o e me'a fakafokifa mo e ngaahi me'a kehe 'oku ne pehe 'oku taau.

KONGA IV - FAKAHA 'O HA TU'UNGA FAKAFOKIFA**32 Fakaha 'o ha tu'unga fakafokifa**

- (1) 'E ngofua ke fakaha 'e he Palemia ha tu'unga fakafokifa ki he Pule'anga ni, pe ko ha konga 'o e Pule'anga ni, kapau 'oku ne fiemalie —
 - (a) kuo hoko, 'oku hoko pe 'e ala hoko ha me'a fakafokifa 'i he Pule'anga ni; pea
 - (b) 'oku fiema'u ke ngaue'aki ha ngaahi mafai ki he me'a fakafokifa ke ta'ofi pe fakasi'isi'i 'a e —
 - (i) mole 'a e mo'ui 'a e tangata;
 - (ii) mahaki pe lavea ki he fa'ahinga 'o e tangata;
 - (iii) mole pe maumau 'a e koloa; pe
 - (iv) maumau ki he 'ataakai.
- (2) Ko ha fakaha 'e fakahoko 'i he kupu si'i (1) 'oku ngaue'aki pe ia ki he 'elia pe ko ia 'oku fakamahino'i 'i he fakaha pea 'e kei ngaue'aki ki he 'aho 'e 28.

33 Loloa 'o e fakaha

'Oku kamata ha tu'unga fakafokifa mei he taimi 'o e fakaha 'o ngata hili 'a e 'aho 'e 28 mei he 'aho 'o e fakaha, tukukehe kapau 'e fakangata ia kimu'a 'e he Palemia.

34 Fakafou 'o e fakaha

- (1) 'E ngofua ke fakafou 'e he Palemia 'a e fakaha 'o ha tu'unga fakafokifa mei he taimi ki he taimi 'o a'u ki he vaha'a taimi ko e 'aho 'e 28.
- (2) Kuo pau ke pulusi 'a e fakaha fakapule'anga pe ko hono fakafou 'i he founa 'oku pehe 'e he Palemia 'oku fe'unga ke lava 'e he kakai 'o 'ilo ki ai.

35 'Osi 'a e taimi 'o e fakaha fakapule'anga

'Oku ngata 'a e fakaha fakapule'anga 'i ha 'osi 'a e 'aho 'e 28 mei he 'aho na'e fakahoko ai, pe kapau 'e fakafou, 'i he 'osi 'a e taimi 'oku fakafou ki ai.

36 Fakamafai ki hono ngaue'aki 'o e ngaahi mafai

- (1) 'E ngofua ke fakamafai 'i 'e he Minisita ha taha pe ha kalasi 'o ha kakai ke nau fakahoko 'a e ngaahi mafai ki he me'a fakafokifa 'i he Lao ni.
- (2) 'E ngofua ke ngaue'aki 'e he kau polisi mo e kau memipa 'o e tau malu'i fonua 'a e ngaahi mafai ki he me'a fakafokifa.

37 Ngaahi mafai 'i he fanongonongo

- (1) Ki he ngaahi taumu'a 'o e kupu ni —
 "feitu'u" 'oku kau heni 'a e kelekele, ngaahi fale mo ha me'alele;
 "me'alele" 'oku 'uhinga ki ha me'alele 'oku ngaue'aki ki hono uta ha me'a pe ko ha kakai 'i he fonua, vai pe 'ea.
- (2) Lolotonga 'a e vaha'a taimi 'o e tu'unga fakafokifa 'e ngofua ke ngaue'aki 'e ha 'ofisa kuo fakamafai 'a e ngaahi mafai ki he me'a fakafokifa 'e fiema'u ki hono ta'ofi 'a e mole 'a e mo'ui 'a e tangata, mahaki pe ko e lavea 'a e tangata pe monumanu, mole pe maumau 'a e koloa, mo e maumau ki he 'ataakai, 'o kau ai ka 'oku 'ikai ke fakangatanga pe ki he —
 - (a) hu ki ha kelekele ta'e 'i ai ha tohi fakamafai;
 - (b) fetukutuku 'o e kakai mo e monumanu;
 - (c) ta'ofi 'a e kakai, monumanu, 'akau, me'alele mo ha me'a kehe mei ha'anau hu ki ha feitu'u;
 - (d) ta'ofi 'a e kakai, monumanu, 'akau, me'alele, mo e ngaahi me'a kehe mei ha'anau mavahe mei ha feitu'u;
 - (e) 'ave ha me'angaue 'oku fiema'u ki he feitu'u ke tokoni'i kinautolu 'i he fakahoko honau ngaahi fatongia;
 - (f) pule'i 'a e fe'alu'aki 'a e kakai, monumanu, me'alele mo e ngaahi me'a kehe;

- (g) tamate'i ha ma'u'anga 'uhila, lolo, kasa pe ha sevesi kehe mo 'ave mo ngaue'aki 'a e 'uhila, lolo, kasa pe vai;
- (h) tauhi, fakafoki, pe ta'ofi ha maumau ki he ngaahi sevesi matu'aki fiema'u;
- (i) tapuni pe veteki ha me'angaue pe ha misini;
- (j) 'ave, haveki pe maumau'i ha fale pe ha me'a;
- (k) tuku ha koloa ke pule'i, pe ke ngaue'aki 'e ha 'ofisa fakamafai;
- (l) faito'o fakama'a mei he siemu 'a e kakai mo e koloa;
- (m) langa ha ngaahi 'a vahevahe mo tapuni 'a e ngaahi hala; mo
- (n) tu'utu'uni ha taha ke ne 'oange ki he 'ofisa fakamafai 'a e tokoni 'oku fakapotopoto ki hono fakahoko 'e he 'ofisa fakamafai 'a e ngaahi mafai ki he me'a fakafokifa.

KONGA V - NGAHI TU'UTU'UNI KI HE HIA

38 Fakafe'atungia'i 'a e 'ofisa fakamafai

Ka 'i ai ha taha ta'e 'i ai ha 'uhinga fakalao, te ne fakafe'atungia'i ha 'ofisa fakamafai 'i hono fakahoko hono mafai 'i he Lao ni, 'oku ne fakahoko ha hia pea kuo pau ke ne ala mo'ua 'i ha'ane halaia ki he tautea pa'anga 'o 'ikai laka hake 'i he \$10,000 pe ngaue popula ki he ta'u 'e 3, pe fakatou'osi.

39 Ta'e muimui ki he fekau

Ka 'i ai ha taha ta'e 'i ai ha 'uhinga fakalao, 'e 'ikai ke ne muimui ki ha fekau ha 'ofisa fakamafai 'i he fakahoko hono mafai 'i he Lao ni, 'oku ne fakahoko ha hia pea kuo pau 'e ala mo'ua 'i ha'ane halaia ki ha tautea pa'anga 'o 'ikai toe laka hake 'i he \$10,000 pe ko e ngaue popula 'o 'ikai laka hake 'i he ta'u 'e 3 pe fakatou'osi.

40 Fakapuli ko ha 'ofisa fakamafai

Ka 'i ai ha taha 'i he 'ilo pau, te ne fakapuli ko ha 'ofisa fakamafai ia, 'oku ne fakahoko ha hia pea kuo pau 'e ala mo'ua 'i ha'ane halaia ki ha tautea pa'anga 'o 'ikai toe laka hake 'i he \$10,000 pe ko e ngaue popula ki ha vaha'a taimi 'o 'ikai toe laka hake 'i he ta'u 'e 3, pe fakatou'osi.

KONGA VI - ME'A KEHEKEHE

41 Fakaha 'o e fakamatala

'Oku 'ikai ke 'i ai ha me'a 'i he Lao ni te ne fakamafai'i pe tu'utu'uni ke fakaha ha fakamatala te ne ala uesia 'a e malu pe ma'uma'uluta 'a e Pule'anga ni pe ko hono kakai.

42 'Ikai mo'ua 'a e taha ngaue'aki 'a e mafai

Kuo pau 'e 'ikai ha 'eke pe ha fakatonutonu fakalao 'e fakahoko ki ha taha ki ha fa'ahinga me'a kuo fakahoko 'i he loto ma'a 'o 'ikai ha matu'aki ta'etokanga 'i hono fakahoko ha fa'ahinga mafai pe fakahoko ha fa'ahinga fatongia kuo foaki kiate ia 'e he pe 'i he Lao ni.

43 Mafai ke fa'u Tu'utu'uni

'E ngofua ki he Minisita, 'i he loto ki ai 'a e Kapineta ke ne fa'u ha ngaahi tu'utu'uni fakalukufua ki hono fakahoko 'o e ngaahi tu'utu'uni 'o e Lao ni.

Na'e fakahoko 'e he Fale Alea 'i he 'aho ni 'o 2007.