



# TONGA GOVERNMENT GAZETTE

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## 4C. Retirement Malolo

### 4C.1 Age of Retirement Taú ngaue malolo

(1) All employees shall retire on attaining the age of 60 years.  
(1) Kuo pau ke malolo á e kau ngaue mei he ngaue í heénau áusia honau taú motuá ko e 60.

(2) Under special, exceptional need, or emergency circumstances, an employee's compulsory date of retirement may be extended beyond 60 years, or a person who has attained the age of 60 years may be contracted as an employee, with the endorsement of the Minister and the approval of the Commission.

'I ha ngaahi makatu'unga mahu'inga vivili, fiema'u makehe pe ko ha ngaahi 'uhinga fakafokifa, 'e malava pe ke fakaloloa 'a e taimi ngaue 'o ha taha kuo hokosia 'a hono ta'u 60 pe 'e malava ke fakahoko ha aleapau ngaue mo e ni'ihi koia kuo nau 'osi ta'u 60 'i hano poupuu'i 'e he Minisitaa pea faka'ata 'e he Komisoni.

(3) In considering extending the date of retirement for an employee who has attained 60 years, or to contract a person who has attained 60 years, the Commission shall take into account the following special, exceptional need, or emergency circumstances:

(3) I hono fakakaukauí ke fakaloloa ha taú ngaue ha taha kuo lahi hake hono taú motuá 'i he 60 pe ko hono fakangaueí 'i ha aleapau ngaue, 'e fakangofua 'eni 'e he Komisoni makatu'unga 'i he ngaahi uHINGA ko'eni;

(i) the position is in a highly specialised area, such that the inability to extend the date of retirement, or to contract such person, will be a significant loss of irreplaceable expertise and institutional knowledge, and reduce the Ministry's ability to provide an essential service to the public,

Koe fatongia ngaue 'o e lakanga, 'oku 'i lotu ai e taukei mavahe pea 'oku fu'u fiema'u ha Tokotaha ngaue mataotao, kapau 'e 'ikai fakaloloa 'a 'ene taú ngaue malolo, pe fakangaueí faka-aleapau, 'e hoko eni ko e mole lahi ki he Potungau koe'uhi koe mole 'a 'ene taukei 'ilo mo 'ene taukei ngaue 'I he Potungau 'o uesia ai 'a e fakahoko fatongia tefito 'a e Potungau ki he kakai.

(ii) in the case of a **permanent** employee, the Ministry has demonstrated to the satisfaction of the Commission that **due to unforeseen circumstances** it was unable to plan for suitably skilled and qualified employees to succeed the retiree, **and** that there are emergency circumstances requiring the employee's retirement to be extended,

(ii) Fekau'aki pea mo e kau ngaue tuúmau, kuo fakapapauí e he Potungaue ki he Komisoni koe' uhi ko e ngaahi 'uhinga taé'amanekina kuo 'ikai ke malava ke fokotu'u ha taha taukei fe'unga ki he lakanga, pea 'oku 'i ai mo e ngaahi 'uhinga fakatu'upake 'o hoko ai ke toe fakaloloa 'a e taú ngaue 'o ha Tokotaha kuo aúsia e taú motu'a ko e 60

(iii) in the case of a contracted position, the Ministry is unable to source from its permanent staff an employee with the needed skills and specific qualifications to conduct the high priority work required by the Ministry, or the person has been deemed by the Commission as **an exceptional candidate** for a contracted position, or that there are emergency circumstances requiring the person to be contracted,

Fekau'aki mo ha tokotaha ngaue aleapau, kuo fakamahino 'e he Potungaue 'oku' ikai ke malava ke fakahoko e ngaahi fatongia koia 'e ha tokotaha ngaue tuúma'u, koe'uhi pe ko e 'ikai ke nau maú 'a e ngaahi taukei ngaue moe 'ilo fakaako ke fakahoko 'aki 'a e ngaahi ngaue mahu'inga 'a e Potungaue pe ko e pehe 'e he Komisoni ko e tokotaha lelei taha 'eni ke fakangaue'i il he founa aleapau – ngaue, pe ko ha 'uhinga fakatu'upake 'oku fiema'u ai ke fakangaue'i aleapau 'a e tokotaha ni.

(iv) in the case of a **permanent** employee, there are long term Ministry high priority deliverables specified in the employee's job description, which specifically requires the employee to complete.

Fekau'aki mo ha Tokotaha ngaue tuúma'u, 'oku mahino kuo 'i ai e ngaahi palani ngaue mahu'inga 'a e Potungaue kihe kaha'u 'oku fakapatonu ia kihe tohi fakamatala ngaue pea oku fiema'u 'a e Tokotaha ngaue ni ke ne fakahoko kae lava ke fakakakato ae ngaahi ngaue koia.

"That a new Part (2), (3) & (4) be inserted after Policy Instruction No. 6D.4 (1) which reads as follows;

#### 6D.4 Authority for Attendance

- (1) Attendance at all short term training programmes where there are no costs to Government, which also include seminars and conferences held locally or overseas requires the approval of the Chief Executive Officer"

#### New insertions;

- 2) "In cases, where overseas travel is difficult or not feasible and where the training / course is to be held online, the CEO may consider other options to enable the full attendance of his/her employee(s) at the approved training / course.
- 'I he taimi 'o e tapuni 'a e fefolau'aki pe ko e 'ikai ke malava 'o fakahoko e ngaahi polokalama ako 'o ngaue'aki e polokalama 'initaneti fakatekinolosia (online),. Ko e 'Ofisa Pule ngaue ke ne fokotu'u ha founga ke malava 'o ma'u kakato 'e he tokotaha ngaue 'a e polokalama ako ne tali ke ne fakahokó
- 3) Subject to No. 2 above, the CEO may grant flexible work hours or special leave to the employee(s), if the training is conducted outside normal working hours. Granting of flexible work hours or special leave must be based on the nature and conditions of the host country's mandatory requirements (such as attendance, time commitment, time difference etc).

Fakatatau ki he kupu fika ua (2) 'i 'olunga 'oku 'I he mafai 'o e Pule ngaue ke fakangofua 'a e tokotaha ngaue ke ne ma'u e monu'ia 'o e malolo makehe 'o kapau 'oku fakahoko 'a e polokalama ako hili 'a e taimi ngaue. 'E fakatatau hono fakangofua 'o e malolo makehe ko eni makatu'unga 'I he natula mo e tu'utu'uni kuo 'omai mei he fonua 'oku ne fakalele 'a e polokalama ako (fakatatau ki he ma'u ako, taimi pea mo e kehekeh 'o e ngaahi taimi fakafonua).

- 4) Any hours or day(s) granted by the CEO in part (3) above shall not be deducted from the employee's earned leave entitlement, but shall count as Short Term Training leave which must not exceed a period of one (1) month."

Ko e ngaahi houa mo e 'aho 'e fakangofua mai 'e he Pule Ngaue 'i he konga fika tolu (3) 'e 'ikai to'o ia mei he palanisi livi malolo 'a e tokotaha ngaue, ka 'e lau ia ko e poaki malolo ke fakakato e polokalama ako taimi nounou 'a ia 'e 'ikai toe laka hake 'I he mahina 'e taha (1).

2E.3 Staff rotation  
 Fe'unu'aki Fakangaue.

1. Staff rotation may be undertaken to exchange staff among the divisions or units in a Ministry or among Ministries to perform similar or related responsibilities on a temporary basis to:  
 Óku malava ke fakahoko ha fe'unu'aki 'a e kau ngaue faka Loto Potungaue, pe ki ha Potungaue ke fakahoko ha ngaue fakataimi 'i ha fatongia tatau pe felave'i, ke;

i. Provide the appropriate capability where it is needed to improve efficiency and effectiveness in the operation of a division or unit

Tokoni ki he ngaahi fakahoko fatongia ha Vaá Ngaue ke fakalalakaka mo to e lelei ange e ngaue

ii. Enable the learning of new skills, work practices or methods

Faka faingamalie ki he ako 'o ha ngaahi founa ngaue fo'ou

iii. Explore where the skills, qualifications and expertise of a staff will be best utilized vakai'i e fa'ahinga ngaue totonu 'e malava ke faka'aonga'i lelei ai 'a e taukei mo e poto'i ngaue 'a e 'ofisa ngaue

iv. Eliminate boredom and encouraging creativity and productivity by moving workers into a new work environment

Ta'ofi 'a 'ete ongo'i ta'e fie ngaue he ngaue kae fakaáái ha ngaahi 'ilo fo'ou ke fakalalakaka ai á e fakahoko ngaue 'i ha 'ataakai ngaue óku kehe

v. Enable the division or unit to better perform responsibilities on a timely basis

Fakaivia ae ngaahi Vaá ngaue ke fakahoko lelei ange honau ngaahi fatongia 'i he taimi tonu

2. Rotations are to be undertaken within the same band or from one band to another (one band below or one band above).

Koe fe'unu'aki 'o e kau ngaue 'e malava ke fakahoko 'i he vahenga tatau pe faikehekehe'aki ha tu'unga vahenga 'e taha

3. Staff rotation is undertaken in the interest of a Ministry or the Public Service to deliver its outputs and outcomes in an effective, efficient and productive manner.

Koe taumuá oe fe'unu'aki faka Kau Ngaue ke fakaivia ae taumuá ngaue 'o ha Potungaue pe koe Puleánga fakalukufua ke fakahoko e ngaahi taumuá ngaue moe taumuá Óla ki ha tu'unga ma'olunga mo lelei foki

4. The Chief Executive Officer with the approval of the Minister may rotate staff among the divisions and units within the Ministry  
*'Oku 'i he mafai 'o e Pule Ngaue mo e Minisita 'o e Potungaue ke tali 'a e fe'unu'aki fakataimi 'i loto 'i ha Potungaue*
5. Where staff are rotated among Ministries, the Chief Executive Officers concerned shall agree to the duration of the staff rotation and responsibilities to be performed during the period, and the proposed staff rotation shall be endorsed by the Minister concerned.  
*Koe ngaahi fe'unu'aki faka Potungaue, kuo pau ke felotoi 'a e Pule Ngaue mo e Minisita felave'i 'o e ongo Potungaue, ki he ngaahi ngaue e fakahoko pea mo e taimi 'o e fe'unu'aki*
6. Staff may be rotated for a period of up to 12 months and may be extended if required  
*Ko e vaha'a taimi ke fakahoko ai 'a e fe'unu'aki fakataimi ke 'i he mahina 'e 12 pea 'e malava ke toe fakaloloa 'o ka fiemaú*
7. The purpose of the staff rotation and responsibilities to be performed is to be clearly defined and fully discussed with the staff concerned  
*Oku mahu'inga ke mahino'i 'e he kau ngaue 'a e uHINGA, taumuá moe ngaahi fatongia 'o e fe'unu'aki.*
8. The entitlements of the staff are not affected while they are on staff rotation  
*Ko e ngaahi monuia 'a e kau ngaue 'e ikai uesia lolotonga á e fe'unu'aki*
9. At the end of the staff rotation, the staff may return to their substantive positions  
*'I he kakato koia 'a e fe'unu'aki, 'e malava ke foki 'a e tokotaha ngaue ki he'ene lakanga mo e Potungaue totonu.*
10. Where it is appropriate that the staff on rotation may be permanently transferred to the new division or unit within a Ministry, the approval of the Minister is to be obtained  
*'Oku 'i he mafai 'o e Minisita felave'i ke ne tali ha fe'unu'aki tuúmaú fakaloto potungaue*
11. Where it is agreed among the Chief Executive Officers of the Ministries and endorsed by the respective Ministers that the staff on rotation may be permanent retained, instruction 2E.1 (5) shall apply.  
*Kapau 'e fakahoko ha fe'unu'aki fakapotungaue kuopau ke felotoi 'a e Pule ngaue mo e Minisita felave'i ke tali ha ngaue tu'uma'u 'i he lakanga na'e hiki kiai 'a e 'ofisa pea e muimui leva ki he tuútuúni Ngaue 2E.1 (5) 'a e Kau Ngaue Fakapuleánga.*