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Tonga

TONGA PUBLIC SERVICE FRAUD POLICY

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The Public Service Commission, in exercise of the powers conferred by section 4C of the Public Service Act 2002 [Cap 2.11], makes the following Order –

PART I PRELIMINARY

1. Short Title

This instruction may be cited as the *Tonga Public Service Fraud Policy*.

2. Principles

This Fraud Policy is guided by the principles of the *Public Service Act* [Cap 2.11] including but not limited to the requirements of Section 4C, the *Public Service Code of Ethics & Conduct*, and the *Criminal Offences Act* [Cap 4.04].

3. Purpose

The purpose of this Fraud Policy is to:

- (a) Provide clear procedures for reporting, investigating, and the discipline of employees who commit fraud in Government.
- (b) Define and specify the different types of fraud in Government.
- (c) Strengthen the Government framework for the prevention of fraud, in order to minimize the risk of financial, material or reputational loss arising from fraud.
- (d) Delineate the roles and responsibilities for fraud within the public service as per the *Public Service (Disciplinary Procedures) Regulations* [Cap 2.11.01], the *Public Service Code of Ethics & Conduct* [Cap 2.11.04], and the *Criminal Offences Act* [Cap 4.04].
- (e) Promote work procedures and information systems to ensure appropriate and timely action is undertaken to prevent or identify fraud when it happens.
- (f) Provide a clear and user-friendly reference document for both employees and the public in relation to fraud.
- (g) Promote, support, and maintain an ethical organizational culture across all levels of Government.

4. Interpretation

“bribe” means the giving, offering or acceptance of any money or valuable consideration of any description whatever by any person whether within or outside Government to any person in the service of Government as an inducement to do or abstain from doing any act in the execution of their duties as a Government servant or as an inducement to show favour or disfavour to any person.

“Chief Executive Officer” means any person in charge of the administration of a Ministry, who is employed under a fixed contract of employment under the *Public Service Act* [Cap 2.11].

“Code of Ethics & Conduct” means the *Code of Ethics & Conduct for the Public Service*.

“Commission” means the Public Service Commission established under the *Public Service Act* [Cap 2.11].

“employee” means all employees as defined by section 2(1) of the *Public Service Act* [Cap 2.11], and instruction 1A.3.1 and 2 of the *Public Service Policy Instructions 2010*.

“fraud” is the deliberate (knowingly/intentionally) practice of deception (whether by act or by omission, or misrepresentation or concealment) in order to receive unfair, unjustified or unlawful gain whether directly or indirectly, whether for oneself or for a third party. Fraud includes all forms of dishonesty whether for personal self-interest or for personal financial gain.

“Ministry resources” means all assets belonging to the Ministry including tangible and intangible things, monetary assets in all its forms, electronic, functional, social, and intellectual property. This includes a name, logo, stamp, forms, coat of arms, letterhead, and any property capable of being put into electronic form.

“MDAs” means Government Ministries, Departments or Agencies.

“Regulations” means the *Public Service (Disciplinary Procedures) Regulations 2010* [Cap 2.11.01], unless otherwise specified.

5. Policy Statement

- (1) The Government of Tonga does not tolerate any acts of fraud by employees.
- (2) Employees are required to conduct their work in a manner that is beyond reproach, and to perform their duties with honesty, integrity and transparency.
- (3) The Public Service Commission has a ‘zero tolerance’ approach to fraud. This means that the Commission and Ministries will pursue all allegations of fraud falling under the scope of this Fraud Policy. Appropriate administrative and disciplinary measures will be applied by the Commission for fraud that is substantiated through the processes provided by this Fraud Policy.

6. Scope

- (1) This Fraud Policy shall apply to all employees as defined by section 2(1) of the *Public Service Act*, and instruction 1A.3.1 and 2 of the *Public Service Policy Instructions 2010*.
- (2) This Fraud Policy may apply to persons listed under Schedule II of the *Public Service Act* or any other Government entity subject to any legislative amendments as may be required.

PART II FRAUD

7. Definition

Fraud is the deliberate (knowingly/intentionally) practice of deception (whether by act or by omission, or misrepresentation or concealment) in order to receive unfair, unjustified or unlawful gain whether directly or indirectly, whether for oneself or for a third party. Fraud shall include all forms of dishonesty whether for personal self-interest or for personal financial gain.

8. Types of Fraud

Types of fraud may be categorized as (but not limited to):

- (1) *Opportunistic Fraud* where an employee acting alone, or together with others, operating in any Government related work environment seizes an opportunity to commit fraud.
- (2) *Systemic Fraud* where fraud is endemic, entrenched in the system as the norm rather than the exception. Fraud could involve misappropriation of money or any Ministry resource, falsification of documents or fraudulent statements.
- (3) *Human Resources Fraud* can be part of systemic fraud, and covers payroll, nepotism in the recruitment process and the hiring (through abuse of process or lack of proper process) of unmerited individuals.

9. Steps for the Assessment and Identification of Fraud

Fraud is identified by the following three (3) steps:

- (1) Conducting an act or omission that is:
 - (i) dishonest;
 - (ii) outside of policy or procedure;

- (iii) biased;
- (iv) in breach of public trust;
- (v) in breach of a clear conflict of interest; or
- (vi) any act related to one's employment, duties, or functions.

(2) which is done in order to obtain or provide an unfair, unjustified or unlawful:

- (i) benefit;
- (ii) advantage;
- (iii) favour;
- (iv) goodwill;
- (v) gain; or
- (vi) any goods or service.

(3) which is:

- (i) direct or indirect;
- (ii) for oneself personally, or for any other party.

10. Specific Examples of Fraud by an employee

(1) The following are examples of past acts by Government employees which would be processed for possible fraud under this Fraud Policy:

- (a) Taking without right, stealing, misusing, using without authorization, embezzling, or misappropriation of any Ministry resources.
- (b) Knowingly providing false, incomplete or misleading information to any MDA.
- (c) Deliberate mishandling or misreporting money received or paid as part of any Government related financial transaction;
- (d) Unauthorized access and misuse of MDAs systems and information;
- (e) Misuse of or obtaining insider knowledge of organizational activities without appropriate implied or expressed consent.
- (f) Destruction, removal or inappropriate use of records, furniture, fixtures or equipment or any Ministry resources belonging to an MDA.
- (g) Forgery or alteration of any file or document whether in hard copy or e-copy, computer program or any record belonging to an MDAs.
- (h) Knowingly providing, assisting or validating in providing false misleading, incomplete or fictitious information to circumvent an MDAs procurement processes and procedures to avoid further scrutiny or reporting or manipulation of tendering or procurement processes;
- (i) Disclosing private confidential or proprietary information to outside parties without authorization;
- (j) Accepting or seeking anything of material value from contractors, vendors or persons providing services or materials to the MDAs;
- (k) Allowing a member of the public to influence them (a public servant) to use one's Government position in a way that is dishonest, biased or breaches public trust. This includes acting in violation of a clear conflict of interest.
- (l) Undisclosed giving or receiving of unofficial gifts, benefits, or anything of value, in relation to the provision of normal Government services, or in relation to official Government work or business.

- (m) Obtaining or offering secret commissions including kickbacks.
 - (n) Knowingly or deliberately assisting any contractor, vendor or person who is a close relative, friend, or known associate, to win or consistently win Government contracts for goods and services, where it is patently clear that other vendors or persons could have provided such goods and services at a higher quality or lower price, or both.
 - (o) Receiving an amount for travel allowance or per diem, but not travelling for the requisite amount of days.
 - (p) Any other travel related fraud including adjusting approved travel plans for personal reasons that causes additional costs to Government.
 - (q) Accepting a bribe, OR the act of bribing or offering a bribe to an employee whether by another employee or by a third party.
 - (r) Conspiracy or attempt to commit fraud in relation to any of the above.
- (2) An employee who commits an act of fraud may also be liable for prosecution under the *Criminal Offences Act* [Cap 4.04] in addition to disciplinary actions under the Regulations.
- (3) For the avoidance of doubt, a breach of this Fraud Policy is a breach of the *Code of Ethics & Conduct*, and may be disciplined in accordance with the Regulations.

PART III MANAGEMENT OF FRAUD RISKS

11. Responsibility of the Public Service Commission

The Commission has the responsibility to:

- (a) Ensure that all Ministries are committed to promoting and maintaining a working environment free of fraud.
- (b) Support activities and administrative programs that promote and support compliance with this Fraud Policy.
- (c) Ensure that this Fraud Policy is understood and enforced and that all employees are responsible and accountable for their conduct.
- (d) Undertake diligent reference checks during recruitment processes to ensure individuals who have committed fraud in other workplaces are identified.
- (e) Ensure that the processes provided by this Fraud Policy, and the Regulations, are properly supported, implemented, and adhered to.

12. Responsibility of Chief Executive Officers

- (1) The Chief Executive Officer has the overall responsibility and accountability for the identification and prevention of fraud in the MDAs, and must:
- (a) Demonstrate and communicate appropriate models of behavior and attitudes regarding the importance of having a fraud free Ministry and workplace;
 - (b) Put into place appropriate procedures for oversight, internal control, policies, procedures to combat fraud in the Ministry;

- (c) Ensure that all employees are subject to all rules, regulations and internal controls;
 - (d) Establish procedures to ensure compliance with laws and regulations and prevention of fraud;
 - (e) Ensure that all policies and procedures involving thorough background checks before hiring of key personnel, are adhered to;
 - (f) Effectively follow-up on recommendations resulting from external reviews or questions raised from audit reports, financial reports, and any other fraud related reports;
 - (g) Not to direct employees to perform tasks that will likely override management or internal controls;
 - (h) Providing training and awareness of fraud for staff;
 - (i) Disclose unusual practices or any other activities that are likely to be fraudulent. This includes disclosure to the Minister, the Commission, Police, Attorney General or any other appropriate authority;
 - (j) Co-operate with Auditors, independent investigators appointed by the Government, as well as by the Ombudsman, Anti-Corruption Commissioner, or other appropriate authority. and avoid any acts to circumvent any investigation;
 - (k) disclose any conflict of interest in relation to any Ministry matter, to the Commission by filling out and completing the Conflicts of Interest Declaration and Management Form provided under *Annex 2* of this Fraud Policy. Failure to disclose any conflict of interest may result in disciplinary action by the Commission.
- (2) Where the Chief Executive Officer has observed or has been notified of any alleged act of fraud the Chief Executive Officer must take action in accordance with this Policy.
- (3) Where the Chief Executive Officer acts in contravention of, or fails to take any action required by this policy, such Chief Executive Officer shall be subject to disciplinary action in accordance with the provisions of this Fraud Policy and the Regulations.

13. Responsibility of Heads of Division

- (1) It is the responsibility of the Head of Divisions to:
- (a) ensure the consistent and correct application of management control processes required to be in their particular Divisions, and specific areas of responsibility;
 - (b) ensure that employees in their division and specific area of responsibility are aware of management procedures and their obligations under this Fraud Policy and the *Code of Ethics & Conduct*;
 - (c) facilitate a culture of honesty and transparency within their division and specific area of responsibility, as well as for the Ministry workplace as a whole, that ensures that employees are not discouraged from questioning events or processes or making a notification about suspected fraud;
 - (d) identify the risks to which the Ministry's systems, operations and procedures that may potentially be exposed to fraud;

- (e) ensure that controls and processes in place in their Divisions and specific areas of responsibility are actively complied with by all employees in that Division;
 - (f) ensure that employees are supported when making notifications of alleged fraud;
 - (g) Support and implement the responsibilities of the Chief Executive Officer contained in Section 12 (1) above, within their Division
- (2) Where the Head of Division has observed or has been notified of an alleged act of fraud and fails to report to the Chief Executive Officer, the Commission (if applicable) or the Attorney General's office, he or she shall be subject to disciplinary action in accordance with the Regulations.
 - (3) Where the Head of Division has observed or has been notified of any alleged act of fraud the Head of Division must take action in accordance with this Fraud Policy.
 - (4) Where the Head of Division acts in contravention of, or fails to take any action required by this policy, such Head of Division shall be subject to disciplinary action in accordance with the provisions of this policy and the Regulations.

14. Responsibility of Employees

- (1) All employees must:
 - (a) observe and comply with their obligations under this Fraud Policy, the *Code of Ethics & Conduct* and any other relevant policy;
 - (b) behave honestly and with integrity in undertaking their work tasks and activities;
 - (c) report any suspected behaviour of fraud, as soon as practicable, after they become aware of it;
 - (d) report any incident where they suspect any person or employee is aiding and abetting another person to commit fraud.
 - (e) disclose any conflict of interest in relation to any Ministry matter to their Head of Division, or to the Chief Executive Officer in the case of a Head of Division by filling out and completing the Conflicts of Interest Declaration and Management Form provided under *Annex 2* of this Fraud Policy.
- (2) Where an employee acts in contravention of, or fails to take any action required by this policy, such employee shall be subject to disciplinary action in accordance with the provisions of this policy and the Regulations.

15. Responsibility of Corporate Services, Procurement, and Human Resources, Divisions (CPHR)

- (1) Employees in CPHR Divisions are particularly responsible for:
 - (a) establishing and implementing strict internal controls to counter fraud risks to the Ministry;
 - (b) developing and maintaining effective controls to prevent fraud;
 - (c) facilitating/making arrangements for investigating fraud; and
 - (d) reporting suspected fraudulent activities.

- (2) Where any CPHR employee is aware or suspects an act of fraud and fails to report to the Head of Division or the Chief Executive Officer, he or she shall be subject to disciplinary action in accordance with the Regulations.
- (3) It shall be the responsibility of the CPHR to create and update a fraud database and thereby monitor and report to the Commission all fraud complaints that are received, managed and resolved. Such fraud database shall be part of the Chief Executive Officer's 6 monthly report to the Commission unless requested separately.

16. Responsibility of Internal Audit

The Internal Audit shall:

- (a) Assist the evaluation of internal controls by MDAs and provide advice to the Ministry.
- (b) Identify and report to the Ministry on the internal control weaknesses and propose recommendations to strengthen internal systems to minimize the commission of fraudulent acts.
- (c) Where an Internal Audit employee is aware or suspects an act of fraud and fails to report to the Head of Division, the Chief Executive Officer, or the Minister, he or she shall be subject to disciplinary action in accordance with the Regulations.

17. Responsibility of Asset Management

(1) Employees responsible for Asset management shall:

- (a) ensure that the MDA's Asset Register is established, and accurately and completely updated at all times.
- (b) review the register on a quarterly basis, and sign and dated.
- (c) perform the physical asset count (stock-take) at the end of each financial year to verify the existence and condition of assets recorded on the asset register as required under Section 5 of the Treasury Instructions 2020.

(2) Where employees responsible for Asset management are aware or suspects an act of fraud and fails to report to the Head of Division or the Chief Executive Officer, he or she shall be subject to disciplinary action in accordance with the Regulations.

PART IV REPORTING, INVESTIGATION, AND DISCIPLINARY PROCEDURES

18. Reporting an incident of alleged fraud

(1) Any employee who is made aware of an incident of fraud, must report the alleged fraud as soon as practicable to their supervisor or Chief Executive Officer or to the

Commission by filling out and completing the Fraud Report Form provided under *Annex 1* of this Fraud Policy.

- (2) If the incident of fraud relates to the Chief Executive Officer, this shall be reported to the Commission.
- (3) A Chief Executive Officer shall refer a matter to the Commission when there is a conflict of interest by reason of any relationship with the employee or any of the employees involved by filling out and completing the Conflicts of Interest Declaration and Management Form provided under *Annex 2* of this Fraud Policy.
- (4) A report of fraud by an employee shall be in writing and include the following:
 - (a) Details about the incident or act constituting the alleged fraud;
 - (b) Name(s) of person(s) alleged to be involved;
 - (c) Date(s) and time(s) alleged act(s) occurred;
 - (d) Any available documentary evidence, for example, copies of suspected false invoice, a witness statement of what was observed, any photos or screenshot or video taken of the incident of alleged fraud.
- (5) Any report or related documents of the alleged fraud shall be treated with confidentiality.
- (6) The reporting employee may be subjected to disciplinary action if they:
 - (a) Knowingly submit a false report under this Section, or provides intentionally misleading information in relation to such a report.
 - (b) Contact the suspected individual in an effort to determine the facts or otherwise;
 - (c) Discuss the case, facts, suspicions, or allegation with anyone unless specifically required by the Chief Executive Officer or the Commission, where the incident relates to the Chief Executive Officer.
 - (d) Make public any copy of the report whether by posting online, discussing publicly or sharing the copy with others.
- (7) Any other employee may be subjected to disciplinary action if they:
 - (a) Become aware of the matter, and warn the suspected employee whether directly or indirectly;
 - (b) Discuss the case, facts, suspicions, or allegation with anyone unless specifically required by the Chief Executive Officer or the Commission, where the incident relates to the Chief Executive Officer.
 - (c) Make public any copy of the report whether by posting online, discussing publicly or sharing the copy with others.

19. Anonymous and verbal reports of alleged fraud

- (1) Any person may provide an anonymous and/or verbal report of alleged fraud (“fraud report”) to their Supervisor, Head of Division, Chief Executive Officer, or Commission (if an employee), OR to the Chief Executive Officer or Commission (if not an employee).

- (2) The Supervisor, Head of Division, Chief Executive Officer, or the Commission may inquire into such fraud and decide whether to direct:
- (i) such person to declare themselves and provide the report in writing, in accordance with Section 18(1). If such person refuses to comply, their fraud report shall not be processed and no further action shall be taken.
 - (ii) if a person refuses to comply with (i) above, but the Supervisor, Head of Division, Chief Executive Officer decides that such fraud report is serious, and came with substantial evidence to support it, the Supervisor, Head of Division, or Chief Executive Officer shall prepare a fraud report on behalf of the Ministry and submit it to the Commission.
 - (iii) if a fraud report was directly submitted verbally and/or anonymously to the Commission, the Commission shall not process such report, unless the Commission decides that such fraud report is serious, and came with substantial evidence to support it. In such cases, the Commission may conduct its own inquiry and initiate disciplinary procedures. If the Commission decides that the fraud report was minor, the matter shall be referred back to the Ministry to be dealt with according to the Regulations.

20. Written Fraud Report Forms

Upon the receipt of a written fraud report form, the Chief Executive Officer (or Commission as the case may be) shall:

- (i) Review the fraud report form;
- (ii) Determine whether additional information is required;
- (iii) If deemed necessary, inquire further into the matter, including gathering further information, and interviewing persons relevant to the report.

21. Process for Written Fraud Report Forms

After any review, determination or further inquiry under Section 20 above, the Chief Executive Officer (or Commission as the case may be) shall immediately:

- (i) Determine whether fraud has likely been committed, and if so, whether it is a minor or serious breach of discipline.
- (ii) If the Chief Executive Officer determines that fraud is unlikely to have been committed, he shall end the inquiry and record in writing that no further action will be taken.
- (iii) If the Chief Executive Officer determines that fraud was likely committed, but that it was a minor breach of discipline, he shall process the matter in accordance with the Regulations. A record of any action for a minor breach of discipline under this section must also be submitted to the Commission.

- (iv) If the Chief Executive Officer determines that fraud was committed, and that it was a serious breach of discipline, he shall process the matter in accordance with the Regulations.

22. Criminal Offences

At any stage of the process, where it appears to the Supervisor, Head of Division, Chief Executive Officer, or Commission that a criminal offence may have been committed by an employee, the Chief Executive Officer shall also report the matter to the Attorney General's Office and to the Police. This report shall be copied to the Commission.

23. Prevention of Retaliation and Intimidation

- (1) The Government of Tonga has 'zero-tolerance' for any acts of retaliation and intimidation against employees or third parties who report fraud in the workplace.
- (2) Any person found to be retaliating against or intimidating those who report fraud will be dealt with in accordance with the law and the appropriate policies of the Commission.
- (3) Procedures to manage and discipline cases of retaliation or intimidation shall follow the Regulations as specified.

Annex 1

Fraud Report Form

Name:	
Position:	
Ministry :	

(If you are not a Tongan Government employee, please insert your current occupation above)

Please fill out details about the person(s) involved in the incident or act(s) of fraud below:

Name (s) of person (s) involved:	
Position (s) & Ministry:	
Date(s) and time(s):	

Please describe the incident or act(s) involving fraud below:

--

(Please attach any available documentary evidence, for example, copies of suspected false invoice, a witness statement of what was observed, any photos or screenshots or video taken of the incident of fraud)

Declaration

I, _____, acknowledge that I have read this form and fully understand and agree to its contents. I understand that any false representation or statement that I have provided in connection with this *Fraud Report Form* above, constitutes a breach of the *Tonga Public Service Fraud Policy 2025*.

Signature:	
Date:	

Supervisor details (if applicable)

Supervisor's name		
Supervisor job title		
Signature/Date		

Chief Executive Officer details (if applicable)

Chief Executive Officer's name		
Signature/Date		

Annex 2

Conflicts of Interest Declaration and Management Form

Name of Individual	
Role	

Declaration

I understand that a conflict of interest may arise where my private interests influence, or may be seen to influence, my actions as a Tonga Government employee. I confirm that, except as set out below:

Tick	Confirmation
	I understand my obligations under the Fraud Policy for Tonga's Public Service to declare any conflict of interest
	I do not foresee any professional, personal or family allegiance, bias, inclination or loyalty which may in any way affect my objectivity, independence or impartiality
	I do not have any financial interest which may in any way affect my objectivity, independence or impartiality, nor to the best of my knowledge do any of my relatives, friends or associates
	If a conflict of interest arises during my employment, I will declare it to my Manager/Supervisor immediately

Declared conflict

I have the following conflict to declare:

Description	My assessment of this conflict		
	Actual/Real Conflict	Potential Conflict	Perceived Conflict

A real/actual conflict of interest involves a direct conflict between your official duties and Ministry responsibilities and a competing interest or obligation, whether personal or involving a third party.

A perceived conflict of interest occurs where it could reasonably be perceived, or give the appearance, that a competing interest could improperly influence the performance of your official duties and Ministry responsibilities.

A potential conflict of interest arises where you have an interest or obligation, whether personal or involving a third party, which could conflict with your official duties and Ministry responsibilities in the future.

Individual signed confirmation

Name of Individual		
Signature/Date		

Supervisor review and decision

I have reviewed the above declaration and (choose):

No Conflict Declared	Actual/Real Conflict declared	Potential Conflict declared	Perceived Conflict declared
Recommend the following actions be taken to mitigate the declared conflict			

Supervisor details

Supervisor name		
Supervisor job title		
Signature/Date		



Tonga

**TU'UTU'UNI NGĀUE KI HE NGĀUE KĀKĀ
'I HE NGĀUE FAKAPULE'ANGA 'A TONGA**

'Aho 25 'o Siulai 2025

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‘I HONO NGĀUE’AKI ‘a e ngaahi mafai kuo foaki ‘e he kupu 4C ‘o e Lao ki he Ngāue Fakapule’anga [Vahe 2.11], ‘oku fa’u ai ‘e he Komisoni Ngāue Fakapule’anga ‘a e Tu’utu’uni ko ‘eni –

KONGA I – TALATEU

1. Hingoa Nounou

‘E ui ‘a e tu’utu’uni ko ‘eni’ ko e *Tu’utu’uni Ngāue ki he Ngāue Kākā ‘i he Ngāue Fakapule’anga ‘a Tonga.*

2. Ngaahi Tefito’i Taumu’a

Ko e Tu’utu’uni Ngāue ki he Ngāue Kākā ko ‘eni’ ‘oku tataki ‘e he ngaahi tefito’i taumu’a ‘o e Lao ki he Ngāue Fakapule’anga [Vahe 2.11] ‘oku kau ki ai, ka ‘oku ‘ikai ke fakangatangata ki he ngaahi fiema’u ‘a e Kupu 4C, *Tu’utu’uni ki he Ngāue mo e ‘Ulungaanga ‘a e Ngāue Fakapule’anga, mo e Lao ki he Ngaahi Hia* [Vahe 4.04].

3. Taumu’a

Ko e taumu’a ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā’ ke –

- (a) Fakahoko ha ngaahi founga ngāue mahino ki he lipooti, fakatotolo, mo tautea’i ‘o e kau ngāue ‘oku nau fakahoko ‘a e kākā ‘i he Pule’anga.
- (b) Faka’uhinga’i mo e fakamahino pau ‘a e ngaahi fa’ahinga kākā kehekehe ‘i he Pule’anga.
- (c) Fakamalohia ‘a e tu’utu’uni ngāue ‘a e Pule’anga ki hono ta’ofi ‘o e kākā, koe’uhi ke fakasi’isi’i ‘a e uesia ‘o e mole fakapa’anga, mole ki he me’a (material) pe mole ‘o e ongoongo lelei’ koe’uhi ko e ngāue kākā.
- (d) Fakafaikehekehe’i ‘a e ngaahi fatongia mo e ngaahi ngafo ki he tokangaekina ‘o e ngāue kākā ‘i loto ‘i he ngāue Fakapule’anga ‘o fakatatau ki he *Ngaahi Tu’utu’uni (Ngaahi Founga Tautea) ki he Ngāue Fakapule’anga* [Vahe 2.11.01], *Tu’utu’uni Faka’ulungaanga ki he Ngāue Fakapule’anga* [Vahe 2.11.04] mo e *Lao ki he Ngaahi Hia* [Vahe 4.04].
- (e) Faka’ai’ai ‘a e ngaahi founga ngāue mo e ngaahi sisitemi fakamatala ke fakapapau’i ‘oku taau pea malava ke fakahoko ‘a e ngaahi ngāue’, ke ta’ofi kei taimi pe ke tala ai ‘a e ngāue kākā’ ‘i he taimi ‘oku hoko ai.
- (f) Tokonaki ha ngaahi tohi ngāue ‘oku mahino mo faingofua ‘a hono ngāue’aki ‘e he kau ngāue’ mo e kakai ‘o e fonua, ‘i he’ene fekau’aki mo e ngāue kākā.
- (g) Faka’ai’ai, poupou, mo tauhi ‘a e ngaahi ‘ulungaanga mo e ngaahi founga ngāue ‘oku lelei mo faipau ki he ‘ata ki tu’a ‘i he ngaahi tu’unga kotoa ‘i he Pule’anga.

4. ‘UHINGA’i Lea

“**totongi fufū**” ‘oku ‘uhinga ki he ‘oange, fokotu’u ke ‘oatu pe tali ha pa’anga pe me’a malu’i mahu’inga ‘i ha fa’ahinga me’a, neongo pe ko e ha, ‘e ha taha ‘oku ne ngāue ‘i loto pe ‘i tu’a ‘i he Pule’anga, ki ha taha ‘oku ngāue ma’ae Pule’anga, ke fakaloto’i ia ke ne fakahoko, pe ‘ikai fakahoko hono fatongia ko e ‘ofisa faka-Pule’anga pe ko e fakaloto’i ke ne filifilimanako pe ‘ikai filifilimanako ki ha taha.

“Ofisa Pule Ngāue” ‘oku ‘uhinga ki ha taha ‘oku pule ki hono fakahoko ‘o e ngāue ‘a e Potungāue, ‘a ia ko e taha ‘oku ngāue ‘i he malumalu ‘o e tohi aleapau ngāue pau ‘i he *Lao ki he Ngāue Fakapule’anga* [Vahe 2.11].

“Tu’utu’uni ki he Ngāue mo e ‘Ulungaanga” ‘oku ‘uhinga ki he *Tu’utu’uni ki he Ngāue mo e ‘Ulungaanga ki he Ngāue Fakapule’anga*.

“Komisoni” ‘oku ‘uhinga ki he Komisoni Ngāue Fakapule’anga ‘oku fokotu’u ‘i he *Lao ki he Ngāue Fakapule’anga* [Vahe 2.11].

“taha ngāue” ‘oku ‘uhinga ki he kotoa ‘o e kau ngāue ‘oku hā ‘i he kupu 2(1) ‘o e *Lao ki he Ngāue Fakapule’anga* [Vahe 2.11], mo e tu’utu’uni 1A 3.1 mo e 2 ‘o e *Tu’utu’uni Ngāue ‘a e Ngāue Fakapule’anga 2010*.

“ngāue kākā” ‘oku ‘uhinga ki he fakahoko (‘i he ‘ilo/‘i he ‘ilo’ilo pau) ‘a e ngāue kākā (pe ko e fakahoko ha ngāue pe ko e ‘ikai fakahoko ha ngāue, pe ko e takihala’i pe fufū) koe’uhi ke ma’u ai ha lelei ‘i he filifilimanako, ‘ikai ke fakahoko totonu, pe ma’u ta’efakalao, ‘o tatau ai pe pē ko e ma’u hangatonu pe ‘ikai fakahangatonu, pe ko e me’a ki ha taha fakafo’ituitui pe koe’uhi ko ha taha kehe. Ko e ngāue kākā’ ‘oku kau ki ai ‘a e ngaahi fa’ahinga ta’efaitotonu kehekehe, pe ko e fakahoko ki ha lelei fakafo’ituitui pe ko e lelei fakapa’anga fakafo’ituitui.

“Ngaahi koloa ‘a e Potungāue” ‘oku ‘uhinga ki he kotoa ‘o e ngaahi me’a ngāue ‘a e Potungāue ‘oku kau ki ai ‘a e ngaahi koloa ‘oku malava ala ki ai mo ‘ikai malava ala ki ai, ngaahi koloa fakapa’anga ‘i he kotoa hono ngaahi tu’unga, ‘elekitulonika, founa ngāue, fakasosiale, mo e ngaahi koloa fakae’atamai. ‘Oku kau ki ai ‘a e hingoa, loko, sitapa, ngaahi foomu, sila, ‘ulu’i tohi, mo ha koloa pē ‘oku ala fakahū ki ha tu’unga faka’elekitulonika.

“MDAs” ‘oku ‘uhinga ki he ngaahi Potungāue, Va’a mo e Kautaha ‘a e Pule’anga.

“Ngaahi Tu’utu’uni” ‘oku ‘uhinga ki he *Ngaahi Tu’utu’uni (Ngaahi Founa Tautea) ki he Ngāue Fakapule’anga* [Vahe 2.11.01], tukukehe ka fakamahino pau kehe hono tu’unga.

5. Fakamatala ‘o e Tu’utu’uni Ngāue

- (1) ‘Oku ‘ikai ke kataki’i ‘e he Pule’anga Tonga ha ngaahi ‘ulungaanga ngāue kākā ‘oku fakahoko ‘e he kau ngāue.
- (2) Kuo pau ki he kau ngāue kotoa ke fakahoko ‘enau ngāue ‘i ha founa ‘oku ‘ikai ke toe veiveiua, mo fakahoko honau ngaahi fatongia ‘aki ‘a e totonu, angatonu mo fakahā mahino ‘o ‘ikai fufū ‘a e founa ngāue.
- (3) ‘Oku “‘ikai ke kataki’i” ‘e he Komisoni Ngāue Fakapule’anga ‘a e founa ngāue kākā. ‘Oku ‘uhinga ‘eni kuo pau ki he Komisoni mo e ngaahi Potungāue kenau fakatotolo ‘a e ngaahi tukuaki’i ngāue kākā kotoa pe ‘oku ‘i he fakangatangata ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā ko ‘eni. Kuo pau ke fakahoko ‘a e ngaahi ngāue taau mo e ngaahi founa tautea ‘e he Komisoni ki he ngāue kākā kuo fakamo’oni’i na’e fakahoko ‘i he ngaahi founa ngāue ‘oku tuku atu ‘i he Tu’utu’uni Ngāue ki he Ngāue Kākā ko ‘eni.

6. Ngatangata'anga

- (1) Kuo pau ke ngāue'aki 'a e Tu'utu'uni Ngāue ki he Ngāue Kākā' ki he taha ngāue kotoa pe 'oku faka'uhinga'i 'i he kupu 2(1) 'o e *Lao ki he Ngāue Fakapule'anga*, mo e tu'utu'uni 1A.3.1 mo e 2 'o e *Tu'utu'uni Ngāue 'a e Ngāue Fakapule'anga 2010*.
- (2) 'E ngofua ke ngāue'aki 'a e Tu'utu'uni Ngāue ki he Ngāue Kākā' ki he ni'ihī 'oku tohi hokohoko 'i he Tepile II 'o e *Lao ki he Ngāue Fakapule'anga* pē ha kautaha 'a e Pule'anga kehe 'oku kau, 'o fakatatau ki ha fakatontonu 'a e lao 'i hono fiema'u.

KONGA II – NGĀUE KĀKĀ

7. 'UHINGA'i Lea

Ko e ngāue kākā, 'oku 'uhinga ki he fakahoko ('i he 'ilo/'i he 'ilo'ilo pau) 'a e ngāue kākā (pe ko e fakahoko ha ngāue pe ko e 'ikai fakahoko ha ngāue, pe ko e takihala'i pe fufū) koe'uhi ke ma'u ai ha fe'auhi ta'etotonu, 'ikai ke fakahoko totonu, pe ma'u ta'efakalao ai ha lelei pe 'e ma'u hangatonu pe 'ikai fakahangatonu, pe ko e me'a ki ha taha fakafo'ituitui pe pe koe'uhi ko ha taha kehe. Ko e ngāue kākā 'oku kau ki ai 'a e ngaahi fa'ahinga ta'efaitotonu kehekehe pe ko e fakahoko ki lelei fakafo'ituitui pe ko e lelei fakapa'anga fakafo'ituitui.

8. Ngaahi Ngāue Kākā

Ko e ngaahi Ngāue Kākā, 'oku ala fakakalasi ia ki he (ka 'oku 'ikai ke fakatangata ki he):

- (a) *Ngāue kaka 'i he Faingamalie*, 'a ia 'oku ala fakahoko 'e ha taha ngāue fakafo'ituitui, pe fakahoko fakataha mo ha ni'ihī kehe, 'oku lolotonga fakahoko ngāue 'i ha Potungāue 'a e Pule'anga, pea ma'u ai 'a e faingamalie ke fakahoko 'a e ngāue kākā.
- (b) *Ngāue kaka 'i he Founa Ngāue*, 'a ia ko e ngāue kākā ia 'oku fa'a hoko, 'oku kamata ia mei he he founa sisitemi ngāue angamaheni, ka 'oku 'ikai ko ha me'a makehe. Ko e ngāue kākā ko 'eni' 'oku kau ki ai 'a e ngāue ta'efakalao 'aki 'a e pa'anga, pe me'angāue 'a e Potungāue, tohi nima kākā 'a e ngaahi tohi ngāue pe fa'u ha ngaahi fakamatala loi.
- (c) *Ngāue kākā 'i he Pule'i 'o e Kau Ngāue*, 'e ala kau pe 'eni' 'i he ngāue kākā 'i he founa ngāue, pea 'oku kau ki ai 'a e vāhenga, filifilimanako 'o e founa fili 'o e kau ngāue mo e fakahū ('i ha founa ngāue 'oku 'ikai ke totonu pe 'ikai ke fakakatoa 'a e founa ngāue totonu) 'o ha ni'ihī 'oku 'ikai kenau fe'unga ki he lakanga.

9. Ngaahi founa ki he Sivi'i mo e Tala 'o ha Ngāue Kākā

'Oku ala ke tala 'a e ngāue kākā 'i he founa 'e tolu (3) ko 'eni:

- (1) Fakahoko ha ngāue pe 'ikai fakahoko ha ngāue 'a ia 'oku-
 - (i) ta'e faitotonu;
 - (ii) fakahoko 'i tu'a 'i he tu'utu'uni pe founa ngāue;
 - (iii) fakamamafa ki he tafa'aki 'e taha;
 - (iv) maumau'i ai 'a e falala 'a e kakai;

- (v) maumau'i 'a e fepaki 'a e kaunga fakataautaha; pe
 - (vi) fakahoko ha ngāue 'oku fekau'aki mo e ngāue, ngaahi ngafa mo e ngaahi fatongia 'a e taha ko ia.
- (2) 'a ia 'oku fakahoko koe'uhi ke ma'u mai pe tuku atu ha tu'utu'uni 'oku 'ikai totonu, 'ikai lelei pe 'ikai ke fakalao –
- (i) monu'ia;
 - (ii) lelei;
 - (iii) lelei makehe;
 - (iv) loto-lelei;
 - (v) ma'u ai ha lelei; pe
 - (vi) ha ngaahi koloa pe ngāue.
- (3) 'a ia 'e -
- (i) hangatonu pe 'ikai fakahangatonu;
 - (ii) ki he taha taautaha, pe ki ha fa'ahi kehe.

10. Ngaahi Fakatātā 'o e Ngāue Kākā ha taha ngāue

- (1) Ko e ngaahi fakatātā 'eni 'a e ngaahi ngāue 'a e kau ngāue 'a e Pule'anga 'i he kuo hili, 'a ia 'e ala hoko ai ha ngāue kākā 'i he Tu'utu'uni Ngāue ki he Ngāue Kākā ko 'eni:
- (a) To'o 'ikai ke 'i ai ha totonu, kaiha'a, ngāue hala, ngāue'aki 'ikai ke 'i ai ha fakamafai, fe'ave'aki ta'efakalao, ngāue hala 'aki 'a e ngaahi me'angāue 'a e Potungāue.
 - (b) Tuku atu ha fakamatala 'i he 'ilo'ilo pau 'oku hala, 'ikai ke kakato, takihala ki ha MDA.
 - (c) Taki hala'i 'i he 'ilo'ilo pau 'a e fakahoko 'o ha ngāue pe 'ikai ke lipooti totonu 'a e pa'anga 'oku ma'u pe totongi ko e kongā 'o ha ngaahi totongi fakapa'anga 'a e Pule'anga.
 - (d) Hu 'ikai ke 'i ai ha fakamafai 'o ngāue'aki 'a e ngaahi sistemi mo e fakamatala 'a e ngaahi MDA.
 - (e) Ngāue hala'aki mo ma'u mai, ka e 'ikai ke 'i ai ha felotoi taau pe fakahangatonu, 'a e ngaahi fakamatala 'oku ma'u 'i loto fekau'aki mo e ngaahi ngāue.
 - (f) Maumau'i, to'o pe ngāue hala 'aki ha ngaahi lekooti, ngaahi me'a ngāue, ngaahi me'a ngāue tu'uma'u pe ngaahi me'angāue pe ha me'a 'a e Potungāue 'a ia 'oku lolotonga ma'u 'e he MDA.
 - (g) Tohi nima kākā pe liliu ha faile pe tohi ngaue, kuo paaki pe faka'elekitulonika, polokalama fakakomipiuta pe ha lekooti 'a e MDAs.
 - (h) Fakahoko 'i he 'ilo'ilo pau 'a e tuku atu, tokoni'i pe fakamo'oni'i ha fakamatala 'oku taki hala, 'ikai kakato pe fa'u fakamatala loi ke taki hala'i ai 'a e ngaahi founga fakatau 'a e MDA ke ta'ofi 'a hono toe sivi'i pe lipooti pe kākā'i 'a e founga ngāue talamahu'inga pe ngaahi founga fakatau 'a e Pule'anga.
 - (i) Tukuange atu, ha fakamatala fakapulipuli fakafo'ituitui pe fakamatala 'a e Potungāue ki ha ngaahi fa'ahi kitu'a, na'e 'ikai ke 'ia ha fakangofua.

- (j) Tali pe kumi ha fa'ahinga me'a 'oku mahu'inga mei he kau aleapau, kau fakatau pe ni'ihī 'oku nau tuku atu 'a e ngaahi sevesi pe ngaahi naunau ki he ngaahi MDA.
- (k) Fakangofua ha memipa 'o e kakai, kene kouna kinautolu (taha ngāue fakapule'anga) ke ngāue'aki 'a e tu'unga 'o e taha ko ia 'i he Pule'anga ke fakahoko 'aki ha ngaahi ngāue 'oku 'ikai ke totonu, filifilimanako pe maumau'i ai 'a e falala 'a e kakai. 'Oku kau ki ai 'a e ngaahi ngāue 'oku ne maumau'i 'a e fepaki kaunga fakataautaha.
- (l) 'Ikai ke fakahoko ke 'ilo 'a e foaki mo e tali 'o e ngaahi me'a'ofa 'oku 'ikai ke faka'ofisiale, ngaahi monu'ia, pe ha me'a 'oku mahu'inga, 'i he'ene felave'i mo e fakahoko 'o e founa ngāue angamaheni 'a e Pule'anga, pe 'i he'ene felave'i mo e ngaahi ngāue faka'ofisiale pe pisinisi 'a e Pule'anga.
- (m) Ma'u pe tuku atu ha ngaahi komisoni fakapulipuli 'o kau ki ai 'a e totongi ngāue ki he tupu.
- (n) Tokoni'i 'i he 'ilo'ilo pau, ha taha ngāue aleapau, taha fakatau pe taha 'oku kainga ofi, kaungāme'a, pe taha ngāue vaofi 'oku 'ilo'i, ke ne ma'u pe ma'u hokohoko 'a e ngaahi aleapau ngāue ki he me'angāue mo e ngāue 'a e Pule'anga, neongo 'oku ha mahino pe 'oku 'i ai 'a e kau fakatau, pe ni'ihī kehe, na'a nau ala lava 'o tuku atu 'a e ngaahi me'angāue mo e fakahoko ngaahi ngāue' 'i ha tu'unga 'oku to e ma'olunga mo lelei ange ki ha totongi 'oku si'isi'i hifo, pe fakatou'osi.
- (o) Ma'u ha pa'anga totongi fe'alu'aki pe ki he folau fakaengāue (per diem), ka 'oku 'ikai ke folau 'a e taha ia ko ia 'i he ngaahi 'aho kuo fakamahino.
- (p) Ngaahi folau kehe 'oku fakahoko ki ai ha ngāue kākā, 'oku kau ki ai 'a e fetongi 'o e vaha'a taimi folau kuo tali' koe'uhi ko e ngaahi 'uhinga fakafo'ituitui 'a ia 'oku ne fakatupu ha ngaahi to e totongi tanaki atu ki he Pule'anga.
- (q) Tali ha totongi fufū, PE ko e totongi fufū, pe tuku atu ha totongi fufū ki ha taha ngāue mei ha taha ngāue kehe pe ha ngaahi kakai kehe.
- (r) Loto taha ke fai ha hia pe feinga ke fakahoko ha ngāue kākā 'o felave'i mo ha taha pe taha 'o e ngaahi me'a 'oku hā 'i 'olunga.
- (2) 'E ngofua ki ha taha ngāue 'oku ne fakahoko ha ngāue kākā ke toe tautea'i ia 'i he *Lao ki he Ngaahi Hia* [Vahe 4.04] 'o toe tanaki atu ki ai 'a e ngaahi tu'utu'uni ki he tautea 'i he Ngaahi Tu'utu'uni.
- (3) Koe'uhi' ke 'oua to e 'i ai ha tala'a, ko e maumau'i 'o e Tu'utu'uni ki he Ngāue Kākā ko e maumau'i ia 'o e *Tu'utu'uni ki he Ngāue mo e 'Ulungaanga*, pea 'e ala tautea 'o fakatatau ki he Ngaahi Tu'ututu'uni.

KONGA III – TOKANGA'I 'O E NGAHI TU'ULAVEA NGOFUA KI HE NGĀUE KĀKĀ

11. Fatongia 'o e Komisioni Ngāue Fakapule'anga

'Oku 'i ai 'a e fatongia 'a e Komisioni ke:

- (a) Fakapapau'i 'oku faipau 'a e ngaahi Potungāue kotoa ki he faka'ai'ai mo e tauhi ha 'ataakai ngāue 'oku tau'ataina mei he ngāue kākā.
- (b) Poupou ki he ngaahi ngāue mo e ngaahi polokalama ngāue ki he faka'ai'ai mo e poupou 'a e faipau ki he Tu'utu'uni Ngāue ki he Ngāue Kākā.

- (c) Fakapapau'i 'oku mahino'i mo ngāue'aki 'a e Tu'utu'uni Ngāue ki he Ngāue Kākā pea 'oku tokanga'i mo taliui 'a e kau ngāue ki he fotunga honau 'ulungaanga.
- (d) Tukupa ke fakahoko 'a e ngaahi founa ngāue ke fakapapau'i 'a e ngaahi tohi fakaongo lelei 'i he lolotonga 'a e taimi fakangāue'i mo fakapapau'i ke tala 'a e ni'ihī kuo nau fakahoko 'a e ngaahi ngāue kākā 'i ha feitu'u ngāue kehe.
- (e) Fakapapau'i'oku poupou, fakahoko mo faipau fakalelei 'a e ngaahi founa ngāue 'i he Tu'utu'uni Ngāue ki he Ngāue Kākā ko 'eni, mo e Ngaahi Tu'utu'uni.

12. Fatongia 'o e kau 'Ofisa Pule Ngāue

- (1) Kuo pau ke tokangaekina mo tali ui fakalukufua 'a e 'Ofisa Pule Ngāue ki he tala mo e ta'ofi 'o e ngāue kākā 'i he ngaahi MDA 'aki hono:
 - (a) Fakahinohino mo fetu'utaki ha ngaahi sipinga taau 'o e 'ulungaanga mo e ngaahi to'onga fekau'aki mo e mahu'inga 'o e 'ikai ke 'i ai ha ngāue kākā 'i he Potungāue mo e feitu'u ngāue;
 - (b) Fokotu'u ha ngaahi founa ngāue taau ke siofi, tokanga'i fakaloto'apingāue, ngaahi tu'utu'uni ngāue, ngaahi founa ngāue 'oku ne fakafepaki'i 'a e ngāue kākā 'i he Potungāue;
 - (c) Fakapapau'i ko e taha ngāue kotoa pe 'oku tali ui ki he Ngaahi Tu'utu'uni, Ngaahi Tu'utu'uni Ngāue (regulations) mo e ngaahi founa pule fakaloto'apingāue.
 - (d) Fokotu'u ha ngaahi founa ngāue ke fakapapau'i 'a e faipau ki he ngaahi lao mo e ngaahi tu'utu'uni mo e ta'ofi 'o e ngāue kākā;
 - (e) Fakapapau'i 'oku faipau 'a e kotoa 'o e ngaahi tu'utu'uni ngāue mo e ngaahi founa ngāue, ke kau ki ai hono vakai'i mo siofi 'o e puipuitu'a ngāue 'o e taha kole ngāue kimu'a pea toki fakangāue'i 'a e ni'ihī ko ia;
 - (f) To e fakahoko ha ngaahi ngāue koe'uhi ko ha ngaahi fokotu'u atu, ko e ola 'o e ngaahi vakai'i 'i tu'a pe ngaahi fehu'i na'e tuku mai 'e he ngaahi lipooti 'atita, ngaahi lipooti fakapa'anga mo ha ngaahi lipooti felave'i mo e ngāue kākā kehe;
 - (g) Tapu ke tu'utu'uni fakahangatonu ki he kau ngāue ke fakahoko 'a e ngaahi ngāue 'e ala fakahoko ai ha ngaahi ngāue 'oku 'ikai ke fakatatau ki he ngaahi ngāue fakalotongāue;
 - (h) Fakahoko 'a e ngaahi ako mo e ngaahi polokalama ke 'ilo ai 'e he kau ngāue 'a e ngāue kākā;
 - (i) Tuku atu 'a e ngaahi founa ngāue 'oku 'ikai ke angamaheni pe ha ngaahi ngāue 'oku ngalingali ko e ngāue kākā. 'Oku kau ki ai 'a e tuku atu ki he Minisitā, Komisoni, Polisi, 'Ateni Seniale pe ha ma'u mafai taau;
 - (j) Fengāue'aki mo e kau 'Atita, kau fakatotolo tau'ataina kuo fokotu'u 'e he Pule'anga, 'o kau ki ai 'a e 'Omipatimeni, Komisiona 'o e Fakafepaki'i 'o e Ta'efaitotonu, pe ha ma'u mafai taau kehe mo ta'ofi 'a e ngaahi 'ulungaanga 'oku ne fakafe'atungia'i 'a e fakatotolo;
 - (k) Fakahā ha fepaki 'a e kaunga fakataautaha fekau'aki mo ha me'a ha Potungāue, ki he Komisoni 'aki hono faile atu mo fakakakato 'a e Foomu ki he Tokangaekina 'o e Fakahā 'o e Fepaki 'a e Kaunga Fakataautaha 'a ia 'oku tuku atu 'i he *Tepile*

2 ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā ko ‘eni. ‘E ngofua ki he Komisoni ke tautea ha taha ‘oku ‘ikai kene fakahā ‘a ‘ene fepaki ‘a e kaunga fakataautaha.

- (2) Kuo pau ki he ‘Ofisa Pule Ngāue ‘oku ne sio pe kuo tala ki ai ha ngaahi ngāue ‘oku tukuaki’i ko e ngāue kākā ke ne fakahoko ha ngāue ki ai ‘o fakatatau ki he Tu’utu’uni Ngāue ko ‘eni.
- (3) Kuo pau, ‘okapau ‘e ‘ikai ke fakahoko ‘e he ‘Ofisa Pule Ngāue ha ngaahi ngāue ‘oku ‘ikai ke fakatatau ki he tu’utu’uni ko ‘eni, kuo pau ke tautea’i ‘a e ‘Ofisa Pule Ngāue ‘o fakatatau ki he ngaahi kongā ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā mo e Ngaahi Tu’utu’uni.

13. Fatongia ‘o e Kau Taki ‘o e Ngaahi Va’a

- (1) Ko e fatongia ‘o e Kau Taki ‘o e Ngaahi Va’a ke:
 - (a) fakapapau’i ‘oku tatau mo tonu ‘a hono fakahoko ‘o e pule’i ‘o e ngaahi founa ngāue ‘oku fiema’u ‘i he ngaahi Va’a takitaha, mo e ngaahi tafa’aki ‘oku nau tokangaekina fakahangatonu;
 - (b) fakapapau’i ‘oku ‘ilo’i ‘e he kau ngāue ‘i he Va’a takitaha, mo e ngaahi tafa’aki ‘oku nau tokangaekina fakahangatonu, ‘a e ngaahi founa ngāue’ mo honau ngaahi ngafa ‘i he Tu’utu’uni Ngāue ki he Ngāue Kākā mo e Tu’utu’uni ki he Ngāue mo e ‘Ulungaanga;
 - (c) fakahoko mo poupou ki ha ‘ataakai ‘oku faitotonu mo e ‘ata ki tu’a ‘i loto ‘i he ngaahi Va’a mo e tafa’aki ‘oku nau tokangekina fakahangatonu, ‘o kau ki ai mo e feitu’u ngāue ‘a e Potungāue fakalukufua, pea fakapapau’i ko e kau ngāue’ ‘oku ‘ikai kenau ilifia ke ‘eke’i ha ngaahi me’a ‘oku hoko, pe ngaahi founa ngāue, pe fakahā ha ngaahi ngāue ‘oku ngali kākā;
 - (d) tala ‘a e ngaahi uesia ki he sisitemi ngāue ‘a e Potungāue, ngaahi ngāue mo e ngaahi founa ngāue’, ‘a ia ‘e malava ai ke hā ai ha ngāue kākā;
 - (e) fakapapau’i ko e ngaahi founa pule’i, mo e ngaahi founa ngāue ‘oku fakahoko ‘i he’enu ngaahi Va’a’ ‘oku fakahangatonu ia ki he ngaahi tafa’aki ‘oku nau tokangaekina mo faipau ma’u pe ki ai ‘a e kau ngāue ‘i he Va’a ko ia;
 - (f) fakapapau’i ‘oku poupou’i ‘a e kau ngāue ‘oku nau fakahā ha ngāue ‘oku tukuaki’i ‘oku kākā;
 - (g) poupou mo fakahoko ‘a e ngaahi fatongia ‘o e ‘Ofisa Pule Ngāue ‘i he Kupu 12(1) ‘i ‘olunga, ‘i loto ‘i honau ngaahi Va’a.
- (2) ‘Okapau kuo fakatokanga’i ‘e he ‘Ofisa Pule ‘i he Va’a, pe na’e fakahā ki ai ha ngāue ‘oku tukuaki’i ‘oku kākā pea ‘ikai kene lipooti ia ki he ‘Ofisa Pule Ngāue, ko e Komisoni (‘okapau ‘oku kau ki ai) pe ki he ‘Ofisi ‘o e ‘Ateni Seniale, kuo pau ke tautea ia ‘o fakatatau ki he Ngaahi Tu’utu’uni.
- (3) Kuo pau ki he ‘Ofisa Pule ‘i he Va’a’, ‘i ha’ane siofi, pe kuo tala ki ai ha ngāue ‘oku tukuaki’i ko e ngāue kākā, ke ne fakahoko ha ngāue ki ai ‘o fakatatau ki he Tu’utu’uni Ngāue ki he Ngāue Kākā.
- (4) Kuo pau, ‘okapau ko e ‘Ofisa Pule ‘i he Va’a’ ‘oku ne fakahoko ha ngāue ‘oku maumau’i ai, pe ‘ikai ke fakahoko ha ngaahi ngāue ‘oku fiema’u ‘i he Tu’utu’uni Ngāue, kuo pau ke tautea ‘a e ‘Ofisa Pule ‘i he Va’a’ ‘o fakatatau ki he ngaahi tu’utu’uni ko ‘eni’, mo e Ngaahi Tu’utu’uni.

14. Fatongia ‘a e Kau Ngāue

- (1) Kuo pau ki he kau ngāue kotoa ke:
 - (a) fakatokanga’i mo faipau ki he’enau ngaahi fatongia ‘i he Tu’utu’uni Ngaue ki he Ngaue Kākā, Tu’utu’uni ki he Ngāue mo e ‘Ulungaanga mo ha ngaahi tu’utu’uni ngāue felave’i kehe;
 - (b) ma’u ha ‘ulungaanga ‘oku angatonu mo faitotonu ‘i he fakahoko ‘enau ngaahi ngāue moe ngaahi polokalama ngāue;
 - (c) lipooti ha ‘ulungaanga ‘oku ngalingali ko e ngāue kākā, ‘i he vave taha ‘e ala lava, ‘i he hili pe ‘enau ‘ilo ki ai;
 - (d) lipooti ha me’a ‘oku ngalingali kenau pehe ‘oku tokoni’i pe fakafaingofua (abetting) ha taha pe taha ngāue ha taha kehe kene fakahoko ha ngāue kākā.
 - (e) tuku atu ha ngaahi me’a ‘oku fepaki ai ‘a e kaunga fakataautaha’, ‘i he’ene felave’i mo ha me’a ha Potungāue, ki honau Taki ‘i he Va’a, pe ki he ‘Ofisa Pule Ngāue, ‘i he taimi ‘oku felave’i mo e Taki ‘o e Va’a, ‘aki hono fakafonu mo fakakakato ‘a e foomu Foomu ki he Tokangaekina ‘o e Fakahā ‘o e Fepaki ‘a e Kaunga Fakataautaha ‘a ia ‘oku tuku atu ‘i he ‘i he *Tepile 2* ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā.
- (2) Kuo pau, ‘okapau ko e taha ngāue ‘oku ne fakahoko ha ngāue ‘oku maumau’i ai, pe ‘ikai ke fakahoko ha ngaahi ngāue ‘oku fiema’u he tu’utu’uni ngāue, ke fakahoko ‘a e tautea ‘o fakatatau ki he ngaahi tu’utu’uni ‘o e tu’utu’uni ko ‘eni mo e Ngaahi Tu’utu’uni.

15. Fatongia ‘o e Ngaahi Va’a ki he Ngaahi Ngāue Fakapotungāue, Fakatau, mo e Fakakaungāue (CPHR)

- (1) ‘Oku tokangaekina fakahangatonu ‘e he kau ngāue ‘i he ngaahi Va’a CPHR ‘a e:
 - (a) fokotu’u mo fakahoko ‘a e ngaahi ngāue fakalotongāue pau ke fakafepaki’i ‘a e uesia ngofua ‘a e ngaahi Potungāue ki he ngāue kākā;
 - (b) fa’u mo tauhi ‘a e ngaahi founa pule’i ‘oku faingofua ke ta’ota’ofi ‘a e ngāue kākā;
 - (c) faitokonia mo fakahoko ha ngaahi fokotu’utu’u ki he fakatotolo ‘o e ngāue kākā; mo
 - (d) lipooti ‘a e ngaahi ngāue ‘oku mahalo’i ‘oku kākā.
- (2) ‘Okapau ‘oku ‘ilo’i ‘e ha taha ngāue ‘i he Va’a CPHR ‘oku ngalingali ke ‘i ai ngāue kākā pea ‘ikai ke ne lipooti ki he Taki ‘o e Va’a’ pe ko e ‘Ofisa Pule Ngāue, kuo pau ke tautea ia ‘o fakatatau ki he Ngaahi Tu’utu’uni.
- (3) Kuo pau ke tokangaekina ‘e he Va’a CPHR ke fa’u mo tanaki ‘i ha tanaki’anga fakamatala (database) pea ke siofi mo lipooti ki he Komisoni ‘a e ngaahi launga kotoa fekau’aki mo e ngāue kākā kuo nau ma’u’, pea ke tokanga’i mo solova. Kuo pau ke kau ‘a e tanaki’anga fakamatala (database) ki he ngāue kākā ‘i he lipooti fakamahina ‘e ono
- (6) ‘a e ‘Ofisa Pule Ngāue ki he Komisoni tukukehe ka toki fiema’u makehe.

16. Fatongia ‘o e Va’a ‘Atita Fakaloto’apingāue

Kuo pau ki he ‘Atita Fakaloto’apingāue ke:

- (a) Tokoni ki he fakahoko ‘a hono sivi’i ‘o e ngaahi founa pule’i fakaloto’apingāue ‘o e ngaahi MDA mo tuku atu ha fale’i ki he Potungāue.
- (b) Sivi’i mo lipooti ki he Potungāue ‘a e ngaahi matavaivai ‘i he ngaahi founa pule fakaloto’apingāue’, mo tuku atu ha ngaahi fokotu’u ke fakamalohia ‘a e ngaahi sisitemi fakaloto’apingāue, ke fakasi’isi’i ‘a e fakahoko ‘o e ngaahi ngāue kākā.
- (c) Kuo pau, ‘okapau ‘oku fakatokanga’i ha taha ngāue ‘i he Va’a ‘Atita Fakaloto’apingāue, na’e fakahoko pe ngali fakahoko ha ngāue kākā, pea ‘ikai ke ne lipooti ki he Taki ‘o e Va’a, ‘Ofisa Pule Ngāue, pe Minisitā, ke tautea ia ‘o fakatatau mo e Ngaahi Tu’utu’uni.

17. Fatongia ‘o e Pule’i ‘o e Koloa

- (1) Kuo pau ki he taha ngāue kotoa ‘oku ne tokangaekina ‘a e pule’i ‘o e koloa ke:
 - (a) fakapapau’i ‘oku fokotu’u ‘a e Lēsisita ‘o e Ngaahi Koloa ‘a e MDA, pea ‘oku tonu mo kakato ‘a hono lēsisita’ ‘i he taimi kotoa.
 - (b) vakai’i ‘a e lēsisita’ ‘i he kuata kotoa pe, pea fakamo’oni mo tohi ‘a e ’aho.
 - (c) fakahoko ha ngāue ke lau taautaha ‘a e ngaahi koloa ‘i he ngata’anga ‘o e ta’u fakapa’anga kotoa pe ke fakapapau’i ‘oku kei tauhi ‘a e koloa’ mo ‘ilo ‘a e tu’unga ‘o e ngaahi koloa ‘oku lēkooti ‘i he lēsisita’, hange ko ia ‘oku fiema’u ‘i he kupu 5 ‘o e Fakahinohino Faka-Fale Pa’anga 2020.
- (2) Kuo pau, ‘okapau ‘oku fakatokanga’i ‘e he taha ngāue ‘oku ne tokangaekina ‘a e Pule’i ‘o e Koloa’, na’e fakahoko, pe ngali fakahoko ha ngāue kākā, pea ‘ikai kene lipooti ki he Taki ‘o e Va’a pe ‘Ofisa Pule Ngāue, ke tautea ‘o fakatatau mo e Ngaahi Tu’utu’uni.

KONGA IV: LIPOOTI, FAKATOTOLO MO E NGAHI FOUNA TAUTEA

18. Lipooti ‘o e me’a ‘oku ngali ko e kākā

- (1) Kuo pau ki ha taha ngāue ‘oku ne ‘ilo ki ha ngāue kākā, ke ne lipooti ‘a e ngāue ‘oku pehē ko e ngāue kākā’ ‘i he vave taha ‘e ala lava, ki he’ene supavaisa, pe ‘Ofisa Pule Ngāue, pe ki he Komisoni ‘aki ha fakafonu mo fakakakato ‘a e Foomu Lipooti ki he Ngāue Kākā, ‘a ia ‘oku tuku atu ‘i he *Tepile 1* ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā.
- (2) Kuo pau, ‘okapau ko e ngāue kākā’ ‘oku fekau’aki mo e ‘Ofisa Pule Ngāue, ke lipooti ia ki he Komisoni.
- (3) Kuo pau ki he ‘Ofisa Pule Ngāue’ kene fakahoko ha lipooti ki he Komisoni ‘okapau ‘oku ‘i ai ha fepaki ‘a e kaunga fakatautaha (vā) ‘i he ‘uhinga ‘oku ‘i ai ha’ane fekau’aki mo e taha ngāue, pe ha taha pe ‘o e kau ngāue ‘oku kau ki he me’a ni, ‘aki ha fakafonu mo fakakakato ‘a e Foomu ki he Tokangaekina ‘o e Fakahā ‘o e Fepaki ‘a e Kaunga Fakatautaha ‘oku ‘i he *Tepile 2* ‘o e Tu’utu’uni Ngāue ki he Ngāue Kākā.
- (4) Kuo pau ki ha taha ngāue ke fakahoko ‘i ha tohi ‘a e lipooti ‘o ha ngāue kākā, pea kuo pau ke kau ai ‘a e –
 - (a) Ngaahi fakaikiiki ‘o e me’a na’e hoko’ pe ngāue ‘oku tukuaki’i ko e ngāue kākā;
 - (b) Hingoa (Ngaahi Hingoa) ‘o e taha (ni’ihi) na’e pehē na’e kau;
 - (c) ‘Aho (ngaahi ‘aho) mo e taimi (ngaahi taimi) ‘oku pehē na’e hoko ai ‘a e ngāue kākā ni;
 - (d) Ngaahi fakamo’oni tohi ‘oku ma’u, ‘o fakatātā ‘aki ‘eni, ngaahi tatau ‘o e ngaahi tohi ‘inivoisi ‘oku pehē ‘oku loi, ngaahi tohi fakamatala fakamo’oni ‘o e me’a

na'e hoko, ngaahi la'i'ata pe ngaahi 'ata tatau (screenshot) pe ngaahi vitiō 'o e ngāue kākā na'e pehē na'e hoko.

- (5) Kuo pau ke tauhi 'a e lipooti pe tohi ngāue felave'i mo e ngāue kākā na'e hoko ke malu mo fakapulipuli.
- (6) 'E ngofua ke fakahoko ha tautea ki ha taha ngāue 'oku ne fakahoko ha lipooti 'okapau:
 - (a) Na'e fakahoko 'a e lipooti loi 'i he Kupu ni, pe tuku mai ha fakamatala 'i he taumu'a ke takihala'i 'a e lipooti ko ia.
 - (b) Fetu'utaki ki he taha 'oku mahalo'i na'e ngāue kākā, ko e feinga ke fakapapau'i 'a e me'a na'e hoko' pē ha me'a kehe.
 - (c) Fakamatala 'a e me'a, ngaahi mo'oni'ime'a na'e hoko, ngaahi hu'uhu'u mo e ngaahi me'a na'e pehē na'e hoko mo ha taha kehe, tukukehe ka na'e fiema'u fakahangatonu 'e he 'Ofisa Pule Ngāue pe Komisoni, 'okapau na'e felave'i 'a e me'a na'e hoko mo e 'Ofisa Pule Ngāue.
 - (d) Tuku atu ha tatau 'o e lipooti ki he kakai pe koe tuku atu 'i he ope, talanoa 'i ha feitu'u fakapule'anga pe vahevahe ha ngaahi tatau ki ha ni'ihiki kehe.
- (7) 'E malava ke tautea'i ha taha ngāue kehe ange, 'okapau na'a nau:
 - (a) 'Ilo'i 'a e me'a, pea fakatokanga fakahangatonu pe 'ikai fakahangatonu ia ki he taha ngāue 'oku pehē na'e ngāue kākā.
 - (b) Fakamatala 'a e keisi, mo'oni'i me'a mo e ngaahi me'a na'e mahalo'i na'e hoko ki ha taha kehe, tukukehe ka na'e fiema'u fakahangatonu 'e he 'Ofisa Pule Ngāue pe Komisoni, 'okapau na'e felave'i 'a e me'a na'e hoko mo e 'Ofisa Pule Ngāue.
 - (c) Tuku atu ha tatau 'o e lipooti ki he kakai pe koe tuku atu 'i he ope, talanoa 'i ha feitu'u fakapule'anga pe vahevahe ha ngaahi tatau ki ha ni'ihiki kehe.

19. Lipooti lea mo fakapulipuli 'o e ngāue 'oku pehe na'e kākā

- (1) 'E ngofua ki ha taha kene tuku atu ha lipooti fakapulipuli pe 'i he lea fekau'aki mo ha ngāue 'oku pehē na'e kākā ki he Supavaisa, Taki Va'a, 'Ofisa Pule Ngāue pe Komisoni ('okapau ko e taha ngāue), pe ki he 'Ofisa Pule Ngāue pe Komisoni ('okapau 'oku 'ikai ko ha taha ngāue).
- (2) 'E ngofua ki he Supavaisa, Taki Va'a, 'Ofisa Pule Ngāue, pe Komisoni kene fakatotolo ki he ngaahi ngāue kākā pea tu'utu'uni –
 - (i) ki he taha ko ia kene fakahā ko kinautolu pea lipooti mai 'i he tohi, 'o fakatatau ki he kupu 18(1). 'Okapau 'e 'ikai loto 'a e taha ko ia ke ne fakahoko 'a e tu'utu'uni, kuo pau ke 'ikai ke fakahoko ha to e ngāue ki he 'enau lipooti ngāue kākā pea kuo pau ke 'ikai ke toe hoko atu ha ngāue fekau'aki mo e lipooti ko 'eni.
 - (ii) 'okapau 'e 'ikai ke loto 'a e taha ko ia ke faipau mo e (i) 'i 'olunga, ka 'oku pehē 'e he Supavaisa, Taki Va'a, 'Ofisa Pule Ngāue 'oku mamafa 'a e lipooti ki he ngāue kākā, pea 'oku ma'u mo e ngaahi fakamatala fe'unga ke poupou ki ai, kuo pau ki he Supavaisa, Taki Va'a, pe 'Ofisa Pule Ngāue ke ne teuteu 'a e 'a e lipooti fekau'aki mo e ngāue kākā ma'ae Potungāue pea fakahū ki he Komisoni.
 - (iii) 'okapau ko e lipooti ngāue kākā na'e fakahū fakahangatonu pe ki he Komisoni 'i he lea moe/pe fakapulipuli, kuo pau ke 'ikai fakahoko ha ngāue 'a e Komisoni ki he lipooti', tukukehe 'okapau 'e tu'utu'uni 'a e Komisoni 'oku mamafa 'a e lipooti ngāue kākā ko ia, pea 'i ai mo ha fakamo'oni fe'unga ke poupou ki ai. 'I he ngaahi me'a pehē, 'e ngofua ki he Komisoni kene fakahoko 'e ne ngaahi fakatotolo mo

kamata ‘a e ngaahi ngāue ki he tautea. ‘Okapau ‘e pehē ‘e he Komisoni ‘oku ‘ikai ke mamafa ‘a e lipooti ‘o e ngāue kākā, kuo pau ke fakafoki ‘a e me’a ki he Potungāue ke nau fakahoko ha ngāue ki ai ‘o fakatatau mo e Ngaahi Tu’utu’uni.

20. Lipooti ki he Ngāue Kākā ‘oku Tohi

Kuo pau ki he ‘Ofisa Pule Ngāue ‘i he hili ‘o e ma’u ha foomu lipooti ki he ngāue kākā ‘oku tohi (pe ko e Komisoni, ‘i he ngaahi taimi ‘e ala hoko) ke:

- (i) Siofi ‘a e foomu lipooti ‘o e ngāue kākā;
- (ii) Tu’utu’uni pe ‘oku toe fiema’u ha fakamatala ke to e tanaki mai;
- (iii) ‘Okapau ‘oku fiema’u, to e fakatoto ki he me’a, ‘o kau ki ai ‘a e tanaki ha toe fakamatala, mo faka’eke’eke ha ni’ihi felave’i mo e lipooti.

21. Founa ngāue ki he foomu lipooti ki he ngāue kākā ‘oku tohi

‘I he vave taha’ pe, ‘i he hili ‘o e toe vakai’i, fakapapau’i pe toe faka’eke’eke ‘i he kupu 20 ‘i ‘olunga, kuo pau ki he ‘Ofisa Pule Ngāue (pe Komisoni ‘okapau ko e keisi ia), ke:

- (i) Fakapapau’i pe ko e ngāue kākā na’e fakahoko, pea ‘okapau na’e fakahoko, pe ko e maumau tu’utu’uni si’isi’i (minor) pe lahi (serious).
- (ii) ‘Okapau ‘e fakapapau’i ‘e he ‘Ofisa Pule Ngāue ko e ngāue kākā na’e ngali na’e ‘ikai ke fakahoko, kuo pau kene fakangata ‘a e fakatoto pea lekooti ‘i he tohi ‘oku ‘ikai ke toe ‘i ai ha ngāue ‘e toe fakahoko fekau’aki mo e launga’.
- (iii) ‘Okapau ‘e fakapapau’i ‘e he ‘Ofisa Pule Ngāue na’e ngali ‘i ai ha ngāue kākā, ka ‘oku ‘ikai ke mamafa, kuo pau kene fakahoko ha ngāue ki he me’a ‘o fakatatau mo e Ngaahi Tu’utu’uni. Kuo pau ke fakahoko ki he Komisoni ‘a e lekooti ‘o e maumau tu’utu’uni si’isi’i ‘i he kupu ko ‘eni’.
- (iv) ‘Okapau ‘oku pehē pe he ‘Ofisa Pule Ngāue na’e fakahoko ha ngāue kākā, pea ko e maumau tu’utu’uni lahi, kuo pau ke ne fakahoko ha ngāue ki he me’a, ‘o fakatatau mo e Ngaahi Tu’utu’uni.

22. Ngaahi Hia

‘E ngofua, ‘i ha fa’ahinga tu’unga pe, ki he Supavaisa, Taki ‘o e Va’a, ‘Ofisa Pule Ngāue, pe Komisoni, ‘okapau ‘oku ngalingali na’e fakahoko ‘e ha taha ngāue ha hia, ke lipooti ‘e he ‘Ofisa Pule Ngāue ki he ‘Ofisi ‘o e ‘Ateni Seniale pea mo e Polisi. Kuo pau ke tuku atu ha tatau ‘o e lipooti ki he Komisoni.

23. Ta’ofi ‘o e fefai’aki moe fakamanamana

- (1) ‘Oku “‘ikai kataki’i” ‘e he Pule’anga Tonga ‘a e ngaahi ngāue ke hoko ha fefai’aki mo e fakamanamana’i ‘o e kau ngāue, pe koe’uhi ko ha taha kehe na’a nau lipooti ‘a e ngāue kākā ‘i he ngāue’anga.
- (2) Kuo pau ke fakahoko ‘a e ngaahi ngāue ‘o fakatatau ki he lao mo e ngaahi tu’utu’uni ngāue taau ‘a e Komisoni, ‘okapau ‘e ma’u ha tokotaha ‘oku lolotonga fefai’aki pe ‘oku ne fakamanamana’i ‘a kinautolu na’a nau fakahoko ‘a e lipooti fekau’aki mo e ngāue kākā.

- (3) Ko e ngaahi founa ngāue ki hono pule'i mo tautea 'a e ngaahi keisi fefai'aki mo fakamanamana, kuo pau ke muimui ki he Ngaahi Tu'tu'uni 'oku fakahā.

Tepile 1
Foomu Lipooti ki he Ngāue Kākā

Hingoa:	
Tu’unga:	
Potungāue :	

(‘okapau ‘oku ‘ikai ko ha taha ngāue fakapule’anga koe, kataki ‘o fakafonu ‘i ‘olunga ho ngāue lolotonga)
Fakamolemole ‘o fakafonu ‘a e ngaahi fakaikiiki ‘o e taha (ni’ihi) ‘oku nau kau ‘i he me’a pe ngaahi ngāue kākā ‘i lalo ni -

Hingoa ‘o e taha (ni’ihi) ‘oku nau kau:	
Ngaahi Tu’unga & Potungāue:	
‘Aho mo e taimi:	

Fakamolemole ‘o fakamatala’i ‘i lalo ‘a e me’a pe ko e ngaahi ngāue kākā na’e fakahoko:

(Fakamolemole ‘o fakapipiki mai ha Ngaahi fakamo’oni tohi ‘oku ma’u, ‘o fakatātā ‘aki ‘eni, ngaahi tatau ‘o e ngaahi tohi ‘inivoisi ‘oku pehe ‘oku loi, ngaahi tohi fakamatala fakamo’oni ‘o e me’a na’e hoko, ngaahi la’i’ata pe ngaahi ‘ata tatau (screenshot) pe ngaahi vitiō na’e fakahoko fekau’aki mo e ngāue kākā na’e pehē na’e hoko.

Fakahā

Koau, _____, ‘oku ou fakapapau na’a ku lau ‘a e foomu ko ‘eni pea ‘oku ou mahino’i lelei mo loto ki hono kakano. ‘Oku ou mahino’i ko ha fakafofonga loi pe fakamatala ‘oku ou fakahoko ‘i he’ene felave’i mo e *Foomu Lipooti ki he Ngāue Kākā* ‘i ‘olunga, ‘oku lau ia ko e maumau’i e ‘a e *Tu’utu’uni Ngāue ki he Ngāue Kākā ‘i he Ngāue Fakapule’anga ‘a Tonga 2025.*

Fakamo’oni hingoa:	
‘Aho:	

Ngaahi fakaikiiki ‘o e Supavaisa (‘okapau ‘e fiema’u)

Hingoa ‘o e Supavaisa	
Tu’unga ‘o e Supavaisa	
Fakamo’oni/‘Aho	

Fakaikiiki ‘o e ‘Ofisa Pule Ngāue (‘okapau ‘e fiema’u)

Hingoa ‘o e ‘Ofisa Pule Ngāue	
Fakamo’oni/‘Aho	

Tepile 2

Foomu ki he Tokangaekina ‘o e Fakahā ‘o e Fepaki ‘a e Kaunga Fakataau Taha

Hingoa ‘o e taha taaataha:	
Fatongia:	

Fakahā

‘Oku ou mahino ‘i ‘e ala hoko ‘a e fepaki ‘a e kaunga fakataau taha, pea ‘e ngali ke hoko ‘a ‘eku ngaahi felave ‘i fakafo ‘ituitui kene fakaloto ‘i pe ngali ke fakaloto ‘i ‘a ‘eku ngaahi ngāue ko e taha ngāue ma’ae Pule’anga Tonga. ‘Oku ou fakapapau ai, tukukehe ‘a e me’a ‘oku ha ‘i lalo:

Faka’ilonga	Fakapapau
	‘Oku ou mahino ‘i ‘a ‘eku ngaahi fatongia ‘i he Tu’utu’uni Ngāue ki he Ngāue Kākā ki he Ngāue Fakapule’anga ‘a Tonga keu fakahā ai ha fepaki ‘a e kaunga fakataau taha.
	‘Oku ‘ikai keu sio ‘e ‘i ai ha ngaahi me’a fakapalofesinale, fakafo ‘ituitui, tauhi fakafamili, fakamamafa ki ha tafa’aki pe ‘e taha, manako pe mateaki ‘a ia tene lava ‘o lave ‘i ‘a ‘eku tu’u tau’atina, fakakaukau tau’atina, pe ta’efilifilimanako.
	‘Oku ‘ikai ke ‘i ai ha’aku kaunga fakapa’anga ‘a ia ‘e malava ke maumau ‘i ‘a ‘eku tu’u tau’atina, fakakaukau tau’atina, pe ta’efilifilimanako, pe ki he lelei taha ‘eku ala ‘ilo ‘oku kau ki ai hoku ngaahi famili, kaungame’a pe kaunga ngāue.
	‘Okapau ‘e hoko ha fepaki ‘a e kaunga fakataau taha ‘i he lolotonga ‘a ‘eku ngāue, kuo pau keu fakahā ia ki he ‘eku Pule/Supavaisa ‘i he vave taha.

Fakahā ‘o e Fepaki

‘Oku ‘i ai ‘a e ngaahi fepaki ‘oku ou loto ke fakaha:

Fakaikiiki	Ko ‘eku sivi ‘a e fepaki ko ‘eni		
	Fepaki mo’oni/fakahangatonu	Fepaki ‘e ala ke hoko	Fepaki ‘oku hange ‘e hoko

Ko e fepaki ‘a e kaunga fakataautaha mo’oni/fepaki fakahangatonu ‘a e fakahoko ho ngaahi fatongia mo e ngaahi fatongia ‘a e Potungāue mo ha to e me’a kehe, pe ‘oku fakafo ‘ituitui pe ‘oku fekau’aki mo ha taha kehe.

Ko e fepaki ‘a e kaunga fakataautaha ‘e ala ke hoko, pe ‘oku hoko ia ‘i he taimi ‘oku hange ‘e ala hoko, pe ‘ata ki tu’a ‘e ‘i ai ha ngaahi to e me’a ‘e lava ‘o fepaki mo e fakahoko hoto ngaahi fatongia faka’ofisiale mo e ngaahi fatongia ‘a e Potungāue.

Ko e fepaki ‘a e kaunga fakataautaha mo’oni ‘oku hange ‘e hoko ia ‘i he taimi ‘oku ‘i ai ha kaunga pe fatongia, tatau ‘i he fakafo ‘ituitui pe kau atu ki ai ha taha kehe, ‘a ia ‘e ala fepaki mo ho ngaahi fatongia faka’ofisiale mo e ngaahi fatongia ‘a e Potungāue ‘i he kaha’u.

Fakamo’oni ‘a e tokotaha ke fakapapau’i

Hingoa ‘o e Tokotaha:	
Fakamo’oni/Aho:	

Sivi mo e tu’utu’uni ‘a e Supavaisa

Na’a ku vakai ‘i ‘a e tu’utu’uni aofangatuku ‘i ‘olunga pea (fili):

‘Ikai ke ‘iai ha fepaki	Fepaki mo’oni/fakahangatonu	Fepaki ‘e ala ke hoko	Fepaki ‘oku hange ‘e hoko
Fokotu’u ‘o e ngaahi ngāue ke hokohoko atu ke fakasi’isi’i ‘a e fepaki ‘a e kaunga fakataau taha			

Fakaikiiki ‘o e Supavaisa

Hingoa ‘o e Supavaisa:	
Tu’unga Ngāue ‘a e Supavaisa:	
Fakamo’oni/Aho:	