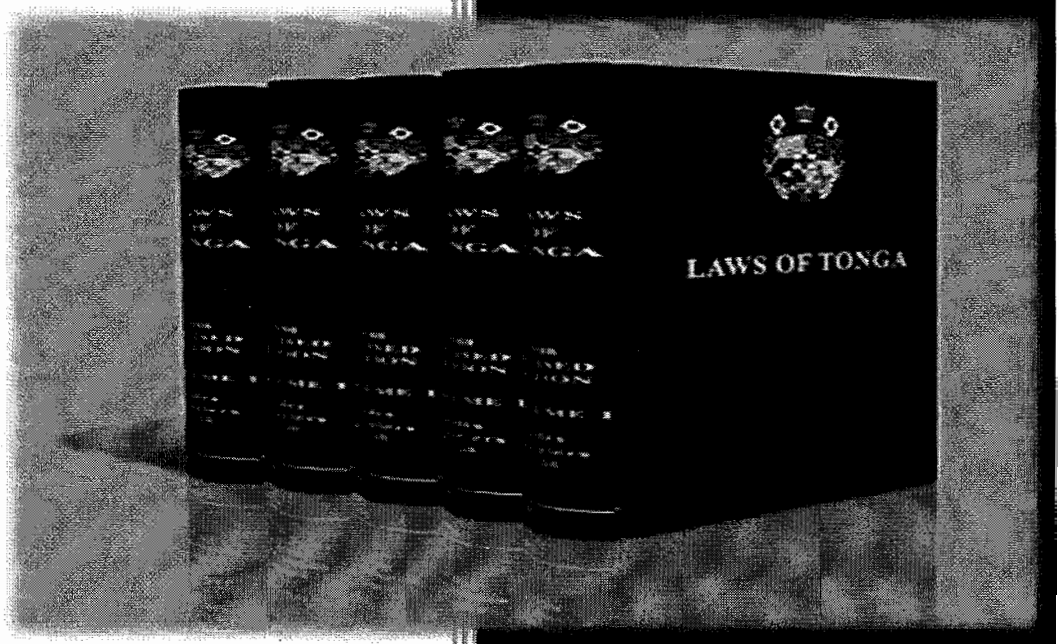
2008

CROWN LAW DEPARTMENT ANNUAL REPORT



This Annual Report is submitted in accordance to Section 13F of the Public Service Act 2002

CONTENTS

1 GENERAL 3

(1) Role 3

(2) Office 4

(3) Department Budget 4

2 STAFF 4

(1) Staff during 2008 4

(2) Staff Matters 5

(3) Overseas Meetings and Workshops 5

(4) Continued Legal Education 5

3 LEGAL ADVICE 6

4 LEGISLATION 6

(1) The Law Committee 6

5 LITIGATION 6

(1) Court of Appeal 7

(2) Supreme Court 7

(A) Criminal Cases 7

(B) Civil Cases 8

(C) Family Matters 8

(D) Land Court 9

(3) Significant Cases 9

SCHEDULE I 12

CROWN LAW DEPARTMENT STAFF AS OF 31 DECEMBER 2008 12

SCHEDULE II 15

LAW MEETINGS 15

SCHEDULE III 16

LEGAL ADVICE 16

SCHEDULE IV 18

ACTS PASSED BY THE LEGISALTIVE ASSEMBLY DURING THE 2008 SESSION 18

SCHEDULE V 22

REGULATIONS MADE DURING 2008 22

1 GENERAL

(1) ROLE

The Crown Law Department is under the Ministerial direction of the Hon Attorney General, 'Alisi Numia 'Afeaki Taumoepeau.

The Attorney General is the Crown's First Law Officer. She is vested with wide common law powers that include: filing of *ex efficio* information, entering of a *nolle prosequi* in certain criminal prosecutions, and maintaining relator actions in matters affecting the general public. These powers are exercised by the granting of the Attorney General's *fiat.* As such, she decides whether or not and in what precise circumstances, she will issue her certificate.

In conjunction with these common law powers, the Attorney General has certain statutory responsibilities. The instigation of criminal proceedings in an increasing number of offences is now contingent upon the Attorney General's consent being first obtained. The Attorney General's has statutory duties and powers under the following legislation:

- *Anti Corruption Act;*
- *Consumer Protection Act;*
- *Charitable Trusts Act;*
- *Court of Appeal Act;*
- *Copra Act;*
- *Crown Proceedings Act;*
- *Commissioner for Public Relations Act;*
- *Defamation Act;*
- *Divorce Act;*
- *Electoral Act;*
- *Extradition Act;*
- *Fisheries Management Act;*
- *Foreign Evidence Act;*
- *Guardianship Act;*
- *Intoxicating Liquor Act;*
- *Immigration Act;*
- *Legitimacy Act;*
- *Law Practitioners Act;*
- *Public Finance Management Act;*
- *Public Enterprises Act;*
- *Pharmacy Act;*
- *Supreme Court Act;*
- *Tobacco Control Act;*
- *Money Laundering and Proceeds of Crime Act;*
- *Medical and Dental Practice Act;*
- *Maintenance of Illegitimate Children Act;*
- *Magistrate's Court Act;*
- *Mental Health Act;*

- *Mutual Assistance in Criminal Matters Act;*
- *Nurses Act;*
- *Retirement Fund Board Act;*
- *Stamp Act*
- *Tonga Law Commission Act;*
- *Transnational Crimes Act; and*
- *Wharves Act.*

The Solicitor General is in turn the Crown's Second Law Officer, and is in charge of the daily administration of the Department. The Department's role is based upon the accepted traditional functions of Government Law Officers. Generally, these functions revolve around the following categories:

- *Providing legal advice to Government;*
- *Representing the Crown in civil litigation;*
- *Criminal Prosecutions;*
- *Legislative Drafting;*
- *Law Officer functions;*
- *Implement Government's Community Law Initiatives.*

(2) OFFICE

After losing its office premises at the Roy Cocker Building, during the November 2006 riots, the Department moved to the Justice Administration Building on Lavinia Road, Fasimoeafi, Nuku'alofa, where it shared its office with the Ministry of Justice. It continues to be located in these premises.

(3) DEPARTMENT BUDGET

The budget expenditure of the Department for the 2007/2008 financial year was $1,147,355. For the 2008/2009 financial year the Department was allocated $1,278.005.

2 STAFF

(1) STAFF DURING 2008

In January 2008 the Department had a total of 14 established staff and two daily paid labourers, making a total of 16 staff. Nine were law practitioners, and six were administrative support staff. As of 31st December 2008, there was a total of 15 staff working for the Department.

The legal officers employed in the Department hold law degrees from various universities in Australia, New Zealand and the University of the South Pacific. They each have been admitted to practice law in the jurisdictions where they studied and also here in Tonga.

The Department continues to struggle with the shortage of legal officers, and more so, of experienced legal officers.

Both the legal and administrative support staff contributed well to the efficient operation of the Department during 2008.

(2) STAFF MATTERS

In **February 2008** Mr Sione Sisifa, Assistant Senior Crown Counsel, left on study leave to read for a Master of Laws degree at the University of Auckland. He is expected to complete his studies in June 2009.

In **June 2008** the Solicitor General, Ms Linda Simiki Folaumoetu'i resigned. She took up a post as a legal advisor in the Attorney General's Department in the Solomon Islands, as part of the Pacific Islands Forum's Regional Assistance Mission to the Solomon Islands (RAMSI).

In **August 2008** the Department recruited a returning scholar, Miss Eunice Vea Tu'itupou, a graduate from the University of the South Pacific. Miss Tu'itupou took on the post of Assistant Legal Officer

In **September 2008** the Department recruited an Assistant Senior Interpreter, Mrs Loupua Pahulu Sefokuli, who was an Interpreter with the Ministry of Justice working in the Supreme Court.

In the same month the office recruited a daily paid labourer, Miss 'Ana Koloamatangi to strengthen the translation capacity of the Department.

Schedule I sets out the staff details.

(3) OVERSEAS MEETINGS AND WORKSHOPS

In 2008, members of the legal staff attended various regional and international meetings and workshops representing Government on legal matters.

Schedule II sets out in detail the regional and international meetings and workshops attended by the Department's legal staff.

(4) CONTINUED LEGAL EDUCATION

The legal staff continued initiated in-house presentations on legal topics of interest and directly relevant to the work of the Department. This allowed legal staff to share legal knowledge and experience with each other on an informal basis.

The legal staff also attended legal workshops where training was provided on specific international law issues.

3 LEGAL ADVICE

The Department continued to provide legal advice to Government Ministries and Departments. This was provided in written form in a timely manner and where necessary, legal advice was provided orally or through email. The Department issued 83 written legal advices during 2008. **Schedule III** sets out the number of advices issued to Ministries and Departments.

4 LEGISLATION

(1) THE LAW COMMITTEE

The Crown Law Department continued to provide the secretariat duties to the Law Committee during the year. The Committee continued to meet during the year to consider amendments to existing laws and to vet new Bills to be approved by His Majesty's Cabinet and Privy Council for tabling before the Legislative Assembly, and also new draft regulations to be made by the relevant authorities.

In 2008, several new Acts and amendment Acts were enacted by the Tongan Legislature after being considered by the Law Committee.

The permanent members of the Law Committee are as follows:

- *Attorney General and Minister of Justice (Chair)*
- *Deputy Prime Minister and Minister of Health*
- *Minister of Finance*
- *Solicitor General*
- *Senior Crown Counsel*
- *Representative of the Tonga Law Society*
- *Secretary, Law Committee*

Depending on the issues discussed, the Law Committee co-opted persons from the relevant Government Ministries and Departments to assist with the Law Committee's deliberations.

Schedule IV sets out the bills and **Schedule V** sets out the regulations, considered by the Law Committee, with a brief description.

5 LITIGATION

(1) COURT OF APPEAL

The Court of Appeal continued to sit in its annual session in July 2008. The Court of Appeal bench consisted of Justices Burchett and Moore of Australia, and Justice Salmon of New Zealand.

In 2008 the Court of Appeal dealt with 13 appeal matters. The Crown was involved in six. These included three civil appeals, two criminal appeals and one land appeal. The Crown was a respondent in all six matters.

With regards to the three civil appeals, the Court allowed two civil appeals, and dismissed one. With regards to the two criminal appeals, one appeal was an appeal against sentence, and the other appeal was against an interlocutory ruling in the Supreme Court in a sedition case. Both appeals were successful. The sedition case was returned to the Supreme Court for re-hearing. The land appeal was successful and was referred back to the Land Court for trial.

(2) SUPREME COURT

The Supreme Court continues to be headed by the Hon Chief Justice Anthony Ford of New Zealand, and was assisted by Justice Warrick Andrew of Australia as the new permanent Supreme Court judge. A third Supreme Court judge, Justice Robert Shuster was also appointed during the year. During the year, both Supreme Court judges alternated in sitting in the Supreme Court Circuits to 'Eua, Ha'apai and Vava'u. The Crown had matters in all the circuits.

(A) CRIMINAL CASES

Criminal cases continued to take up most of the litigation work of the legal staff.

The following are the figures for criminal cases, including 16/11 criminal cases, at the end of 2008:

Pending Criminal Cases from Previous Years	*234*
New Cases during 2008	*319*
Total Criminal Cases for 2008	*553*
Total Criminal Cases Closed in 2008	*502*
Pending Cases	*51*

The following are the figures for 16/11 criminal cases, at the end of 2008:

Total 16/11 Criminal Cases		**303**
Total Trials		***154***
Convictions	*107*	
Acquittals	*14*	
Pending Trials	*29*	
Total Non-Trials		***149***
Adult Diversion	*120*	
Crown Offered No Evidence	*26*	
Remitted to Magistrate's Court	*3*	

(B) CIVIL CASES

Civil cases involving the Crown were also significant.

Pending Civil Cases from Previous Years	*9*
New Civil Cases for 2008	*8*
Total Civil Cases for 2008	*17*
Total Civil Cases Closed in 2008	*10*
Pending Civil Cases	*7*

(C) FAMILY MATTERS

The Supreme Court continued to refer family applications under its Family Jurisdiction to the legal staff to provide confidential reports in the interests of the children. This work continues to be a significant part of the work of the legal staff. These are mainly applications for adoption of illegitimate children under the Maintenance of Illegitimate Children Act (Cap 30), and applications for guardianship of legitimate children under the Guardianship Act 2004.

During 2008 a total of 86 guardian ad litem reports were provided by legal staff to the Courts.

(D) LAND COURT

The Land Court continued to have cases involving the Crown. The figures are as follows:

Pending Land Cases from Previous Years	*9*
New Land Cases during 2008	*5*
Total Land Cases for 2008	*14*
Total Land Cases Closed for 2008	*5*
Pending Land Cases	*9*

(3) SIGNIFICANT CASES

The following are summaries of some of the significant cases in the Court of Appeal, Supreme Court and Land Court where the Department's staff represented the Crown:

(a) *Taufa Motulalo Tafolo – v – Rex, AC 05/08*

The appellant was convicted of riotous assembly in group 2 of the 16/11 riot trials. She was sentenced to 12months imprisonment, and to serve 6 months and the other 6 months was suspended for two years. The appellant served one month imprisonment before she appealed against both conviction and sentence. The appeal against conviction was dismissed on the basis that there was evidence for the jury to base their guilty verdict. The appeal against sentence was allowed on the basis that the sentence was too excessive. The sentence was set aside and the appellant was re-sentenced to six months imprisonment, the whole of which was suspended for two years from the date of sentencing.

(b) ***Pohiva and others – v- Rex, AC 07/07***

The Appellants Pohiva and Uata only appealed against the ruling of the Chief Justice granting the Crown leave to amend the indictment to include two riot charges. The Chief Justice had granted leave on the basis of the Crown's assurance that there was evidence to support the charges. The basis of the appeal was that the Chief Justice should have reviewed the evidence in the Magistrates Court in order to make an assessment that there was evidence to support the riot charges.

The Court of Appeal allowed the appeal and held that the Chief Justice should have reviewed the evidence. The issue of whether the Crown can amend the indictment to include the two riot charges and the appellant's application to strike out the case for lack of evidence is remitted to the Supreme Court for a hearing.

(c) ***Siaki Masima Veikune aka Fonomanu Veikune – v – Hon Tu'iha'ateiho, LA 10/05***

The Crown was appointed Amicus Curiae in this case to assist the Court in a dispute over the Tu'iha'ateiho noble title. The Plaintiff is the Defendant's uncle. He claimed however that the Defendant, the current holder of the Tu'iha'ateiho title, was not a legitimate son of the last Tu'iha'ateiho. The Plaintiff relied on evidence from various people that the defendant was the son of another man, and had applied to the Court to direct the Defendant to have a blood test to prove whether they were related.

The Chief Justice ruled that section 44 of the Evidence Act required the Plaintiff to prove beyond reasonable doubt that the Tu'iha'ateiho was not the legitimate son of the previous Tu'iha'ateiho title holder. When assessing the Plaintiff's evidence, the Chief Justice held that it fell short of proving this. The Chief Justice also held that the Court did not have the power to order an adult person to undergo a blood test or a DNA test.

The claim was therefore dismissed and costs were awarded against the Plaintiff in favour of the Defendant. No costs were awarded for the Amicus Curiae.

(d) ***Fakafanua and ors – v – Hon Fakafanua and ors, LA 07/08***

This was a dispute over the estate of the late Kalolaine Fakafanua at the Fakafanua Centre. The dispute was between Kalolaine Fakafanua's children, and the Hon Fakafanua, the grandson of Kalolaine Fakafanua, and eldest son of Kalolaine's late heir, Hon Fakafanua Tutoatasi. The Plaintiffs alleged that Hon Fakafanua had unlawfully cancelled the lease of Fakafanua Centre, and then collected the rents from the Centre, and also entered into a contract with Ca Bella Construction to build office premises for ANZ. The Plaintiffs sought orders to declare the lease valid, and

order Hon Fakafanua to account and pay back the rent from the Centre, and also remove the construction of the ANZ office.

The Chief Justice held that the Plaintiffs had legal standing to make the claim. The Chief Justice also declared that the lease was still valid because once Kalolaine died the lease came under the Supreme Court's probate division, and could not be cancelled. The Court also ruled that it intended to order Hon Fakafanua to give a proper account of the rent at the Centre, and that the tenants will be ordered to pay their rent to an independent authority. The Court also stated that it may require construction to be removed. The Court then urged the parties to consider settling the matter out of Court. Costs were not awarded. The parties then went away and agreed to a settlement, and the matter was resolved outside of the Courts.

SCHEDULE I

CROWN LAW DEPARTMENT STAFF AS OF 31 DECEMBER 2008

Attorney General & Minister of Justice	**Hon. 'Alisi N.A. Taumoepeau** MA (CM), LLB, LLM (Hons), Dip Litigation Skills, Barrister & Solicitor of the High Court of NZ, Law Practitioner (Tonga)
Solicitor General	**VACANT**
Senior Crown Counsel	**'Asipeli 'A. Kefu** LLB, *Waikato* LLM *VUW,* GDPSM *Massey*, Barrister & Solicitor of the High Court of New Zealand, Law Practitioner (Tonga*)*
	Peter J. Little LLB, *Sydney* LLM, *Sydney*, Dip Criminology *Sydney*, Barrister of the Supreme Courts of NSW, Vic, Qld, SA, ACT, Barrister & Solicitor of High Court of Solomon Islands, Law Practitioner (Tonga)
Assistant Senior Crown Counsel	**Sione F. Sisifa** LL.B *USP* Dip. Legal Practice *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
	Gloria Guttenbeil Pole'o B.Comm LLB *Otago* Barrister & Solicitor of the High Court of New Zealand, Law Practitioner (Tonga)
Crown Counsel	**Lesieli Mafi Fa'aui** BA/LLB *Otago,* Barrister and Solicitor of the High Court of New Zealand, Law Practitioner (Tonga)
Assistant Crown Counsel	**Seinimili T. Fonua**

	LLB *USP* Dip. Legal Practice *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
	James B. Lutui LLB *USP* Dip. Legal Practice *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
	Annis F. Finau LLB *USP* Dip. Legal Practice *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
Assistant Legal Officer	**Elisapeti Lavakei'aho** LLB *USP* Dip. Legal Practice *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
	Eunice Vea Tu'itupou LLB *USP* Dip. Legal Practice *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
Senior Interpreter	**VACANT**
Assistant Senior Interpreter	**Loupua Pahulu Sefokuli** Certificate in Law *USP*
Interpreter	**Norma O.C. Fifita**
Computer Operator Grade I	**Savelina Vika 'Ofahulu** Dip. Business *Tupou Tertiary Institute*
Computer Grade III	**Katalina F. Leha**

Clerk Class I	**Taufa 'Otuhouma**
Driver	**VACANT**
Housekeeper	**Siulolo Tu'itavuki**
DAILY PAID LABOURERS	
Interpreter	**'Ana Fusipala Sisilia Michelle Kgi**
Clerk	**Keleni Tu'iniua Pasikala**
Driver	**Siosaia Fifita**

SCHEDULE II

LAW MEETINGS

The following is a summary of the various meetings the legal staff attended:

19 - 22 June	Ms Annis Finau, Assistant Crown Counsel, attended a United Nations Environment Programme (UNEP) Consultative Meeting of Government Officials and Experts on drafting national legislation on Liability and Compensation for Environment Damages, held in Nairobi, Kenya.
23 - 24 June	Mr 'Aminiasi Kefu, Senior Crown Counsel, attended the Prosecution Conference held by Australia's Commonwealth Director of Public Prosecutions and Pacific Prosecutors, held in Sydney, Australia.
23 – 27 June	Ms Lesieli Fa'aui, Crown Counsel, attended the Forum Secretariat's Pacific Anti-Money-Laundering Project's (PALP) Regional Workshop for Prosecutors on Anti-Money laundering and Counter-Terrorism, held in Auckland, New Zealand.
2 - 4 July	Ms Annis Finau attended the Australian Association of Crown Prosecutor's Annual Conference, held in Melbourne, Australia.
7 - 8 July	The Hon Attorney General and Minister of Justice, and Mr 'Aminiasi Kefu, Senior Crown Counsel, attended the Commonwealth Law Ministers and Senior Officers Meeting, held in Edinburgh, Scotland.
21 - 24 July	Ms 'Elisapeti Lavakei'aho, Assistant Crown Counsel, attended a Forum Fisheries Agency Legal Workshop, held in Apia, Samoa.
1 – 5 December	Ms Lesieli Fa'aui, Crown Counsel, attended the 12th Thematic Course on WTO Dispute Resolution Mechanisms, held in Geneva, Switzerland.

SCHEDULE III

LEGAL ADVICE

MINISTRY/DEPARTMENT	NUMBER OF LEGAL ADVICE
Ministry of Lands, Survey and Natural Resources, and Environment	14
Prime Minister's Office	10
Ministry of Police, Fire Services and Prisons	9
Ministry of Finance and National Planning	9
Ministry of Labour, Commerce and Industries	8
Public Service Commission	7
Ministry of Foreign Affairs and Immigration	5
Ministry of Agriculture, Food and Forestry and Fisheries	4
Tonga Defence Services	3
Ministry of Public Enterprises and Information	2
Ministry of Health	2
Revenue Services Department	2
Ministry of Justice	1
Ministry of Education, Women Affairs and Culture	1
Ministry of Works and Natural Disasters	1
Ministry of Civil Aviation	1
Office of the Lord Chamberlain	1

Auditor Office	1
Statistics Department	1
Tonga Broadcasting Commission	1
TOTAL	**83**

SCHEDULE IV

ACTS PASSED BY THE LEGISALTIVE ASSEMBLY DURING THE 2008 SESSION

1 Appropriation Act 2008

This Act appropriated funds for government services for the 2008-2009 financial year.

2 Revenue Services Administration (Amendment) Act 2008

This Act amended various sections of the Revenue Services Administration Act 2002 to correct minor errors in references to tax and to clarify some of the sections.

3 Income Tax (Amendment) Act 2008

This Act amended various sections of the Income Tax Act 2007 to correct sections and other references and to ensure that terms used in the Act is in accordance with international standards.

4 Westpac Bank of Tonga (Amendment) Act 2008

This Act amended the Westpac Bank of Tonga Act (Cap. 105) to reflect the proposed sale by the Government of some or all of its shares in the Westpac Bank of Tonga to Westpac Banking Corporation. The amendments better reflect the new shareholding following any such sale. The repealing sections of the Act ensured that the business of the Westpac Bank of Tonga is not affected by the change in its legal status.

5 Constitutional and Electoral Commission Act 2008

This Act established the Constitutional and Electoral Commission to consider aspects of Constitutional and electoral reform in Tonga and to make recommendations and produce draft legislation in preparation for the 2010 elections under the changed system and for other related purposes.

6 Carriage of Goods by Sea Act 2008

This Act replaced the Carriage of Goods by Sea Act (Cap. 141). This Act implemented the Protocol to the International Convention for the Unification of Certain Rules Relating to Bills of Lading. The Act deals with the contract of carriage between the shipper and the carrier of the goods at sea. It relates to those contracts that are evidenced by a bill of lading.

7 Carriage of Goods by Sea (Repeal) Act 2008

This Act repealed the Carriage of Goods by Sea Act (Cap. 141). It also provided that the Carriage of Goods by Sea Act (Cap. 141) shall continue to apply to a contract of carriage by sea, if the contract was made before the commencement of this Bill.

8 Tobacco Control (Amendment) Act 2008

This Act amended the definition of "tobacco product" to remove the scientific definition of the same as the expert resources required to prove the scientific definition in Court is not available in Tonga.

9 Electricity (Amendment) Act 2008

This Act amended the Electricity Act 2007 by inserting a definition of the word "electricity", so that electricity produced from a renewable energy source and is not yet converted to alternate current does not come under the ambit of the Electricity Act 2007. Such electricity will come under the Renewable Energy Act 2008, but once converted to alternate current, it will become subjected to the provisions of the Electricity Act 2007.

10 Renewable Energy Act 2008

The primary purpose of this Act is to provide a legal framework to promote the utilization of renewable energy in Tonga, through the creation of a conducive and an enabling market environment. The Act created a renewable energy authority to deal with matters concerning renewable energy. The Renewable Energy Authority will be responsible for all renewable energy including electricity in direct current form. When electricity is converted to alternate current, it falls outside the jurisdiction of the Renewable Energy Authority and becomes subjected to the Electricity Commission.

11 Civil Aviation (Amendment) Act 2008

This Act amended the Civil Aviation Act 1990, so as to transfer the powers thereunder and administration of civil aviation matters to the Minister for Transport and his Ministry. The Act also prescribed the functions of the Minister for Transport with regard to civil aviation matters. Section 4 of the Civil Aviation Act 1990, which relates to appointment of officers and employees was repealed.

12 Transport Services Act 2008

The purpose of this Bill is to formally establish the Ministry of Transport, and to integrate the transport sectors (land, sea and air) into one administration under the Minister for Transport and the Ministry of Transport.

13 Traffic (Amendment) Act 2008

This Act amended the Traffic Act (Cap 156), so as to transfer the powers thereunder and administration of traffic matters to the Minister for Transport and his Ministry.

14 Interpretation (Amendment) Act 2008

The Act made consequential amendments to all legislations or official documents by changing the references to 'Minister of Civil Aviation' and 'Minister of Marine and Ports' to 'Minister for Transport'. It also changes the references to 'Secretary for Marine and Ports' to 'Minister for Transport'. The Minister for Transport is proposed to take over the legal obligations of the former Secretary for Marine and Ports, but may delegate those obligations to a staff member under section 208 of the Shipping Act. The amendments also apply to Regulations because the word 'Act' is defined in the Interpretation Act as to include Regulations.

15 Shipping (Amendment) Act 2008

This Act amended the Shipping Act (Cap136), so as to transfer the powers there under and administration of marine matters to the Minister for Transport and his Ministry.

16 Admiralty Act 2008

In 2003, amendments to the Civil Law Act removed application of English statutes, which left gap in our laws, including admiralty. This Act supplements Clause 90 of the Constitution which states that the Supreme Court has jurisdiction over maritime matters. The Act explains the jurisdiction over such matters.

17 Constitutional and Electoral Commission (Amendment) Act 2008

The Act amended words in the Tongan version only to reflect the meaning of the corresponding English word.

18 Emergency Fund Act 2008

The Act established a fund to be known as the Emergency Fund which is to be used exclusively for the purpose of providing timely and efficient relief and reconstruction in any emergency.

19 Public Health Act 2008

This Act ensured that Tonga can meet its international commitments as a WHO member state under the International Health Regulations 2005 (IHR). The Act enabled the health authorities in Tonga to identify and respond to public health risks now and in the future. The Act covers existing risks as well as providing the

flexibility to deal with emerging and new risks not contemplated in the Public Health Act 1992. The Act replaces the Public Health Act 1992.

20 Quarantine (Repeal) Act 2008

This Act repealed the Quarantine Act (Cap.77) which is incorporated into the Public Health Act 2008.

21 Police (Amendment) Act 2008

This Act increased the compulsory retirement age of Police Officers from 55 to 60 years.

22 Whale Watching and Swimming Act 2008

This Act required the business of whale watching and swimming to be licensed with the Ministry of Tourism. Persons who are issued licences under the Act may act as whale watching or whale swimming providers under the Act.

23 Constitutional and Electoral Commission (Amendment) (No. 2) Act 2008

This Act amended the Constitutional and Electoral Commission Act 2008 to remove the requirement to appoint a Commissioner within seven days of recommendation.

SCHEDULE V

REGULATIONS MADE DURING 2008

1 Excise Tax Regulations 2008

These regulations provided the administrative matters in order to implement the collection of excise tax.

2 Income Tax Regulations 2008

These regulations provided the administrative matters in order to implement the collection of income tax.

3 Customs and Excise Management Regulations 2008

These regulations provided the administrative matters in order to implement the proper management of the collection of customs and excise taxes.

4 Revenue Services Administration (Amendment) Regulations 2008

These regulations amended the principal regulations

5 Customs Regulations 2008

These regulations provided the administrative matters in order to implement the collection of customs duty.

6 Fisheries Management (Conservation) Regulations 2008

These regulations provided the technical and administrative requirements for the conservation of fisheries.

7 Fisheries Management (Processing and Export) Regulations 2008

These regulations provided the technical and administrative requirements for the processing and exporting of fisheries.

8 Civil Aviation (Passenger Service Charges) (Repeal) Regulations 2008

These regulations repealed the principal regulations in order to introduce the new revenue collection systems for the corporatized airports.

9 Civil Aviation (Airport Parking Charges) (Repeal) Regulations 2008

These regulations repealed the principal regulations in order to introduce the new revenue collection systems for the corporatized airports.

10 Civil Aviation (Airport Charges) Regulations 2008

These regulations introduced the new revenue collection system for the corporatized airports.

11 Civil Aviation (Aerodromes and Licensing Charges) (Amendment) Regulations 2008

These regulations amended the principal regulations regarding aerodromes and licensing charges in order to use the new revenue collection system for the corporatized airports.

2008

LIPOOTI FAKATA'U 'A E 'OFISI LAO



'Oku fakahu atu 'a e Lipooti Fakata'u ko eni 'o fakatatau ki he kupu 13F 'o e Lao ki he Ngaue Fakapule'anga 2002

KAKANO

1 FAKALUKUFUA 4

(1) FATONGIA 4

(2) 'OFISI 5

(3) PATISETI 'A E POTUNGAUE 5

2 KAU NGAUE 5

(1) KAU NGAUE 'I HE 2008 5

(2) NGAAHI ME'A FEKAU'AKI MO E KAU NGAUE 5

(3) NGAAHI FAKATAHA MO E NGAAHI AKO 'I MULI 6

(4) HOKO ATU 'O E AKO LAO 6

3 FALE'I FAKALAO 6

4 LAO 6

(1) KOMITI LAO 6

5 HOPO 7

(1) FAKAMAAU'ANGA TANGI 7

(2) FAKAMAAU'ANGA LAHI 7

(A) NGAAHI HOPO HIA 8

(B) NGAAHI HOPO SIVILE 8

(C) NGAAHI ME'A FEKAU'AKI MO E FAMILI 9

(D) FAKAMAAU'ANGA KELEKELE 9

(3) NGAAHI HOPO MAHU'INGA 9

TEPILE I 12

KAU NGAUE 'A E 'OFISI LAO 'I HE 'AHO 31 TISEMA 2008 12

TEPILE II 15

NGAAHI FAKATAHA FAKALAO 15

TEPILE III 16

FALE'I FAKALAO 16

TEPILE IV 18

NGAAHI LAO KUO PAASI 'E HE FALE ALEA LOLOTONGA 'A E TO'U FALE ALEA 2008 18

TEPILE V 22

NGAAHI TU'UTU'UNI NA'E FA'U LOLOTONGA 'A E 2008 22

1 FAKALUKUFUA

(1) FATONGIA

Ko e 'Ofisi Lao 'oku 'i he malumalu 'o e fakahinohino Fakaminisita 'o e 'Ateni Seniale, 'Alisi Numia Afeaki Taumoepeau.

Ko e 'Ateni Seniale 'a e Fakafofonga Lao 'Uluaki 'a e Kalauni. 'Oku 'iate ia 'a e ngaahi mafai lahi 'o e lao tupu-fonua 'a ia 'oku kau ki ai 'a e: faile 'o e fakamatala (*ex efficio*), fakahu 'o ha kole ke kaniseli (*nolle prosequi)* 'a e ngaahi hopo hia 'e ni'ihi, pea fakahoko mo e ngaahi hopo 'i he ngaahi me'a fekau'aki mo e kakai fakalukufua. 'Oku ngaue'aki 'a e ngaahi mafai ko eni 'aki hono foaki 'o e *tohi fakamo'oni Faka-'Ateni Seniale.* 'I he'ene pehe, 'oku 'iate ia ke ne tu'utu'uni 'a e ngaahi tu'unga pau, ke 'oatu pe 'ikai 'oatu ai 'a 'ene tohi fakamo'oni.

'Oku 'i ai 'a e ngaahi fatongia fakalao pehe ni 'o e 'Ateni Seniale 'o tanaki atu ki he ngaahi mafai 'o e lao tupu-fonua ko eni. Ko hono kamata 'o ha ngaahi hopo hia 'i he ngaahi hopo hia 'oku faka'au ke ha lahi mai 'oku fakafalala ia 'i he taimi ni ki hono tomu'a ma'u 'a e fakangofua 'o e 'Ateni Seniale. 'Oku 'i ai 'a e ngaahi ngafa mo e mafai fakalao 'o e 'Ateni Seniale 'i he ngaahi lao ko eni:

- *Lao ki he Komisiona ki he Fakafepaki'i 'o e Ta'efaitotonu;*
- *Lao ki he Malu'i 'o e Konisiuma;*
- *Lao ki he Ngaahi Talasiti Ngaue'ofa;*
- *Lao 'o e Fakamaau'anga Tangi;*
- *Lao ki he Mataka;*
- *Lao ki he Ngaahi Hopo 'a e Kalauni;*
- *Lao ki he Komisiona ki he Va mo e Kakai;*
- *Lao ki he Lau'ikovi;*
- *Lao Vete Mali;*
- *Lao ki he Fili Fale Alea;*
- *Lao ki he Fakafoki Fakapule'anga 'o e Kau Faihia;*
- *Lao ki he Pule'i 'o e Toutai;*
- *Lao ki he Fakamo'oni Muli;*
- *Lao ki hono Tauhia 'o e Fanau;*
- *Lao ki he Kava Malohi Tapu;*
- *Lao ki he Kakai Hu Mai;*
- *Lao 'oku kau ki he Fakahoko 'o e Fanau;*
- *Lao ki he Kau Fakafofonga Lao;*
- *Lao ki hono Pule'i 'a e Pa'anga 'a e Pule'anga;*
- *Lao ki he Ngaahi Pisinisi 'a e Pule'anga;*
- *Lao ki he Hu'ivai;*
- *Lao 'o e Fakamaau'anga Lahi;*
- *Lao ki hono Pule'i 'o e Tapaka;*
- *Lao ki hono Fe'ave'aki Fakapulipuli 'o e Pa'anga Kākā mo e ngaahi Koloa 'oku ma'u mei ha Hia;*
- *Lao ki he Ngaue Fakafaito'o mo e Nifo;*
- *Lao ki he Tauhi 'o e Fanau Ta'e Mali;*
- *Lao ki he Fakamaau'anga Polisi;*
- *Lao ki he Fakalelei 'Atamai;*
- *Lao ki he Tokoni Fengaue'aki 'i he Ngaahi Hia Matea;*
- *Lao ki he Kau Neesi;*
- *Lao ki he Poate 'o e Sino'i Pa'anga Malolo Mei he Ngaue;*
- *Lao ki he Sitamipa;*
- *Lao ki he Komisoni Lao 'o Tonga;*

- *Lao ki he Ngaahi Hia Fakavaha'apule'aga; mo e*
- *Lao ki he Ngaahi Uafu.*

Ko e Fakahinohino Lao Pule 'a e Fakafofonga Lao Hoko 'a e Kalauni, pea 'oku ne pule'i 'a e fakahoko ngaue faka'aho 'a e Potungaue. 'Oku fakatefito 'a e fatongia 'a e Potungaue 'i he ngaahi fatongia tukufakaholo angamaheni 'o e Kau Fakafofonga Lao 'a e Pule'anga. Fakalukufua, 'oku fakatefito 'a e ngaahi fatongia ko eni 'i he ngaahi tu'unga ko eni:

- *'Oatu 'a e ngaahi fale'i fakalao ki he Pule'anga;*
- *Fakafofonga'i 'a e Pule'anga 'i he ngaahi hopo sivile;*
- *Ngaahi Faka'ilo Hopo Hia;*
- *Fa'u 'o e Lao;*
- *Ngaahi Fatongia 'o e Fakafofonga Lao;*
- *Fakahoko 'a e Ngaahi Ngaue Fakalao 'a e Pule'anga ma'a e Ngaahi Kolo.*

(2) 'OFISI

Hili 'a e mole atu 'a e 'ofisi ngaue'anga 'i he Roy Cocker Building, lolotonga 'a e moveuveu 'i Novema 'o e 2006, na'e hiki ai 'a e Potungaue ki he Ngaue'anga 'a e Potungaue Fakamaau'anga 'i he Hala Lavinia, Fasimoeafi, Nuku'alofa, 'a ia na'e vahevahe ai 'a e 'ofisi mo e Potungaue Fakamaau'anga. 'Oku hokohoko atu 'a 'ene fakahoko fatongia 'i he 'ofisi ngaue'anga ko eni.

(3) PATISETI 'A E POTUNGAUE

Ko e fakamole fakapa'anga 'a e Potungaue ki he ta'u fakapa'anga 2007/008 ko e $1,147,355. Ki he ta'u fakapa'anga 2008/2009 na'e foaki ai ki he Potungaue 'a e $1,278.005.

2 KAU NGAUE

(1) KAU NGAUE 'I HE 2008

'I Sanuali 2008, ko e kau ngaue tu'uma'u fakakatoa 'e 14 mo e toko ua ko e ongo ngaue lau'aho 'i he Potungaue, 'a ia ko hono fakakatoa ko e kau ngaue 'e toko 16. Ko e toko hiva (9) ai ko e kau fakafofonga lao, pea toko ono (6) leva ko e kau ngaue poupou. 'I he 'aho 31 Tisema 2008, na'e 'i ai 'a e kau ngaue fakakatoa 'e toko 15 na'e ngaue ma'a e Potungaue.

Ko e fakafofonga lao 'i he Potungaue 'oku nau ma'u 'a e ngaahi fakamo'oni ako mata'itohi 'i he lao mei he ngaahi 'univesiti kehekehe 'i 'Aositelelia, Nu'usila mo e 'Univesiti 'o e Pasifiki Saute. Kuo tali kinautolu ke nau hoko ko e kau fakafofonga lao 'i he ngaahi mafai ke fakamaau na'a nau ako 'i ai pea pehe foki ki Tonga ni.

'Oku kei hokohoko atu pe 'a e feinga 'a e Potungaue ke fakahoko hono fatongia neongo 'a e nounou 'i he kau fakafofonga lao pea pehe foki ki ha kau 'ofisa fakafofonga lao kuo nau ma'u ha taukei fakalao fuoloa.

'Oku fakatou fengaue'aki vaofi pe 'a e kau ngaue fakalao mo e kau ngaue poupou ki hono fakalele lelei 'a e ngaue 'a e Potungaue lolotonga 'a e ta'u 2008.

(2) NGAAHI ME'A FEKAU'AKI MO E KAU NGAUE

'I **Fepueli 2008** na'e mavahe atu ai 'a e, Tokoni Fakahinohino Lao Ma'olunga, Sione Sisifa ko 'ene malolo ako ke fakakakato 'a 'ene mata'itohi MA 'i he Lao 'i he 'Univesiti 'o 'Aokalani. 'Oku 'amanaki ke lava kakato 'ene feinga ako 'i Sune 2009.

'I **Sune 2008** na'e fakafisi ai 'a e Fakahinohino Lao Pule, Linda Simiki Folaumoetu'i. Na'a ne ma'u 'a e lakanga ko e fale'i fakalao 'i he Potungaue 'a e 'Ateni Seniale 'i he 'Otu Motu Solomone, ko e konga 'o e Pacific Islands Forum's Regional Assistance Mission to the Solomons (RAMSI).

'I **'Aokosi 2008** na'e fakangaue'i ai 'e he Potungaue 'a e tokotaha na'e ako pea foki mai, ko Eunice Vea Tu'itupou, ko ha taha ma'u mata'itohi mei he 'Univesiti 'o e Pasifiki Saute. Na'e ngaue 'a Tu'itupou 'i he lakanga 'o e Tokoni Fakafofonga Lao.

'I **Sepitema 2008** na'e fakangaue'i ai 'e he Potungaue ha Tokoni Fakatonu Lea Ma'olunga, Loupua Pahulu Sefokuli, 'a ia na'e Fakatonu Lea 'i he Potungaue Lao 'i he Fakamaau'anga Lahi.

'I he mahina tatau na'e fakangaue'i ai 'e he 'ofisi ha taha ngaue lau'aho, 'Ana Koloamatangi ke fakamalohia 'a e tu'unga fakatonu lea 'a e Potungaue.

'Oku fakaha atu 'i he **Tepile I** 'a e ngaahi fakaikiiki 'o e kau ngaue.

(3) NGAAHI FAKATAHA MO E NGAAHI AKO 'I MULI

'I he 2008, na'e kau atu ai 'a e kau ngaue fakalao ki he ngaahi fakataha mo e ngaahi ako fakafeitu'u mo fakavaha'apule'anga kehekehe 'i hono fakafofonga'i 'a e Pule'anga 'i he ngaahi me'a fakalao.

'Oku fakaha atu 'i he **Tepile II** 'a e ngaahi fakaikiiki 'o e ngaahi fakataha mo e ngaahi ako kuo kau atu ki ai 'a e kau ngaue fakalao 'a e Potungaue.

(4) HOKO ATU 'O E AKO LAO

Na'e kamata fakahoko 'e he kau ngaue fakalao ha ngaahi fevahevahe'aki fakalotongaue 'i he ngaahi me'a fakalao 'oku nau tokanga ki ai pea felave'i fakahangatonu mo e ngaue 'a e Potungaue. Na'e toe tokoni foki 'eni ke fevahevahe'aki 'e he kau ngaue fakalao 'a 'enau ngaahi 'ilo mo taukei fakalao 'i ha ngaahi tu'unga fakafaingofua.

Na'e kau atu foki 'a e kau ngaue fakalao ki he ngaahi ako fakalao 'a ia na'e ako'i ai kinautolu 'i he ngaahi me'a fakalao fakavaha'apule'anga pau.

3 FALE'I FAKALAO

Na'e hokohoko atu pe 'a hono tuku atu 'e he Potungaue 'a e ngaahi fale'i fakalao ki he ngaahi Potungaue 'a e Pule'anga. Na'e fakahoko 'a e ngaahi fale'i fakalao ko eni 'i he ngaahi sipinga tohi 'i ha founga taimi fe'unga pea 'i hono fiema'u, 'e malava pe 'o fakahoko 'a e fale'i 'i he fepotalanoa'aki pe fakafou 'i he 'imeili. Na'e 'oatu mei he Potungaue ha ngaahi tohi fale'i fakalao 'e 83 lolotonga 'a e 2008. 'Oku fakaha atu 'i he **Tepile III** 'a e lahi 'o e ngaahi fale'i na'e 'oatu ki he ngaahi Potungaue.

4 LAO

(1) KOMITI LAO

Na'e kei hokohoko atu pe 'a hono fakahoko 'e he 'Ofisi Lao 'a e ngaahi fatongia fakasekelitali ma'a e Komiti Lao lolotonga 'a e ta'u. Na'e hokohoko atu pe 'a e fakataha 'a e Komiti lolotonga 'a e ta'u ke alea'i 'a e ngaahi fakatonutonu ki he ngaahi lao kuo 'osi fokotu'u pea ke sivi 'a e ngaahi Lao Fakaangaanga fo'ou ke fakangofua 'e he

Kapineti 'a 'Ene 'Afio mo e Fakataha Tokoni ke fakahu atu ki he Fale Alea, pea mo fa'u foki mo ha ngaahi tu'utu'uni fo'ou.

'I he ta'u 2008, na'e fokotu'u ha ngaahi Lao fo'ou mo e ngaahi Lao fakatonutonu fo'ou 'e he Fale Alea hili 'a hono fakahoko ki ai 'a e ngaue 'a e Komiti Lao.

Ko e kau memipa tu'uma'u 'a e Komiti Lao 'oku anga pehe ni:

- *'Ateni Seniale mo e Minisita 'o e Potungaue Lao (Sea)*
- *Tokoni Palemia mo e Minisita 'o e Potungaue Mo'ui*
- *Minisita 'o e Potungaue Pa'anga*
- *Fakahinohino Lao Pule*
- *Fakahinohino Lao Ma'olunga*
- *Fakafofonga mei he Sosaieti Lao 'o Tonga*
- *Sekelitali, Komiti Lao*

Makatu'unga 'i he ngaahi me'a 'e alea'i, 'oku fakakau mai 'e he Komiti Lao ha ni'ihi mei he ngaahi Potungaue 'a e Pule'anga 'oku felave'i ke tokoni ki he Komiti Lao 'i hono fakakaukau'i 'o e ngaahi me'a ko ia.

'Oku fakaha atu 'i he **Tepile IV** 'a e ngaahi lao fakaangaanga pea 'oku fakaha atu 'i he **Tepile V** 'a e ngaahi tu'utu'uni, 'oku alea'i 'e he Komiti Lao, fakataha mo ha fakamatala nounou.

5 HOPO

(1) FAKAMAAU'ANGA TANGI

Na'e hokohoko atu 'a e fakahoko fatongia fakata'u 'a e Fakamaau'anga Tangi 'i Siulai 2008. Na'e kau atu ki he kau Fakamaau 'i he Fakamaau'anga Tangi 'a e Fakamaau mei 'Aositelelia ko Fakamaau Burchett mo Fakamaau Moore mo Fakamaau Salmon mei Nu'usila.

'I he ta'u 2008, na'e fakahoko ai 'e he Fakamaau'anga Tangi ha ngaahi hopo tangi fakakatoa 'e 13. Na'e kau atu 'a e Kalauni ki he hopo tangi 'e ono. Na'e kau heni 'a e ngaahi tangi hopo sivile 'e tolu, tangi hopo hia 'e ua mo e tangi hopo kelekele 'e taha. Ko e Kalauni na'e faka'iloa 'i he kotoa 'o e ngaahi hopo 'e ono.

'I he fekau'aki mo e ngaahi tangi hopo sivile 'e tolu, na'e tali ai 'e he Fakamaau'anga 'a e ngaahi tangi hopo sivile 'e ua, pea 'ikai tali 'a e taha. 'I he fekau'aki mo e ngaahi tangi hopo hia 'e ua, ko e tangi 'e taha na'e fakahoko ko ha tangi ki he tu'utu'uni, pea ko e tangi leva 'e taha ki he tu'utu'uni fakataimi 'i he Fakamaau'anga Lahi 'i he hopo angatu'u. Na'e tali fakatou'osi 'a e ongo hopo tangi. Na'e fakafoki 'a e keisi angatu'u ki he Fakamaau'anga Lahi ke toe ui. Na'e tali 'a e tangi hopo kelekele pea toe fakafoki ki he Fakamaau'anga Kelekele ke hopo'i.

(2) FAKAMAAU'ANGA LAHI

Ko e Tu'i Fakamaau Lahi, Anthony Ford 'o Nu'usila 'oku ne kei hokohoko atu pe ko e 'ulu 'o e Fakamaau'anga Lahi, pea na'e tokoni ki ai 'a Fakamaau Warrick Andrew 'o 'Aositelelia ko e fakamaau fo'ou tu'upau 'o e Fakamaau'anga Lahi. Na'e toe fakanofo 'a e fakamaau hono tolu 'a e Fakamaau'anga Lahi, Fakamaau Robert Shuster lolotonga 'a e ta'u. 'I he lolotonga 'a e ta'u, na'e fetongitongi pe 'a e ongo Fakamaau 'i he Fakamaau'anga Lahi 'i hono fakahoko 'a hono fakamaau'i 'a e ngaahi hopo 'i 'Eua,

Ha'apai mo Vava'u. Na'e 'i ai 'a e fekau'aki 'a e Kalauni mo e ngaahi hopo na'e fakahoko 'i he ngaahi feitu'u kotoa ko 'eni.

(A) NGAAHI HOPO HIA

Na'e kei to'o ai pe 'e he ngaahi hopo hia 'a e lahi taha 'o e ngaue hopo 'a e kau ngaue fakafofonga lao.

Ko e ngaahi fika eni ki he ngaahi hopo hia, kau ai 'a e ngaahi hopo hia 'o e 16/11, 'i he faka'osinga 'o e 2008:

Ngaahi Hopo Hia na'e Fakatatali mei he Ngaahi Ta'u Kimu'a	*234*
Ngaahi Hopo Fo'ou lolotonga 'a e 2008	*319*
Fakakatoa 'o e Ngaahi Hopo Hia ki he 2008	*553*
Fakakatoa 'o e Ngaahi Hopo Hia kuo tapuni 'i he 2008	*502*
Toenga Hopo	*51*

Ko e ngaahi fika eni ki he ngaahi hopo hia 'o e 16/11, 'i he faka'osinga 'o e 2008:

Fakakatoa 'o e Ngaahi Hopo Hia 'i he 16/11		**303**
Ngaahi Hopo Fakakatoa		***154***
Ngaahi Fakahalaia	*107*	
Hao 'i he Hopo	*14*	
Hopo 'oku Fakatatali	*29*	
Fakakatoa 'o e Me'a kehe 'ikai Hopo		***149***
Polokalama ma'a e Kakai Lalahi	*120*	
'Ikai ke 'oatu 'e he Kalauni ha Fakamo'oni	*26*	
'Ave ki he Fakamaau'anga Polisi	*3*	

(B) NGAAHI HOPO SIVILE

Na'e lahi foki mo e ngaahi hopo sivile na'e kau ki ai 'a e Kalauni.

Ngaahi Hopo Sivile na'e Fakatatali mei he Ngaahi Ta'u Kimu'a	*9*
Ngaahi Hopo Sivile Fo'ou 'i he 2008	*8*

Fakakatoa 'o e Ngaahi Hopo Sivile 'i he 2008	*17*
Fakakatoa 'o e Ngaahi Hopo Sivile kuo tapuni 'i he 2008	*10*
Ngaahi Hopo Sivile 'oku Fakatatali	*7*

(C) NGAAHI ME'A FEKAU'AKI MO E FAMILI

Na'e kei hokohoko atu pe 'a hono fakahoko 'e he Fakamaau'anga Lahi ki he kau ngaue fakafofonga lao 'a e ngaahi tohi kole fekau'aki mo e ngaahi me'a fakafamili 'i hono mafai ke tu'utu'uni ki he Famili ke fakahoko ha ngaahi lipooti fakapulipuli Tauhia 'o e Fanau ki he ngaahi me'a 'oku kaunga lelei mo e fanau. 'Oku hokohoko atu pe 'a e hoko 'a e ngaue ko eni ko ha konga lahi 'o e ngaue 'a e kau ngaue fakafofonga lao. Ko e lahi taha 'o e ngaahi tohi kole ko eni ko e ohi 'o e fanau ta'emali 'i he Lao ki hono Tauhi 'o e Fanau Ta'emali [Vahe 30], mo e ngaahi tohi kole ki hono tauhia 'o e fanau mali 'i he Lao ki he Tauhia 'o e Fanau 2004.

Ko e ngaahi lipooti tauhia 'o e fanau fakakatoa 'e 86 'a ia na'e fakahoko 'e he kau ngaue fakafofonga lao ki he Fakamaau'anga.

(D) FAKAMAAU'ANGA KELEKELE

Na'e hokohoko atu pe 'a e ngaahi hopo 'i he Fakamaau'anga Kelekele 'a ia na'e kau ki ai 'a e Kalauni. 'Oku anga pehe ni 'a e ngaahi fika:

Ngaahi Hopo Kelekele na'e Fakatatali mei he Ngaahi Ta'u Kimu'a	*9*
Ngaahi Hopo Kelekele Fo'ou Lolotonga 'a e 2008	*5*
Fakakatoa 'o e Ngaahi Hopo Kelekele ki he 2008	*14*
Ngaahi Hopo Kelekele Fakakatoa kuo Tapuni ki he 2008	*5*
Ngaahi Hopo Kelekele 'oku Fakatatali	*9*

(3) NGAAHI HOPO MAHU'INGA

Ko e fakama'opo'opo eni 'o e ngaahi hopo lalahi 'i he Fakamaau'anga Tangi, Fakamaau'anga Lahi mo e Fakamaau'anga Kelekele na'e fakafofonga'i ai 'e he kau ngaue 'o e Potungaue ni 'a e Kalauni:

(a) *Taufa Motulalo Tafolo – v – Rex, AC 05/08*

Na'e fakahalaia'i 'a e taha 'a ia 'oku tangi ki he fakataha fakamoveuveu 'i he kulupu 2 'o e ngaahi hopo moveuveu 'o e 16/11. Na'e tautea'i ia ki he ngaue popula mahina 'e 12, pea ke ne ngaue 'i he mahina 'e 6 kae toloi fakataimi 'a e mahina 'e 6 kehe ki he ta'u 'e ua. Na'e ngaue popula mahina 'e taha 'a e taha 'a ia 'oku tangi kimu'a pea ne tangi ki hono fakahalaia'i mo e tu'utu'uni fakatou'osi. Na'e 'ikai tali 'a e tangi ki hono

fakahalaia'i 'i he makatu'unga na'e 'i ai 'a e fakamo'oni na'e makatu'unga ai 'a 'enau tu'utu'uni halaia. Na'e tali leva 'a e tangi ki he tautea 'i he makatu'unga na'e fu'u lahi. Na'e tuku ki tafa'aki 'a e tautea pea toe tautea'i 'a e taha 'a ia 'oku tangi ki he ngaue popula mahina 'e ono, 'a ia ko hono fakakatoa na'e toloi fakataimi ki he ta'u 'e ua mei he 'aho 'o e tautea.

(b) ***Pohiva and others – v- Rex, AC 07/07***

Ko kinaua 'a ia 'oku tangi, Pohiva mo Uata, na'a na tangi ki he tu'utu'uni 'a e Fakamaau Lahi 'i hono foaki ki he Kalauni 'a e ngofua ke fakatonutonu 'a e tohi fekau hiamatea ke fakakau ai 'a e ngaahi faka'ilo fakamoveuveu 'e ua. Na'e foaki 'e he Fakamaau Lahi 'a e ngofua 'o makatu'unga 'i hono fakapapau'i 'e he Kalauni 'oku 'i ai 'a e fakamo'oni ke poupou ki he ngaahi faka'ilo. Ko e makatu'unga leva 'o e tangi 'oku pehe na'e totonu ke toe vakai'i 'e he Fakamaau Lahi 'a e fakamo'oni 'i he Fakamaau'anga Polisi koe'uhi ke fakahoko ha sivi na'e 'i ai 'a e fakamo'oni ke poupou ki he ngaahi faka'ilo fakamoveuveu.

Na'e tali 'e he Fakamaau'anga Tangi 'a e tangi pea tu'utu'uni na'e totonu ke toe vakai'i 'e he Fakamaau Lahi 'a e fakamo'oni. Ko e me'a ki he malava 'a e Kalauni 'o fakatonutonu 'a e tohi fekau hiamatea ke fakakau ai 'a e ongo faka'ilo fakamoveuveu 'e ua mo e tohi kole 'a kinaua 'a ia 'oku tangi ke tamate'i 'a e hopo koe'uhi ko e 'ikai 'i ai ha fakamo'oni 'oku 'ave ki he Fakamaau'anga Lahi ke hopo'i.

(c) ***Siaki Masima Veikune aka Fonomanu Veikune – v – Hon Tu'iha'ateiho, LA 10/05***

Na'e fakanofo 'a e Kalauni ko e Fakafofonga Fakakaume'a 'o e Fakamaau'anga (Amicus Curiae) 'i he hopo ko eni ke tokoni ki he Fakamaau'anga 'i ha fakakikihi 'i he hingoa nopele Tu'iha'ateiho. Ko e Talatalaaki ko e fa'etangata ia 'o e Faka'iloa. Na'a ne pehe ko e Faka'iloa, 'a ia ko e taha ia 'oku ne lolotonga ma'u 'a e hingoa Tu'iha'ateiho, 'oku 'ikai ko ha foha mali 'a e Tu'iha'ateiho fakamuimui. Na'e fakafalala 'a e Talatalaaki ki he fakamo'oni mei he kakai kehekehe ko e faka'iloa ko e foha ia 'o e tangata kehe, pea kuo ne kole ki he Fakamaau'anga ke tu'utu'uni ki he Faka'iloa ke fakahoko ha'ane sivi toto ke fakamo'oni'i pe 'oku na kainga.

Na'e tu'utu'uni 'a e Fakamaau Lahi 'oku fiema'u 'a e Talatalaaki 'i he kupu 44 'o e Lao ki he Fakamo'oni ke ne fakamo'oni'i ki ha tu'unga 'oku 'ikai ke toe 'i ai ha veiveiua fakapotopoto ko e Tu'iha'ateiho 'oku 'ikai ko ha foha mali 'a e taha na'a ne ma'u 'a e hingoa Tu'iha'ateiho kimu'a. 'I hono sivi'i 'a e fakamo'oni 'o e Talatalaaki, na'e pehe 'e he Fakamaau Lahi na'e 'ikai lava 'o fakamo'oni'i 'eni. Na'e toe pehe 'e he Fakamaau Lahi na'e 'ikai ke ma'u 'e he Fakamaau'anga 'a e mafai ke tu'utu'uni ki ha taha lahi ke ne fakahoko ha sivi toto pe ha sivi DNA.

Na'e 'ikai leva ke tali 'a e 'eke pea hilifaki leva 'a e ngaahi fakamole ki he Talatalaaki 'i he malohi 'a e Faka'iloa. Na'e 'ikai ke hilifaki ha ngaahi fakamole ki he Amicus Curiae.

(d) ***Fakafanua and ors – v – Hon Fakafanua and ors, LA 07/08***

Ko e fakakikihi eni 'i he tofi'a 'o Kalolaine Fakafanua kuo ne mama'o atu 'i he Fakafanua Centre. Ko e fakakikihi na'e 'i he vaha'a 'o e fanau 'o Kalolaine Fakafanua, mo 'Eiki Fakafanua, 'a ia ko e mokopuna 'o Kalolaine Fakafanua, pea ko e foha lahi ia 'o e foha 'ea kuo mama'o atu 'o Kalolaine, 'Eiki Fakafanua Tutoatasi. Na'e tukuaki'i 'e he kau Talatalaaki na'e kaniseli ta'efakalao 'e 'Eiki Fakafanua 'a e lisi 'o e Fakafanua Centre,

pea ne tanaki 'a e ngaahi totongi mei he Centre, pea ne toe hu 'o kau 'i ha aleapau mo e Ca Bella Construction ke langa ha 'apingaue ma'a e ANZ. Na'e fiema'u 'e he kau Talatalaaki ha tu'utu'uni ke fakaha 'oku fakalao 'a e lisi, pea ke tu'utu'uni kia 'Eiki Fakafanua ke ne fakamatala mo totongi fakafoki 'a e totongi mei he Centre, pea ke to'o 'a e langa 'o e 'ofisi ANZ.

Na'e pehe 'e he Fakamaau Lahi na'e 'i ai 'a e tu'unga fakalao 'a e kau Talatalaaki ke nau fakahoko 'a e 'eke. Na'e toe fakaha foki 'e he Fakamaau Lahi 'oku kei fakalao pe 'a e lisi koe'uhi ko e pekia pe ko ia 'a Kalolaine na'e foki mai leva 'a e lisi ki he va'a tohi tuku 'a e Fakamaau'anga Lahi, pea 'e 'ikai lava 'o kaniseli. Na'e toe tu'utu'uni 'a e Fakamaau'anga na'e fakataumu'a ke tu'utu'uni kia 'Eiki Fakafanua ke 'omai ha fakamatala taau 'a e totongi 'o e fale 'i he Centre, pea ke tu'utu'uni kia kinautolu 'oku nau totongi 'a e fale ke nau totongi 'enau totongi fale ki ha ma'u mafai tau'ataina. Na'e toe fakaha 'e he Fakamaau'anga 'e ala fiema'u ke to'o 'a e langa. Na'e kole leva 'a e Fakamaau'anga ki he ongo fa'ahi ke nau solova 'a e me'a ni 'i tu'a mei he Fakamaau'anga. Na'e 'ikai ke hilifaki ha ngaahi fakamole. Na'e mavahe leva 'a e ongo fa'ahi 'o nau felotoi (agree) ki ha felotoi (settlement), pea na'e solova 'a e me'a ni 'i tu'a 'i he Fakamaau'anga.

TEPILE I

KAU NGAUE 'A E 'OFISI LAO 'I HE 'AHO 31 TISEMA 2008

'Ateni Seniale & Minisita Lao	**Hon. 'Alisi N.A. Taumoepeau** MA (CM), LLB, LLM (Hons), Dip Litigation Skills, Loea & Fakafofonga Lao 'o e Fakamaau'anga Ma'olunga 'o Nu'usila (NZ), Fakafofonga Lao (Tonga)
Fakahinohino Lao Pule	**'ATAA**
Fakahinohino Lao Ma'olunga	**'Asipeli 'A. Kefu,** LLB, *Waik* LLM *VUW,* GDPSM *Massey*, Loea & Fakafofonga Lao 'o e Fakamaau'anga Ma'olunga 'o Nu'usila, Fakafofonga Lao (Tonga)
	Peter J. Little LLB, *Sydney* LLM, *Sydney*, Dip Criminology *Sydney*, Loea 'o e Ngaahi Fakamaau'anga Lahi 'o NSW, Vic, Qld, SA, ACT, Loea & Fakafofonga Lao 'o e Fakamaau'anga Ma'olunga 'o e Ngaahi 'Otu Motu Solomone, Fakafofonga Lao (Tonga)
Tokoni Fakahinohino Lao Ma'olunga	**Sione F. Sisifa** LL.B *USP* Dip. Legal Practice *USP* Loea & Fakafofonga Lao 'o e Fakamaau'anga Ma'olunga 'o Fisi, Fakafofonga Lao (Tonga)
	Gloria Guttenbeil Pole'o BComm LLB *Otago* Loea & Fakafofonga Lao 'o e Fakamaau'anga Ma'olunga 'o Nu'usila, Fakafofonga Lao (Tonga)
Fakahinohino Lao	**Lesieli Mafi Fa'aui** BA/LLB *Otago,* Loea & Fakafofonga Lao 'o e Fakamaau'anga Ma'olunga 'o Nu'usila, Fakafofonga Lao (Tonga)

Tokoni Fakahinohino Lao	**Seinimili T. Fonua** LLB *USP* Dip. Legal Practice *USP* Loea & Fakahinohino Lao 'o e Fakamaau'anga Ma'olunga 'o Fisi, Fakafofonga Lao (Tonga)
	James B. Lutui LLB *USP* Dip. Legal Practice *USP* Loea & Fakahinohino Lao 'o e Fakamaau'anga Ma'olunga 'o Fisi, Fakafofonga Lao (Tonga)
	Annis F. Finau LLB *USP* Dip. Legal Practice *USP* Loea & Fakahinohino Lao 'o e Fakamaau'anga Ma'olunga 'o Fisi, Fakafofonga Lao (Tonga)
Tokoni 'Ofisa Fakalao	**Elisapeti Lavakei'aho** LLB *USP* Dip. Legal Practice *USP* Loea & Fakahinohino Lao 'o e Fakamaau'anga Ma'olunga 'o Fisi, Fakafofonga Lao (Tonga)
	Eunice Vea Tu'itupou LLB *USP* Dip. Legal Practice *USP* Loea & Fakahinohino Lao 'o e Fakamaau'anga Ma'olunga 'o Fisi, Fakafofonga Lao (Tonga)
Fakatonu Lea Ma'olunga	**'ATAA**
Tokoni Fakatonu Lea Ma'olunga	**Loupua Pahulu Sefokuli** Tohi Fakamo'oni 'i he Lao *USP*
Fakatonu Lea	**Norma O.C. Fifita**
Kalake Fakakomipiuta Kalasi 1	**Savelina Vika 'Ofahulu** Dip. Pisinisi *Tupou Tertiary Institute*
Kalake Fakakomipiuta Kalasi III	**Katalina F. Leha**
Kalake Kalasi I	**Taufa 'Otuhouma**
Faka'uli	**'ATAA**
Tauhi Fale	**Siulolo Tu'itavuki**

KAU NGAUE LAU'AHO

Fakatonu Lea	**'Ana Fusipala Sisilia Michelle Koloamatangi**
Kalake	**Keleni Tu'iniua Pasikala**
Faka'uli	**Siosaia Fifita**

TEPILE II

NGAAHI FAKATAHA FAKALAO

Ko e fakama'opo'opo eni 'o e ngaahi fakataha kehekehe na'e kau atu ki ai 'a e kau ngaue fakalao:

19 - 22 Sune Na'e lava atu 'a Annis Finau, Tokoni Fakahinohino Lao, ki he Fakataha Alea 'a e kau 'Ofisiale mo e kau Mataotao Fakapule'anga ki hono fa'u 'a e lao fakafonua ki he Mo'ua mo e Totongi Huhu'i ki he ngaahi Maumau 'o e 'Atakai, 'a ia na'e fakahoko 'i Nairobi, Kenya.

23 - 24 Sune Na'e lava atu 'a 'Aminiasi Kefu, Tokoni Fakahinohino Lao, ki he Konifelenisi 'o e kau Talatalaaki Hia 'a ia na'e fakahoko 'e he Talekita Fakakominiueli 'o e Ngaahi Talatalaaki Hia 'a e Pule'anga 'o 'Aositelelia mo e kau Talatalaaki Hia 'o e Pasifiki, na'e fakahoko 'i Sene, 'Aositelelia.

23 – 27 Sune Na'e lava atu 'a Lesieli Fa'aui, Fakahinohino Lao, ki he Ako Fakavahefonua 'a e Sekeliteliate Folomu 'a e Pasifiki ki he Poloseki ki hono Ta'ofi 'o e Fe'ave'aki Fakapulipuli 'o e Pa'anga Kaka (PALP) ma'a e kau Talatalaaki Hia ki he Ta'ofi 'o e Fe'ave'ave Fakapulipuli 'o e Pa'anga Kākā mo e Tautoitoi, 'a ia na'e fakahoko 'i 'Aokalani, Nu'usila.

2 - 4 Siulai Na'e lava atu 'a Annis Finau ki he Konifelenisi Fakata'u 'o e Fakataha'anga 'a 'Aositelelia ki he kau Talatalaaki Hia 'a e Kalauni, 'a ia na'e fakahoko 'i Melipoane, 'Aositelelia.

7 - 8 Siulai Na'e lava atu 'a e 'Ateni Seniale mo e Minisita Lao, pea mo 'Aminiasi Kefu, Fakahinohino Lao Ma'olunga, ki he Fakataha 'a e kau Minisita Lao mo e kau 'Ofisa Ma'olunga 'o e Kominiueli, 'a ia na'e fakahoko 'i Edinburgh, Scotland.

21 - 24 Siulai Na'e lava atu 'a 'Elisapeti Lavakei'aho, Tokoni Fakahinohino Lao, ki he Ako Fakalao 'a e Kautaha Folomu Toutai, 'a ia na'e fakahoko 'i Apia, Samoa.

1 – 5 Tisema Na'e lava atu 'a Lesieli Fa'aui, Fakahinohino Lao, ki he Ako Thematic ki he Ngaahi Me'angaue ki he Solova Palopalema 'a e WTO hono 12, 'a ia na'e fakahoko 'i Geneva, Switzerland.

TEPILE III

FALE'I FAKALAO

POTUNGAUE	LAHI 'O E FALE'I FAKALAO
Potungaue Fonua, Savea, Ngaahi Koloa Fakaenatula, mo e 'Atakai	14
'Ofisi Palemia	10
Potungaue Polisi, Va'a Tamate Afi mo e Pilisone	9
Potungaue Pa'anga mo e Palani Fakafonua	9
Potungaue Ngaue 'a e Kakai, Fefakatau'aki mo e Ngaahi Ngaue'anga	8
Komisoni 'o e Kau Ngaue Fakapule'anga	7
Potungaue ki he Ngaahi Ngaue ki Muli mo e Fefolau'aki	5
Potungaue Ngoue, Me'atokoni, Vao'akau mo e Toutai	4
Tau Malu'i Fonua 'a Tonga	3
Potungaue ki he Ngaahi Kautaha 'o e Pule'anga mo e Fakamatala	2
Potungaue Mo'ui	2
Potungaue Pa'anga Hu Mai	2
Potungaue Fakamaau'anga	1
Potungaue Ako, Kakai Fefine mo e Tukufakaholo	1
Potungaue Ngaue mo e Ngaahi Fakatamaki Fakanatula	1
Potungaue Fefolau'aki Vakapuna Sivile	1
'Ofisi 'o e 'Eiki Talafekau 'o 'Ene 'Afio	1
Potungaue 'Aotita	1
Potungaue Sitetisitika	1

Komisoni Fakamafola Lea 'a Tonga	1
FAKAKATOA	**83**

TEPILE IV

NGAAHI LAO KUO PAASI 'E HE FALE ALEA LOLOTONGA 'A E TO'U FALE ALEA 2008

1 Lao ki he Fakahu atu 'a e Pa'anga ki he Ngaue 'a e Pule'anga 2008

'Oku faka'ataa 'i he Lao ni 'a e pa'anga ke ngaue'aki 'e he ngaahi ngaue 'a e pule'anga ki he ta'u fakapa'anga 2008-2009.

2 Lao (Fakatonutonu) ki hono Pule'i 'o e Ngaahi Ngaue Tanaki Pa'anga Hu Mai 2008

'Oku fakatonutonu 'i he Lao ni 'a e ngaahi kupu kehekehe 'i he Lao ki hono Pule'i 'o e Ngaahi Ngaue Tanaki Pa'anga Hu Mai 2002 ke fakatonutonu 'a e ngaahi fehalaaki si'i 'i he ngaahi lave ki he tukuhau pea ke fakamahino'i 'a e konga 'o e ngaahi kupu.

3 Lao (Fakatonutonu) ki he Tukuhau Pa'anga Hu Mai 2008

'Oku fakatonutonu 'i he Lao ni 'a e ngaahi kupu kehekehe 'i he Lao ki he Tukuhau Pa'anga Hu Mai 2007 ke fakatonutonu'aki 'a e ngaahi kupu mo e ngaahi lave kehe pea mo fakapapau'i ko e ngaahi lea 'oku ngaue'aki 'i he Lao 'oku fakatatau ki he ngaahi tu'unga fakavaha'apule'anga.

4 Lao (Fakatonutonu) ki he Westpac Pangike 'o Tonga 2008

'Oku fakatonutonu 'i he Lao ni 'a e Lao ki he Westpac Pangike 'o Tonga (Vahe 105) ke fakaha mai 'a e fakatau atu fakaangaanga 'e he Pule'anga 'a e konga pe kotoa 'o 'ene ngaahi 'inasi 'i he Westpac Pangike 'o Tonga ki he Westpac Banking Corporation. 'Oku fakaha mahino ange 'i he ngaahi fakatonutonu 'a e kau ma'u 'inasi fo'ou 'i hono fakahoko 'a e fakatau atu ko ia. 'Oku fakapapau'i 'i he ngaahi kupu 'oku fakapekia 'i he Lao 'e 'ikai uesia 'a e pisinisi 'o e Westpac Pangike 'o Tonga 'e he liliu 'i hono tu'unga fakalao.

5 Lao ki he Komisoni ki he Konisitutone mo e Fili Fale Alea 2008

'Oku fokotu'u 'i he Lao ni 'a e Komisoni ki he Konisitutone mo e Fili Fale Alea ke vakai'i 'a e ngaahi me'a felave'i mo e liliu Fakakonisitutone mo e Fili Fale Alea 'i Tonga pea ke fakahoko ha ngaahi fokotu'u pea fa'u ha ngaahi lao fakaangaanga ke teuteu ki he fili Fale Alea 2010 'i he founga fo'ou mo e ngaahi ta'umu'a fekau'aki kehe.

6 Lao ki he Feuta'aki Koloa 'i Tahi 2008

'Oku fetongi 'e he Lao ni 'a e Lao ki he Feuta'aki Koloa 'i Tahi (Vahe 141). Na'e fakahoko 'i he Lao ni 'a e Ngaahi Tu'utu'uni Fakavaha'apule'anga ki he Konivesio Fakavaha'apule'anga ki hono Fakatahataha'i 'o e Ngaahi Tu'utu'uni Pau Felave'i mo e Ngaahi Tohi Fakaheka Koloa. 'Oku ngaue 'a e Lao ki he aleapau 'o e feuta'aki 'i he vaha'a 'o e taha 'oku 'oatu ki ai mo e taha uta koloa 'o e ngaahi koloa 'i tahi. 'Oku felave'i mo e ngaahi aleapau ko ia 'oku fakamo'oni'i 'e ha tohi fakaheka koloa.

7 Lao ki he Feuta'aki Koloa 'i Tahi (Fakapekia) 2008

'Oku fakapekia 'e he Lao ni 'a e Lao ki he Feuta'aki Koloa 'i Tahi (Vahe 141). 'Oku toe tu'utu'uni kuo pau ke hokohoko atu 'a hono ngaue'aki 'a e Lao ki he Feuta'aki Koloa 'i Tahi (Vahe 141) ki ha aleapau 'o e feuta'aki 'i tahi, kapau na'e fakahoko 'a e aleapau kimu'a 'a e kamata ngaue'aki 'o e Lao Fakaangaanga ni.

8 Lao (Fakatonutonu) ki hono Pule'i 'o e Tapaka 2008

'Oku fakatonutonu 'i he Lao ni 'a e 'uhinga'i lea 'o e "koloa tapaka" ke to'o 'a e 'uhinga'i lea fakasaienisi 'o ia koe'uhi ko e ngaahi koloa mataotao 'oku fiema'u ke fakamo'oni'i 'aki hono 'uhinga'i lea fakasaienisi 'i he Fakamaau'anga 'oku 'ikai ma'u ia 'i Tonga ni.

9 Lao (Fakatonutonu) ki he 'Uhila 2008

'Oku fakatonutonu 'e he Lao ni 'a e Lao ki he 'Uhila 2007 'aki hono fakahu atu 'a e 'uhinga'i lea 'o e lea "'uhila", koe'uhi ko e 'uhila 'oku ma'u mei ha ma'u'anga ivi ala fakafo'ou pea 'oku te'eki ke liliu ki he ivi faka'uhila tafe fetongitongi 'e 'ikai ke 'i he malumalu 'o e tafa'aki 'a e Lao ki he 'Uhila 2007. Ko e 'uhila ko ia 'e 'ave ia ki he malumalu 'o e Lao ki he Ma'u'anga Ivi Fakafo'ou 2008, ka ko e taimi pe 'e liliu ai ki he ivi faka'uhila tafe fetongitongi, 'e fakatatau leva ia ki he ngaahi kupu 'o e Lao ki he 'Uhila 2007.

10 Lao ki he Ma'u'anga Ivi Fakafo'ou 2008

Ko e tefito'i taumu'a 'o e Lao ni ke 'omai ha fokotu'utu'u ngaue fakalao ke faka'ai'ai 'a hono faka'aonga'i 'o e ma'u'anga ivi fakafo'ou 'i Tonga, 'o fakafou 'i hono fa'u 'o ha 'atakai fakamaketi 'oku ala tokoni mo faka'ai'ai. Na'e fa'u 'i he Lao ha ma'u mafai ki he ma'u'anga ivi fakafo'ou ke ngaue ki he ngaahi me'a 'oku fekau'aki mo e ivi fakafo'ou. Ko e Ma'u Mafai ki he Ivi Fakafo'ou te ne tokangaekina 'a e kotoa 'o e ivi fakafo'ou 'o kau ai 'a e 'uhila 'i he sipinga 'oku tafe fakahangatonu. 'I he taimi 'oku liliu ai 'a e 'uhila ki he tafe fetongitongi, 'oku 'i tu'a leva ia mei he mafai 'o e Ma'u Mafai ki he Ma'u'anga Ivi Fakafo'ou pea 'e fakatatau leva ia ki he Komisoni 'Uhila.

11 Lao (Fakatonutonu) ki he Fefolau'aki Vakapuna Sivile 2008

'Oku fakatonutonu 'e he Lao ni 'a e Lao ki he Fefolau'aki Vakapuna Sivile 1990, koe'uhi ke hiki 'a e ngaahi mafai 'i ai mo e pule'i 'o e ngaahi me'a ki he fefolau'aki vakapuna sivile ki he Minisita 'o e Fefononga'aki mo hono Potungaue. 'Oku toe tu'utu'uni 'i he Lao 'a e ngaahi fatongia 'o e Minisita 'o e Fefononga'aki 'o fekau'aki mo e ngaahi me'a ki he fefolau'aki vakapuna sivile. Ko e kupu 4 'o e Lao ki he Fefolau'aki Vakapuna Sivile 1990, 'a ia 'oku felave'i mo hono fokotu'u 'o e kau 'ofisa mo e kau ngaue na'e fakapekia.

12 Lao ki he Ngaahi Ngaue ki he Fefononga'aki 2008

Ko e taumu'a 'o e Lao Fakaangaanga ni ke fokotu'u faka'ofisiale 'a e Potungaue ki he Fefononga'aki, pea ke fakataha'i 'a e ngaahi sekitoa ki he fefononga'aki (fonua, tahi mo e 'ea) 'i he pule pe 'e taha 'a ia ko e Minisita 'o e Fefononga'aki mo e Potungaue ki he Fefononga'aki.

13 Lao (Fakatonutonu) ki he Fe'alu'aki 'i he Hala 2008

'Oku fakatonutonu 'e he Lao ni 'a e Lao ki he Fe'alu'aki 'i he Hala (Vahe 156), koe'uhi ke hiki 'a e ngaahi mafai 'i ai mo e pule'i 'o e ngaahi me'a ki he fe'alu'aki 'i he hala ki he Minisita 'o e Fefononga'aki mo hono Potungaue.

14 Lao (Fakatonutonu) ki he 'Uhinga'i Lea 2008

'Oku fakahoko 'i he Lao ni ha ngaahi fakatonutonu fekau'aki ki he ngaahi lao pe ngaahi tohi ngaue fakapule'anga kotoa 'aki hono liliu 'a e ngaahi lave ki he 'Minisita ki he Fefolau'aki Vakapuna Sivile' mo e 'Minisita 'o e Malini mo e Ngaahi Taulanga' ki he 'Minisita 'o e Fefononga'aki'. 'Oku toe liliu foki mo e ngaahi lave ki he 'Sekelitali 'o e Malini mo e Ngaahi Taulanga' ki he 'Minisita 'o e Fefononga'aki'. 'Oku fokotu'u atu 'a e Minisita 'o e Fefononga'aki ke ne fakahoko 'a e ngaahi fatongia fakalao 'a e Sekelitali 'o e Malini mo e Ngaahi Taulanga kimu'a, ka 'e ngofua ke ne tuku atu 'a e ngaahi fatongia ko ia ki ha taha ngaue 'i he kupu 208 'o e Lao ki he Fefolau'aki Vaka. 'Oku toe ngaue'aki 'a e ngaahi fakatonutonu ki he Ngaahi Tu'utu'uni koe'uhi ko e lea "Lao" 'oku faka'uhinga'i 'i he Lao Fakatonutonu ki he 'Uhinga'i Lea ke kau ai 'a e Ngaahi Tu'utu'uni.

15 Lao (Fakatonutonu) ki he Fefolau'aki Vaka 2008

'Oku fakatonutonu 'a e Lao ki he Fefolau'aki Vaka (Vahe 136), koe'uhi ke hiki 'a e ngaahi mafai 'i ai mo e pule'i 'o e ngaahi me'a ki he malini ki he Minisita 'o e Fefononga'aki mo hono Potungaue.

16 Lao ki he Fakamaau'anga Folau Tahi 2008

'I he 2003, ko e ngaahi fakatonutonu ki he Lao 'o e Sivile na'e to'o ai 'a hono ngaue'aki 'o e ngaahi lao 'a Pilitania, 'a ia na'e hoko ke tonounou ai 'etau ngaahi lao, kau ai 'a e fakamaau'anga folau tahi. 'Oku fakalahi 'e he Lao ni 'a e Kupu 90 'o e Konisitutone 'o fakaha ai 'oku 'i ai 'a e mafai 'a e Fakamaau'anga Lahi 'i he ngaahi me'a ki tahi. 'Oku fakamatala'i 'i he Lao 'a e mafai 'i he ngaahi me'a ko ia.

17 Lao (Fakatonutonu) ki he Komisoni ki he Konisitutone mo e Fili Fale Alea 2008

'Oku fakatonutonu 'i he Lao 'a e ngaahi lea 'i he hiki faka-Tonga pe ke fakaha 'a e 'uhinga 'o e lea faka-Pilitania 'oku tatau.

18 Lao ki he Sino'i Pa'anga ki he Me'a Fakafokifa 2008

'Oku fokotu'u 'i he Lao ha pa'anga ke 'iloa ko e Sino'i Pa'anga ki he Me'a Fakafokifa 'a ia 'e ngaue'aki 'o fakangatangata pe ki he taumu'a ki hono tuku atu ha tokoni mo e ngaue fakalelei (reconstruction) 'oku vave mo fakahoko lelei hili ha me'a fakafokifa.

19 Lao ki he Mo'ui 'a e Kakai 2008

'Oku fakapapau'i 'i he Lao ni 'e malava 'a Tonga 'o a'usia 'a hono ngaahi tukupa fakavaha'apule'anga ko e memipa fakapule'anga 'i he Ngaahi Tu'utu'uni Fakavaha'apule'anga ki he Mo'ui Lelei 2005 (IHR). Na'e faka'ai'ai 'e he Lao ke faka'ilonga'i mo tali 'e he kau ma'u mafai ki he mo'ui 'i Tonga 'a e ngaahi fakatu'utamaki ki he mo'ui lelei 'a e kakai 'i he taimi ni pea 'i he kaha'u. 'Oku katoi 'i he Lao 'a e ngaahi

fakatu'utamaki lolotonga kae pehe foki ki he malava ke ngaue ki he ngaahi fakatu'utamaki 'oku kamata ke 'asi mo fo'ou 'a ia 'oku 'ikai ke fakakau 'i he Lao ki he Mo'ui 'a e Kakai 1992. 'Oku fetongi 'e he Lao 'a e Lao ki he Mo'ui 'a e Kakai 1992.

20 Lao (Fakapekia) ki he Kolonitini 2008

'Oku fakapekia 'e he Lao ni 'a e Lao ki he Kolonitini (Vahe 77) 'a ia 'oku fakahu ki he Lao ki he Mo'ui 'a e Kakai 2008.

21 Lao (Fakatonutonu) ki he Kau Polisi 2008

'Oku fakalahi 'e he Lao ni 'a e ta'u malolo pau 'o e Kau 'Ofisa Polisi mei he ta'u 55 ki he 60.

22 Lao ki he Mamata mo e Kakau mo e Tofua'a 2008

'Oku fiema'u 'e he Lao ni ke laiseni 'a e pisinisi 'o e mamata mo e kakau mo e tofua'a 'i he Potungaue Takimamata. Ko e ni'ihi ko ia 'oku foaki atu ki ai ha ngaahi laiseni 'i he Lao 'e ngofua ke nau ngaue ko e kau fakahoko ngaue ki he mamata mo e tofua'a pe kaukau mo e tofua'a 'i he Lao.

23 Lao (Fakatonutonu) (Fika 2) ki he Komisoni ki he Konisitutone mo e Fili Fale Alea 2008

'Oku fakatonutonu 'e he Lao ni 'a e Lao ki he Komisoni ki he Konisitutone mo e Fili Fale Alea 2008 ke to'o 'a e fiema'u ke fokotu'u ha Komisiona 'i loto 'i he 'aho 'e fitu (7) mei hono fokotu'u.

TEPILE V

NGAAHI TU'UTU'UNI NA'E FA'U LOLOTONGA 'A E 2008

1 Ngaahi Tu'utu'uni ki he Tukuhau 'Ekisia 2008

'Oku 'omai 'i he ngaahi tu'utu'uni ni 'a e ngaahi me'a fakapule ke fakahoko'aki 'a e tanaki 'o e tukuhau 'ekisia.

2 Ngaahi Tu'utu'uni ki he Tukuhau Pa'anga Hu Mai 2008

'Oku 'omai 'i he ngaahi tu'utu'uni ni 'a e ngaahi me'a fakapule ke fakahoko'aki 'a hono tanaki 'o e tukuhau pa'anga hu mai.

3 Ngaahi Tu'utu'uni ki hono Pule'i 'o e Tute mo e 'Ekisia 2008

'Oku 'omai 'i he ngaahi tu'utu'uni ni 'a e ngaahi me'a fakapule ke fakahoko'aki 'a hono pule'i taau 'a e tanaki 'o e ngaahi tute mo e tukuhau 'ekisia.

4 Ngaahi Tu'utu'uni (Fakatonutonu) ki hono Pule'i 'o e Ngaahi Ngaue Tanaki Pa'anga Hu Mai 2008

'Oku fakatonutonu 'e he ngaahi tu'utu'uni ni 'a e tefito'i tu'utu'uni.

5 Ngaahi Tu'utu'uni ki he Tute 2008

'Oku 'omai 'i he ngaahi tu'utu'uni ni 'a e ngaahi me'a fakapule ke fakahoko'aki 'a hono tanaki 'o e tute.

6 Ngaahi Tu'utu'uni ki he Pule'i 'o e Toutai (Fakatolonga) (Fakatonutonu) 2008

'Oku 'omai 'i he ngaahi tu'utu'uni ni 'a e ngaahi fiema'u fakatekinikale mo fakapule ki he fakatolonga 'o e toutai.

7 Ngaahi Tu'utu'uni ki he Pule'i 'o e Toutai (Ngaohi mo Hu Atu) 2008

'Oku 'omai 'i he ngaahi tu'utu'uni ni 'a e ngaahi fiema'u fakatekinikale mo fakapule ki hono ngaohi mo hu atu 'a e toutai.

8 Ngaahi Tu'utu'uni (Totongi Ngaue ki he Pasese) (Fakapekia) ki he Fefolau'aki Vakapuna Sivile 2008

'Oku fakapekia 'i he ngaahi tu'utu'uni ni 'a e tefito'i tu'utu'uni koe'uhi ke faka'asi 'a e ngaahi founga tanaki pa'anga hu mai fo'ou ki he ngaahi mala'e vakapuna kuo liliu fakakomesiale.

9 Ngaahi Tu'utu'uni ki he Folau Vakapuna Sivile (Totongi Tau'anga Me'alele 'i Mala'e Vakapuna) (Fakapekia) 2008

'Oku fakapekia 'i he ngaahi tu'utu'uni ni 'a e tefito'i tu'utu'uni koe'uhi ke faka'asi 'a e ngaahi founga tanaki pa'anga hu mai fo'ou ki he ngaahi mala'e vakapuna kuo liliu fakakomesiale.

10 Ngaahi Tu'utu'uni ki he Fefolau'aki Vakapuna Sivile (Ngaahi Totongi Mala'e Vakapuna) 2008

'Oku faka'asi 'i he ngaahi tu'utu'uni ni 'a e founga tanaki pa'anga hu mai fo'ou ki he ngaahi mala'e vakapuna liliu fakakomesiale.

11 Ngaahi Tu'utu'uni (Totongi Mala'e Vakapuna mo e Ngaahi Totongi Laiseni) (Fakatonutonu) ki he Fefolau'aki Vakapuna Sivile 2008

'Oku fakatonutonu 'i he ngaahi tu'utu'uni ni 'a e tefito'i tu'utu'uni fekau'aki mo e ngaahi totongi mala'e vakapuna mo e laiseni koe'uhi ke ngaue'aki 'a e founga tanaki pa'anga hu mai fo'ou ki he ngaahi mala'e vakapuna liliu fakakomesiale.