

Made at Nuku'alofa this 14<sup>th</sup> day of December 2023.

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**Hon. Fekitamoeloa K. 'Utoikamanu**

**Acting Minister responsible for revenue and customs**

## TONGA GOVERNMENT GAZETTE SUPPLEMENT EXTRAORDINARY

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No.25

14 TH DECMBER

2023.

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### CUSTOMS AND EXCISE MANAGEMENT ACT ORDER 2023

**IN EXERCISE** of the powers conferred by section 45 of the Customs and Excise Management Act (Cap 11.03), the Minister responsible for revenue and customs, with the approval of Cabinet, makes the following Order -

- (1) That goods imported into the Kingdom by, or on behalf, or in connection with the following entities, shall be prohibited –
  - (a) a specified entity under sections 4 and 5 of the Counter Terrorism and Transnational Organised Crime Act (Cap 4.03);
  - (b) an organised criminal group under the Counter Terrorism and Transnational Organised Crime Act (Cap 4.03);
  - (c) an organised criminal group or declared criminal organisation within a foreign jurisdiction; or
  - (d) an unlawful society under section 67 of the Criminal Offences Act (Cap 4.04).
  
- (2) For the purposes of this Order, and in addition to the definition of “goods” in the Customs and Excise Management Act (Cap 11.03), “goods” includes –
  - (a) tainted property and terrorist property under the Money Laundering and Proceeds of Crime Act (Cap 4.07) and Counter Terrorism and Transnational Organised Crime Act (Cap 4.03);
  - (b) any property received under section 148 of the Criminal Offences Act (Cap 4.04); and
  - (c) any goods including vehicles, motorcycles, clothing, jewellery or an accessory, that displays the name, emblem, insignia or logo of the entities in paragraph (1), and includes any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with the entity.

**TU‘UTU‘UNILAOKIHONOPULE‘I‘OETUTEMOE‘EKISIA2023**

**‘IHONONGAUE‘AKI** ‘o e ngaahi mafai kuo foaki ‘i he kupu 45 ‘o e Lao ki hono Pule‘i ‘o e Tute mo e ‘Ekisia (Vahe 11.03), ‘oku fa‘u ai ‘e he Minisita ‘oku ne tokangaekina ‘a e tanaki pa‘anga hu mai mo e tute, ‘i he loto ki ai ‘a e Kapineti, ‘a e Tu‘utu‘uni ko ‘eni –

- (1) Ko e ngaahi koloa kuo hu mai ki he Pule‘anga ‘e he, pe ma‘ae, pe ‘oku fekau‘aki mo e ngaahi sino ko eni, kuo pau ke tapui –
  - (a) ha sino kuo fakamahino pau ‘i he kupu 4 mo e 5 ‘o e Lao ki hono Ta‘ofi ‘o e Tautoitoi mo e Fa‘ufa‘u Fai Hia Fakavaha‘apule‘anga (Vahe 4.03);
  - (b) ha kulupu fa‘ufa‘u fai hia ‘i he Lao ki hono Ta‘ofi ‘o e Tautoitoi mo e Fa‘ufa‘u Fai Hia Fakavaha‘apule‘anga (Vahe 4.03);
  - (c) ha kulupu fa‘ufa‘u fai hia pe kautaha fai hia kuo fakaha ‘i loto ‘i ha fonua muli; pe
  - (d) ha sosaieti ta‘efakalao ‘i he kupu 67 ‘o e Lao ki he Ngaahi Hia.
- (2) Ki he ngaahi taumu‘a ‘o e Tu‘utu‘uni ko ‘eni, pea ‘i he tanaki atu ki he faka‘uhinga‘i ‘o e lea “koloa” ‘i he Lao ki hono Pule‘i ‘o e Tute mo e ‘Ekisia (Vahe 11.03), ‘oku kau ki he ‘uhinga ‘o e lea “koloa” –
  - (a) ‘a e ngaahi koloa ngali kākā mo e koloa tautoitoi ‘i he Lao ki hono Fe‘ave‘aki Fakapulipuli ‘o e Pa‘anga Kākā mo e Ngaahi Koloa ‘Oku Ma‘u Mei ha Hia (Vahe 4.07) mo e Lao ki hono Ta‘ofi ‘o e Tautoitoi mo e Fa‘ufa‘u Fai Hia Fakavaha‘apule‘anga (Vahe 4.03);
  - (b) ha koloa ‘oku tali ‘i he kupu 148 ‘o e Lao ki he Ngaahi Hia (Vahe 4.04); mo
  - (c) ha ngaahi koloa ‘oku kau ki ai ‘a e ngaahi saliate misini, ngaahi motopaiki, vala, siueli pe ko ha naunau teuteu (accessory), ‘a ia ‘oku hā ai ‘a e hingoa, sila, faka‘ilonga (insignia) pe faka‘ilonga (logo) ‘o e ngaahi sino 2 ‘i he palakalafi (1), pea kau ai ha fa‘ahinga fakatātā, faka‘ilonga, lea fakanounou, hingoa fakanounou pe ha founga tohi kehe ‘oku ne fakaha ai ‘a e memipa ‘i he, pe kaunga ki he sino.

Na‘e fakahoko ‘i Nuku‘alofa ‘i he ‘aho 14 ni ‘o Tisema 2023.

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**Hon. Fekitamoelea K. ‘Utoikamanu**

**Minisita Le‘ole‘o ‘oku ne tokangaekina ‘a e tanaki pa‘anga hu mai mo e tute**

**BY AUTHORITY:**

Lotomo‘ua Faleafa Tu‘ungafasi, CEO, Tonga Post Ltd.  
2023.

