



Tonga

BUILDING CONTROL AND STANDARDS REGULATIONS

Chapter 22.02.1

2016 Revised Edition



BUILDING CONTROL AND STANDARDS REGULATIONS

Arrangement of Regulations

Regulation

PART I - PRELIMINARY		7
1	Short title	7
2	Interpretation	7
3	Written communication	8
PART II - OPERATION OF THE BUILDING CONTROL DIVISION		8
4	Application for a building permit	8
5	Exemptions	9
6	Evidence of compliance	9
7	Consultation with Referral Authorities	9
8	Provision for supervision on behalf of the Applicant	10
9	Documents to be signed	10
10	Documents filed	10
11	Issue of a building permit	10
12	Reasons for decisions	11
13	Refusal to issue a building permit	11
14	Effect of building permit	11
15	Security deposits	11
16	Assessment of proposed work	12
17	Deviation from permitted work	12
18	Currency of building permits	12
19	Inspection	13
20	Stop-work notices	13

21	Remedial action	13
22	Inspection on completion of work	14
23	Certificate of completion.....	14
24	Display of Certificate of Completion.....	14
25	Certificate of completion not representation of compliance	14
26	Other certificates, registration, license or permits	14
27	Condition of use or occupancy	15

PART III - GENERAL SAFETY PROVISIONS **15**

28	General requirements for building work	15
29	Application for permission to use public places	15
30	Supporting documents	15
31	Consultation with Government Departments	16
32	Further details needed	16
33	Approval.....	16
34	Direction of occupants to safe exits in emergency	16

PART IV - CHANGE IN THE USE OF EXISTING BUILDINGS **16**

35	Change of use	16
36	Application for Certificate for Change of Use	16
37	Issuance of Certificate for Change of Use.....	17
38	Display of Certificate for Change of Use.....	17
39	Non-issuance of certificate.....	17

PART V - DELEGATION OF FUNCTIONS OF THE BUILDING CONTROLLER **17**

40	Delegation of functions of the Building Controller	17
41	Matters to take into consideration.....	17

PART VI - DEMOLITION **18**

42	Voluntary demolition	18
43	Consideration of Application	18
44	Issuance of certificate	18
45	Demolition permit not required	18
46	Demolition Notice	19
47	Content of Demolition Notice	19
48	Failure to carry out work.....	19
49	Imminent danger to public	19
50	Danger not imminent	20

PART VII - THE AUTHORITY **20**

51	Appointment.....	20
52	Resignation, removal and replacement	20
53	Advisory Body.....	21

54	Meetings of the Authority	21
55	Disqualify on conflict of interest	21
56	Resolutions by circulation	21
57	Effects and notice of requests	22
58	Examination and amendment	22
59	Allowances	22

PART VIII - APPEALS **22**

60	Determination and cost of appeals	22
----	---	----

SCHEDULE 1 **24**

BUILDING PERMIT APPLICATION	24
-----------------------------------	----

SCHEDULE 2 **26**

DETAILS OF SUPERVISION ON BEHALF OF APPLICANT	26
---	----

SCHEDULE 3 **27**

BUILDING PERMIT	27
-----------------------	----

SCHEDULE 4 **29**

FEES	29
------------	----

SCHEDULE 5 **31**

STOP-WORK NOTICE	31
------------------------	----

SCHEDULE 6 **32**

CERTIFICATE OF COMPLETION	32
---------------------------------	----

SCHEDULE 7 **33**

APPLICATION FOR PERMISSION TO USE PUBLIC PLACES	33
---	----

SCHEDULE 8 **34**

PERMISSION TO USE PUBLIC PLACES	34
---------------------------------------	----

SCHEDULE 9 **35**

APPLICATION FOR CERTIFICATE FOR CHANGE OF USE 35

SCHEDULE 10 **36**

CERTIFICATE FOR CHANGE OF USE 36

SCHEDULE 11 **37**

APPLICATION FOR DEMOLITION PERMIT 37

SCHEDULE 12 **38**

DEMOLITION PERMIT 38

SCHEDULE 13 **39**

DEMOLITION NOTICE 39



BUILDING CONTROL AND STANDARDS REGULATIONS

Made under section 19 of the Building Control and Standards Act¹

Commencement [17th October 2005]

PART I - PRELIMINARY

1 Short title

These Regulations may be cited as the Building Control and Standards Regulations.

2 Interpretation

In these Regulations, unless the context otherwise requires —

“**Act**” means the Building Control and Standards Act²;

“**Applicant**” means any person who has the authority and intends to undertake building work and who has requested the Building Controller for any permit or approval under these Regulations;

“**permitted work**” means work for which a building permit has been issued under these Regulations;

“**building work**” includes erecting any building, any preparatory work, “**erection of a building**” and “**permitted work**” as defined in the Act;

“**Referral Authority**” means any one or more of the following authorities —

- (a) Minister responsible for Fire Services;

- (b) Minister of Lands, Survey and Natural Resources;
- (c) Minister of Health; and
- (d) any other authority required by law to be consulted.

3 Written communication

All orders, notices, applications, requests and such other communication shall be in writing.

PART II - OPERATION OF THE BUILDING CONTROL DIVISION

4 Application for a building permit

- (1) Any person who wishes to erect a building shall apply to the Building Controller in the form prescribed in Schedule 1 with the proof of payment of the appropriate building permit fee prescribed in Schedule 4.
- (2) The Building Controller may require the following documents —
 - (a) a certified copy of the deed of grant or deed of lease of land;
 - (b) a site plan drawn to scale to —
 - (i) enable the Building Controller to locate the site and to assess the layout of the site in relation to the streets, public places, private access ways, location of nearby power poles and power cables and immediate surroundings; and
 - (ii) show details of water supply to the buildings;
 - (c) complete working drawings showing details of —
 - (i) the structure;
 - (ii) plumbing;
 - (iii) electrical works; and
 - (iv) earthworks;
 - (d) complete architectural drawings showing —
 - (i) the layout of all the rooms with their intended use;
 - (ii) fire exits; and
 - (iii) escape routes;
 - (e) a summary of the structural design criteria used such as wind, seismic and other design loading and properties of materials, as well as the assumptions made in performing the design;
 - (f) structural design calculations and diagrams;

- (g) fire engineering calculations and assumptions, based on test reports or reports from well recognised authorities;
 - (h) test reports on the materials and methods of construction as well as on the relevant soil properties at the site; and
 - (i) detailed specifications for carrying out the work.
- (3) Except as otherwise approved by the Building Controller the plans and drawings in sub-regulation (2) shall be to the following sizes and scales —
- (a) site plan to A3 or A4 size and scale to 1:200;
 - (b) structural and architectural drawings to A1, A2 or A3 size and to a scale of 1:100 for layout and 1:20 for details; and
 - (c) details shall be shown to a larger scale in the plans and drawings as may be required by the Building Controller.
- (4) The Building Controller may require that a site plan be certified by a qualified land surveyor.

5 Exemptions

An Applicant may be exempted from the provisions of these Regulations and the Code where there is satisfactory evidence that such exemption does not have substantial adverse effects on the users of the building or the public:

Provided that any request under this regulation for exemption from or variation of specific provisions of the Code shall be referred by the Building Controller to the Authority.

6 Evidence of compliance

- (1) The Applicant shall provide satisfactory evidence to the Building Controller that the building work will comply with the performance requirements of the Code.
- (2) All documents attached to the building application shall be submitted in triplicate:

Provided that the Building Controller may require the submission of further copies for submission to Referral Authorities.

7 Consultation with Referral Authorities

- (1) The Building Controller shall refer the application to a Referral Authority where —
- (a) he deems the Referral Authority to have an interest and responsibility; or
 - (b) it is required by law.

- (2) The Referral Authority shall be deemed to have consented to the application if its comments are not received by the Building Controller within 10 working days:

Provided that the Referral Authority may apply for an extension of time not exceeding a period of one month.

8 Provision for supervision on behalf of the Applicant

The Building Controller may require that an application under regulation 4(1) be accompanied by details of supervision on behalf of the Applicant as prescribed in Schedule 2.

9 Documents to be signed

All applications shall be signed by the Applicant and each supporting document shall be signed on each page by the person responsible for its preparation.

10 Documents filed

- (1) One copy of the documents lodged under regulations 4 and 6 shall be retained by the Division.
- (2) Where a building permit is issued —
 - (a) two copies of the documents connected with the application under regulation 4(1) shall be returned to the Applicant; and
 - (b) the Applicant shall keep one copy of the documents at the building site during construction and make them available to the Building Controller during his inspections.
- (3) The building permit issued shall be *prima facie* evidence of compliance with the requirements of these Regulations.
- (4) Any of the documents retained by the Division under this regulation shall be made available to the public for examination within the premises of the office of the Building Controller on payment of the fee prescribed in Schedule 4.
- (5) Documents retained under this regulation shall be kept either in electronic or written form by the Division for at least the life of the building plus a minimum period of 7 years.

11 Issue of a building permit

- (1) The Building Controller shall issue a building permit in the form prescribed in Schedule 3 within 21 days of receipt of the application or any required supplementary documentation where he is satisfied that —

- (a) the application under regulation 4(1) and the documents comply with these Regulations;
- (b) the proposed building work complies with the requirements of the Code; and
- (c) all Referral Authorities to which the Building Controller has referred the application have consented:

Provided that the Building Controller may delay the issue of a building permit beyond the limit under these Regulations, and shall give reasons for the delay within 5 days of receipt of the application and all documents under regulations 4 and 6.

- (2) The Building Controller may issue a building permit with conditions.

12 Reasons for decisions

- (1) The Building Controller shall have due regard to the safety, health, and amenity of the users of the building and of the public before reaching a decision.
- (2) The Building Controller shall give written reasons for his decision.

13 Refusal to issue a building permit

- (1) The Building Controller may refuse to issue a building permit if he considers that —
 - (a) the information given is inadequate;
 - (b) the proposed building work does not comply with the Code;
 - (c) a Referral Authority has objected to the issuing of a building permit; or
 - (d) any other legal requirement has not been complied with.
- (2) The Building Controller shall advise the Applicant of his refusal with written reasons within 21 days after the last date of receipt of the application and any required documents under regulations 4 and 6.

14 Effect of building permit

A building permit shall allow a building work to proceed on the site, in accordance with the conditions of the permit.

15 Security deposits

The Building Controller shall —

- (a) require the Applicant to deposit a sum of money as security where he considers the building work may cause damage to any Government property;
- (b) require the Applicant to pay additional sums of money where it appears that any damage under this regulation may exceed the amount of money deposited as security; and
- (c) refund any unspent sum paid under this regulation within 90 days of completion of the permitted work.

16 Assessment of proposed work

The Building Controller may —

- (a) assess any application to determine the complexity of the proposed building work; and
- (b) require the Applicant to provide certification from qualified independent consultants that such work complies with the provisions of the Code.

17 Deviation from permitted work

- (1) No deviation or omission shall be made from the approved documents during the execution of the work after a building permit has been issued, unless —
 - (a) amended particulars clearly describing the intended deviation or omission have been submitted to the Building Controller; and
 - (b) the Building Controller has approved the amendment.
- (2) Documents used for the purpose of sub-regulation (1), shall be subject to regulation 10.

18 Currency of building permits

- (1) Subject to these regulations —
 - (a) permitted work shall commence within one year of the date of issue of the building permit;
 - (b) permits for buildings classified as Class 1 or Class 10 as defined under Part A3 of the Code are valid for 2 years from the date of approval unless the permit is renewed in accordance with sub-regulation (2); or
 - (c) permits for all other classes of buildings under Part A3 of the Code are valid for 3 years from the date of approval unless the permit is renewed in accordance with sub-regulation (2).
- (2) An application to renew a building permit shall be made to the Building Controller with evidence that the fee prescribed in Schedule 4 has been paid before the validity of the permit has lapsed.

- (3) The maximum period of each renewal shall be one year.

19 Inspection

- (1) An Applicant shall give 36 hours notice of the following being available for inspection —
 - (a) excavation for foundations in final form before concrete, steel or other construction material placed in the foundation;
 - (b) reinforcing steel, foundation bolts and any other construction material placed in the foundation, and before they are embedded in concrete or other construction material;
 - (c) all framing materials, whether load-bearing or not, prior to covering with other materials;
 - (d) plumbing and sanitary work before such work is covered over by earthwork, concrete or other construction material;
 - (e) any other part or stage of work that the Building Controller may require with prior notice.
- (2) Where the Building Controller suspects on reasonable grounds that the Applicant has contravened these Regulations or the Code he may require the Applicant to open, cut into, demolish or otherwise reveal any work.
- (3) The Applicant shall comply forthwith with any requirements under sub-regulation (2) and bear all costs.

20 Stop-work notices

- (1) The Building Controller may serve notice on the Applicant in the form prescribed in Schedule 5 to stop the permitted work where he is satisfied that the work contravenes these Regulations or the Code.
- (2) Where the work is stopped, neither the Applicant nor any other person shall have any claim against the Division or any of its officers.

21 Remedial action

- (1) The Building Controller shall require and inform in writing any person who owns any completed building which is damaged or deteriorated other than Class 1 as defined under Part A3 of the Code, to carry out remedial action.
- (2) Where remedial action is required, the Building Controller shall re-inspect the work upon receipt of notice that the remedial work has been completed.

22 Inspection on completion of work

- (1) The Applicant shall give notice to the Building Controller upon completion of any permitted work.
- (2) The Applicant shall provide evidence to the Building Controller that the fee prescribed in Schedule 4 have been paid.
- (3) In the case of large works, notice under sub-regulation (1) may, with the prior agreement of the Building Controller, be given progressively in separate well-defined portions of the work.
- (4) The Building Controller shall inspect the work or portions of the work within 7 days of receipt of the notice and determine whether the building work complies with these Regulations and the Code.

23 Certificate of completion

- (1) The Building Controller shall issue a certificate of completion where he is satisfied in an inspection under regulation 22(4) that the building work complies with these Regulations.
- (2) A certificate of completion under sub-regulation (1) shall be in the form set out in Schedule 6 in duplicate and the original copy shall be sent to the Applicant within 7 days of the inspection.

24 Display of Certificate of Completion

The Building Controller shall nominate in writing a location where a copy of the certificate of completion shall be prominently displayed in a building classified under class 3, 5, 6, 7, 8 or 9 of the Code.

25 Certificate of completion not representation of compliance

A certificate of completion shall not constitute a representation by the Building Controller that the work complies with —

- (a) these Regulations or the Code in any respect that would reasonably have been apparent from the inspection under regulation 22(4); or
- (b) any other existing law.

26 Other certificates, registration, license or permits

The issuance of a certificate of completion shall not exempt an Applicant from obtaining any other certificate, registration, licence or permit required under any other laws.

27 Condition of use or occupancy

A person shall not use or occupy a building or any part of it where —

- (a) a certificate of completion has not been issued; or
- (b) the purpose of occupancy is contrary to the purpose stated in the certificate of completion.

PART III - GENERAL SAFETY PROVISIONS**28 General requirements for building work**

- (1) A person who uses a public place for the purposes of this Part shall be responsible for providing the necessary safeguards to protect the members of the public from any danger.
- (2) An Applicant shall take all necessary precautions during the validity of a building permit to ensure the safety and health of all persons who have access to the site, adjoining allotments and public places.

29 Application for permission to use public places

A person who —

- (a) has been granted a building permit to carry out work adjacent to a public place; and
- (b) needs to enclose or use a public place in carrying out his work, shall apply to the Building Controller for permission to use the public place in the form prescribed in Schedule 7 and pay the fee prescribed in Schedule 4.

30 Supporting documents

The application for permission to use public places shall be accompanied by —

- (a) details for the consideration of public safety, convenience, and any likely property damage;
- (b) details of the notices, warning devices, screens, scaffold or barricades that the Applicant undertakes to provide in order to ensure public safety and convenience and to prevent any likely damage to property;
- (c) the estimated time and duration over which the public place will be affected; and
- (d) the details of the public liability insurance policy that the Applicant agrees to take before permission can be given.

31 Consultation with Government Departments

The Building Controller, in considering the application under regulation 29 shall —

- (a) consult relevant Government departments in whose jurisdiction the public safety, convenience, and likely property damage may rest; and
- (b) have due regard for public safety, convenience, and any likely property damage.

32 Further details needed

Upon receipt of an application, the Building Controller shall advise in writing the Applicant where further details are needed.

33 Approval

The Building Controller shall grant approval in the form prescribed in Schedule 8 where the Applicant has —

- (a) submitted all details required under regulation 30; and
- (b) provided evidence of a valid insurance policy to cover liability.

34 Direction of occupants to safe exits in emergency

Any person in charge of the use of a building shall assign one or more of his employees to be responsible for directing the occupants of a building to safe exits in the case of an emergency.

PART IV - CHANGE IN THE USE OF EXISTING BUILDINGS**35 Change of use**

A person shall not change the use of a building unless a certificate for change of use in the form prescribed in Schedule 10 for the proposed new use has been obtained from the Building Controller.

36 Application for Certificate for Change of Use

Any person who intends to change the use of a building shall —

- (a) complete the application in the form prescribed in Schedule 9;
- (b) pay the fee prescribed in Schedule 4; and
- (c) provide any further details needed by the Building Controller.

37 Issuance of Certificate for Change of Use

The Building Controller shall issue a certificate for change of use where —

- (a) he is satisfied that the proposed new use will not endanger the safety and health of the public or of the users of the building; and
- (b) the fee prescribed in Schedule 4 has been paid

38 Display of Certificate for Change of Use

The Building Controller shall nominate in writing a location where a copy of the certificate for change of use shall be prominently displayed when the building is classified as class 3, 5, 6, 7, 8 or 9 of the Code.

39 Non-issuance of certificate

- (1) The Building Controller shall not issue a certificate for change of use unless he is satisfied that the building complies with the requirements of the proposed new use.
- (2) The Building Controller shall advise the Applicant in writing of the reasons why he shall not issue a certificate for change of use.

PART V - DELEGATION OF FUNCTIONS OF THE BUILDING CONTROLLER

40 Delegation of functions of the Building Controller

The Building Controller shall, for the purposes of determining a particular matter where it is reasonably necessary to exercise specialist professional skills and judgement that he does not possess —

- (a) delegate to a qualified person the powers, duties, authorities, and jurisdiction of the Building Controller that are relevant to the specialised aspects of that particular matter; or
- (b) follow the procedure for the acceptance of design and construction given in Part A2 of the Code.

41 Matters to take into consideration

The Building Controller when examining an application under these Regulations shall consider the following —

- (a) established principles of engineering, building design, construction and good trade practices;

- (b) whether any material or proprietary products not specifically covered under the Code have established records of satisfactory performance in their intended use over a considerable time; or
- (c) whether the manufacturer has —
 - (i) specifically designated them for the intended use;
 - (ii) supplied to their potential users clear and adequate technical information on their relevant properties, method of installation and the intended use; and
 - (iii) provided to the Building Controller relevant test information and assessments of their performance in the intended use, by an authority acceptable to the Building Controller.

PART VI - DEMOLITION

42 Voluntary demolition

A person who wants to demolish or pull down a building or part of a building shall apply in the form prescribed in Schedule 11 to the Building Controller with details of the method proposed, safety precautions that will be taken, and precautions against nuisance and pollution.

43 Consideration of Application

Where the Building Controller is considering an application for a demolition permit he may request from the Applicant —

- (a) any further documents; or
- (b) any appropriate additions and alterations to his proposal.

44 Issuance of certificate

The Building Controller shall examine the application with all the supporting documents and if he is satisfied that the demolition will not endanger safety or health or create any undue nuisance or pollution, he shall issue a demolition permit in the form prescribed in Schedule 12.

45 Demolition permit not required

A demolition permit shall not be required where —

- (a) the building area to be demolished does not exceed 10 square metres and no other demolition of the building has occurred within a period of 2 years;

- (b) it is a non-habitable outbuilding of 15 square metres or less;
- (c) it is a traditional Tongan building such as a fale of 25 square metres or less and built substantially using traditional methods and materials; or
- (d) it is a structure such as a mast or antenna of less than 15 metres height; or
- (e) it is a fence, retaining wall or free-standing wall or the like less than three metres in height.

46 Demolition Notice

The Building Controller shall, where a building is being erected or has been erected without a building permit, serve a demolition notice in the form prescribed in Schedule 13 on the owner of the building.

47 Content of Demolition Notice

A demolition notice shall order the owner of the building to stop forthwith any use or occupancy and further work on the building and either —

- (a) apply in the form prescribed in Schedule 1 for a building permit and pay the fee prescribed in Schedule 4;
- (b) provide any further details required by these Regulations; or
- (c) demolish the building within the period specified in the notice.

48 Failure to carry out work

Where any person has failed to —

- (a) lodge an application for a building permit or pay the prescribed fees; or
- (b) comply with a demolition notice within 5 days of receiving it,

the Building Controller shall take steps to demolish the building, within the period stated in the notice to demolish, at the risk and expense of the owner.

49 Imminent danger to public

- (1) The Building Controller may declare any structures associated with a building whether erected before or after the Act, to be dangerous where it does not comply with any provisions of the Code concerning safety.
- (2) The Building Controller shall —
 - (a) declare a structure as dangerous under sub-regulation (1) to be imminent if it relates to the safety of the public; and
 - (b) forthwith arrange for its immediate demolition.

- (3) The Building Controller shall treat the cost and associated expenses of such demolition as a debt due.

50 Danger not imminent

- (1) The Building Controller shall, where the dangerous structure declared under regulation 49(1) is not imminent, serve a notice in the form prescribed in Schedule 13 on the owner of the structure requiring him to demolish the structure within 15 working days of receipt of the demolition notice.
- (2) The Building Controller shall treat a non-imminent dangerous structure as imminent where demolition has not been completed within the period stated in a demolition notice under regulation 46.

PART VII - THE AUTHORITY

51 Appointment

- (1) The Minister shall, with the consent of Cabinet —
 - (a) appoint a chairman from the members of the Authority appointed under the Act; and
 - (b) appoint a secretary on such terms and conditions as he deems appropriate.
- (2)
 - (a) Members of the Authority shall hold office for a term of 3 years.
 - (b) The Minister may, with the consent of Cabinet, re-appoint a member of the Authority at the expiry of his term of office.

52 Resignation, removal and replacement

- (1) A member of the Authority may resign from office by giving notice in writing to the Minister.
- (2) The Minister may, with the consent of Cabinet, remove a member who is —
 - (a) insolvent;
 - (b) convicted of a criminal offence punishable by imprisonment for more than 2 years;
 - (c) certified by a registered medical practitioner and verified by the Director of Health as mentally incapable of fulfilling his duties; or
 - (d) convicted of any offence under the Act or these Regulations.

- (3) The Minister may, with the consent of Cabinet, appoint a person to replace a member of the Authority who —
 - (a) dies;
 - (b) resigns; or
 - (c) is removed from office.

53 Advisory Body

The Authority may appoint competent persons to constitute an Advisory Body to deal with matters submitted to the Authority that require detailed technical vetting.

54 Meetings of the Authority

- (1) The chairman shall preside at every meeting of the Authority, and in his absence the members present shall appoint one of their members to act as chairman of that meeting.
- (2) The chairman has a deliberative vote and in the event of an equality of votes, also has a casting vote.
- (3) The quorum of every meeting of the Authority shall be three.
- (4) The majority decision shall prevail.
- (5) Decisions of the Authority shall record —
 - (a) the reasons for those decisions; and
 - (b) any contrary view to the decision of the majority.

55 Disqualify on conflict of interest

Any member of the Authority who has a personal or financial interest in any matter coming before the Authority shall —

- (a) declare that interest to the chairman; and
- (b) take no further part in the deliberations on that matter.

56 Resolutions by circulation

- (1) A resolution by circulation signed by a majority of the Authority shall be deemed to have been duly passed at a meeting of the Authority.
- (2) Decisions of the Authority by circulation shall record —
 - (a) the reasons for those decisions; and
 - (b) any contrary view to the decision of the majority.

57 Effects and notice of requests

- (1) The Building Controller shall report to the Authority where there have been 4 or more Applicants exempted within a 12-month period from a particular provision of these Regulations or Code.
- (2) The Authority shall —
 - (a) consider the detailed implications of such requests on the practicality of the subject provisions of the Code; and
 - (b) examine whether there is a need to alter or delete the provisions.

58 Examination and amendment

- (1) The Authority shall periodically examine the operation of the Code and these Regulations to determine if any provisions —
 - (a) allow sub-standard work to be done on buildings; or
 - (b) adversely affect the safety, health or amenity of the public and of the users of the building.
- (2) Any proposed amendment to the Code or these Regulations determined by the Authority due to examinations under these Regulations shall consider —
 - (a) the safety, health and amenity of the public and users of the building; and
 - (b) implications on other provisions of the Code and these Regulations.

59 Allowances

The Minister may, with the approval of Cabinet, determine remuneration for members of the Authority.

PART VIII - APPEALS**60 Determination and cost of appeals**

- (1) Appeals sent to the Authority or the Minister shall be lodged within 28 days from the date of the decision and accompanied by a non-refundable fee of \$50.
- (2) Any evidence called by the Authority under section 16(2) of the Act shall be given within the period required by the Authority.
- (3) All costs relating to an appeal may be awarded in the cause of the proceedings to the successful party.

SCHEDULE 1

BUILDING PERMIT APPLICATION

SCHEDULE 1
TEPILE 1

(Regulation 4(1) and 47(a))
(Tu'utu'uni 4(1) mo e 47(a))

BUILDING PERMIT APPLICATION
TOHI KOLE HA FAKANGOFUA KE LANGA

The Building Controller
Pule Langa
Building Control Division
Va'a 'o e Pule Langa
Ministry of Works
Potungae Ngaue
P.O. Box 52
Pala 52
NUKU'ALOEFA

Dear Sir,
Tangata'auki,

I of
Ko au (Applicant) 'o (address)
(Taba kole) (tu'asifa)

apply for a permit to construct/alter
'oku ou tohi kole ki ha ngofua ke langa'ilili

(brief description of building and use or occupancy)
(fakamatala nousemu 'o e fale mo hono ngaue'aki pe nofo'i)

Owner's Name Postal Address
Hingoa 'o e taba 'o'aua Pala meili

Site Details
Ngaahi Fakaiiki 'o e Fetu'u ni'u'anga

Road Name Village
Hingoa 'o e Hala Kole

Lot No. Plan of Subdivision Deed Folio No.
Fika 'o e Konga Palani 'o e Vate Si'i Tohi fakamo'osi mo'u 'api Fika Fofio

Island District
Motu Vahafosua

*I attach 3 of the following details for your reference-
*Oku ou 'asii fakatala mo e tatau 'e 3 'o e ngaahi fakaiiki 'o e ngaahi me'a ni ki ha'o fetu'u.

- (a) Locality plan and site plan.
Palani 'o e fetu'u mo e palani 'o e fetu'u ni'u'anga.
- (b) Working drawings showing details of structure, plumbing, electrical work and earthworks.
Ngaahi maape ngaue fakaiiki ai 'a e ngaahi fakamatala 'o e fa'anga, ngaue fakapalana, ngaue fakatulu mo e ngaahi ngaue ki he kehekehe.
- (c) Architectural drawings including the use of each room.
Ngaahi maape faka'akiteki ki he langa fale kav ai mo e taumu'a hono ngaue'aki 'o e foki takihaha.
- (d) Structural design method used.
Ngaahi ni'u'anga na'e ngaue'aki ki hono nisani 'o e fa'anga.
- (e) Design calculations and diagrams.
Ngaahi fika'i mo e ngaahi fakarata 'o e nisani.
- (f) Fire engineering calculations.
Ngaahi fika'i faka'nisani ki he vela.
- (g) Test reports and certificates.
Ngaahi lipositi si'i mo e tabi fakamo'osi.

(h) Specifications.
Ngaahi tu'utu'uni paa.

*Delete as appropriate
 *Tamate'i ki he'ene totu

My builder is (Complete if known)
 Ko 'eku taba langa ko (Fakafomu kapuu 'oku 'ilo'i)

(name and address)
 (hingoa mo e tu'asila)

as is the holder of Ministry of Labour, Commerce and Industries Trade Licence No.
 pea ko e taha ia 'oku ze ma'u 'a e *Laiseni Fefakatau'aki* 'a e Potunglue Ngilue 'a e Kaka'i, Fefakatau'aki
 mo e Ngaahi Ngilue'anga Fika

Cost of Building Work \$..... Building Permit Fee \$..... Receipt No.
Mahu'inga 'o eNgau'e Langa 5 Totongi 'o e fakangofua ke langa 5 Fika 'o e Talitotongi

Yours faithfully
 Faka'apa'apa atu.

(Signature of Applicant)
 (Fakamo'oni hingoa 'o e Taha kole)

...../...../20.....
 (Date)
 ('Aho)

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa pe kuo paa ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia nana 'oku totomu 'i loto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 2

DETAILS OF SUPERVISION ON BEHALF OF APPLICANT

SCHEDULE 2
TEPILE 2

(Regulation 8)
(Tu'utu'uni 8)

DETAILS OF SUPERVISION ON BEHALF OF APPLICANT

NGAAHI FAKAIKIKI 'O E TOKANGA'I 'O E NGAUE MA'A E TAHA KOLE

The Building Controller
Pule Langa
Building Control Division
Va'u 'o e Pule Langa
Ministry of Works
Potungane Ngaue
P.O. Box 52
Paha 52
NUKU'ALOE

Dear Sir,
Tangata'eiki,

With reference to my application dated.....
'O fakau'aki mo 'oku tohi kole 'i he 'aho

for building.....
ki he fale (brief description of building)
(fakamatala monou 'o e fale)

Located at
Tu'u 'i

Road Name..... Village.....
Hingoa 'o e fale *Kolo*

Lot No..... Plan of Subdivision..... Deed..... Folio No.....
Fika 'o e Kongo *Palani 'o e Vaha Si'i* *Tahi fakano'oni ma'u 'api* *Fika Felo*

Island..... District.....
Motu *Vaholevua*

I have arranged for the following person to supervise and direct the work on my behalf:
Kao u 'osi fakou'utu'u ki he tokotaha 'oku hu 'i lalo ke ne tokanga' mo fakamohino 'a e ngaue ma'aku:

Name and Address.....
Hingoa mo e Tu'asifa

Position.....
Tu'onga ngaue

Qualifications.....
Ngaahi poto'i ngaue

Experience.....
Taoket ngaue

I undertake to carry out all lawful instructions given by you and your officers to
'Oku ou fakapapari ke fakahoko 'a e ngaahi n'utu'uni fakalao kotoa pe 'oku ke 'omai pea mo ho'oku kau 'ofisa kua

.....
(name and position)
(hingoa mo e tu'u'anga)

as if they are instructions given by you to me.
'o hange pe hu tu'utu'uni kuo fakahoko mai 'e koe kua au.

Yours faithfully,
Faka'apa'apa au,

.....
(Signature of Applicant)
(Fakano'oni Hingoa 'o e Taha kole)

..... 20
(Date)
('Aho)

SCHEDULE 3

BUILDING PERMIT

SCHEDULE 3

TEPILE 3

(Regulation 11(1))

(Tu'utu'uni 11(1))

BUILDING PERMIT

TOHI FAKANGOFUA KE LANGA

Permit No.: _____ Date of Issue: _____
 Fika 'o e Tohi Fakangofua: _____ 'Aho Fosiki

Construction must commence before _____
 Kuo pau ki he langa ke kamata kimu'a 'i

To: _____
 Kia: _____

Dear Sir/Madam
 Tangata'eiki/Fine'eiki

Please refer to your building permit application dated _____ supporting documents provided by you, and further correspondence between us. You are hereby permitted to erect on the land described as *Kataki 'o vakai hifo ki ho'o tohi kole fakangofua ke langa 'i he 'aho* _____ *ngaahi tohi ngaue puupou na'a ke 'oma'i, mo e to e ngaahi fetohi'aki 'i hoto va. Ko ia ai 'oku fakangofua koe ke ke fokotu'u 'i he konga kekekele 'oku fakamatala' i koe*

Road Name: _____ Village: _____
 Hingoa 'o e Hala Kolo

Lot No. _____ Plan of Subdivision _____ Deed _____ Folio No. _____
 Fika 'o e Konga Palani 'o e Vafe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island _____ District _____
 Mea Vahefonua

The following structure _____ for use as _____ Class _____
 'A e fa'unga ni ke ngaue'aki ki he Kalasi

CONDITIONS OF THIS PERMIT
NGAAHI TU'UTU'UNI 'O E TOHI FAKANGOFUA NI

1. You shall erect the building to the complete detail shown on the documents as finally approved by me and conforming to all the relevant requirements of the Building Control and Standards Act 2002, the Building Control and Standards Regulations 2005 and the National Building Code of the Kingdom of Tonga.
Kuo pau ke ke fokotu'u 'a e fale 'o fakatatau ki he fakamatala kotoa kuo fakaha 'i he ngaahi tohi ngaue 'a ia na'e fakangofua fakamaimui taha 'e au pea miumui ki he ngaahi fiema'u 'a e Lao ke Pale'i mo Tu'utu'uni ha Ngaahi Tu'unga ki he Langa Fale 2002, Ngaahi Tu'utu'uni ki he Pale'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 pea mo e Tu'utu'uni Fakafonua 'o e Langa Fale 'a e Pale'anga Tonga.
2. In case you intend to make any change to the approved details or to the intended use or occupancy of the building, you are required to have my prior approval.
'I he taimi 'oku ke taumu'a ai ke fai ha filu ki he ngaahi fikaikiiki kuo fakangofua pe ki he taumu'a ki hono ngaue'aki pe nofo'i 'o e fale, 'oku fiema'u ke ke mu'aki ma'u ha'aku fakangofua.
3. This building permit will expire at the end of 12 months from the date of issue unless work is on the site before the end of 12 months from the date of issue.
Ko e tohi fakangofua ke langa ko 'eni 'e 'osi hono 'aonga hafi 'a e mahina 'e 12 mei he 'aho na'e fosiki ai toki kehe kapau ko e ngaue kuo 'osi kamata 'i he fetu'u tu'utanga kimu'a he 'osi 'a e mahina 'e 12 mei he 'aho na'e fosiki ai.
4. A building permit shall be deemed to include the following conditions-
Kuo pau ki he tohi fakangofua ke langa ke pehe 'oku fakakau atu ki ai 'a e ngaahi tu'unga ko 'eni-

- (a) that the Building Controller is entitled during normal working hours, and at other times when the permitted work is in progress, to enter the premises and inspect the whole or any part of the work; and
'oku fakamafai'i 'a e Pule Langa lolotonga 'a e houa ngaue angamaheni, pea mo ha to e taimi kehe pe 'i he taimi 'oku fakahoko ai 'a e ngaue, ke ne hu ki he loto 'api mo sivi fakakatoa pe ha fa'ahinga konga 'o e ngaue; pea
- (b) that the Applicant, his contractors and workers engaged in carrying out the permitted work shall provide all assistance required for the inspection of the work.
kuo pau ki he Taha kole mo 'ene kau ngaue aicapani mo 'ene kau ngaue 'oku nau kau 'i hono fakahoko 'o e ngaue kuo fakangofua kenau 'oatu 'a e tokoni kotoa pe 'oku fiema'u ki hono fakahoko 'o e sivi 'o e ngaue.

OTHER CONDITIONS

Ngaahi Tu'utu'uni kehe

Enclosed are two copies of the documents connected with your application and approved by me with alterations as required. One copy shall be maintained by you at the building site and shall be available during my inspections.

'Oku 'oatu fakataha heni 'a e tatau 'e ua 'o e ngaahi tohi ngaue fekau'aki mo ho'o tohi kole pea fakangofua 'e au mo ha ngaahi liliu 'a ia na'e fiema'u. Kuo pau ki he tatau 'e taha ke tauhi 'e koe 'i he feitu'u tu'u'anga 'o e langa pea kuo pau ke ala ma'u lolotonga 'eku ngaahi taimi sivi.

Yours faithfully
Faka'apa'apa atu,

Building Controller
Pule Langa

SCHEDULE 4

FEES

SCHEDULE 4
TEPILÉ 4

(Regulations 4(1), 10(5), 15(1), 18(2), 22(2), 29, 37(2)(b) and 47(a))
(Ngaahi Tu'utu'uni 4(1), 10(5), 15(1), 18(2), 22(2), 29, 37(2)(b) and 47(a))

FEES
NGAAHI TOTONGI

The following shall be the fees for applications and requests made to the Building Controller.
Kuo pau ko e totongi 'o e ngaahi tohi kole mo e ngaahi kole 'oku fai ki he Pule Langa 'oku hii 'i Jalo.

<p>1. Regulation 4(1) Building permit fee <i>Tu'utu'uni 4(1) Totongi ki he Fakangofua ke Langa</i></p>	
<p>(a) Classes 1, 2, 4 and 10 buildings and structures the floor area of which can be measured. <i>Ko e Kalasi 1, 2, 4 mo e 10 ko e ngaahi fale mo e ngaahi fa'anga 'a ia ko e 'elia 'a hono faliki 'o ala lava 'o faa</i></p>	<p>Up to 50 square metres \$ 10.00 <i>A'u ki he sikua mita 'e 50 \$ 10.00</i></p> <p>From 51 to 75 square metres \$ 20.00 <i>Mei he sikua mita 'e 51 ki he 75 \$ 20.00</i></p> <p>From 76 to 130 square metres \$ 50.00 <i>Mei he sikua mita 'e 76 ki he 130 \$ 50.00</i></p> <p>From 131 to 200 square metres \$100.00 <i>Mei he sikua mita 'e 131 ki he 200 \$100.00</i></p> <p>Over 200 square metres \$100.00 plus \$1 per square metre in excess of 200 square metres <i>Huhu hake 'i he sikua mita 'e 200 \$100.00 tanaki ki ia 'e \$1 ki he sikua mita takitaha 'o huhu hake mei he sikua mita 'e 200</i></p>
<p>(b) Class 10 structures, which require a building permit and which cannot be measured by floor area, such as retaining walls and fences. <i>Ngaahi fa'anga Kalasi 10, 'a ia 'oku fiema'u ha fakangofua ke langa pau 'a ia ko e 'elia 'o e faliki 'e 'ikai lava 'o faa, 'o hango ko e ngaahi folisi ta'ofi mo e ngaahi 'aa</i></p> <p>- water tanks and solar water heaters <i>'a tangike vai mo e 'a hita vai 'aki e ivi mei he la'u</i></p> <p>- fences, antenna, swimming pool, masts or the like <i>ngaahi 'aa, 'antenna, vai kankau, faava pe hano tatau</i></p>	<p>\$2 per square metre of vertical face area <i>\$2 ki he sikua mita 'o e 'elia hango mai</i></p> <p>Exempt from fees <i>Faka'ata mei he ngaahi totongi</i></p> <p>\$10.00 <i>\$10.00</i></p>
<p>(c) Class 3 buildings <i>Ngaahi Fale Kalasi 3</i></p>	<p>\$4 per square metre of the total floor area of the buildings <i>\$4 ki he sikua mita 'o e fakafatou 'o e 'elia 'o e faliki 'o e ngaahi fale</i></p>
<p>(d) Class 5, 6, 7, 8 and 9 buildings <i>Ngaahi Fale Kalasi 5, 6, 7, 8 mo e 9</i></p>	<p>\$5 per square metre of the total floor area of the buildings <i>\$5 ki he sikua mita takitaha 'o e 'elia kotoa 'o e faliki 'o e fale</i></p>

Notes
Fakamatala

- The classifications of buildings correspond to the Code classification.
Ko e fakakafakalasi 'o e ngaahi 'oku hou mo e fakakafakalasi 'i he Tu'utu'uni Langa.
 - Total floor area of a building means the sum of the floor areas of all the storeys in the building measured externally.
Ko e fakafatou 'o e 'elia 'o e faliki 'o ha fale 'oku 'uhinga ki he katou 'o e 'elia 'o e faliki 'o e 'u fangavaka kotoa 'i hono fua 'o e fale 'i tu'a.
2. Regulation 10(4)-Fee for examination to documents
Tu'utu'uni 10(4)-Totongi ki hono sivi 'o e ngaahi tohi ngaue
- The fee for the examination of documents under sub-regulation 10(4) shall be 10 percent of the building permit fee paid for the building concerned, subject to a minimum of \$10.
Kuopau ko e totongi ki hono sivi 'o e ngaahi tohi ngaue 'i he tu'utu'uni si'i 10(4) ko e peseti 'e 10 'o e totongi 'o e fakangofua ke langa ki he fale ko ia, fakatatau ki he totongi si'isi'i taha ko e \$10.

3. Regulation 18(2)-Application to renew a building permit
Tu'utu'uni 18(2)-Tobi kole ke fakafu'ou 'o ha tohi fakangofua ke langa
The fee for the renewal of a building permit shall be 20 percent of the fee that was paid to get the permit originally.
Kuo pau ko e totongi ki hono fakafu'ou 'o ha tohi fakangofua ke langa ko e peseti 'e 20 'o e totongi na'e totongi ke ma'u 'aki 'a e fuofua tohi fakangofua ke langa.
4. Regulation 22-Request for inspection of the completion of work
Tu'utu'uni 22-Kole ke sivi 'a e ngaue kuo lava kakato
The fee for the inspection of a building or work shall be 10 percent of the fee paid for the building under regulation 4(1), subject to a minimum of \$10 for each inspection.
Kuopau ko e totongi ki hono sivi 'o ha fale pe ngaue ko e peseti 'e 10 'o e totongi na'e totongi ki he fale 'i he tu'utu'uni 4(1), fakatata ki he totongi si'isi'i taha ko e \$10 ki he sivi takitaha.
5. Regulation 29-Permission to use public places
Tu'utu'uni 29-Fakangofua ke ngaue'aki 'a e ngaahi feitu'u fakapule'anga
The fee shall be \$100 for each application.
Kuopau ko e totongi ko e \$100 ki he tohi kole takitaha.
6. Regulation 37-Application for certificate for change of use
Tu'utu'uni 37-Tobi kole ki ha tohi fakamo'oni liliu hono ngaue'aki
The fee shall be 20 percent of the building permit fee under regulation 4(1) for the building concerned as if it was being built for the proposed new use.
Kuopau ko e totongi ko e peseti 'e 20 'o e totongi ki he fakangofua ke langa 'i he tu'utu'uni 4(1) ki he fale ko ia 'o hange pe 'oku langa ki he taumu'a fo'ou 'oku fokotu'u atu.
7. Regulation 47(a)-Application for a building permit resulting from a demolition notice
Tu'utu'uni 47(a)-Tobi kole ki ha tohi fakangofua ke langa ko e ola 'o e tohi fakaha holoki
The fee accompanying an application for a building permit which has resulted from the service of a demolition notice under section 14 of the Act shall be four times the corresponding fee that would otherwise be applicable against item one of this Schedule under Regulation 4(1).
Ko e totongi 'oku 'oatu fakataha mo ha tohi kole ki ha tohi fakangofua ke langa 'a ia ko e tupu mei hano 'oatu 'o ha tohi fakaha holoki 'i he kupu 14 'o e Lao kuo pua ke lūanga fa 'a e totongi fehoanaki 'e ala ngauefaki ki he me'a 'uhaki 'oku ha 'i he tepile ko 'eni 'i he Tu'utu'uni 4(1).

SCHEDULE 5

STOP-WORK NOTICE

SCHEDULE 5
TEPILE 5

(Regulation 20(1))
(Tu'utu'uni 20(1))

STOP-WORK NOTICE
TOHI FAKAHA TA'OFF NGAUE

To: _____
Kia: _____
Date: _____
'Alo

Dear Sir/Madam
Tungata'eiki/Fine'eiki

Reference: _____
Fika: _____

I have been informed that the work you are carrying out on the land located at
Kuo fakaboko mai kiate au ke e ngau 'oku lolotonga fakaboko 'i he konga kekelele 'oku tu'u 'i

Road Name _____ Village _____
Hingoa 'o e Hala _____ Kolo _____

Lot No. _____ Plan of Subdivision _____ Deed _____ Folio No. _____
Fika 'o e Konga _____ Palani 'o e Vate Ni' _____ Tohi fakama'uni ma'u 'api _____ Fika Poto _____

Island _____ District _____
Motu _____ Vaheloma _____

does not comply with the Building Control and Standards Act 2002, the building Control and Standards Regulations 2005 and the National Building Code. I understand that -
'oku 'ikai fakama'uni ki he Loto ki he Pote'i mo e Ngaahi Tu'utu'uni 'i e Langa Fale 2002, Ngaahi Tu'utu'uni ki he Pote'i mo e Ngaahi Tu'utu'uni 'o e Langa Fale 2005 pea mo e Tu'utu'uni Langa Fakafanua. 'Oku au matuhia'i ko e-

Therefore I instruct you under regulation 20 to stop work forthwith to the extent
Ko ia ai 'oku au tu'utu'uni kiate koe 'i he tu'utu'uni 20 ko ta'off feva 'a e ngau 'i he taimi ni pe ki au

for a period of _____
vaha'a taimi ko e

During the period that the work is stopped under this notice you shall submit
Lolotonga 'a e vaha'a taimi 'oku ta'off ai 'a e ngau 'i he tohi fakaha ni, kuo pua ke ke 'omai

On receipt of these details you may be allowed to resume work on the condition that you shall meet all of the relevant requirements of the Building Control and Standards Regulations 2005 and the National Building Code. 'I hovo ma'u 'a e ngaahi fakafanua ko 'eni, 'e ngofia ke to e hoko au 'a e ngau 'i he tu'utu'uni ke ke fakaboko kotoa 'a e ngaahi kotoa 'a e ngaahi kotoa 'a e Ngaahi Tu'utu'uni ki he Pote'i mo e Ngaahi Tu'utu'uni 'i e Langa Fale 2005 pea mo e Tu'utu'uni Langa Fakafanua.

Yours faithfully
Faka'apa'apa atu

Building Controller
Pala Langa

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONGONGO: Ko e Taha Kofu kotoa 'oku 'i ai 'ese totou ke tangi fakama'uni mo ha tu'utu'uni 'i e Pule Langa pe ko e Ma'u Mafai kuo fakaboko 'i he Ngaahi Tu'utu'uni ki he Pote'i mo e Ngaahi Tu'utu'uni 'o e Langa Fale 2005. Ko e tangi kotoa kuo pua ke 'omai ki he Ma'u Mafai pe ko e Minisitā pe ko fi pe 'a nana 'oku nana 'i loto 'i he 'aho 'e 28 mei he 'aho 'i e tu'utu'uni fakataho mo e ntongi 'e 'ikai fakafanua ko e \$50.

SCHEDULE 6

CERTIFICATE OF COMPLETION

SCHEDULE 6

TEPILE 6

(Regulation 23(2))

(Tu'utu'uoni 23(2))

CERTIFICATE OF COMPLETION

TOHI FAKAMO'ONI 'O E LAVA KAKATO

To:
 Kia: Certificate No.
 Tohi Fakamo'oni Fika
 Date
 'Aho

Dear Sir/Malam
 Tangata'ohi/Pine'ohi

Reference: Building Permit No.
 Fika Tohi Fakamo'oni ke Langa Fika

I have inspected situated at
 Kuo u ahi 'a he 'oku tu'a 'i

(brief description of building)
 (fakamatala ma'uoa 'o e fale)

Road Name Village
 Hingoa 'o e Hale Kolo

Lot No. Plan of Subdivision Deed Folio No.
 Fika 'o e Kōnga Palani 'o e Vaha S'i Tohi fakamo'oni tu'a 'api Fika Felo

Island District
 Mata Vaherōma

on I have determined within the limitations imposed by the completed nature of
 'i he (insert date) Kuo u fakapapō'i 'i he tohi 'i he ngāhi fakamo'oni tu'a 'api 'i he matale
 (fakamo'oni 'a e 'aho)

the work and of my responsibilities, that the building complies with the Building Control and Standards Regulations
 2005 and the National Building Code.

'o e ngāhi kuo lava kakato pea mo heka ngāhi fatongia, ko e Langa 'oku fa'apa ki he Ngāhi Tu'utu'uoni ki
 he Pule' i mo e Ngāhi Tu'anga 'o e Langa Fale 2005 pea mo e Tu'utu'uoni Langa Fakamo'oni.

Part of Building Konga 'o e Fale	Permitted Use Ngāhi'aki kuo fakamo'oni	Class Kalasi
Allowable Floor Loading* Ua 'e malava 'e he fakā'i*	Number of people deemed accommodated* Tokofahi 'o e kakai 'oku fa'apa nofo'i*	

Part of Building Konga 'o e Fale	Permitted Use Ngāhi'aki kuo fakamo'oni	Class Kalasi
Allowable Floor Loading* Ua 'e malava 'o he fakā'i*	Number of people deemed accommodated* Tokofahi 'o e kakai 'oku fa'apa nofo'i*	

*Not required for Classes 1, 2, 4 or 10
 *Bai'ōma'u ki he kalasi 1, 2, 4 pe 10

You shall not use or occupy nor allow nor suffer any other person to use or occupy the building for any other
 purpose than what is permitted by the classification given in this certificate.
 Kuo pua ki 'ou tu'a ki ngāhi'aki pe nofo' i pe fakamo'oni pe nuku ha to e tokofahi ke ngāhi pe nofo' 'a e
 fale ki ha to e fa'ahinga tau'u'a kehe kehe he mo'a 'oku fakamo'oni 'i he fakakalafasi 'oku 'ou'u 'i he tohi
 fakamo'oni ni.

If any change in use is contemplated, you are required to submit an application under regulation 36 of the Building
 Control and Standards Regulations 2005 for my consideration.

'I ha to e fa'ahinga hō'u 'oku fakakalafasi, 'oku hōma'u koe ke ke 'oua ha tohi kōle 'i he tu'utu'uoni 36 'o
 e Ngāhi Tu'utu'uoni ki he Pule' i mo e Ngāhi Tu'anga 'o e Langa Fale 2005 keu vakai.

Where the building is either of Class 3, 5, 6, 7, 8 or 9 this certificate will be prominently displayed at
 'I he taeni 'oku kalasi 3, 5, 6, 7, 8 pe 9 'a e fale, ko e tohi fakamo'oni ni kuo pua ke fakaha ma'hiro 'i he

(specify location in the building)
 (fakaha ha tu'utanga 'i he fale)

Yours faithfully
 Fika'ape'ape auu

Building Controller
 Pule Langa

SCHEDULE 7

APPLICATION FOR PERMISSION TO USE PUBLIC PLACES

SCHEDULE 7
TEMPLE 7

(Regulation 29)
(Tu'utu'uni 29)

APPLICATION FOR PERMISSION TO USE PUBLIC PLACES

TOHI KOLE FAKANGOPUA KE NGAU'AKI 'A E NGAARI FITU'U FAKAPULE'ANGA

To: The Building Controller
 Kia: Pule Langa
 Building Control Division
 Va'a 'o e Pule Langa
 Ministry of Works
 Potungatu Ngata
 P.O. Box 52
 Pula 52
 SIKU'ALOFA

Dear Sir
 Tangata'eiki

Reference: Building Permit No. _____
 Fika: Tohi Fakangofua ke Langa Fika

The following work is in "progress/proposed" at _____ at
 Ki e ngata ni 'oku fotonuga fakaboko/fokou'u au _____

Road Name: _____ Village: _____
 Hingoa 'o e Hale _____ Kolo _____

Lot No. _____ Plan of Subdivision _____ Deed _____ Plot No. _____
 Fika 'o e Konga _____ Palani 'o e Vaha Si'i _____ Tohi fakamo'oni ma'u 'api _____ Fika Fole _____

Island _____ District _____
 Mota _____ Vaka'ofu _____

Details of work: _____
 Ngaahi fakakiki 'o e ngata _____

Permit No. (if applicable): _____
 Fika Ngofua ('o ke ma'u) _____

In order to carry out the work there is a need to use the public "place/road/street known
 Koe'ahi ke mafua 'o fakahoko 'a e ngata 'oku 'i ai 'a e fima'u ke ngaue'aki 'a e 'fetu'u'hala'hala koto koto
 fakapule'anga 'oku 'ifua _____

as _____ for the period from _____ to _____
 ko _____ ki he vaha'a nima' mei he _____ ki he _____

The reasons for this request are:-
 Ko e ngaahi 'uhinga ki he kofu ar ko e: _____

I enclose the following details and undertakings for your reference and consideration:-
 'Oku 'outu fakataha mo e fahi ni 'a e ngaahi fakamatala mo e ngaahi ma'a ko fai ki ai he 'o vakar mo fa'o fakakaukau _____

I request permission under regulation 29 of the Building Control and Standards Regulations 2005 for my proposal.
 'Oku ou kole ha ngofua 'i he tu'utu'uni 29 'o e Ngaahi Tu'utu'uni ki he Pule' mo e Ngaahi Tu'anga 'o e Langa
 Fale 2005 ki he'oku fotonu' ma'e fai atu _____

Yours faithfully
 Fika'api'api atu _____

_____, /_____, /20_____
 (Signature of Applicant) (Date)
 (Fakamo'oni Hingoa 'o e Taha Kole) (Aho)

Application Fee \$ _____ Receipt No. _____
 Totongi 'o e Tohi Kole \$ _____ Fika 'o e Tali Tonongi _____

*Delete as appropriate
 *Tamate'i ki he'ene nonu _____

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority
 made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority
 or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable
 fee of \$50.

FIANONGONONGO: Ko e Taha kole kotoa 'oku 'i ar 'ene totongi ke tangi fakau'aki mo ha tu'utu'uni 'a e Pule
 Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule' mo e Ngaahi Tu'anga 'o e Langa
 Fale 2005. Ko e tangi kotoa kao paa ke 'outu ki he Ma'u Mafai pe ko e Minista pe ko fe pe 'o nana 'oku totongi 'i koto
 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'a 'aku fakafiki ko e \$50.

SCHEDULE 8

PERMISSION TO USE PUBLIC PLACES

SCHEDULE 8

TEPILI 8

(Regulation 33)

(Tā'ou'ou 33)

PERMISSION TO USE PUBLIC PLACES

FAKANGOFUA KE NGAUE'AKI 'A E NGA'AH FEITU'U FAKAPULE'ANGA

To:

Kiā:

Date:

'Aho

Dear Sir/Madam,
Tangata'epi/Tine'epi

Reference: Building Permit No.

Fika: Tohi Fakangofua ke Langa Fika

Please refer to your application dated..... regarding the use of.....
Kataki 'e vakai ki ho'u tohi kote 'i he 'aho fakau'aki mo hono ngau'aki 'e

from..... to.....
mei he ki he

(date) (date)
'aho) 'aho)

Permission is hereby granted to your request following consideration that:-
'Oku fiasiki atu hea' he ngofua ki ho'u kote hōi 'a e fakakauka:

(a) You have deposited \$..... as security against
Kao ke tpositi 'a e \$..... ko ha mah'i mei he

(b)

(c) You have taken public liability insurance to a cover of
Kao ke ma'u ho'o mah'i ki he ho'ua ki he lahi ko e

\$..... with.....
'he

(insert value of insurance policy) (insert name of insurance company)
(fakahu 'a e mahi'inga 'o e mah'i) (fakahu hinga'ou 'o e kamaha mahi'i)

for the period for which permission is required.
ki he vaha'a hami 'a ia 'e fitema'u ki ai 'a e ngofua.

(d) You have undertaken to:-
Kao ke fakapau ke:-

- (i)
- (ii)
- (iii)
- (iv)

This permission is valid unless if any of your undertakings are not fulfilled or if the insurance policy lapses.
Ko e ngofua ki 'au 'e 'au 'a hea' 'aunga 'o kapau ko e taha 'a e ngashi me'a na'a ke fakapau ki ai 'oku
'ikai ke fakakaha' pe 'o kapau kuo ka'e'aonga 'a e fongua mah'i.

Yours faithfully
Faka'apa'apa au

.....
Building Controller
Pofe Langa

SCHEDULE 9

APPLICATION FOR CERTIFICATE FOR CHANGE OF USE

SCHEDULE 9

TEPILI 9

(Regulation 36)

(Tu'utu'uni 36)

APPLICATION FOR CERTIFICATE FOR CHANGE OF USE

TOHI KOLE KI HA TOHI FAKAMO'ONI LILJU HONO NGAUE'AKI

To: The Building Controller
 Kia: Pule Langa
 Building Control Division
 Va'a 'o e Pule Langa
 Ministry of Works
 Potungau Ngau
 P.O. Box 52
 Pula 52
 NUKU'ALOE'A

Date:.....
 'Aho:

Dear Sir
 Tangata'aki

The building to the following particulars is currently used for:.....
 Ko e fale 'i he ngaahi fakafiki 'oku fa 'i fale 'oku lolotonga ngaue'aki ki he

Title Description
 Fakamatala' 'o e Hingoa

Address
 Tu'asila

I hereby request a certificate for change of use of the building to.....
 'Oku ou kole kiate koe ke fakakauka' ange 'a e lifu hono ngaue'aki 'o e fale ki he

In support of my request I enclose the following particulars:
 Ke posupu ki he'oku kole, 'oku 'aua heni 'a e ngaahi me'a ni:

- (a)
- (b)
- (c)
- (d)

Yours faithfully
 Faka'apa'apa au

.....
 (Signature of Applicant)
 (Fakamo'oni Hingoa 'o e Taha Kole)

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of 550.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totou ke tangi fakafiki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Matai kuo fakasoko 'i he Ngaahi Tu'utu'uni ki he Pule' mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pua ke 'oua ki he Ma'u Matai pe ko e Minista pe ko he 'a nasa 'oku totou 'i koto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafiki ko e 550.

SCHEDULE 10

CERTIFICATE FOR CHANGE OF USE

SCHEDULE 10

TEPILÉ 10

(Regulation 37)

(Tu'omau 37)

CERTIFICATE FOR CHANGE OF USE
TOHI FAKAMO'ONI LILIU HONO NGAUE'AKI

To:
 Kia:
 Certificate No.
 Tohi Fakamo'oni Fika
 Date
 'Aho

Dear Sir/Madam
Tangata'eki/Fine'eki

Please refer to your Application dated..... for a certificate for change of use in
 Katakai 'o vakai ki ho'u tohi kolo 'i he 'aho *ki ha tohi fakamo'oni ke lilii hono ngaue'aki 'i he'ene*
 relation to..... located at
felave'i mo e *'a la 'oku na'u 'i*

Road Name..... Village.....
Hingoa 'o e Hala *Kolo*

Lot No. Plan of Subdivision Deed..... Folio No.
Fika 'o e Konga *Palani 'o e Vabe-Si'i* *Tohi fakamo'oni ma'u 'api* *Fika Fole*

Island..... District.....
Metu *Vahefonua*

I hereby authorise you to use the building or part of the building for the following purposes:
'Oku ou fakangofua heni koe ke ke ngaue'aki 'a e fale pe ha konga 'o e fale ki he ngaahi taumu'a ko 'eni

Part of Building..... <i>Konga 'o e Fale</i>	Permitted Use..... <i>Ngaue'aki kuo fakangofua</i>	Class..... <i>Kalasi</i>
Allowable Floor Loading*..... <i>Ua 'e mafava 'e he faliki*</i>	Number of people deemed accommodated* <i>Tokolahi 'o e kakai 'oku lau temau nofo'i*</i>	

Part of Building..... <i>Konga 'o e Fale</i>	Permitted Use..... <i>Ngaue'aki kuo fakangofua</i>	Class..... <i>Kalasi</i>
Allowable Floor Loading*..... <i>Ua 'e mafava 'e he faliki*</i>	Number of people deemed accommodated* <i>Tokolahi 'o e kakai 'oku lau temau nofo'i*</i>	

Where the building is either of Class 3, 5, 6, 7, 8 or 9 this certificate will be prominently displayed at
'I ha kalasi 3, 5, 6, 7, 8 pe 9 'a e fale, ko e tohi fakamo'oni ko 'eni 'e fakabaha mahino 'i

.....
 (specify location in the building)
(fakaha ha tu'u'anga 'i he fale)

Yours faithfully
Faka'apa'apa' atu

 Building Controller
Pule Langa

SCHEDULE 11

APPLICATION FOR DEMOLITION PERMIT

SCHEDULE 11
TEPILE 11

(Regulation 42)
(Tu'utu'uni 42)

APPLICATION FOR DEMOLITION PERMIT

TOHI KOLE KI HA TOHI FAKANGOFUA KE HOLOKI

To: The Building Controller
Kia: Pule Langa
Building Control Division
Va'a 'o e Pule Langa
Ministry of Works
Potungane Ngane
P.O. Box 52
Pula 52
SUKU'ALOEFA

Date:.....
'Aho:.....

Dear Sir
Tangata'eki

I hereby request a Demolition Permit in order to demolish.....
'Oku ou kole kiate koe ke ke fosa'i mai ha tohi fakangofua ke holo'ki ke lava ai ke holo'ki 'a e
(description of building)
(fakamatala ki he fale)

located at
'oku ni'a 'i

Road Name..... Village.....
Hingoa 'o e Hala..... *Kolo*

Lot No..... Plan of Subdivision..... Deed..... Folio No.....
Fika 'o e Konga..... *Palani 'o e Vahe Si'i*..... *Tohi fakamo'oni ma'u 'api*..... *Fika Fole*

Island..... District.....
Motu..... *Vahefonua*

I undertake to take precautions according to the following details:
'Oku ou fakapapa ke fakahoko 'a e ngaahi ngaue tokanga 'o fakatatau ki he ngaahi fakamatala ni:
.....
.....

Yours faithfully
Faka'apa'apa au

.....
(Signature of Applicant)
(Fakamo'oni Hingoa 'o e Taha Kole)

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotosa 'uku 'i ai 'ene totomu ke nangi fakatatau ki he Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule 'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e nangi kotosa kuo pua ke 'outa ki he Ma'u Mafai pe ko e Minista pe ko ke pe 'ia nana 'uku totomu 'i lotu 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakatatau mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 12
DEMOLITION PERMIT

SCHEDULE 12
TEPILE 12
(Regulation 44)
(Tu'utu'uni 44)

DEMOLITION PERMIT
TOHI FAKANGOFUA KE HOLOKI

To:
Kia:
Permit No.
Ngofua Fika
Date
'Aho

Dear Sir/Madam
Tangata'eiki/Fine'eiki

Please refer to your Application dated... for the demolition of...
Kataki 'o vakai ki ho'o tohi kole 'i he 'aho ki hono holoki 'o e

located at
'oku tu'u 'i

Road Name... Village...
Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed Folio No.
Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island... District...
Motu Vahefonua

You are hereby permitted to demolish the building by the method proposed by you and as approved by me subject to the following conditions:
'Oku fakangofua heni ke ke holoki 'a e fale 'i he founga na'a ke fokotu'u mai pea kuo u fakangofua 'o fakatatau ki he ngaahi tu'unga ko 'eni:

You shall take all of the agreed precautions.
Kuo pau ke ke fakaboko kotoa 'a e ngaahi ngaue tokanga na'e fai ki ai 'a e felotoi.

Yours faithfully
Faka'apa'apa atu

Building Controller
Pule Langa

SCHEDULE 13
DEMOLITION NOTICE

SCHEDULE 13
TEPILE 13

(Regulation 46, 50(1))
(Tu'utu'uni 46, 50(1))

DEMOLITION NOTICE
TOHI FAKAHA KE HOLOKI

To:
Kia:
.....
.....

Notice No.
Tohi Fakaha Fika

Date
'Aho

Dear Sir/Madam
Tangata'eiki/Fine'eiki

It has come to my attention that:-
'Oku ou fakatokanga'i 'a e:

(a) You have *commenced/erected.....
*Kuo ke *kamata/fokotu'u*

located at
'a ia 'oku tu'u 'i

Road Name..... Village.....
Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
Motu Vahefonua

(b)located at
tu'u 'i

Road Name..... Village.....
Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
Motu Vahefonua

is in a dangerous condition and that you are its owner.
'oku 'i ha tu'unga fakatu'utamaki pea ko e taha koe 'oku 'o'ona

You are hereby required under regulation 46 of the Building Control and Standards Regulations 2005 to stop all work and/or any occupancy forthwith, and-
'Oku fiema'u koe heni 'i he tu'utu'uni 46 'o e Ngaahi Tu'utu'uni ki he Pale'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 ke ta'ofi 'a e ngaue kotoa mo e/pe ha fa'ahinga nofo'i, pea-

- (a) either submit an application for a building permit along with all relevant details and the prescribed fee, within five working days of the date of service of this notice; or
fakahu ha tohi fakangofua ke fakataha mo e ngaahi fakaiiki fe'unga mo e ngaahi totongi 'oku tu'utu'uni 'i loto 'i he 'aho ngaue 'e nima mei he 'aho na'e tufa ai 'a e tohi fakaha ko 'eni; pe
- (b) start to demolish the building taking all necessary precautions within 15 working days of the service of this notice, and complete demolition by the.....day of.....20.....
kamata hono holoki 'a e fale 'o fai 'aki 'a e tokanga kotoa pe 'oku fiema'u 'i loto 'i he 'aho ngaue 'e 15 mei he 'aho na'e tufa ai 'a e tohi fakaha, pea fakakato hono holoki 'i he 'aho0
.....20.....

Unless I receive a satisfactory response from you to this notice, I shall take steps to demolish the building at your entire risk, cost and connected expenses, as well as take any other action available under law.

Tuku kehe ka kuo ma'u ha tali fakafiemalie meia koe ki he tohi fakahaa ni, kuo pau keu fai ha ngaue ke hofoki 'a e fale pea ke fatongia'aki kakato koe ha totongi mo e ngaahi fakamole felave'i, pehe ki hono fakahoko 'o ha toe 'eke kehe 'oku faka'ata 'e he lao.

Yours faithfully (Faka'apa'apa atu)

.....
Building Controller (Pule Langa)

***Delete as appropriate**

***Tamate'i ki he'ene tonu**

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia naua 'oku totomu 'i loto 'i he 'aho 'e 28 me'i he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

ENDNOTES

¹ GS 9/2005

² Cap. 22.02