



Tonga

# **BUSINESS LICENCES REGULATIONS**

**Chapter 40.02.1**

**2016 Revised Edition**





## BUSINESS LICENCES REGULATIONS

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## BUSINESS LICENCES REGULATIONS<sup>1</sup>

*IN EXERCISE of the powers conferred by section 23 of the Business Licences Act 2002, the Minister with the consent of Cabinet hereby makes the following regulations -*

Commencement [7 January 2013]<sup>2</sup>

### 1 Short title, commencement

- (1) These regulations may be cited as the Business Licences Regulations.
- (2) These regulations shall come into force on the same date that the Business Licences (Amendment) Act 2012 comes into force.

### 2 Interpretation

In these regulations, unless the context otherwise requires –

“**access information**” means information assigned for the purpose of maintaining the integrity of the registry (for example, passwords, access number, user Ids, and “**PINs**”);

“**Act**” means the Business Licences Act 2002 as amended;

“**application**” means an application for a business licence made under section 7 of the Act and “**applicant**” shall have a corresponding meaning;

“**authorized user**” means a person who has log-on access to the registry;

“**online service**” means a service provided by, or on behalf of, the Registrar that allows documents to be registered, delivered, sent, or forwarded to the Registrar by means of the internet.

**3 Application for Business Licence**

- (1) An application for a business licence shall be accompanied with the correct fee as prescribed in Schedule 1 and be –
  - (a) made in the form prescribed in Form 1 of Schedule 3 and delivered to the Registrar in person or by post if submitted by paper; or
  - (b) submitted to the Registry via an on-line service.
- (2) Where an application is rejected by the Registrar, the Registrar shall advise the applicant in a written communication of the reasons for rejection.
- (3) Upon receipt of an application the Registrar shall cause the applicant to be issued a receipt indicating the date of receipt.

**4 Business activities**

- (1) A business shall only require one business licence for all business activities.
- (2) An application shall list the specific business activities to be engaged in from those listed in Schedule 2 to these regulations.
- (3) One application is sufficient to cover all proposed business activities.
- (4) In the event business activities change over time, the business person shall submit an amendment to the Registrar that depicts the then current business activities.

**5 Issue or refusal of Business Licence**

- (1) Where an application is received pursuant to section 7 of the Act, the Registrar shall within 3 working days either issue the applicant with a business licence or advise the applicant in writing of the statutory grounds for refusing the application.
- (2) A business licence issued shall be in the form prescribed in Form 2 of Schedule 3.
- (3) Where an application is rejected on the specific statutory grounds set out in section 5 of the Act, the application fee shall not be refundable.

**6 Withdrawal of application**

- (1) An application may be withdrawn by written application to the Registrar by the applicant.
- (2) The application fee shall not be refunded where the application is withdrawn.

## 7 Duration of Licence

- (1) A business licence shall have a perpetual duration so long as the business licence holder complies with law and a notice of continued business activity is properly registered.
- (2) A notice of continued business activity shall be submitted annually and be –
  - (a) made in the form prescribed in Form 3 of Schedule 3; and
  - (b) accompanied with the correct notice of business activity fee as prescribed in Schedule 1.
- (3) Upon receipt of a notice of continued business activity together with the proper fee, the Registrar shall register the notice and issue the applicant with a renewed business licence.

## 8 Business Licence Register

- (1) The Registrar shall establish and maintain a Business Licence Register in a format deemed acceptable to Registrar under section 22 of the Act.
- (2) The Business Licence Register shall contain, at a minimum, the following information –
  - (a) business name;
  - (b) licence number;
  - (c) business activity or activities;
  - (d) address or address of the place or places of business;
  - (e) taxpayer identification number;
  - (f) date of issue;
  - (g) a history of all filings under the Act related to the business licence; and
  - (h) such statistical information the Registrar deems appropriate from time to time to collect, which information shall be held as confidential.
- (3) The Business Licence Register shall be available for inspection or copying of entries by the public at least during normal business hours upon payment of the fees prescribed in Schedule 1.
- (4) Where a business licence is cancelled, the Business Licence Register shall contain details of the cancellation.

## 9 Cancellation of Business Licence

Where the Registrar cancels a Business Licence the Registrar –

- (a) shall notify the licensee in a written communication of the reason for the cancellation; and
- (b) the notice shall inform the licensee of its right of appeal.

**10 Appeal to Minister**

- (1) An appeal may be made against a decision made under regulation 3(2), 5(1), 7(3), 9 and 10 and 15(6) and shall be made in writing to the Minister within 14 working days from the date the licensee is given notice of the decision.
- (2) The appeal shall set out the grounds of appeal.
- (3) The Minister shall, within 28 working days of receiving the appeal, consider all relevant information made by the licensee and decide the appeal.
- (4) The Minister shall within 3 working days of the date of deciding the appeal, advise the licensee in a written communication of his decision.

**11 Time cancellation comes into effect**

Where the Registrar cancels a business licence, the cancellation shall not come into effect until the expiry of the time within which an appeal may be made and, if such appeal is duly made, then until that appeal has been finally decided.

**12 Amendment of Register and Licence**

- (1) Where the information contained on the business licence or the Business Licence Register is no longer correct due to a change in circumstances, the licensee shall within 10 working days file an amendment to the business licence, which shall be in the form prescribed in Form 4 of Schedule 3.
- (2) Where the Registrar receives an amendment under sub-regulation (1) that indicates the Business Licence Register contains information that is no longer correct, the Registrar shall amend the Business Licence Register within 7 working days of receiving the notice.
- (3) Where the Registrar receives an amendment under sub-regulation (1) that the Business Licence issued contains information that is no longer correct, the Registrar shall issue the licensee with an amended business licence upon application and payment of the fee prescribed in Schedule 1.
- (4) Where the Registrar amends the Business Licence Register, the Registrar shall within 7 working days of the amendment give notice in writing to the licensee.

**13 Penalties**

- (1) Where a licensee fails to comply with the Act or these Regulations, the Registrar may impose a penalty as prescribed under the Act.
- (2) Where the Registrar imposes a penalty under sub-regulation (1), the Registrar shall advise the licensee in a written communication.



**14 Electronic documents**

- (1) Any person, including any legal entity, foreign legal entity or government agency, may submit documents to the Registrar via an online service in a manner made available by the Registrar.
- (2) If a document is registered, delivered, sent, or forwarded to the Registrar using an online service —
  - (a) an email address for communication with the person who registers, delivers, sends, or forwards the document to the Registrar must be provided with the document; and
  - (b) an email address for communication with the business person must be provided with the document if different from the email address of the person who registers the document.

**15 Authority to use on-line services**

- (1) Any person, including any legal entity, foreign legal entity or government agency, may become an authorized user for the purpose of submitting documents to the Registrar and to arrange for the payment of fees hereunder.
- (2) The Registrar may seek documentation or other evidence from any person that is or seeks to become an authorized user of the on-line services sufficient to authenticate the identity of such person or entity to the reasonable satisfaction of the Registrar.
- (3) There shall be no fee for becoming an authorized user of the on-line services.
- (4) Payments and payment methods for using the on-line service may be made pursuant to procedures announced from time to time by the Registrar.
- (5) In order for an authorized user to have access to make a filing within the registry, the authorized user shall enter the relevant access information. The Registrar is not required to verify that the authorized user is entitled to use the access information entered by the authorized user.
- (6) The Registrar may disclose access information only if —
  - (a) the Registrar is reasonably satisfied that the person to whom the access information is to be disclosed is entitled to the information; and
  - (b) the disclosure of the access information is necessary to facilitate the operation of the registry.
- (7) The format provided by the electronic registry shall be used for all documents submitted via the on-line service.

**16 Business Licences Regulations repeal**

The Business Licences Regulations 2007 is hereby repealed.

**SCHEDULE 1**

(Regulation 3(1), 7(1)(b), 8(3) &amp; 12(3))

**PRESCRIBED FEES**

<b>Item</b>	<b>Activity</b>	<b>Fee (\$TOP)</b>	<b>Due date</b>
1.	Application for Business Licence submitted via paper	\$100.00	Upon submission of application
2	Application for Business Licence submitted via on-line services	\$50.00	Upon submission of application
3	Notice of continuation of business activity submitted via paper	\$50.00	Upon filing
4	Notice of continuation of business activity submitted via on-line services	\$25.00	Upon filing
5	Amendment of Business Licence submitted via paper	\$30.00	Upon filing
6	Amendment of Business Licence submitted via on-line services	\$20.00	Upon filing
7	Inspection of physical Business Licence Register maintained at the Ministry	\$10.00	Prior to inspection
8	Copies from the physical Business Licence Register maintained at the Ministry	\$1.00 per page	Upon providing copies
9	Inspecting an online electronic database that contains the Business Licence Register	No Charge	
10	Certification of a Business Licence Register record	\$100	Upon providing certification
11	Late fee for filing required amendment to business licence	\$100	Upon filing of amendment
12	Late fee for filing Notice of continued business activity	\$50	Upon filing of Notice
13	Reinstatement fee after cancellation of business licence	\$100	Upon reinstatement
14	Cancellation of business licence by licensee	No Charge	Upon filing

**SCHEDULE 2****(Regulation 4(2))****BUSINESS ACTIVITIES**

1. Service
2. Professional Service
3. Manufacturing/ Processing
4. Agriculture
5. Fisheries
6. Entertainment/catering
7. Financial Institutions
8. Retail
9. Distribution (including import, wholesaling and delivery)
10. Liquor Sales
11. Therapeutic Goods Sales
12. Flammable Goods Sales
13. Transportation (non-taxi)
14. Taxi Services
15. Recycling Services
16. Telecommunication
17. Construction
18. Information Technology
19. Tourism
20. Other (please specify)
21. Export and import

**SCHEDULE 3**

**FORMS**

Form 1 | Application for business licence

Section 7, Business Licences Act 2002

For office use only Document number	<input type="text"/>
Place barcode here	

**Note**

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

The information on this form must be either typewritten or printed legibly in **BLOCK** letters.

**1 Business Name**

**2 Details of owners**

Provide the true name and business address of each person or entity that has an ownership or other control interest in the business to be transacted under the business name. If the owner(s) is a natural person, you must provide their true legal name and other pertinent information. If the owner(s) is an entity registered with the Registrar, you must provide the exact registered name and the registration number. If the owner(s) is a partnership or unregistered organization, you must provide the true legal name and address of each partner and managing person.

**Owners that are natural persons**

Full legal name:	Nationality:
Business address:	Gender:
Postal address:	Date of Birth:
Email address:	

Full legal name:	Nationality:
Business address:	Gender:
Postal address:	Date of Birth:
Email address:	

**Business Licences Regulations****Owners that are registered entities in the Kingdom of Tonga**

Exact registered entity name:
Registration number:
Email address

Exact registered entity name:
Registration number:
Email address:

Exact registered entity name:
Registration number:
Email address:

*Email addresses are optional, but by providing an email address you will later be able to use the online filing services.*

If there are more than four natural persons or registered entities that are owners please attach a separate sheet containing the information set out in the prescribed format. All names should be in BLOCK letter format.

**3 Beneficial owners**

Are any owners acting on behalf of third parties?

Yes       No

If “Yes” is checked then attach a separate sheet to this application that explains the relationship between the owner(s) listed on this application and the third party.

**4 Business name ownership structure**

Indicate the ownership structure of the business name registrant as one of the following:

Natural person (individual)

Partnership

Incorporated company

Any other incorporated entity

Other

**Instructions for Item 4**

- If a business name is owned by two or more individuals it is likely the ownership structure is a partnership.
- If a business name is owned by two or more registered entities it is likely the ownership structure is a partnership.
- If a business name is owned by both a natural person and a registered entity, it is likely the ownership structure is a partnership.
- If a business name is owned by a single incorporate company then that entity type is the owner.

**5 Ownership Composition**

Majority male owned

Majority female owned

Equally male and female owned

Publicly traded entity that does not track gender

**6 Addresses**

**Principal place of business**

This is the primary address at which business is conducted. It must be a specific street/location. A PO Box is not allowed.

Island Group:

**Additional places where business is conducted**

Island Group:

Island Group:

*If there are more than three additional locations at which business will be conducted please attach a separate sheet containing the information set out in the prescribed format. All addresses should be in BLOCK letter format.*

**Postal address (if different)**

Postal address to which communications from the Registrar may be sent.

Postal address:
Island Group:

**Email address**

This is the address to which communications from the Registrar will be sent. An email will be required in order to use the on-line filings services.

Email address:
----------------

**7 Business Activity**

The following are the proposed principal activity (ies) of the proposed business (check all that apply):

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Service                  | <input type="checkbox"/> Entertainment/catering | <input type="checkbox"/> Therapeutic Goods Sale    | <input type="checkbox"/> Retail        |
| <input type="checkbox"/> Professional Service     | <input type="checkbox"/> Financial Institution  | <input type="checkbox"/> Flammable Goods Sale      | <input type="checkbox"/> Distribution  |
| <input type="checkbox"/> Manufacturing/Processing | <input type="checkbox"/> Telecommunication      | <input type="checkbox"/> Transportation (non-taxi) | <input type="checkbox"/> Tourism       |
| <input type="checkbox"/> Agriculture              | <input type="checkbox"/> Information Technology | <input type="checkbox"/> Taxis Service             | <input type="checkbox"/> Construction  |
| <input type="checkbox"/> Fisheries                | <input type="checkbox"/> Liquor Sales           | <input type="checkbox"/> Recycling Service         | <input type="checkbox"/> Export/Import |
| <input type="checkbox"/> Other                    |   |  |  |

**8 Sector Specific requirements**

If you are engaged in certain business activities you may be required to obtain other governmental approvals, permits or satisfactory inspection results. The following is a list of business activities that are currently subject to this requirement. By submitting this application for business licence you certify under penalty of law that all such governmental approvals, permits or satisfactory inspection results have been obtained or will be obtained prior to commencing business.

1	Liquor Sales	Liquor Licence from Ministry of Police
2	Fish & Marine Product Related Businesses	Fishing Licence from Fisheries
3	Restaurant & Food Related Businesses	Health Certificate
4	Distribution	Health Certificate

5	Technical Trades & Profession	Qualification documents or practicing certificates specific to each trade or profession.
6	Financial Institution	Letter of approval from the National Reserve Bank of Tonga
7	Electrical Services	Letter of approval from Tonga Electric Power Board (TEPB)
8	Construction Services	Letter of approval from the Ministry of Infrastructure
9	Taxi Services	Vehicle Registration Certificate
10	Therapeutic Goods Outlets	Letter of approval from the Ministry of Health
11	Flammable Goods Outlets	Letter of approval from the Fire Department
12	Services involving the use of Gases	Letter of approval from the Department of Environment
13	Businesses involving Agricultural Products/Plants	Letter of approval from the Ministry of Agriculture, Fisheries & Forestry
14	Recycling Operators	Letter of approval from the Waste Authority

**9 Notice to Foreign Investors Only**

Where the business is a foreign investment business under the Foreign Investment Act 2002, a Foreign Investment Certificate is REQUIRED before issuance of a Business Licence.

**10 Signed by authorised person(s)**

I/We declare the above information is true and complete and that I/We are eligible to hold a business licence under the Act. I/We understand that if it is subsequently discovered that any statement contained herewith is false or misleading, or that relevant information has been withheld, or that I/We are not qualified to hold a business licence, my/our application may be disqualified or, if a Business Licence has been issued, it may be revoked, and that I/We may be subject to prosecution for making a false declaration.

Name:  Signature:

.....

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature:

.....

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /



**Business Licences Regulations**

Name:  Signature: \_\_\_\_\_

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

**11 Lodged by**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Other contact details:**

Telephone:

Email (optional):

**12 Checklist**

The following must accompany this form:

- If there are additional owners that are not able to fit on this form then their names must appear on an attached sheet.
- If there are beneficial owners then their names must appear on an attached sheet.
- The prescribed fee of TOP\$100 (plus 15% Consumption Tax) - Please make cheques payable to 'Registrar of Business Licences'.

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Please deliver documents to: Ministry of Commerce, Tourism and Labour

FORM 2

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**MINISTRY OF COMMERCE, TOURISM & LABOUR**

**BUSINESS LICENCE**

**[Insert Business Name]**

**[Insert business licence number]**

This is to certify that **[insert business name]** was issued a business licence under section 9 of the Business Licences Act on the **[insert date of registration]**.

Address of Principal Place of Business: **[insert address]**

Business Activity for which Licence is issued: **[insert list of activities]**

[insert official stamp]

Registrar of Business Licences

Dated at Nuku'alofa this **[insert date]** day of **[insert month, year]**

**Form 3** | Business licence notice of continued activity  
*Section 10, Business Licences Act*

**Note**

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

The information on this form must be either typewritten or printed legibly in BLOCK letters.

For office use only	<input type="text"/>
Document number	<input type="text"/>
Place barcode here	

**1 Name of business**

**Business licence registration number**

**2 Taxpayer Identification number**

**3 Ownership structure:**

No Change

Pursuant to section 13 of the Business Licences Act a business licence is not transferable. If there has been a change in the ownership structure of a licensee you must obtain a new business licence.

**4 Business Activities** (refer to Schedule 2):

No Change

If there are changes to the business activities from those approved on the existing business licence, provide details below. Please note that certain new activities require approvals from other governmental agencies. All such approvals must be obtained for any additional activities listed here. The following are the current activity (ies) of the business (check all that apply):

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Service                  | <input type="checkbox"/> Entertainment/catering | <input type="checkbox"/> Therapeutic Goods Sale    | <input type="checkbox"/> Retail        |
| <input type="checkbox"/> Professional Service     | <input type="checkbox"/> Financial Institution  | <input type="checkbox"/> Flammable Goods Sale      | <input type="checkbox"/> Distribution  |
| <input type="checkbox"/> Manufacturing/Processing | <input type="checkbox"/> Telecommunication      | <input type="checkbox"/> Transportation (non-taxi) | <input type="checkbox"/> Tourism       |
| <input type="checkbox"/> Agriculture              | <input type="checkbox"/> Information Technology | <input type="checkbox"/> Taxis Service             | <input type="checkbox"/> Construction  |
| <input type="checkbox"/> Fisheries                | <input type="checkbox"/> Liquor Sales           | <input type="checkbox"/> Recycling Service         | <input type="checkbox"/> Export/Import |
| <input type="checkbox"/> Other                    |   |  |  |

**5 Sector Specific requirements**

If you are engaged in certain business activities you may be required to obtain other governmental approvals, permits or satisfactory inspection results. The following is a list of businesses that are currently subject to this requirement. By submitting this business licence annual notice you certify under penalty of law that all such governmental approvals, permits or satisfactory inspection results have been obtained or will be obtained prior to commencing business for any of these activities.

1	Liquor Sales	Liquor Licence from Ministry of Police
2	Fish & Marine Product Related Businesses	Fishing Licence from Fisheries
3	Restaurant & Food Related Businesses	Health Certificate
4	Distribution	Health Certificate
5	Technical Trades & Profession	Qualification documents or practicing certificates specific to each trade or profession.
6	Financial Institution	Letter of approval from the National Reserve Bank of Tonga
7	Electrical Services	Letter of approval from Tonga Electric Power Board (TDPB)
8	Construction Services	Letter of approval from the Ministry of Infrastructure
9	Taxi Services	Vehicle Registration Certificate
10	Therapeutic Goods Outlets	Letter of approval from the Ministry of Health
11	Flammable Goods Outlets	Letter of approval from the Fire Department
12	Services involving the use of Gases	Letter of approval from the Department of Environment
13	Businesses involving Agricultural Products/Plants	Letter of approval from the Ministry of Agriculture, Fisheries & Forestry
14	Recycling Operators	Letter of approval from the Waste Authority

**6 Addresses**

No Change

**Business Licences Regulations**

If there are changes to the addresses related to the business from those listed on the existing business licence, provide details below.

**Principal place of business**

This is the primary address at which business is conducted. It must be a specific street/location. A PO Box is not allowed.

Island Group:

**Additional places where business is conducted**

*If there are more than three additional locations at which business will be conducted please attach a separate sheet containing the information set out in the prescribed format.*

Island Group:

Island Group:

Island Group:

*All addresses should be in BLOCK letter format*

**Postal address (if different)**

Postal address to which communications from the Registrar may be sent.

Postal address:
Island Group:

**Email address**

This is the address to which communications from the Registrar will be sent. An email is **required** in order to use the on-line filing services.

Email address:
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**7 Notice to Foreign Investors Only**

Where the business is a foreign investment business under the Foreign Investment Act, a Foreign Investment Certificate is **REQUIRED** before issuance of a Business Licence.

**8 Signed by authorised person(s)**

I/We declare the above information is true and complete and that I/We are eligible to hold a business licence under the Act. I/We understand that if it is subsequently discovered that any statement contained herewith is false or misleading, or that relevant information has been withheld, or that I/We are not qualified to hold a business licence, my/our application may be disqualified or, if a Business Licence has been issued, it may be revoked, and that I/We may be subject to prosecution for making a false declaration.

Name:  Signature: \_\_\_\_\_

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person Date:  /  /

**9 Lodged by**

Name:   
Address:

**Other contact details:**

Telephone:

Email (optional):

The following must accompany this form:

- The prescribed fee of TOP\$50 (plus 15% Consumption Tax) - Please make cheques payable to '*Registrar of Business Licences*'.

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Please deliver documents to: Ministry of Commerce, Tourism and Labour

Form 4 | Business licence amendment
Section 14, Business Licences Act

Note

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

The information on this form must be either typewritten or printed legibly in BLOCK letters.

For office use only
Document number
Place barcode here

1 Name of business

[Empty box for Name of business]

Business licence registration number

[Empty box for Business licence registration number]

2 OWNERSHIP STRUCTURE:

[ ] No Change

Pursuant to section 13 of the Business Licence Act a business licence is not transferable. If there has been a change in the ownership structure of a licensee you must obtain a new business licence.

3 BUSINESS ACTIVITIES (refer to Schedule 2):

[ ] No Change

If there are changes to the business activities from those approved on the existing business licence, provide details below. Please note that certain new activities require approvals from other governmental agencies. All such approvals must be obtained for any additional activities listed here. The following are the current activity(ies) of the business (check all that apply):

- [ ] Service, [ ] Entertainment/catering, [ ] Therapeutic Goods Sale, [ ] Retail, [ ] Professional Service, [ ] Financial Institution, [ ] Flammable Goods Sale, [ ] Distribution, [ ] Manufacturing/Processing, [ ] Telecommunication, [ ] Transportation (non-taxi), [ ] Tourism, [ ] Agriculture, [ ] Information Technology, [ ] Taxis Service, [ ] Construction, [ ] Fisheries, [ ] Liquor Sales, [ ] Recycling Service, [ ] Export/Import, [ ] Other

4 Sector Specific requirements

If you are engaged in certain business activities you may be required to obtain other governmental approvals, permits or satisfactory inspection results. The following is a



list of business activities that are currently subject to this requirement. By submitting this business licence annual notice you certify under penalty of law that all such governmental approvals, permits or satisfactory inspection results have been obtained or will be obtained prior to commencing business for any of these activities.

1	Liquor Sales	Liquor Licence from Ministry of Police
2	Fish & Marine Product Related Businesses	Fishing Licence from Fisheries
3	Restaurant & Food Related Businesses	Health Certificate
4	Distribution	Health Certificate
5	Technical Trades & Profession	Qualification documents or practicing certificates specific to each trade or profession.
6	Financial Institution	Letter of approval from the National Reserve Bank of Tonga
7	Electrical Services	Letter of approval from Tonga Electric Power Board (TDPB)
8	Construction Services	Letter of approval from the Ministry of Infrastructure
9	Taxi Services	Vehicle Registration Certificate
10	Therapeutic Goods Outlets	Letter of approval from the Ministry of Health
11	Flammable Goods Outlets	Letter of approval from the Fire Department
12	Services involving the use of Gases	Letter of approval from the Department of Environment
13	Businesses involving Agricultural Products/Plants	Letter of approval from the Ministry of Agriculture, Fisheries & Forestry
14	Recycling Operators	Letter of approval from the Waste Authority

## 5 Addresses

No Change

If there are changes to the addresses related to the business from those listed on the existing business licence, provide details below.

### Principal place of business

This is the primary address at which business is conducted. It must be a specific street/location. A PO Box is not allowed.

Island Group:

### Additional places where business is conducted

Island Group:

*If there are more than three additional locations at which business will be conducted please attach a separate sheet containing the information set out in the prescribes format.*

Island Group:

Island Group:

*All addresses should be in BLOCK letter format.*

Island Group:

**Postal address (if different)**

Postal address to which communications from the Registrar may be sent.

Postal address:
Island Group:

**Email address**

This is the address to which communications from the Registrar will be sent. An email is required in order to use the on-line filings services.

Email address:
----------------

**6 Notice to Foreign Investors Only**

Where the business is a foreign investment business under the Foreign Investment Act, a Foreign Investment Certificate is REQUIRED before issuance of a Business Licence.

**7 Signed by authorised person(s)**

I/We declare the above information is true and complete and that I/We are eligible to hold a business licence under the Act. I/We understand that if it is subsequently discovered that any statement contained herewith is false or misleading, or that relevant information has been withheld, or that I/We are not qualified to hold a business licence, my/our application may be disqualified or, if a Business Licence has been issued, it may be revoked, and that I/We may be subject to prosecution for making a false declaration.

**Business Licences Regulations**

Name:  Signature: \_\_\_\_\_  
 (Please give first name(s) followed by surname in BLOCK letters)

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_  
 (Please give first name(s) followed by surname in BLOCK letters)

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_  
 (Please give first name(s) followed by surname in BLOCK letters)

Designation:  Owner or  Authorised person Date:  /  /

Name:  Signature: \_\_\_\_\_  
 (Please give first name(s) followed by surname in BLOCK letters)

Designation:  Owner or  Authorised person Date:  /  /

**8 Lodged by**

Name:   
 Address:

**Other contact details:**

Telephone:

Email (optional):

**9 Checklist**

The following must accompany this form:

- The prescribed fee of TOP\$30 (plus 15% Consumption Tax) - Please make cheques payable to 'Registrar of Business Licences'.

Please deliver documents to: Ministry of Commerce, Tourism and Labour

**Form 5** | Application for cancellation of business licence  
*Section 11, Business Licence Act*

**Note**

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

The information on this form must be either typewritten or printed legibly in BLOCK letters.

For office use only	<input type="text"/>
Document number	<input type="text"/>
Place barcode here	

**1 Name of business**

**Business licence registration number**

**2 Date of cessation of business**

**3 Signed by authorised person(s)**

I/We declare the above information is true and complete. By signing this Application I/We request that the Registrar cancel the business licence for this business. I/We understand that if it is subsequently discovered that any statement contained herewith is false or misleading, or that relevant information has been withheld, that I/We may be subject to prosecution.

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person

Date:

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person

Date:

**Business Licences Regulations**

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*Designation:  Owner or  Authorised person

Date:

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*Designation:  Owner or  Authorised person

Date:

**4 Lodged by**

Name:

Address:

**Other contact details:**

Telephone:

Email (optional):

**\*Note : There is no fee for filing of cancellation of a Business Licence**

Please deliver documents to: Ministry of Commerce, Tourism and Labour

Form 6 | Application for reinstatement of business licence

Section 11, Business Licence Act

Note

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

The information on this form must be either typewritten or printed legibly in BLOCK letters.

For office use only Document number	<input type="text"/>
Place barcode here	

1 Name of business

Business licence registration number

2 Grounds for reinstatement

The business licence for the aforementioned business was cancelled by the Registrar due to failure by the licence holder to comply with the Act. The applicant hereby affirms that the noncompliance has been corrected.

*If the cancellation was due to a failure to file the annual notice of business activity, the past due notice of business activity must be submitted with this Application, together with back due filing fees and penalties.*

*If the cancellation was due to some other noncompliance with the Act the Registrar may request additional information sufficient to determine if grounds for reinstatement exist.*

3 Signed by authorised person(s)

I/We declare the above information is true and complete. By signing this Application I/We request that the Registrar reinstate the business licence for this business. I/We understand that if it is subsequently discovered that any statement contained herewith is false or misleading, or that relevant information has been withheld, that I/We may be subject to prosecution.

Name:

Signature:

(Please give first name(s) followed by surname in BLOCK letters)

Designation:  Owner or  Authorised person

Date:  /  /

## Business Licences Regulations

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person

Date:  /  /

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person

Date:  /  /

Name:

Signature:

*(Please give first name(s) followed by surname in BLOCK letters)*

Designation:  Owner or  Authorised person

Date:  /  /

#### 4 Lodged by

Name:

Address:

#### Other contact details:

Telephone:

Email (optional):

#### 5 Checklist

The following must accompany this form:

- The prescribed fee of TOP\$100 (plus 15% Consumption Tax) - Please make cheques payable to 'Registrar of Business Licences'.

Please deliver documents to: Ministry of Commerce, Tourism and Labour

**ENDNOTES**

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<sup>1</sup> G60/2012

<sup>2</sup> The day that Act 21 of 2012 came into force was 17 December 2012, but these Regulations were Gazetted on 7 January 2013 by G60/2012 and that must be the date these Regulations came into force