

| | |
|--|---|
| ATTORNEY GENERAL'S OFFICE | |
| INITIALS: <i>Jh</i> | DATE: <i>1/11/21</i> |
| <input checked="" type="checkbox"/> File | <input checked="" type="checkbox"/> Website |
| <input type="checkbox"/> Database | <input type="checkbox"/> Social Media |
| <input checked="" type="checkbox"/> Email internal | <input type="checkbox"/> _____ |

IN THE SUPREME COURT OF TONGA
CRIMINAL JURISDICTION
NEIAFU REGISTRY

CR 21 of 2020

REX

-v-

Napole Ta'ufo'ou

SENTENCING REMARKS

BEFORE : THE HONOURABLE COOPER J

Counsel : Mr. J. Fifita for the Prosecution

Defendant in person

Date of Sentencing : 15th October 2021

1. The defendant pleaded guilty to two counts relation to the unlawful importation of restricted goods, contrary to section 95 Customs Management Act.
2. This relates to a .22 rifle and 400 rounds of .22 ammunition.
3. From the papers I have seen submitted by prosecution I understand that in this case there was a licence for the importation of these goods but it had expired. That this had been overlooked and that the defendant had declared the goods to Customs.
4. He also entered timely guilty pleas.
5. I have considered the following cases :
6. *R v Fanguna*; CR 229/2020. The defendant imported a .22 rifle and had no licence to do so. He pleaded guilty. He was fined \$500 with a month imprisonment in default.

29 OCT 2021
[Signature]

7. *R v Latu*; CR 89-90/2020. The defendant imported 425 rounds of .22 ammunition without having the required licence to do so. He was convicted after trial and fined \$300.
8. *R v Taufu*; CR 143/2020. The defendant imported 2 air rifles and 5345 pellets without the required licence. He pleaded guilty and was fined \$500 and \$200 respectively.
9. Taking into account all the circumstances of this case and that from what I am told it was a genuine error where a licence had been obtained and the timely declaration to Customs I judge that a fine of \$100 count 1 and \$100 for count 2 is just and that must be paid in 2 months.

NEIAFU

15 October 2021

