

Fika 15/2024.



Tonga

**LAO FAKAANGAANGA 'A TONGA KI
HONO FAKAMAAU'I 'O E TO'UTUPU 2024**



LAO FAKAANGAANGA 'A TONGA KI HONO FAKAMAAU'I 'O E TO'UTUPU 2024

Fokotu'utu'u 'o e Ngaahi Kupu

Kupu

KONGA I - TALATEU		9
1	Hingoa nounou mo e Kamata ngaue'aki.....	9
2	'Uhinga'i lea.....	9
3	Ngaahi taumu'a.....	11
4	Ngaahi tu'utu'uni tataki.....	12
5	Ko e kau 'a e fanau ki he hia.....	12
KONGA II – PULE'I		13
6	Pule'i.....	13
7	Ngaahi fatongia 'o e Minisita.....	13
8	Vahe'i.....	14
9	Ngaahi fatongia 'o e Potungaue.....	14
10	Ngaahi Fatongia 'o e 'Ofisa Pule Ngaue.....	14
KONGA III – FOKOTU'U 'O E 'OFISI FAKATONUTONU 'O E TO'UTUPU		15
11	Fokotu'u 'o e 'Ofisi.....	15
12	Ngaahi Fatongia 'o e 'Ofisi.....	15
13	Ngaahi mafai 'o e kau 'ofisa.....	15
14	Ngaahi Fatongia 'o e Talekita.....	16
KONGA IV – FOKOTU'U 'O E 'OFISI FAKATONUTONU 'O E TO'UTUPU		16
15	Fakanofa 'o e kau 'ofisa.....	16

16	Tohi fakamo'oni.....	17
17	Fakata'e'aonga'i 'o e fakanofa.....	17

KONGA V – KO E FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU 18

18	Ngaahi hia 'oku taau ke 'ave ki he Founga Ngaue Fakatonutonu 'o e To'utupu.....	18
19	Makatu'unga ki hono 'ave ha tamasi'i pe taha kei si'i.....	18
20	Fatongia 'o e ngaahi kupu felave'i.....	19
21	Ngaahi totonu 'a e tamasi'i pe taha kei si'i mo e famili.....	19
22	Ngaahi founga fakalelei	19
23	Toutou maumau lao 'a ha tamasi'i pe taha kei si'i.....	20

KONGA VI – NGAahi FAKATAHA 'A E FAMILI 20

24	Mafai ke ui ha Fakataha 'a e Famili.....	20
25	Kinautolu 'oku kau ki ai.....	20
26	Taumu'a	20
27	Feitu'u mo e ngaahi talanga 'o ha Fakataha 'a e Famili.....	21
28	Fili 'o e founga ngaue.....	21
29	Foomu fakangofua ke fakakakato	22
30	Lekooti 'o ha Fakataha 'a e Famili.....	23

KONGA VII – KONIFELENISI FAKAKULUPU 'A E FAMILI 23

31	Mafai ke ui ha Konifelenisi Fakakulupu 'a e Famili.....	23
32	Kalasi 'o e Konifelenisi Fakakulupu 'a e Famili.....	23
33	Kinautolu 'oku kau.....	23
34	Taumu'a	25
35	Feitu'u mo e ngaahi talanga 'o ha Konifelenisi Fakakulupu 'a e Famili	25
36	Ngaahi Fili ki ha Palani Ngaue Fakatonutonu 'o e To'utupu.....	26
37	Ngaahi Tu'utu'uni ki ha Palani Ngaue Fakatonutonu 'o e To'utupu	27
38	'Ikai lota taha	28
39	Lekooti 'o ha Konifelenisi Fakakulupu 'a e Famili	28
40	Tohi kole ke liliu ha Palani Ngaue Fakatonutonu 'o e To'utupu	28

KONGA VIII – FAKAHOKO 'O HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU 29

41	Ngaahi fatongia ki hono tokanga'i mo muimui'i	29
42	Ke fakaha ma'u pe ki he famili	30
43	Ngaahi fatongia 'o ha tamasi'i pe taha kei si'i.....	30
44	Fale'i 'o e Fakakakato	30
45	Fale'i 'o e 'Ikai Fakakakato	31
46	Ngaahi 'uhinga ki he 'ikai fakakakato	31

KONGA IX – MUIMUI'I 'O E FOUNGA NGAUE FAKATONUTONU 'O

E TO'UTUPU	31
47 Fokotu'u 'o ha Komiti Pule	31
48 Ngaahi Fatongia 'o e Komiti Pule	32
49 Ngaahi fokotu'u atu 'a e Komiti Pule	32
KONGA X – FOUNGA FAKAHOKO LAUNGA	33
50 'E ngofua ke fakahu atu ha launga.....	33
51 Vakai'i 'o ha launga.....	33
KONGA XI – TU'UNGA FAKAPULIPULI 'O E NGAahi FAILE	33
52 Tu'unga fakapulipuli.....	33
53 Ta'ofi hono fakaha 'o e hingoa.....	34
KONGA XII – NGAahi ME'A FAKAPA'ANGA	34
54 Ngaahi totongi mo e ngaahi monu'ia.....	34
KONGA XIII – LESISITA	34
55 Fokotu'u 'o ha lesisita.....	34
KONGA XIV – NGAahi ME'A KEHEKEHE	36
56 Malu'i mei he mo'ua.....	36
57 Mafai ke fa'u 'a e Ngaahi Tu'utu'uni.....	36
KONGA XV – NGAahi HIA MO E NGAahi TAUTEA	36
58 'Ikai 'oatu 'a e fakamatala 'oku tonu mo e fakafaingata'a'ia'i 'a e ngaue	36
59 'Oua 'e ngaahi kovi'i 'a e tamasi'i pe taha kei si'i	36
TEPILE 1	38
TOHI NGAUE 'O E VAHE'I	38
TEPILE 2	39
FAKANOFO 'O HA 'OFISA FAKATONUTONU 'O E TO'UTUPU	39
TEPILE 3	40
FOOMU FAKA'ILONGA'I 'O HA 'OFISA FAKATONUTONU 'O E TO'UTUPU	40
TEPILE 4	41
FAKATA'E'AONGA'I 'O HA FAKANOFO 'O HA 'OFISA FAKATONUTONU 'O E TO'UTUPU	41

TEPILE 5	42
NGAAHI HIA 'OKU TAAU KE 'AVE KI HE NGAUE FAKATONUTONU 'O E TO'UTUPU	42
TEPILE 6	43
FOOMU FAKANGOFUA KE KAU ATU KI HE FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU	43
TEPILE 7	45
'AVE 'O HA TAMASI'I PE TAHA KEI SI'I 'E HE POLISI TONGA KI HE FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU	45
TEPILE 8	46
FOOMU KI HONO 'AVE KI HE NGAUE FAKATONUTONU 'O E TO'UTUPU	46
TEPILE 9	50
FATONGIA 'O E NGAahi KUPU FELAVE'I	50
TEPILE 10	53
KALASI 'O E NGAahi KONIFELENISI FAKAKULUPU 'A E FAMILI	53
TEPILE 11	55
SIPINGA 'O E PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU	55
TEPILE 12	57
LEKOOTI 'O HA KONIFELENISI FAKAKULUPU 'A E FAMILI	57
TEPILE 13	61
TOHI KOLE KI HONO LILIU 'O HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU	61
TEPILE 14	63
TU'UTU'UNI KE LILIU HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU	63
TEPILE 15	64
TEPILE 16	64
FALE'I 'O E 'IKAI FAKAKAKATO	64

TEPILE 17	65
FOOMU LAUNGA	65
FAKAMATALA FAKALAHU	66



LAO FAKAANGAANGA 'A TONGA KI HONO FAKAMAAU'I 'O E TO'UTUPU 2024

KO HA LAO FAKAANGAANGA KE FOKOTU'U 'A E FA'UNGA KI HA
FOUNGA FAKAMAAU'I 'O E TO'UTUPU MA'A TONGA, 'O 'AVE 'A E
NI'IHI KEI SI'I MEI HE FAKAMAAU'ANGA HIA, KE VAKAI KI HE
MAUMAU LAO 'A E KAKAI KEI SI'I 'I HA NATULA 'OKU TOTONU
MO E NGAHI ME'A 'OKU FELAVE'I MO IA

'OKU TU'UTU'UNI 'e he Tu'i mo e Fale Alea 'o Tonga 'i he Fakataha Alea 'o e
Pule'anga 'o pehe:

KONGA I - TALATEU

1 Hingoa nounou mo e Kamata ngaue'aki

- (1) 'E ui 'a e Lao ni ko e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu 2024.
- (2) Kuo pau ke kamata ngaue'aki 'a e Lao ni 'i ha 'aho 'e fakaha 'e he Kapineti
pea pulusi 'i he Kasete 'a e Pule'anga 'o Tonga.

2 'Uhinga'i lea

'I he Lao ni tukukehe ka fiema'u ha 'uhiga kehe 'i hono tu'unga —

“taha lahi” koe'uhi ko e ngaahi taumu'a 'o e Lao ni 'oku 'uhinga ki ha taha
'oku ta'u 18 pe lahi hake 'i he ta'u 18;

- “**Ofisa Pule Ngaue**” ‘oku ‘uhinga ki he ‘Ofisa Pule Ngaue ‘o e Potungaue;
- “**tamasi'i pe taha kei si'i**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni 'oku 'uhinga ki ha –
- (a) tamasi'i 'oku ta'u 7 pe lahi 'i he ta'u 7 pea 'oku si'i hifo 'i he ta'u 14 'a ia 'oku 'ave ki he founa ngaue Fakatonutonu 'o e To'utupu 'o fakatatau ki he Lao ki he Fakamaau'anga Polisi pe Lao 'o e Fakamaau'anga Lahi; pe
 - (b) taha kei si'i 'oku ta'u 14 pe lahi 'i he ta'u 14 pea 'oku si'i hifo 'i he ta'u 18;
- “**Fakamaau'anga**” tukukehe 'i hano fakamahino pau 'i he Lao ni, ko ha lave fakalukufua ki ha fakamaau'anga 'oku 'uhinga ia ki he Fakamaau'anga Polisi pe ko e Fakamaau'anga Lahi;
- “**ngaahi 'aho**” tukukehe 'i hano fakamahino pau 'i he Lao ni, 'oku 'uhinga ki he ngaahi 'aho fakatohimahina;
- “**Talekita**” ‘oku ‘uhinga ki he the Talekita 'o e 'Ofisi Ngaue Fakatonutonu 'o e To'utupu 'a ia kuo fokotu'u 'i he kupu 15;
- “**ave**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni, 'oku 'uhinga ki hono 'ave 'o ha tamasi'i pe taha kei si'i 'a ia kuo tukuaki'i na'a ne fakahoko ha hia mei he fakamaau'anga pea solova 'a e me'a ko ia 'o fou 'i he founa ngaue fakatonutonu 'o e to'utupu 'a ia kuo fokotu'u 'i he Lao ni;
- “**famili**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni 'oku 'uhinga ki he matu'a pe ongo matu'a fakaenatula 'a e tamasi'i pe taha kei si'i, ongo matu'a ohi fakalao pe ohi fatungamotu'a pe ko e ongo tauhi fakalao, ongo tauhi pe kinautolu 'oku nau tokanga'i;
- “**Konifelenisi Fakakulupu 'a e Famili**” ‘oku ‘uhinga ki ha Konifelenisi Fakakulupu 'a e Famili 'a ia kuo fakahoko 'i he Konga VII 'o e Lao ni;
- “**Fakataha 'a e Famili**” ‘oku ‘uhinga ki he Fakataha 'a e Famili 'a ia kuo ui 'i he Konga VI 'o e Lao ni;
- “**Kasete**” ‘oku ‘uhinga ki he Kasete 'a e Pule'anga 'o Tonga;
- “**Fakamaau'anga Polisi**” ‘oku ‘uhinga ki he Fakamaau'anga Polisi kuo fokotu'u 'i he Lao ki he Fakamaau'anga Polisi (Vahe 3.12);
- “**Minisita**” ‘oku ‘uhinga ki he Minisita Fakamaau'anga;
- “**Potungaue**” ‘oku ‘uhinga ki he Potungaue Fakamaau'anga;
- “**Komiti Pule**” ‘oku ‘uhinga ki he komiti kuo fokotu'u 'i he kupu 47 'o e Lao ni;
- “**Ofisa Polisi**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni, 'oku 'uhinga ki he 'ofisa ma'u mafai 'o e Polisi Tonga 'i he Lao ki he Polisi Tonga [Vahe 7.07];

“**Ofisa Polisi Pule**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni, 'oku 'uhinga ki he 'Ofisa Polisi 'a ia 'oku pule 'i ha keisi 'a ha tamasi'i pe taha kei si'i, 'a ia kuo 'ave ki he founga ngaue fakatonutonu 'o e to'utupu 'i he Lao ni;

“**Lao ki he Ngaue Fakapule'anga**” 'oku 'uhinga ki he Lao ki he Ngaue Fakapule'anga [Vahe 2.11];

“**taha toutou maumau lao**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni 'oku 'uhinga ki ha tamasi'i pe taha kei si'i kuo ne kau ki he founga ngaue fakatonutonu 'o e to'utupu 'o 'ikai toe si'i hifo 'i he tu'o 3 'i ha ngaahi taimi kehekehe 'i loto 'i he vaha'a taimi ko e ta'u 'e ua;

“**taha fakahoko ngaue**” koe'uhi ko e ngaahi taumu'a 'o e Lao ni 'oku 'uhinga ki ha kautaha 'ikai fakapule'anga, ko ha sino pe taha taukei fakapalofesinale 'a ia ko ha konga ia 'o ha ngaue 'i he Lao ni pe ko hono fakahoko ha ngaue 'o felave'i mo hono fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu;

“**Fakamaau'anga Lahi**” 'oku 'uhinga ki he the Fakamaau'anga Lahi kuo fokotu'u 'i he Lao ki he Fakamaau'anga Lahi [Vahe 3.16];

“**Palani Ngaue Fakatonutonu 'o e To'utupu**” 'oku 'uhinga ki ha palani kuo ngaue'aki 'o fakatatau mo e Konga VII 'o e Lao ni;

“**founga ngaue Fakatonutonu 'o e To'utupu**” 'oku 'uhinga ki he founga ngaue Fakatonutonu 'o e To'utupu 'a ia kuo fokotu'u 'i he Lao ni; mo e

“**Ofisa Fakatonutonu 'o e To'utupu**” 'oku 'uhinga ki ha 'ofisa kuo fakanofa 'i he kupu 15 'o e Lao ni.

3 Ngaahi taumu'a

Ko e ngaahi taumu'a 'o e Lao ni ke –

- (a) ta'ofi ha tamasi'i pe taha kei si'i 'a ia kuo tukuaki'i kuo ne fakahoko ha hia mei ha'ane kau atu ki he sisitemi fakamaau'anga hia;
- (b) fakahoko ha ngaue 'oku fe'unga mo e ta'u motu'a, fakalalakaka mo e anga fakafonua ki he faihia 'a e to'utupu;
- (c) fakasi'isi'i 'a e ngaue ki he fakamaau'anga 'aki hono 'ave 'o e ngaahi keisi iiki mei he ngaahi fakamaau'anga;
- (d) fakasi'isi'i 'a e faingamalie ke toe faihia mo fakahoko ha ngaue ki he ngaahi me'a 'oku ne fakatupu 'a e 'ulungaanga faihia 'aki hono fa'u 'o ha Ngaahi Palani Ngaue Fakatonutonu 'o e To'utupu 'a ia 'oku taau pea muimui'i;
- (e) 'oange ha faingamalie ki ha tamasi'i pe taha kei si'i ke ne mahino'i 'a e uesia mo e ngaahi nunu'a 'o 'ene ngaahi ngaue pea ke ne taliui ki ai;
- (f) 'oange ha faingamalie ki ha taha mamahi ke ne fakamamafa'i 'a e uesia 'o e 'ulungaanga faihia mo fo'u ha founga ki ha totongi huhu'i 'oku taau mo 'uhinga malie;

- (g) fakakau 'a e famili, siasi mo e komiuniti 'i he founa ngaue fakatonutonu 'o e to'utupu, ke fakatokanga'i mo toe fakamamafa'i 'a e mahu'inga 'o e famili, ko e fakakaukau 'o e *'fofolo e fala ka e alea 'a e kainga'* mo e tui faka-Kalisitiane ko e makatuliki 'o e sosaieti faka-Tonga; pea
- (h) faka'ai'ai 'a e fengaue'aki 'i he vaha'a 'o e pule'anga, siasi mo e ngaahi kautaha 'i he sosaieti ki he ni'ihiki kei si'i 'oku nau tu'u lavea ngofua.

4 Ngaahi tu'utu'uni tatakai

Kuo pau ke fakakaukau'i 'a e ngaahi tu'utu'uni tatakai ko 'eni 'e kinautolu 'oku faitu'utu'uni 'i hono fakahoko ha ngaahi tu'utu'uni 'i he Lao ni –

- (a) faka'ehi'ehi mei he ngaahi fakatonutonu hia 'i ha taimi pe 'e malava ai;
- (b) ngaue'aki ha ngaahi founa ngaue 'oku taau mo e anga fakafonua, ta'u motu'a mo e fakalalakaka ki ha tamasi'i pe taha kei si'i;
- (c) ngaue ki he tu'unga tu'u lavea ngofua 'o ha tamasi'i pe taha kei si'i 'aki hono 'oatu ha 'ataakai 'oku faipoupoua mo ha ngaahi naunau fe'unga ke ta'ofi 'aki ha'ane toe faihia;
- (d) fakakaukau'i 'a e lelei fakalukufua 'a e tamasi'i pe taha kei si'i ko e tefito'i me'a ke fakakaukau'i, fakataha mo hono fakatokanga'i 'o e ngaahi me'a 'oku lelei ki he taha mamahi;
- (e) tauhi 'a e tamasi'i pe taha kei si'i 'i he komiuniti pea ta'ofi 'ene kau atu ki he fakamaau'anga hia;
- (f) fakatokanga'i 'a e ta'u motu'a, fakalalakaka mo e puipuitu'a ko e ngaahi makatu'unga fakalelei;
- (g) ngaue'aki 'o e ngaahi tautea 'oku si'isi'i ange hono fakangatangata pea fakakau atu ki ai 'a e ngaahi tukunga 'o ha tamasi'i pe taha kei si'i 'i loto 'i he famili mo e komiuniti;
- (h) faka'apa'apa'i 'a e ngeia mo e mo'ui fakafo'ituitui 'o ha tamasi'i pe taha kei si'i 'i he taimi kotoa pe koe'uhi ke ta'ofi ha toe fakaluma'i mo hano fakamaa'i;
- (i) faka'ai'ai pea poupu'i 'a e tamasi'i pe taha kei si'i ke fakaha 'ene ngaahi fakakaukau 'i he 'ataakai 'o e founa ngaue fakatonutonu 'o e to'utupu kuo fokotu'u 'i he Lao ni; pea
- (j) fakapapau'i 'oku fakahoko mo fakakakato 'i he vave taha 'a e ngaahi founa ngaue 'i he Lao ni.

5 Ko e kau 'a e fanau ki he hia

Ko e ta'u motu'a 'o e faihia 'a e fanau kuo pau ke tatau mo 'ene ha 'i he kupu 16 'o e Lao ki he Ngaahi Hia.

KONGA II – PULE'I

6 Pule'i

Kuo pau ko e Minisita te ne tokanga'i hono pule'i 'o e Lao ni.

7 Ngaahi fatongia 'o e Minisita

- (1) Kuo pau ke ma'u 'e he Minisita 'a e ngaahi fatongia ko 'eni 'i he Lao ni –
 - (a) lipooti mo fale'i 'a e Kapinetai fekau'aki mo e ngaahi tu'utu'uni ngaue felave'i mo e fakamaau'i 'o e to'utupu mo e founa ngaue fakatonutonu 'o e to'utupu;
 - (b) fakapapau'i 'oku faipau 'a e kau 'ofisa faifatongia mo e ngaahi Potungaue mo e ngaahi sino fekau'aki mo honau ngaahi fatongia 'i he Lao ni mo e ngaahi tu'utu'uni kuo fa'u 'i he Lao ni;
 - (c) tauhi 'i he tu'unga ma'olunga, 'a e ngaahi va mo e ngaahi kautaha fekau'aki fakavaha'apule'anga mo e ngaahi hoangaue langa fakalalakaka 'a ia 'oku nau veveveke ke tokoni 'i hono fakahoko, tuku atu pe pule'i 'o e founa ngaue fakatonutonu 'o e to'utupu mo e ngaue ki he ngaahi kaveinga 'o e fakamaau'i 'o e to'utupu 'i Tonga; mo
 - (d) ha ngaahi fatongia kehe kuo fakamahino pau 'i he Lao ni.
- (2) Kapau 'e pehe 'e he Minisita 'oku 'aonga pe lelei ke fakakakato 'aki 'a e ngaahi fatongia 'o e Minisita 'i he Lao ni, 'e ngofua ke tu'utu'uni 'e he Minisita, 'i ha tohi, ke 'oatu 'e ha taha ha fakamatala, teita pe ha tohi 'o felave'i mo e –
 - (a) tukunga 'o ha tamasi'i pe taha kei si'i 'a ia 'oku 'ave ki he ngaue fakatonutonu 'o e to'utupu, 'o tatau ai pe 'i he tu'unga ki mu'a pe hili hono 'ave;
 - (b) ngaahi founa ngaue 'a ha taha pe ha kautaha 'o felave'i mo hono fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu; pe
 - (c) fakalalakaka 'o ha tamasi'i pe taha kei si'i 'i ha ako, komiumiti, ngaue'anga, pe polokalama kuo fakahoko 'e ha taha fakahoko ngaue, 'o tatau ai pe 'i he lolotonga pe hili 'a e founa ngaue fakatonutonu 'o e to'utupu.
- (3) Kuo pau ke ngaue'aki pau 'a e fakamatala kuo 'oatu ki he Minisita 'i he kupu si'i (2) ki hono fakahoko 'o e ngaahi fatongia 'o e Minisita 'i he Lao ni pea 'ikai ki ha toe taumu'a kehe.

8 Vahe'i

- (1) 'E ngofua ki he Minisita, mei he taimi ki he taimi, ke ne vahe'i hano fatongia 'e taha pe lahi ange pe ko hono ngaahi mafai 'i he Lao ni ki he 'Ofisa Pule Ngaue.
- (2) Neongo 'a e kupu si'i (1), kuo pau 'e 'ikai vahe'i 'e he Minisita hono mafai ke fakanoho 'i he kupu 15 'o e Lao ni.
- (3) Ko ha vahe'i 'i he kupu si'i (1) kuo pau ke –
 - (a) fakahoko 'i ha tohi;
 - (b) fakahoko ki he taha ko ia 'a ia 'oku vahe'i ki ai 'a e mafai;
 - (c) fakaha mahino 'a e ngaahi fatongia mo e mafai kuo vahe'i; pea
 - (d) fakaha 'a e 'aho kamata mo e 'aho faka'osi ki hono vahe'i 'o e ngaahi mafai.
- (4) Kuo pau ki ha tohingaue 'o e vahe'i ke 'i he foomu kuo tu'utu'uni 'i he Tepile 1 'o e Lao ni.
- (5) Kuo pau ke lekooti ha vahe'i 'i he lesisita 'a e Potungaue 'i he kupu 55 'o e Lao ni.
- (6) 'E ngofua ke fakata'e'aonga'i ha vahe'i 'e he Minisita 'aki ha tohi.

9 Ngaahi fatongia 'o e Potungaue

- (1) Kuo pau ke ma'u 'e he Potungaue 'a e ngaahi fatongia ko 'eni 'i he Lao ni –
 - (a) 'oatu mo fakahoko 'a e ako totonu ki he kau 'ofisa mo e ngaahi kupu felave'i 'oku nau kau 'i hono fakahoko 'o e Lao ni; mo
 - (b) ha fatongia kehe 'a ia 'e ngofua ke tu'utu'uni 'e he Minisita mei he taimi ki he taimi, 'a ia 'e 'aonga ki hono fakahoko lelei 'o e Lao ni.
- (2) Kuo pau ke fakahoko 'a e ngaahi fatongia 'o e Potungaue 'o fou 'i he 'Ofisa Pule Ngaue, Talekita mo e 'Ofisi Ngaue Fakatonutonu 'o e To'utupu.

10 Ngaahi Fatongia 'o e 'Ofisa Pule Ngaue

- (1) Kuo pau ke ma'u 'e he 'Ofisa Pule Ngaue 'a e ngaahi fatongia ko 'eni 'i he Lao ni –
 - (a) fakapapau'i 'oku ma'u 'e he 'Ofisi Ngaue Fakatonutonu 'o e To'utupu –
 - (i) 'a e pa'anga mo e kau ngaue fe'unga ki hono fakahoko lelei 'o e Lao ni; mo
 - (ii) ha palani hokohoko atu ki ha hokohoko atu hono pule'i mo hono tuku atu 'o e ngaahi ngaue 'a ia 'e ngofua ke tu'utu'uni;

- (b) fealea'aki mo e Minisita, Talekita mo e Komiti Pule ke fakahoko ha ngaahi liliu pe fakalelei kuo tu'utu'uni ki he founga ngaue fakatonutonu 'o e to'utupu;
 - (c) ke ne fokotu'u atu ki he Minisita ha kau 'ofisa 'oku taau ke fokotu'u ko ha Kau 'Ofisa Fakatonutonu 'o e To'utupu 'i he kupu 15; pea
 - (d) fokotu'u mo tauhi 'a e ngaahi lesisita 'a e Potungaue 'i he kupu 55 'o e Lao ni.
- (2) Kuo pau ke ma'u 'e he 'Ofisa Pule Ngaue 'a e ngaahi mafai ko ia kuo tu'utu'uni 'i he Lao ni ki hono fakahoko hono ngaahi fatongia.

KONGA III – FOKOTU'U 'O E 'OFISI FAKATONUTONU 'O E TO'UTUPU

11 Fokotu'u 'o e 'Ofisi

- (1) 'Oku fokotu'u 'i heni 'a e 'Ofisi Fakatonutonu 'o e To'utupu.
- (2) Kuo pau ko e 'Ofisi Fakatonutonu 'o e To'utupu ko ha va'a ia 'o e Potungaue Fakamaau'anga.

12 Ngaahi Fatongia 'o e 'Ofisi

Kuo pau ke kau 'i he ngaahi ngaue mo e fatongia 'o e 'Ofisi Fakatonutonu 'o e To'utupu 'a e –

- (a) fakahoko 'o e founga ngaue fakatonutonu 'o e to'utupu 'a ia kuo fokotu'u 'i he Lao ni;
- (b) 'oatu 'o e fakamatala mo faka'ai'ai 'a e 'ilo ki he ngaahi kaveinga fekau'aki mo e fakamaau'i 'o e to'utupu ki he ngaahi kupu felave'i taki taha mo e kakai 'o e fonua;
- (c) fakahoko ha ngaue, 'i he vave taha, ki ha launga mei ha tamasi'i pe taha kei si'i, kau memipa 'o e famili, 'Ofisa Fakatonutonu 'o e To'utupu, kupu felave'i, pe kakai 'o e fonua 'o felave'i mo hono fakahoko 'o ha konga 'o e Lao ni; mo
- (d) ha ngaahi tu'utu'uni fakalao kehe 'a e Minisita 'a ia 'oku 'ikai fepaki mo e ngaahi taumu'a 'o e Lao ni.

13 Ngaahi mafai 'o e kau 'ofisa

Koe'uhi ko e ngaahi taumu'a 'o e Lao ni, kuo pau ke ma'u 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e ngaahi mafai 'a ia 'oku fiema'u ki hono fakahoko 'o e ngaahi fatongia 'o e 'Ofisi Fakatonutonu 'o e To'utupu 'i he kupu 12.

14 Ngaahi Fatongia 'o e Talekita

Kuo pau ke kau 'i he ngaahi ngaue mo e fatongia 'o e Talekita 'a e ngaahi me'a ko 'eni –

- (a) lipooti mo fakahoko 'a e ngaahi fokotu'u ki he 'Ofisa Pule Ngaue 'o felave'i mo hono fakahoko mo e pule'i 'o e Lao ni;
- (b) fakapapau'i 'oku fakahoko lelei 'o e ngaahi ngaue mo e ngaahi fatongia 'o e 'Ofisi Fakatonutonu 'o e To'utupu;
- (c) 'oatu 'a e fakamatala mo faka'ai'ai 'a e 'ilo ki he ngaahi kaveinga fekau'aki mo e fakamaau'i 'o e to'utupu ki he ngaahi kupu felave'i mo e kakai 'o e fonua; pea
- (d) fokotu'u atu ha kau 'ofisa 'oku taau ke fakanofu 'e he Minisita 'i he kupu 15.

KONGA IV – FOKOTU'U 'O E 'OFISI FAKATONUTONU 'O E TO'UTUPU

15 Fakanofu 'o e kau 'ofisa

- (1) Ko e Minisita kuo pau –
 - (a) 'i hono fokotu'u atu 'e he 'Ofisa Pule Ngaue; pea
 - (b) 'i he'ene felave'i mo e fakanofu 'o ha 'ofisa fakapule'anga mei ha Potungaue 'e taha –
 - (i) fakataha mo e fakangofua tohi 'a e 'Ofisa Pule Ngaue 'a e 'ofisa fakapule'anga ko ia; pe
 - (ii) kapau ko e Polisi Tonga, fakataha mo e fakangofua tohi 'a e Komisiona Polisi,

ke ne fakanofu ha taha 'a ia 'oku 'i he lakanga 'o e satini pe ma'olunga ange, ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he Lao ni.
- (2) Neongo ha tu'utu'uni kehe 'oku fehangahangai mo ia, kuo pau ke lau 'a e Talekita ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he Lao ni.
- (3) Kuo pau ko e taha kuo fokotu'u atu ke fakanofu 'i he kupu si'i (1) ko ha taha –
 - (a) 'oku ta'u 25 pe lahi ange;
 - (b) kuo te'eki fakahalaia'i ki ha hia 'i Tonga pe 'i muli;
 - (c) kuo ne fakaha 'a e ngaahi taukei, 'ulungaanga mo e tu'unga ngaue 'oku ha mai te ne fakahoko fakapotopoto, lelei mo faitotonu hono ngaahi fatongia;

- (d) kuo ne fakahoko 'a e ako kuo tu'utu'uni 'a ia na'e fakahoko 'e he Potungaue ma'ae Kau 'Ofisa Fakatonutonu 'o e To'utupu 'i he Lao ni; pea
 - (e) ko ha memipa ia 'o e ngaue fakapule'anga pe, kapau ko ha taha mei tu'a 'i he ngaue fakapule'anga, 'oku ne taau 'i he kupu si'i ni pea 'e vahe'i ki ai ha fatongia 'i he Lao ni.
- (4) Kuo pau ke 'oatu ki ha taha kuo fakanofu 'i he kupu si'i (1) ha tohi ngaue 'o e fakanofu, ko e fakamo'oni 'o hono fakanofu ia ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he Lao ni.
- (5) Kuo pau ke fakahoko ha fakanofu 'i he kupu si'i (1) 'i he foomu kuo tu'utu'uni 'i he Tepile 2 'o e Lao ni.

16 Tohi fakamo'oni

- (1) Kuo pau ke 'oatu ki ha 'ofisa kuo fakanofu ha tohi fakamo'oni 'o ia 'i he foomu kuo tu'utu'uni 'i he Tepile 3 'o e Lao ni.
- (2) Kapau 'e kole 'e ha taha lolotonga hono fakahoko 'o e Founa Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke fakaha 'e he 'ofisa kuo fakanofu 'a 'ene tohi fakamo'oni 'o ia, 'a ia kuo pau ke kei ngaue'aki.
- (3) Kuo pau ke fakafoki 'e ha taha kuo fakata'e'aonga'i hono fakanofu 'i he kupu 17 'o e Lao ni 'a 'ene tohi fakamo'oni 'o ia 'i he taimi pe ko ia ki he 'Ofisa Pule Ngaue.

17 Fakata'e'aonga'i 'o e fakanofu

- (1) Kimu'a 'i he 'aho fakata'e'aonga'i 'o e fakanofu 'o ha 'Ofisa Fakatonutonu 'o e To'utupu, 'e ngofua ki he Minisita, 'i hono fokotu'u atu 'e he 'Ofisa Pule Ngaue, ke fakata'e'aonga'i ha fakanofu 'aki hono 'oatu ki he taha ko ia 'a e tohi ngaue fakata'e'aonga'i 'i he foomu kuo tu'utu'uni 'i he Tepile 4 'o e Lao ni.
- (2) Kuo pau ke kau ki he ngaahi makatu'unga ke fakata'e'aonga'i ha tohi ngaue 'o e fakanofu 'a e –
- (a) 'ikai muimui ki he ngaahi tu'utu'uni 'o e Lao ni;
 - (b) maumau'i 'o ha mafai kuo foaki 'i he Lao ni;
 - (c) toe fokotu'utu'u fo'ou 'i loto 'i he Potungaue; pe
 - (d) fakatatau ki he kole kuo fakahoko 'i ha tohi 'a e 'Ofisa Pule Ngaue 'o e taha na'e fakanofu.
- (3) 'I hono 'oatu 'o e fakata'e'aonga'i, kuo pau ke fakaha 'e he Minisita 'a e ngaahi me'a ni –
- (a) 'uhinga ki he fakata'e'aonga'i;

- (b) 'aho kamata ki he fakata'e'aonga'i; mo
 - (c) ha tu'utu'uni ke fakafoki 'a 'ene tohi fakamo'oni mo ha koloa kehe 'a e Potungaue na'e 'oange ki he 'ofisa lolotonga 'ene fakahoko fatongia.
- (4) Kapau kuo fakata'e'aonga'i ha fakanofu 'i he kupu si'i (1) pea ko e taha ko ia ko ha 'ofisa fakapule'anga kuo fokotu'u 'i he Lao ki he Ngaue Fakapule'anga, 'e ngofua ke hoko atu 'ene ngaue ko e taha ngaue 'o e Potungaue ko ia pe ha Potungaue kehe, tukukehe pe kae'oua kuo tu'utu'uni kehe 'e he Komisoni Ngaue Fakapule'anga, 'i ha tohi, ki he Minisita 'a e 'ofisa ko ia.

KONGA V – KO E FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU

18 Ngaahi hia 'oku taau ke 'ave ki he Founga Ngaue Fakatonutonu 'o e To'utupu

Fakatatau ki he kupu 22, ka 'i ai ha tamasi'i pe taha kei si'i kuo tukuaki'i na'a ne fakahoko ha hia 'i ha Lao 'oku lisi 'i he Tepile 5 ko hono tautea ko ha mo'ua pa'anga ko e lahi taha ko e \$10,000 pe ko ha vaha'a taimi ngaue popula 'o a'u ki he ta'u 'e 2, pe fakatou'osi, kuo pau 'e taau ke 'ave ia ki he founga ngaue fakatonutonu 'o e to'utupu 'i he Lao ni.

19 Makatu'unga ki hono 'ave ha tamasi'i pe taha kei si'i

- (1) 'Oku taau ha tamasi'i pe taha kei si'i ke 'ave ki he founga ngaue fakatonutonu 'o e to'utupu kapau 'oku fakakakato 'e he tamasi'i pe taha kei si'i 'a e ngaahi makatu'unga kotoa ko 'eni –
 - (a) ko e tamasi'i pe taha kei si'i kuo tukuaki'i na'a ne fakahoko ha hia 'a ia 'oku taau ke 'ave ki he founga ngaue fakatonutonu 'o e to'utupu 'o fakatatau mo e kupu 18 'o e Lao ni;
 - (b) 'oku 'i ai 'a e fakamo'oni fe'unga kuo 'i ai 'a e hia na'e fakahoko;
 - (c) ko e tamasi'i pe taha kei si'i 'oku 'ikai ko ha taha toutou maumau lao; pea
 - (d) 'i he fiema'u 'a e fakamaau totonu ke solova pe 'a e me'a ni 'i tu'a mei he fakamaau'anga.
- (2) 'I hono fakapapau'i pe 'oku 'i he fiema'u 'a e fakamaau totonu 'i hono fakahoko 'a e ngaue fakatonutonu, kuo pau ke fakakaukau'i 'a e ngaahi me'a ni –
 - (a) natula, tukunga mo e mamafa 'o e hia;
 - (b) puipuitu'a mo e tukunga 'o e tamasi'i pe taha kei si'i, kau ki ai 'a e hisitolia faihia 'o e tamasi'i pe taha kei si'i;
 - (c) ngaahi vakai 'a e taha mamahi;

- (d) ko e fiema'u ke fakapapau'i 'a e malu 'a e kakai; mo e
 - (e) ngaahi tu'utu'uni tataki 'oku ha 'i he kupu 4 'o e Lao ni.
- (3) 'I hono fakapapau'i 'a e ta'u motu'a 'o e tamasi'i pe taha kei si'i, kuo pau ko ha fakamo'oni fe'unga 'a e ngaahi tohi ngaue ko 'eni –
- (a) tohita'u 'o e tamasi'i pe taha kei si'i;
 - (b) tohi fakamo'oni 'o e fa'ele'i mo'ui kuo 'oatu 'e ha falemahaki pe ha kiliniki ki he mo'ui 'i Tonga pe 'i muli; pe
 - (c) 'i he 'ikai 'i ai ha ngaahi tohi ngaue faka'ofisiale 'i he kupu si'i (3)(a) pe (3)(b), ko e 'aho fa'ele'i 'a ia 'oku 'asi 'i he tohi fakamo'oni papi 'o e tamasi'i pe taha kei si'i pe ha sipinga kehe 'o e faka'ilonga'i.
- (4) Ko e founa ngaue ke muimui ki ai 'a e Polisi Tonga 'i hono 'ave ha tamasi'i pe taha kei si'i ki he founa ngaue fakatonutonu 'o e to'utupu 'i he Lao ni kuo pau ke 'i he foomu kuo tu'utu'uni 'i he Lao ni.
- (5) Kuo pau ke fakahoko 'a hono 'ave ki he founa ngaue fakatonutonu 'o e to'utupu 'i he foomu kuo tu'utu'uni 'i he Tepile 8 'o e Lao ni.

20 Fatongia 'o e ngaahi kupu felave'i

'Oku ha 'i he Tepile 9 'o e Lao ni 'a e fatongia 'o e ngaahi kupu felave'i.

21 Ngaahi totonu 'a e tamasi'i pe taha kei si'i mo e famili

- (1) Lolotonga 'a e kotoa 'o e ngaahi tu'unga 'o e founa ngaue Fakatonutonu 'o e To'utupu, 'e ngofua ki he tamasi'i pe taha kei si'i mo hono famili ke nau kole mo ma'u mai –
- (a) ha fakama'ala'ala fekau'aki mo ha konga pe 'o e founa ngaue mei ha 'Ofisa Fakatonutonu 'o e To'utupu;
 - (b) ha fale'i fakalao tau'atina; mo e
 - (c) pou pou mo e kau atu ha memipa 'o e famili pe fakafofonga komiuniti.
- (2) Koe'uhi ko e ngaahi taumu'a 'o e kupu si'i (1)(b), 'e ngofua ki ha tamasi'i pe taha kei si'i mo hono famili ke nau kumi fale'i fakalao tau'atina 'i he fakamole pe 'a'ana pe 'akinautolu.

22 Ngaahi founa fakalelei

Lolotonga 'a e founa ngaue fakatonutonu 'o e to'utupu 'i he kupu 18 pe kupu 19 'o e Lao ni –

- (a) ko hono fakahoko 'e he tamasi'i pe taha kei si'i ha kole fakamolemole pe 'oatu ha totongi fakafoki ki he taha mamahi; pea

- (b) kuo tali 'e he taha mamahi 'a e kole fakamolemole pe totongi fakafoki ko ia,

kuo pau ke lau ia ko ha makatu'unga fakalelei lolotonga 'a e fakataha Konifelenisi Fakakulupu 'a e Famili.

23 Toutou maumau lao 'a ha tamasi'i pe taha kei si'i

- (1) Kapau 'oku 'i ai ha tamasi'i pe taha kei si'i kuo tukuaki'i kuo ne toe maumau lao lolotonga hono fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke ui 'e he 'Ofisa Fakatonutonu 'o e To'utupu ha Konifelenisi Fakakulupu 'a e Famili Kalasi 3, 'i he'ene fealea'aki mo e 'Ofisa Polisi Pule 'oku ne pule'i 'a e keisi, ke fakapapau'i 'a e ngaahi ola ki he tamasi'i pe taha kei si'i.
- (2) Neongo 'a e kupu si'i (1), 'e vakai'i 'e he 'Ofisa Polisi Pule 'a e tamasi'i pe taha kei si'i 'o fakataau mo e Lao ni, pe ko e maumau lao fo'ou 'oku tukuaki'i ki ai 'e taau ai ki he founga ngaue fakatonutonu 'o e to'utupu 'i he Lao ni.

KONGA VI – NGAHI FAKATAHA 'A E FAMILI

24 Mafai ke ui ha Fakataha 'a e Famili

'I hono ma'u 'a e foomu ki hono 'ave 'i he Tepile 8 felave'i mo ha tamasi'i pe taha kei si'i mei he Polisi Tonga, kuo pau ke fakatahataha'i 'e he 'Ofisa Fakatonutonu 'o e To'utupu ha Fakataha 'a e Famili mo e tamasi'i pe taha kei si'i mo hono famili, 'o felotoi ki he 'aho, feitu'u mo e taimi ki he fakataha pea ke fakapapau'i 'e 'i ai 'a e tamasi'i pe taha kei si'i mo hono famili.

25 Kinautolu 'oku kau ki ai

Ko kinautolu 'e kau ki ha Fakataha 'a e Famili kuo pau ke kau ki ai eni –

- (a) tamasi'i pe taha kei si'i 'a ia ko ia 'a e taha 'oku 'ave ki he founga ngaue fakatonutonu 'o e to'utupu;
- (b) famili 'o ha tamasi'i pe taha kei si'i;
- (c) 'ofisa fakatonutonu 'o e to'utupu 'oku ne pule'i 'a e keisi; mo
- (d) ha toe taha 'oku fiema'u ke kau atu ki ai.

26 Taumu'a

- (1) Ko e taumu'a 'o ha Fakataha 'a e Famili ke fakahoko 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e –

- (a) fakaha 'a e founga ngaue fakatonutonu 'o e to'utupu mo e ngaahi taumu'a 'o e fakatonutonu 'o e to'utupu ki he tamasi'i pe taha kei si'i mo hono famili;
 - (b) fakaha 'a e fakama'opo'opo 'o e ngaahi mo'oni'i me'a kuo tukuaki'i 'e he 'Ofisa Pule 'i he keisi pea fakaafe'i 'a e tamasi'i pe taha kei si'i ke ne fakaha 'ene fakamatala pe ko 'ene fakamatala 'o e me'a na'e hoko;
 - (c) fakaafe'i 'a e tamasi'i pe taha kei si'i mo hono famili ke kau ki he founga ngaue fakatonutonu 'o e to'utupu;
 - (d) tali 'a e ngaahi fehu'i mei he tamasi'i pe taha kei si'i mo hono famili, fakapapau'i kuo fakaha kia kinautolu 'a e founga ngaue mo e me'a ke nau mateuteu ki ai; pea
 - (e) kapau 'oku fili 'a e tamasi'i pe taha kei si'i ke kau 'i he founga ngaue fakatonutonu 'o e to'utupu, teuteu'i 'a e tamasi'i pe taha kei si'i mo hono famili ke nau kau 'i he Konifelenisi Fakakulupu 'a e Famili.
- (2) Kapau, fakatau ki he kupu si'i (1)(b), kuo 'ohake 'e ha tamasi'i pe taha kei si'i ha'ane fakakikihi pe kole ha fakatonutonu ki he fakama'opo'opo 'o e ngaahi mo'oni'i me'a kuo tukuaki'i, 'e toe talanoa'i eni 'e he 'Ofisa Fakatonutonu 'o e To'utupu mo e 'Ofisa Polisi Pule 'i he keisi, koe'uhi ke lava 'o fakahoko ha ngaahi liliu ki he fakama'opo'opo 'o e ngaahi mo'oni'i me'a kimu'a 'i he Konifelenisi Fakakulupu 'a e Famili.

27 Feitu'u mo e ngaahi talanga 'o ha Fakataha 'a e Famili

- (1) 'E ngofua ke fakahoko ha Fakataha 'a e Famili 'i ha feitu'u 'e felotoi ki ai 'a e 'Ofisa Fakatonutonu 'o e To'utupu mo e famili.
- (2) Kuo pau ke fakapapau'i 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e ngaahi talanga 'i ha Fakataha 'a e Famili.

28 Fili 'o e founga ngaue

- (1) Kuo pau ke ma'u 'e ha tamasi'i pe taha kei si'i, fakataha mo hono famili, 'a e totonu ke fili pe 'e kau ki he founga ngaue fakatonutonu 'o e to'utupu 'i he Lao ni.
- (2) 'I he faka'osi 'o ha Fakataha 'a e Famili, kuo pau ke fakaafe'i 'e ha 'Ofisa Fakatonutonu 'o e To'utupu, 'i loto 'i ha vaha'a taimi kuo tu'utu'uni, 'a e tamasi'i pe taha kei si'i ke ne fili pe 'e kau ki he founga ngaue fakatonutonu 'o e to'utupu fekau'aki mo e hia kuo tukuaki'i ki ai.
- (3) Ko ha tu'utu'uni kuo fakahoko 'e ha tamasi'i pe taha kei si'i, fakataha mo hono famili, ke 'ikai kau ki he founga ngaue fakatonutonu 'o e to'utupu, kuo pau ke ngaue 'a e Polisi Tonga ki he faka'ilo 'i he founga angamaheni.

29 Foomu fakangofua ke fakakakato

- (1) Kapau, fakatatau ki he kupu 28, 'oku fili 'e he tamasi'i pe taha kei si'i mo hono famili ke kau ki he founga ngaue fakatonutonu 'o e to'utupu 'i he Lao ni, kuo pau ke 'oatu 'e he 'Ofisa Fakatonutonu 'o e To'utupu ha foomu fakangofua 'i he foomu kuo tu'utu'uni 'i he Tepile 6 'o e Lao ni ke fakafonu mo fakamo'oni hingoa ki ai 'a e famili.
- (2) Kapau 'oku 'ikai felotoi ha tamasi'i pe taha kei si'i mo hono famili ke nau kau ki he founga ngaue fakatonutonu 'o e to'utupu, kuo pau ko e 'Ofisa Fakatonutonu 'o e To'utupu te ne –
 - (a) fakahoko hono lelei taha ke mahino'i 'a e 'uhinga pe ngaahi 'uhinga ki he kehekehe 'i he ngaahi fakakaukau;
 - (b) fakahoko ha toe talatalanoa 'i he vaha'a 'o e tamasi'i pe taha kei si'i mo hono famili; pea
 - (c) faka'ai'ai 'a e tamasi'i pe taha kei si'i mo hono famili ke nau loto taha 'i he 'enau tu'utu'uni.
- (3) Kapau 'e hokohoko atu 'a e kehekehe 'a e ngaahi fakakaukau 'a ha tamasi'i pe taha kei si'i mo hono famili ke nau kau ki he founga ngaue fakatonutonu 'o e to'utupu, ko e tu'utu'uni 'a e –
 - (a) ongo matu'a fakaenatula 'a e tamasi'i pe taha kei si'i;
 - (b) ongo matu'a ohi 'a e tamasi'i pe taha kei si'i, kapau ko e tamasi'i pe taha kei si'i na'e ohi fakalao;
 - (c) ongo tauhi fakalao 'a e tamasi'i pe taha kei si'i, kapau ko e tamasi'i pe taha kei si'i 'oku 'i ha tu'utu'uni tauhia fakalao; pe
 - (d) tamai pe fa'e 'a e tamasi'i pe taha kei si'i, kapau ko e famili matu'a pe 'e taha,
'e malohi ia 'i he loto 'o e tamasi'i pe taha kei si'i.
- (4) Neongo 'a e kupu si'i (3), kapau 'e fili 'e ha tamasi'i pe taha kei si'i ke kau ki he founga ngaue fakatonutonu 'o e to'utupu ka 'oku 'ikai poupou ki ai 'a e matu'a fakaenatula, ongo matu'a, ongo matu'a ohi pe ongo tauhi 'i kupu si'i (3) –
 - (a) 'e ngofua ki ha Fakamaau Polisi, 'i hano kole 'e ha 'Ofisa Fakatonutonu 'o e To'utupu 'o fakafofonga'i ha tamasi'i pe taha kei si'i 'oku ha 'i ai, ke ne 'ave 'a e me'a ni ki he founga ngaue fakatonutonu 'o e to'utupu 'o fakatatau mo e Lao ki he Fakamaau'anga Polisi; pe
 - (b) 'e ngofua ki ha Fakamaau Lahi, 'i hano kole 'e ha 'Ofisa Fakatonutonu 'o e To'utupu 'o fakafofonga'i ha tamasi'i pe taha kei si'i 'oku ha 'i ai, ke ne 'ave 'a e me'a ni ki he founga ngaue fakatonutonu 'o e to'utupu 'o fakatatau mo e Lao 'o e Fakamaau'anga Lahi.

30 Lekooti 'o ha Fakataha 'a e Famili

- (1) Kuo pau ke tauhi 'e ha 'Ofisa Fakatonutonu 'o e To'utupu ha lekooti totonu 'o e me'a 'a ia na'e felotoi ki ai 'i ha Fakataha 'a e Famili, ke fakakau 'i he faile 'a ha tamasi'i pe taha kei si'i.
- (2) Kuo pau ke fakaha 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'i he Konifelenisi Fakakulupu 'a e Famili, 'a e ngaahi kaveinga kuo talanoa'i mo ha ngaahi me'a na'e felotoi ki ai lolotonga 'a e Fakataha 'a e Famili.

KONGA VII – KONIFELENISI FAKAKULUPU 'A E FAMILI

31 Mafai ke ui ha Konifelenisi Fakakulupu 'a e Famili

- (1) Kuo pau ke ma'u 'e ha 'Ofisa Fakatonutonu 'o e To'utupu 'a e mafai ke ui ha Konifelenisi Fakakulupu 'a e Famili.
- (2) Kuo pau ke fakahoko 'a e Konifelenisi Fakakulupu 'a e Famili –
 - (a) 'o 'ikai toe tomui ange 'i he uike 'e 2 hili ha Fakataha 'a e Famili; pea
 - (b) 'i ha feitu'u 'i he kolo 'o e tamasi'i pe taha kei si'i, 'a ia kuo pau he 'ikai kau ki ai ha 'apitanga polisi pe ha fakamaau'anga.
- (3) Kuo pau ke fakapulipuli 'a hono talanoa'i 'o e ngaahi me'a 'i ha Konifelenisi Fakakulupu 'a e Famili, 'aki hono fakakaukau'i totonu 'o e ngaahi totonu 'a e tamasi'i pe taha kei si'i pea mo e uesia foki 'o e faihia ki he (ni'ihi) mamahi.

32 Kalasi 'o e Konifelenisi Fakakulupu 'a e Famili

- (1) Kuo pau ke 'i ai 'a e kalasi 'e tolu 'o e Konifelenisi Fakakulupu 'a e Famili –
 - (a) Konifelenisi Fakakulupu 'a e Famili Kalasi 1;
 - (b) Konifelenisi Fakakulupu 'a e Famili Kalasi 2; mo e
 - (c) Konifelenisi Fakakulupu 'a e Famili Kalasi 3.
- (2) Ko e taumu'a ki he kalasi taki taha 'o e konifelenisi kuo pau ke 'i he foomu kuo tu'utu'uni 'i he Tepile 10 'o e Lao ni.

33 Kinautolu 'oku kau

- (1) Ko kinautolu 'eni kuo pau ke kau atu ki ha Konifelenisi Fakakulupu 'a e Famili –
 - (a) tamasi'i pe taha kei si'i 'a ia ko ia 'a e taha 'oku 'ave ki he founga ngaue fakatonutonu 'o e to'utupu mo 'ene ongo matu'a pe kinautolu 'oku nau tokanga'i ia;
 - (b) 'Ofisa Fakatonutonu 'o e To'utupu 'oku ne tokanga'i 'a e keisi;

- (c) 'Ofisa Polisi Pule na'a ne tokanga'i hono fakahoko 'o e tu'utu'uni pe ko hano fakafofonga; mo e
- (d) 'Ofisa Kolo 'o e kolo 'a ia 'oku fakahoko ai 'a e Konifelenisi Fakakulupu 'a e Famili.
- (2) Tanaki atu ki he ni'ihi kuo lave ki ai 'i he kupu si'i (1), 'e ngofua ki ha 'Ofisa Fakatonutonu 'o e To'utupu, 'i ha'ane fealea'aki mo e 'Ofisa Polisi Pule 'i kupu si'i (1)(c), ke ne fakaafe'i ki ha Konifelenisi Fakakulupu 'a e Famili 'a e ni'ihi ko 'eni –
- (a) taha mamahi pe ni'ihi mamahi 'o e 'ulungaanga faihia, fakataha mo ha memipa 'o e famili kapau ko e taha mamahi ko ha taha ta'u si'i;
- (b) fakafofonga mei he siasi;
- (c) fakafofonga 'o e tamasi'i pe taha kei si'i mei he –
- (i) 'apiako lolotonga pe kimu'a; pe
- (ii) ako hili 'a e ako kolisi, lolotonga pe kimu'a;
- (d) fakafofonga mei ha 'apiako, ako hili 'a e ako kolisi 'a ia 'oku taumu'a 'a e tamasi'i pe taha kei si'i ke lesisita ki ai;
- (e) fakafofonga 'o ha taha fakahoko ngaue;
- (f) taki to'utupu pe taha ngaue ki he to'utupu 'oku lelei hono va mo e tamasi'i pe taha kei si'i pea 'oku 'i ai hono tu'unga lelei 'i he komiuniti 'o e feitu'u ko ia; pe
- (g) ha taha kehe 'e loto 'a e 'Ofisa Fakatonutonu 'o e To'utupu pe ko e tamasi'i pe taha kei si'i mo hono famili ke fakaafe'i ki he Konifelenisi Fakakulupu 'a e Famili.
- (3) Kuo pau ke ma'u 'e ha taha mamahi, 'o tatau pe ko e ha 'a e ta'u motu'a, 'a e totonu ke 'i ai ha'ane taha poupou 'i he Konifelenisi Fakakulupu 'a e Famili, ka kuo pau kuo fakaha 'a e hingoa mo e ngaahi fakaikiiki 'o e taha poupou ki he 'Ofisa Fakatonutonu 'o e To'utupu kimu'a 'i he fakataha pea 'oku fe'unga 'a e taha ko ia ke kau.
- (4) Kuo pau 'e 'ikai fakangofua ha taha mei he mitia ke kau ki ha Konifelenisi Fakakulupu 'a e Famili, tukukehe kapau ko 'ene 'i ai ko ha memipa tonu 'o e famili 'o ha taha 'oku kaunga fakahangatonu ki he ngaahi talanga.
- (5) 'E ngofua ke 'i ai ha fakafofonga lao 'o fakafofonga'i ha tamasi'i pe taha kei si'i 'i ha Konifelenisi Fakakulupu 'a e Famili 'i hano kole 'e he tamasi'i pe taha kei si'i mo hono famili, neongo ki he ngata'anga 'e ala lava, 'oku 'ikai faipoupoua ke kau ha taha fakalao ki ai 'i he tu'unga ko 'eni.
- (6) Kuo pau 'e 'ikai kau atu ha 'ofisa 'o e Polisi Tonga pe ha fakafofonga kehe mei ha kautaha 'oku ne fakahoko 'a e pule 'a e lao ki ha Konifelenisi Fakakulupu 'a e Famili 'i hono teunga ngaue.

34 Taumu'a

- (1) Ko e taumu'a ki hono fakahoko ha Konifelenisi Fakakulupu 'a e Famili, fakatatau ki he tali 'a ha tamasi'i pe taha kei si'i ki ha tukuaki'i pe ngaahi tukuaki'i, ke –
 - (a) fakaha kia kinautolu 'oku kau fekau'aki mo e ngaahi tukunga 'o e hia kuo tukuaki'i mo kumi ki he –
 - (i) fale'i, talatalaifale mo e fakahinohino ma'ae tamasi'i pe taha kei si'i; mo e
 - (ii) ngaahi fakakaukau fekau'aki mo ha Palani Ngaue Fakatonutonu 'o e To'utupu 'oku taau;
 - (b) fa'u mo felotoi ki ha Palani Ngaue Fakatonutonu 'o e To'utupu ma'ae tamasi'i pe taha kei si'i ke ngaue atu ki he 'ulungaanga faihia;
 - (c) taliui 'a e tamasi'i pe taha kei si'i ki he'ene ngaahi to'onga, tokoni'i kinautolu ke nau fakakaukau ki he 'uhinga na'e hoko ai mo tokoni'i 'a e tamasi'i pe taha kei si'i ke ne ma'u ha mahino fekau'aki mo e uesia pe maumau kuo hoko ki he taha mamahi pea mo faka'ata 'a e tamasi'i pe taha kei si'i ke ne taliui ki he 'ulungaanga faihia ko ia;
 - (d) tokoni'i 'a e tamasi'i pe taha kei si'i ke 'fakatonutonu 'a e fehalaaki', 'o tokoni'i kinautolu ke fakakaukau ko e ha 'a e me'a 'e lava 'o fakahoko ke fakatonutonu 'a e ngaahi me'a mo poupou'i 'a e tamasi'i pe taha kei si'i 'i ha totongi fakafoki pe totongi huhu'i; pea
 - (e) poupou'i 'a e tamasi'i pe taha kei si'i 'i hono fakahoko 'o e ngaahi liliu mo'ui 'oku fakalakalaka, 'o ngaue atu ki he ngaahi 'uhinga tefito na'e iku ai ki he faihia mo fakasi'isi'i 'a e faingamalie ke hoko 'a e toe maumau lao 'i he kaha'u.
- (2) Kapau 'oku –
 - (a) ola lelei hono fakakakato 'e ha tamasi'i pe taha kei si'i 'a e Palani Ngaue Fakatonutonu 'o e To'utupu, 'e 'ikai ha toe ngaue makehe 'a e 'Ofisi Fakatonutonu 'o e To'utupu pe Polisi Tonga; pe
 - (b) 'ikai ola lelei pe fakakonga hono fakakakato 'e ha tamasi'i pe taha kei si'i 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu, 'e fakafoki 'a e keisi 'a e tamasi'i pe taha kei si'i ki he Polisi Tonga ki ha tu'utu'uni 'o ha ngaue 'e toe fakahoko ki ai.

35 Feitu'u mo e ngaahi talanga 'o ha Konifelenisi Fakakulupu 'a e Famili

- (1) Fakatatau ki he kupu si'i (2), kuo pau ke fakahoko ha Konifelenisi Fakakulupu 'a e Famili 'i he kolo 'o e tamasi'i pe taha kei si'i.
- (2) Kapau 'oku angamaheni ke nofo ha tamasi'i pe taha kei si'i 'i ha kolo, vahefonua pe ha motu 'o mavahe mei hono famili, 'e ngofua ke fakahoko ha Konifelenisi Fakakulupu 'a e Famili –

- (a) 'i he kolo, vahefonua pe motu 'oku nofo angamaheni ai 'a e tamasi'i pe taha kei si'i; pe
- (b) 'i he feitu'u, 'a ia 'i he lau 'a e 'Ofisa Fakatonutonu 'o e To'utupu, 'oku faingamalie lahi ange ke fakataha ai 'a kinautolu 'oku kau ki ha Konifelenisi Fakakulupu 'a e Famili, koe'uhi ko e ngaahi 'uhinga 'o e fefononga'aki, malava ke totongi pe faingamalie.

36 Ngaahi Fili ki ha Palani Ngaue Fakatonutonu 'o e To'utupu

- (1) 'I hono fa'u 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke 'ata 'a e ngaahi fili ko 'eni ki he Konifelenisi Fakakulupu 'a e Famili –
 - (a) fakatokanga ki he tamasi'i pe taha kei si'i;
 - (b) ha kole fakamolemole 'oku fakahoko 'i he lea pe ha tohi 'e he tamasi'i pe taha kei si'i ki he taha mamahi pe ni'ihahi mamahi;
 - (c) muimui'i 'o e ma'u ako 'i ha vaha'a taimi pau;
 - (d) faipau ki ha ngaahi makatu'unga kuo hilifaki 'e he konifelenisi pe ha ngaahi tu'unga faka'ulungaanga;
 - (e) faipau ki ha taimi nofo ma'u kuo hilifaki;
 - (f) tu'utu'uni ke lipooti ki ha taha kuo fakamahino pau pe ha kautaha 'i ha ngaahi taimi pau ki hono tokanga'i, muimui'i, pe fale'i;
 - (g) fale'i 'e ha taha pau pe kautaha, 'o hange ko e fale'i ki he ngaahi palopalema kavamalohi tapu mo e faito'o konatapu, pule'i 'o e loto 'ita pe ngaahi palopalema ki he mo'ui lelei fakae'atamai mo ha taha fakahoko ngaue;
 - (h) tu'utu'uni ke kau ki ha polokalama 'o hange ko e ngaahi ako ngaue pe ako taukei ngaue pe fakalelei;
 - (i) totongi huhu'i 'o kau ki ai hono fakafoki 'o ha ngaahi koloa kuo 'ave;
 - (j) totongi koe'uhi ko ha lavea pe ha mole fakatupu 'e ha tamasi'i pe taha kei si'i;
 - (k) totongi fakafoki 'o ha maumau kuo fakahoko 'e he tamasi'i pe taha kei si'i;
 - (l) ko hono fakahoko 'e he tamasi'i pe taha kei si'i ha ngaue kuo fakamahino pau ki he taha mamahi pe ni'ihahi mamahi, 'i he loto ki ai 'a e taha mamahi;
 - (m) ngaue komiuniti taau 'i ha feitu'u taau; pe
 - (n) ha founga kehe 'e pehe 'oku taau ki he tamasi'i pe taha kei si'i mo e ngaahi tukunga 'o e feitu'u ko ia.
- (2) Kuo pau ko e Palani Ngaue Fakatonutonu 'o e To'utupu 'e fakahoko ia 'i he foomu kuo tu'utu'uni 'i he Tepile 11 'o e Lao ni.
- (3) Kapau 'e fiema'u, kuo pau ke liliu 'a e Palani Ngaue Fakatonutonu 'o e To'utupu ki he lea faka-Pilitania 'e he 'Ofisi Fakatonutonu 'o e To'utupu.

37 Ngaahi Tu'utu'uni ki ha Palani Ngaue Fakatonutonu 'o e To'utupu

- (1) Ko ha Palani Ngaue Fakatonutonu 'o e To'utupu kuo pau ke –
 - (a) taau mo e ta'u motu'a 'o e tamasi'i pe taha kei si'i;
 - (b) fakatatau ki he hia kuo tukuaki'i na'e fakahoko 'e he tamasi'i pe taha kei si'i;
 - (c) liliu ngofua fe'unga ke faka'atā ha ngaahi liliu 'i he tukunga 'o e tamasi'i pe taha kei si'i mo hono famili; pea
 - (d) fakatatau ki he kupu 38 'o e Lao ni, kuo fakapapau'i 'i he loto taha 'a kinautolu 'oku nau kau ki he Konifelenisi Fakakulupu 'a e Famili.
- (2) Ko ha Palani Ngaue Fakatonutonu 'o e To'utupu kuo pau 'e 'ikai –
 - (a) uesia ki he mo'ui lelei fakaesino pe fakae'atamai 'a e tamasi'i pe taha kei si'i;
 - (b) kau ki ai 'a e tautea ta, fakangalivale'i 'i he kakai, pe ha me'a te ne tukuhifo pe fakamaa'i 'a e tamasi'i pe taha kei si'i;
 - (c) kau ki ai hano to'o 'i ha fotunga pe, 'a e tau'ataina 'a e tamasi'i pe taha kei si'i; pe
 - (d) ke ne uesia 'a e ako 'a e tamasi'i pe taha kei si'i.
- (3) Ki he tu'unga 'e ala malava, ko e Palani Ngaue Fakatonutonu 'o e To'utupu kuo pau –
 - (a) ke ne 'oange ha ngaahi poto'i ngaue 'aonga ki he tamasi'i pe taha kei si'i;
 - (b) ke ngaue ki he ngaahi palopalema na'e tu'unga ai 'a e 'ulungaanga faihia 'o e tamasi'i pe taha kei si'i;
 - (c) ke fakakau ki ai ha 'elemeniti 'o e tautea fakafokifoki 'o taumu'a ki hono fakalelei'i 'o e va 'i he vaha'a 'o e tamasi'i pe taha kei si'i, taha mamahi mo e komiuniti; pea
 - (d) ke fakakau ki ai 'a e famili mo e kau memipa 'o e komiuniti 'i hono tauhi ke taliui 'a e tamasi'i pe taha kei si'i mo e ngaue ki he 'ulungaanga faihia.
- (4) Kuo pau ke 'oatu 'a e tatau 'o e Palani Ngaue Fakatonutonu 'o e To'utupu ki he ni'ihiki ko 'eni –
 - (a) tamasi'i pe taha kei si'i mo 'ene famili;
 - (b) taha kotoa 'a ia 'oku kau ki hono fakahoko mo muimui'i 'a e Palani Ngaue Fakatonutonu 'o e To'utupu; mo e
 - (c) 'Ofisa Polisi Pule 'oku ne tokanga'i hono fakahoko 'a hono 'ave ki he 'Ofisi Fakatonutou 'o e To'utupu.
- (5) Kuo pau ke tu'utu'uni 'e he Palani Ngaue Fakatonutonu 'o e To'utupu ki he ni'ihiki 'oku nau kau ki hono tokanga'i mo muimui'i 'a hono fakahoko 'o e Palani Ngaue Fakatonutonu 'o e To'utupu.

38 'Ikai loto taha

Kapau, neongo 'a e ngaahi fepotalanoa'aki kakato, 'oku 'ikai loto taha 'a kinautolu 'oku kau ki he Konifelenisi Fakakulupu 'a e Famili 'i ha fa'ahinga me'a pe fekau'aki mo e natula 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke ma'u 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e totonu ke ne fakahoko ha tu'utu'uni aofangatuku 'o makatu'unga 'i he ngaahi me'a 'e lelei ki he tamasi'i pe taha kei si'i kae lava ke fakafaingamalie ha ola pe ha Palani Ngaue Fakatonutonu 'o e To'utupu 'a ia 'e lava 'o ngaue'aki pe 'a ia 'e fe'unga ki he tamasi'i pe taha kei si'i.

39 Lekooti 'o ha Konifelenisi Fakakulupu 'a e Famili

- (1) Kuo pau ke fakapapau'i 'e ha 'Ofisa Fakatonutonu 'o e To'utupu 'oku ne tataki 'a e Konifelenisi Fakakulupu 'a e Famili 'oku 'i ai ha lekooti 'oku tonu 'o e ngaahi talanga 'o ha Konifelenisi Fakakulupu 'a e Famili.
- (2) Kuo pau ke tauhi 'a e lekooti 'i kupu si'i (1) 'i he faile 'a e tamasi'i pe taha kei si'i 'a ia 'oku tauhi 'i he 'Ofisi Fakatonutou 'o e To'utupu, mo ha tatau 'e 'oatu ki he 'Ofisa Polisi Pule 'o e keisi, pe ko e 'Ofisa Polisi 'oku 'i ai.
- (3) Ko e lekooti 'i he kupu si'i (1) kuo pau ke fakahoko ia 'i he foomu kuo tu'utu'uni 'i he Tepile 12 'o e Lao ni.

40 Tohi kole ke liliu ha Palani Ngaue Fakatonutonu 'o e To'utupu

- (1) 'E ngofua ke kole 'e ha 'Ofisa Fakatonutonu 'o e To'utupu, 'i he tohi, ki he Talekita ki ha liliu 'i ha Palani Ngaue Fakatonutonu 'o e To'utupu kuo felotoi ki ai.
- (2) Kuo pau ko ha tohi kole ki ha liliu 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu ke fakahoko ia 'i he foomu kuo tu'utu'uni 'i he Tepile 13 'o e Lao ni.
- (3) 'I hono fakakaukau'i pe 'e tali pe 'ikai ha tohi kole 'i he kupu si'i (1), kuo pau ke vakai'i 'e he Talekita 'a e ngaahi me'a ko 'eni –
 - (a) natula 'o e liliu;
 - (b) ngaahi 'uhinga ki he kole ke liliu;
 - (c) poupou 'a e tamasi'i pe taha kei si'i mo hono famili ki he liliu;
 - (d) kapau 'e kaunga ki ai, ko e poupou 'a e Konifelenisi Fakakulupu 'a e Famili; pea
 - (e) kuo faipau 'a e tamasi'i pe taha kei si'i 'i he konga lahi 'o e Palani Ngaue Fakatonutonu 'o e To'utupu kimu'a 'i he tohi kole.
- (4) Kuo pau ke 'oatu 'e he Talekita ha tu'utu'uni tohi, 'i loto 'i he 'aho ngaue 'e 3 hono fakahu atu ha tohi kole 'i he kupu si'i (1), ki he 'Ofisa Fakatonutonu 'o e To'utupu, fakataha mo ha tatau kuo 'oatu ki he –

- (a) tamasi'i pe taha kei si'i mo 'ene ongo matu'a pe kinautolu 'oku tokanga'i ia;
 - (b) 'Ofisa Polisi Pule 'oku ne tokanga'i 'a hono 'ave; mo e
 - (c) 'Ofisa Kolo pe ko e taha 'oku ne tokanga'i hono muimui'i 'o e palani.
- (5) Kuo pau ko ha Tu'utu'uni ke liliu ha Palani Ngaue Fakatonutonu 'o e To'utupu 'e fakahoko ia 'i he foomu kuo tu'utu'uni 'i he Tepile 14 'o e Lao ni.

KONGA VIII – FAKAHOKO 'O HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU

41 Ngaahi fatongia ki hono tokanga'i mo muimui'i

- (1) Ko e ngaahi fatongia 'o ha taha mei he komiuniti kuo vahe'i ke ne tokanga'i, tokoni mo fakahoko 'a e ngaahi ngaue ki ha tamasi'i pe taha kei si'i felave'i mo ha Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke fakaha mahino, 'o tatau ai pe 'i he Palani Ngaue Fakatonutonu 'o e To'utupu pe 'i ha fetu'utaki tohi mei ha 'Ofisa Fakatonutonu 'o e To'utupu.
- (2) Kuo pau ke vahe'i 'e he Talekita 'a e 'Ofisa Fakatonutonu 'o e To'utupu ke ne muimui'i ofi 'a e ngaahi ngaue 'i he kupu si'i (1) pea ke lekooti 'a e ngaahi ngaue 'i he faile 'a e tamasi'i pe taha kei si'i.
- (3) Ki he ngata'anga 'e ala lava, kapau ko e leka pe taha kei si'i ko ha ta'ahine, kuo pau ke vahe'i ha fefine ke ne tokanga'i pe muimui'i ha leka pe taha kei si'i 'a ia 'oku ne fakakakato 'a e ngaahi tu'utu'uni 'o e Palani Ngaue Fakatonutonu 'o e To'utupu.
- (4) Kapau 'oku 'i ai ha taha 'i he kupu si'i (1) pe ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he kupu si'i (2) 'oku 'ikai ke ne fakahoko, tokanga'i pe muimui'i 'a e ngaahi ngaue 'a ia kuo vahe'i kinautolu ki ai 'i ha Palani Ngaue Fakatonutonu 'o e To'utupu, 'o tupu ai 'a e 'ikai fakakakato 'a e Palani Ngaue Fakatonutonu 'o e To'utupu 'e he tamasi'i pe taha kei si'i, –
 - (a) kuo pau ke fakaha 'a e 'ikai poupou ko 'eni, 'i he lea pe 'i ha tohi 'e he famili 'o e tamasi'i pe taha kei si'i ki he 'Ofisa Pule Ngaue 'o e Potungaue;
 - (b) kuo pau ke vahe'i 'e he 'Ofisa Pule Ngaue ha toko taha pe tokolahi ange ke tokanga'i 'a hono fakakakato 'o e Palani Ngaue Fakatonutonu 'o e To'utupu 'e he tamasi'i pe taha kei si'i 'i loto 'i ha vaha'a taimi kuo tu'utu'uni; pea
 - (c) kuo pau 'e 'ikai tautea 'a e tamasi'i pe taha kei si'i koe'uhi ko e 'ikai fakakakato 'a e Palani Ngaue Fakatonutonu 'o e To'utupu.

42 Ke fakaha ma'u pe ki he famili

- (1) Kuo pau ke fakaha ma'u pe 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'oku ngaue ki he keisi taki taha ki he famili 'o e tamasi'i pe taha kei si'i 'o fekau'aki mo e kamata, loloa, ngaahi tu'utu'uni mo e tu'unga 'o e Palani Ngaue Fakatonutonu 'o e To'utupu 'a e tamasi'i pe taha kei si'i.
- (2) Kimu'a 'i ha liliu ki hono fakahoko 'o ha Palani, kuo pau ke fakaha ia 'e ha 'Ofisa Fakatonutonu 'o e To'utupu ki he famili 'o e tamasi'i pe taha kei si'i.
- (3) Tukukehe ka 'ikai loto ki ai 'a e tamasi'i pe taha kei si'i, kuo pau ke 'i ai 'a e totonu 'a e famili 'o e tamasi'i pe taha kei si'i ke kau fakataha mo e tamasi'i pe taha kei si'i 'i hono fakahoko pe kau atu ki ha polokalama 'i ha Palani Ngaue Fakatonutonu 'o e To'utupu.

43 Ngaahi fatongia 'o ha tamasi'i pe taha kei si'i

- (1) Kuo pau ke faipau ha tamasi'i pe taha kei si'i ki he kotoa 'o e ngaahi tu'utu'uni 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu, 'i he taimi pe hono ngaue'aki 'i he Konga VII.
- (2) Kuo pau ke kau atu ha tamasi'i pe taha kei si'i ki ha ngaue komiuniti, polokalama talatalaifale, ngaue fakasiasi, pe fakahoko ha kole fakamolemole pe totongi fakafoki 'i he natula pe 'i he 'aho 'a ia 'e tu'utu'uni 'e he'ene supavaisa pe 'Ofisa Fakatonutonu 'o e To'utupu, 'o fakatatau mo 'ene Palani Ngaue Fakatonutonu 'o e To'utupu.
- (3) Kapau 'e loto ha tamasi'i pe taha kei si'i pe ko hono famili ke liliu 'ene tali ui 'i ha 'aho pau, kuo pau ke fetu'utaki 'a e tamasi'i pe taha kei si'i pea ma'u 'a e fakangofua 'a 'ene 'Ofisa Fakatonutonu 'o e To'utupu 'o 'ikai toe si'i hifo 'i he houa 'e 48 kimu'a 'i he 'aho 'o e ngaue ko ia.
- (4) Kapau kuo liliu ha 'aho ki ha ngaue 'i he kupu si'i (3), kuo pau ke lekooti 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e ngaahi 'uhinga ki he liliu mo e 'aho fo'ou 'a ia kuo pau ke fakahoko ai 'a e ngaue ko ia pea fakaha 'eni ki he supavaisa 'a e tamasi'i pe taha kei si'i 'i he faingamalie vave taha.

44 Fale'i 'o e Fakakakato

- (1) 'I hono fakakakato lelei 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu 'e ha tamasi'i pe taha kei si'i, kuo pau ki he 'Ofisa Fakatonutonu 'o e To'utupu, 'i he'ene fealea'aki mo e ngaahi kupu felave'i kotoa na'a nau kau 'i he ngaue fakatonutonu 'o e to'utupu, ke ne fakaha ki he Talekita 'a e fakakakato 'o e founga ngaue fakatonutonu 'o e to'utupu.
- (2) 'I hono ma'u 'o ha fale'i 'i he kupu si'i (1) –
 - (a) kuo pau ke fakahu atu 'e he Talekita ha Fale'i 'o e Fakakakato 'i he tohi, ki he 'Ofisa Polisi Pule 'a ia na'a ne tokanga'i 'a hono 'ave; pea

- (b) 'i hono ma'u ha kole mei he Talekita, kuo pau ke lekooti 'eni 'e he 'Ofisa Polisi Pule na'e ngaue ki hono 'ave 'i he faile 'a e tamasi'i pe taha kei si'i pea 'ikai toe fakahoko ha ngaue ki he tamasi'i pe taha kei si'i.
- (3) Kuo pau ko ha Fale'i 'o e Fakakakato 'e fakahoko ia 'i he foomu kuo tu'utu'uni 'i he Tepile 15 'o e Lao ni.

45 Fale'i 'o e 'ikai Fakakakato

- (1) Kapau kuo 'ikai faipau ha tamasi'i pe taha kei si'i ki he pe ki hono fakakakato 'o e Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ki he 'Ofisa Fakatonutonu 'o e To'utupu, 'i he'ene fealea'aki mo e ngaahi kupu felave'i kotoa na'a nau kau 'i he Konifelenisi Fakakulupu 'a e Famili, ke ne fale'i ki he Talekita 'a e 'ikai fakakakato 'o e founga ngaue fakatonutonu 'o e to'utupu.
- (2) 'I hono ma'u 'a e fale'i 'i he kupu si'i (1), kuo pau ke fakaha 'e he Talekita, 'i ha tohi, ki he 'Ofisa Polisi Pule na'e ngaue ki hono 'ave, pea ko e tamasi'i pe taha kei si'i ke toe fakafoki ki he founga ngaue 'a e fakamaau'anga.
- (3) Kuo pau ko ha Fakaha 'o e 'ikai Fakakakato 'e fakahoko ia 'i he foomu kuo tu'utu'uni 'i he Tepile 16 'o e Lao ni.

46 Ngaahi 'uhinga ki he 'ikai fakakakato

Kapau 'oku 'ikai fakakakato 'e ha tamasi'i pe taha kei si'i ha Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke lekooti 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e ngaahi 'uhinga ki he 'ikai fakakakato 'i ha fakaikiiki fe'unga ke tokoni 'i he ola lelei 'a hono muimui'i mo fakaivia 'a e founga ngaue fakatonutonu 'o e to'utupu.

KONGA IX – MUIMUI'I 'O E FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU

47 Fokotu'u 'o ha Komiti Pule

- (1) Kuo pau ke fokotu'u 'e he Minisita ha Komiti Pule ke ne tokanga'i hono muimui'i 'o e fakahoko 'o e Lao ni.
- (2) Kuo pau ko e Komiti Pule 'e kau ki ai 'a e kau memipa ko 'eni –
 - (a) Fakamaau Polisi Pule (sea);
 - (b) Komisiona Polisi;
 - (c) Fakahinohino Lao Pule; mo e
 - (d) 'Ofisa Pule Ngaue 'o e Potungauc.

- (3) 'E ngofua ki he Komiti Pule, mei he taimi ki he taimi, ke nau fakakau atu ha kau memipa fakalahi 'i ha'anau fiema'u, koe'uhi ko hono fakahoko hono ngaahi fatongia.
- (4) Kuo pau ko e vaha'a taimi fakahoko fatongia 'o e memipa taki taha 'o e Komiti Pule, ki ha –
 - (a) taha 'oku ne ma'u lakanga koe'uhi ko ha lakanga, ki he loloa taha 'o e taimi 'oku ma'u ai 'e he taha ko ia 'a e lakanga;
 - (b) fakafofonga 'ikai faka-Pule'anga pe ha taha na'e fakakau mai, ki ha vaha'a taimi ko ha ta'u 'e ua, mo e faingamalie ke toe fakanofu 'e he Komiti Pule ki ha toe teemi 'e taha.
- (5) Kuo pau 'e 'ikai fakakau mai ha taha ki he Komiti Pule tukukehe kapau –
 - (a) 'oku 'i ai ha'ane 'ilo pe taukei 'i he sekitoa fakamaau'anga 'i Tonga pe ko e Pasifiki; pe
 - (b) 'oku 'i ai ha'ane ngaahi poto'i ngaue pe 'ilo makehe 'a ia 'oku fekau'aki mo e ngaahi fatongia 'o e Komiti Pule.
- (6) Kuo pau ke fakahoko 'e he Potungaue 'a e ngaahi fatongia fakasekelitali ki he Komiti Pule.

48 Ngaahi Fatongia 'o e Komiti Pule

Kuo pau ke ma'u 'e he Komiti Pule 'a e ngaahi fatongia ko 'eni –

- (a) muimui'i 'a hono fakahoko 'o e Lao 'e he ngaahi kupu felave'i ke fakapapau'i 'a e faipau ki he Lao ni mo e ngaahi tu'utu'uni kuo fa'u 'i ai;
- (b) vakai'i 'a e ngaahi ola ma'ae ni'ihiki kei si'i kuo nau fakakakato 'a e founa ngaue fakatonutonu 'o e to'utupu ke vakai pe 'oku 'i ai ha ngaahi liliu 'oku totonu ke fakahoko ki he founa ngaue, pea 'oatu ha ngaahi fokotu'u ki he Minisita 'i hano fiema'u;
- (c) vakai'i mo fakahoko ha ngaahi fokotu'u ki he Minisita 'o felave'i mo –
 - (i) ha launga kuo fakahu atu 'i he kupu 50 'o e Lao ni; pe
 - (ii) hono fakaivia 'o e fa'unga fakalao, tu'utu'uni mo e tu'utu'uni ngaue 'a Tonga ki hono fakamaau'i 'o e to'utupu; pe
- (d) ha fatongia kehe 'e ngofua ke kole 'e he Minisita ki he Komiti Pule mei he taimi ki he taimi.

49 Ngaahi fokotu'u atu 'a e Komiti Pule

- (1) Kuo pau ke vakai'i fakalelei 'e he Minisita 'a e ngaahi fokotu'u atu 'a e Komiti Pule 'i he Konga IX mo e XI 'o e Lao ni pea, kapau 'e tali 'e he Minisita 'a e ngaahi fokotu'u, kuo pau ke fakahoko ia.

- (2) Kuo pau ko e fatongia 'a e 'Ofisa Pule Ngaue ke tokanga'i 'a hono fakahoko 'o e ngaahi fokotu'u 'a ia kuo tali 'e he Minisita 'i he kupu si'i (1).

KONGA X – FOUNGA FAKAHOKO LAUNGA

50 'E ngofua ke fakahu atu ha launga

- (1) 'E ngofua ke fakahu atu 'e ha tamasi'i pe taha kei si'i mo hono famili ha launga 'i ha tohi ki he Komiti Pule fekau'aki mo ha founga ngaue, tu'utu'uni na'e fakahoko, pe tokanga'i 'o ha tamasi'i pe taha kei si'i 'i he Lao ni.
- (2) Ko e launga kuo pau ke –
- (a) 'i he foomu kuo tu'utu'uni 'i he Tepile 17 'o e Lao ni; pea
- (b) fakahu atu ki he Sekelitali 'o e Komiti Pule 'i loto 'i he 'aho 'e 21 'o e hoko 'a e loto mamahi pe tu'utu'uni na'e fakahoko.

51 Vakai'i 'o ha launga

- (1) Kuo pau ke fakataha 'a e Komiti Pule 'o fakatatau pea 'i he taimi 'e fiema'u ai ke tu'utu'uni ki ha launga kuo fakahu atu 'i he Konga ni.
- (2) Kapau 'e fiema'u, kuo pau ke 'omai 'e he Komiti Pule ha fakamatala makehe mei he taha launga pe taha 'oku fekau'aki mo e launga.
- (3) Kuo pau ke 'oatu 'e he Komiti Pule 'a 'ene tu'utu'uni 'i loto 'i he 'aho 'e 28 mei he 'aho na'e fakahu atu ai 'a e launga pe, kapau na'e kole ha fakamatala makehe, 'i loto 'i he 'aho 'e 28 mei hono ma'u 'a e fakamatala kakato na'e fiema'u.
- (4) Kuo pau ke 'oatu 'e he Potungaue 'a e ngaahi naunau 'e fiema'u 'e he Komiti Pule ke fakahoko 'aki hono ngaahi fatongia 'i he Konga ni.

KONGA XI – TU'UNGA FAKAPULIPULI 'O E NGAHI FAILE

52 Tu'unga fakapulipuli

Kuo pau ke tauhi ke matu'aki fakapulipuli 'a e ngaahi talanga mo e ola 'o ha Fakataha 'a e Famili mo e Konifelenisi Fakakulupu 'a e Famili tukukehe 'i he ngaahi tu'unga ko 'eni –

- (a) ki he tu'unga kuo pau ke vahevahe 'a e fakamatala mo kinautolu 'oku kau mai 'a ia kuo nau loto ke tokoni 'i hono fakahoko pe muimui 'i 'o e ngaahi konga 'o e Palani Ngaue Fakatonutonu 'o e To'utupu; pe

- (b) kapau 'oku hokohoko atu pe 'a e toutou maumau lao 'a e tamasi'i pe taha kei si'i pea 'oku ngaue ki ai 'a e Fakamaau'anga 'o fakatatau mo e lao 'oku ala fekau'aki mo ia.

53 Ta'ofi hono fakaha 'o e hingoa

- (1) Kuo pau ke ta'ofi 'o 'ikai toe fekau'i hono fakaha 'o e hingoa 'o e tamasi'i pe taha kei si'i 'a ia 'oku –
- (a) 'ave ki he pea 'oku kau 'i he founga ngaue fakatonutonu 'o e to'utupu; pe
- (b) hā 'i he Fakamaau'anga Polisi pe Fakamaau'anga Lahi 'o felave'i mo ha me'a 'a ia 'oku felave'i mo ha tamasi'i pe taha kei si'i, tukukehe ka tu'utu'uni 'e he fakamaau'anga 'oku 'i ai ha ngaahi makatu'unga makehe 'oku fiema'u ai ke to'o 'a e ta'ofi hono fakaha 'o e hingoa.
- (2) Koe'uhi ko e ngaahi taumu'a 'o e kupu si'i (1), kuo pau ke kau ki he ngaahi makatu'unga makehe 'o pehe ko e tamasi'i pe taha kei si'i –
- (a) kuo fakahalaia'i ia ki ha hia mamafa 'a ia 'i he lelei fakalukufua ki he kakai, 'e 'ikai fakapotopoto ke kei fakapulipuli 'a e hingoa mo e fakamatala fekau'aki mo e tamasi'i pe taha kei si'i; pe
- (b) ko ha taha toutou maumau lao 'a ia kuo fakahalaia'i kimu'a pea ngaue popula ki ha ngaahi hia.

KONGA XII – NGAHI ME'A FAKAPA'ANGA

54 Ngaahi totongi mo e ngaahi monu'ia

'E ngofua ki he Minisita, 'i ha'ane fealea'aki mo e Kapineti, ke ne tali pe fokotu'u ha totongi fakataha, fakamole 'e lava 'o totongi fakafoki pe ha monu'ia ke ma'u 'e ha taha, kautaha pe komiti ki ha fatongia pe ha ngafa kuo vahe'i 'i he Lao ni.

KONGA XIII – LESISITA

55 Fokotu'u 'o ha lesisita

- (1) Kuo pau ke fokotu'u mo tauhi 'e he Talekita, 'i loto 'i he mahina 'e 12 mei hono kamata ngaue'aki 'o e Lao ni, ha lesisita 'oku 'i ai 'a e ngaahi fakamatala ko 'eni –
- (a) mafai kuo vahe'i 'e he Minisita ki he 'Ofisa Pule Ngaue 'i he kupu 8 'o e Lao ni;
- (b) hingoa 'o e tamasi'i pe taha kei si'i taki taha 'a ia kuo 'ave ki he founga ngaue fakatonutonu 'o e to'utupu 'i he kupu 18 mo e kupu 19 'o e Lao ni;

- (c) polisi lekooti kimu'a 'a e tamasi'i pe taha kei si'i kuo 'ave ki he ngaue fakatonutonu 'o e to'utupu, kapau 'oku 'i ai;
 - (d) ngaahi hingoa 'o e 'Ofisa Fakatonutonu 'o e To'utupu, 'Ofisa Polisi Pule, 'ofisa kolo mo e ngaahi kupu felave'i 'i he komiuniti 'oku nau kau 'i he tu'unga taki taha 'o e founga ngaue fakatonutonu 'o e to'utupu 'o fakatatau ki he Palani Ngaue Fakatonutonu 'o e To'utupu 'a e tamasi'i pe taha kei si'i taki taha kuo ngaue'aki 'o felave'i mo e tamasi'i pe taha kei si'i taki taha pea tautefito ki he –
 - (i) pe na'e fakakakato pe 'ikai fakakakato 'a e palani;
 - (ii) kapau na'e 'ikai kakato, ngaahi 'uhinga ki he 'ikai fakakakato;
 - (iii) kapau na'e 'ikai kakato, pe na'e 'i ai ha kole ki ha tu'utu'uni ke liliu mo e ngaahi tu'unga fo'ou 'i he tu'utu'uni ke liliu;
 - (iv) kapau na'e 'i ai ha tu'utu'uni ke liliu, pe na'e fakakakato kotoa 'a e Palani Ngaue Fakatonutonu 'o e To'utupu pe 'ikai fakakakato; mo
 - (v) ha ngaahi fokotu'u ki ha toe fakalelei'i mo fakaivia 'a e founga ngaue fakatonutonu 'o e to'utupu 'i Tonga;
 - (f) hingoa 'o ha 'Ofisa Fakatonutonu 'o e To'utupu 'a ia kuo fakanofa 'i he kupu 15 'o e Lao ni, kae pehe ki he fakamo'oni 'o 'ene ako mo e polisi lekooti;
 - (g) hingoa 'o e 'Ofisa Fakatonutonu 'o e To'utupu 'a ia kuo fakata'e'aonga'i hono fakanofa ia 'i he kupu 17 'o e Lao ni;
 - (h) hingoa mo e fakamatala felave'i mo ha taha fakahoko ngaue 'oku ne fakahoko pe 'oatu ha ngaue 'i he Lao ni, kau ki ai 'a e ngaahi hingoa mo e sivi 'o 'enau kau 'ofisa fakamafai taki taha;
 - (i) 'i he'ene felave'i mo e palakalafi (h), ha fakamatala pe na'e faipau 'a e taha fakahoko ngaue, pe 'oku kei faipau, ki he ngaahi tu'unga si'isi'i taha kuo tu'utu'uni 'i he ngaahi tu'utu'uni kuo fa'u 'i he Lao ni pe ko e tu'utu'uni ngaue fakafonua ki hono malu'i 'o e fanau 'a ia kuo tali 'e he Kapineti;
 - (j) ngaahi launga kuo fakahu atu 'i he kupu 50 'o e Lao ni, kau ki ai 'a e natula mo e ola 'o e launga taki taha; mo
 - (k) ha me'a kehe pe ha lekooti 'a ia kuo pau ke pehe 'e he Talekita 'oku totomu ke fakakau 'i he lesisita.
- (2) Ki he tu'unga 'e ala lava, kuo pau ke tauhi faka'ilekitulonika 'a e lesisita kuo fokotu'u 'i he kupu si'i (1).

KONGA XIV – NGAahi ME'A KEHEKEHE**56 Malu'i mei he mo'ua**

Kuo pau 'e 'ikai ha ngaue fakalao 'e fakahoko ki ha 'ofisa pe ha memipa 'o ha kautaha pe ha sino kuo fokotu'u 'i he Lao ni, koe'uhi ko ha ngaue 'a ia na'e fakahoko 'i he loto lelei pe 'oku pehe na'e fakahoko 'e he 'ofisa pe memipa 'i hono fakahoko 'o e ngaahi fatongia 'o e 'ofisa pe memipa ko ia 'i he Lao ni.

57 Mafai ke fa'u 'a e Ngaahi Tu'utu'uni

Kuo pau ke fa'u 'e he Minisita, 'i he loto ki ai 'a e Kapineta, 'a e ngaahi tu'utu'uni ki hono fakahoko lelei 'o e Lao ni.

KONGA XV – NGAahi HIA MO E NGAahi TAUTEA**58 'Ikai 'oatu 'a e fakamatala 'oku tonu mo e fakafaingata'a'ia'i 'a e ngaue**

Ka 'i ai ha taha 'oku ne —

- (a) 'oatu ha fakamatala 'ikai mo'oni, fuoloa pe 'ikai tonu 'i he 'ilo pau ki he Potungaue, 'Ofisi Ngaue Fakatonutonu 'o e To'utupu pe ki ha 'ofisa kuo fakanofa 'i he Lao ni;
- (b) loto ke 'ikai 'oatu 'a e fakamatala pe 'oatu ha tohi ngaue 'a ia kuo kole fakalao 'e he Potungaue pe ha 'ofisa kuo fakanofa 'i he ngaahi kupu 'o e Lao ni; pe
- (c) fakafaingata'a'ia'i ha 'ofisa kuo fakanofa 'i hono fakahoko hono ngaahi mafai pe fatongia 'i he Lao ni,

kuo pau ke ne ala mo'ua 'i ha'ane halaia ki ha mo'ua pa'anga 'o 'ikai laka hake 'i he \$2,000 pe ki ha vaha'a taimi ngaue popula 'o a'u ki he mahina 'e 3, pe fakatou'osi.

59 'Oua 'e ngaahi kovi'i 'a e tamasi'i pe taha kei si'i

- (1) Kuo pau 'e 'ikai ngaahi kovi'i ha tamasi'i pe taha kei si'i 'e ha taha 'a ia 'oku ne fakahoko ha fatongia 'i ha taimi pē 'i he founga ngaue fakatonutonu 'o e to'utupu 'i he Lao ni.
- (2) Ka 'i ai ha taha 'oku ne maumau'i 'a e kupu si'i (1), 'oku ne ala mo'ua, 'i ha'ane halaia, ki ha mo'ua pa'anga 'o 'ikai toe laka hake 'i he \$5,000 pe ki ha vaha'a taimi ngaue popula 'o a'u ki he mahina 'e 6, pe fakatou'osi.

Na'e tali 'e he Fale Alea 'i he 'aho ni 'o 2024.

TEPILE 1

(Kupu 8(4))

TOHI NGAUE 'O E VAHE'I



**POTUNGAUE FAKAMAAU'ANGA
TOHI NGAUE 'O E VAHE'I**

Fika 'o e Vahe'i: _____ / 20 _____

Fakatatau ki he Kupu 8 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'oku ou **VAHE'I** heni 'a e ngaahi fatongia mo e/pe ngaahi mafai ko 'eni ki he 'Ofisa Pule Ngaue 'o e Potungaue Fakamaau'anga.

Ngaahi mafai pe fatongia kuo vahe'i:

(Fika 'o e kupu.) (Fakamatala 'o e mafai pe fatongia)

.....
.....

Kuo pau ke kamata ngaue'aki 'a e vahe'i ko 'eni 'i he 'aho pea 'e hokohoko atu 'o ngata ki he[mahina], 20.....[ta'u].

.....
'Eiki Minisita Fakamaau'anga

.....
'Aho

TEPILE 2

(Kupu 15(1))

FAKANOFO 'O HA 'OFISA FAKATONUTONU 'O E TO'UTUPU



**POTUNGAUE FAKAMAAU'ANGA
TOHI NGAUE 'O E FAKANOFO**

Fika 'o e Fakanofu: _____ / 20 _____

Fakatatau ki he Kupu 15(1) 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'oku ou **FAKANOFO** heni 'a [HINGOA 'O E 'OFISA] 'o e [HINGOA 'O E POTUNGAUE] ko e 'Ofisa Fakatonutonu 'o e To'utupu 'i he malumalu 'o e Lao.

'Oku fakamafai'i koe heni ke ke fakahoko fatongia ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'o fakafongia'i 'a e Potungaue, 'o ma'u 'a e ngaahi mafai kakato 'o ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, kae fakatatau ki he kotoa 'o e ngaahi kupu 'i he Lao mo e ngaahi tu'utu'uni kuo fa'u 'i ai.

'Oku fakalao 'a e fakanofu 'o ngata ki he: 'I he 'aho ko 'eni, 'e ngata 'iate ia pe ho fakanofu kae 'oua kuo tuku atu ha fakaloloa ki he fakanofu 'i ha tohi 'e he Minisita 'oku ne 'i he lakanga.

Foaki 'i Nuku'alofa 'i he 'aho 'o [mahina],
20..... [ta'u].

.....
'Eiki Minisita Fakamaau'anga

TEPILE 3

(Kupu 16(1))

FOOMU FAKA'ILONGA'I 'O HA 'OFISA FAKATONUTONU 'O E TO'UTUPU

'I MU'A:

Hingoa:

Lakanga:

Potungaue:

Ngata ki:

Fika ID:

NGAAHI MAFAI KAKATO / NGAARI MAFAI FAKANGATANGATA

'I HE TU'A:

KO E ID KO 'ENI KO E KOLOA IA 'O E
POTUNGAUE FAKAMAAU'ANGA.

'Oku tu'utu'uni'i heni ke ke to'o holo 'a e tohi faka'ilonga'i ko 'eni 'i he taimi kotoa pe 'oku ke fakahoko ai ho ngaahi mafai 'i he Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu. Kuo pau ke ke fakaha 'a e ID ko 'eni kapau 'e kole atu 'e ha taha.

'I he taimi 'e ngata pe fakata'e'aonga'i ai ho fakanofa, 'oku tu'utu'uni'i koe ke ke fakafoki 'i he vave taha ho'o kaati faka'ilonga'i ki he 'Ofisa Pule Ngaue 'o e Potungaue Fakamaau'anga.

TEPILE 4

(Kupu 17(1))

FAKATA'E'AONGA'I 'O HA FAKANOFU 'O HA 'OFISA FAKATONUTONU 'O E TO'UTUPU



Fika Fakata'e'aonga'i: _____ / 20 _____

Fakatatau ki he Kupu 17(1) 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'oku ou **FAKATA'E'AONGA'I** heni 'a hono fakanofu 'o [HINGOA 'O E 'OFISA] 'o e [HINGOA 'O E POTUNGAUE] ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he malumalu 'o e Lao.

Ko ho'o mafai ke fakahoko fatongia ko ha 'Ofisa Fakatonutonu 'o e To'utupu 'o fakafofonga'i 'a e Potungaue, 'oku fakata'e'aonga'i ia 'i he taimi ni pē pea 'e 'ikai lava ke ke ngaue'aki pe pehe ke ke ngaue'aki ha ngaahi mafai 'o ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he malumalu 'o e Lao.

Foaki 'i Nuku'alofa 'i he 'aho 'o [mahina], 20..... [ta'u].

.....
'Eiki Minisita Fakamaau'anga

TEPILE 5*(Kupu 18)***NGAAHI HIA 'OKU TAAU KE 'AVE KI HE NGAUE FAKATONUTONU 'O E
TO'UTUPU**

Fakatatau ki he Kupu 18, ka 'i ai ha tamasi'i pe taha kei si'i 'a ia –

- (a) kuo tukuaki'i na'a ne fakahoko ha hia 'i ha Lao 'a ia 'oku hiki 'i he Tepile 5 ko 'eni; pea
- (b) ko e tautea ki he hia 'a ia kuo tukuaki'i na'e fakahoko ko hono lahi taha ko ha mo'ua pa'anga \$10,000 pe ko ha vaha'a taimi ngaue popula 'o a'u ki he ta'u 'e 2, pe fakatou'osi,

kuo pau, 'i hono fakataha'i mo e makatu'unga 'i he kupu 19, ke taau ia ke 'ave ki he founa ngaue fakatonutonu 'o e to'utupu 'o fakatatau mo e Lao ni.

LAO
Lao ki he Ngaahi Hia [Vahe 4.04]
Lao ki hono Pule'i 'o e Ngaahi Faito'o Ta'efakalao [Vahe 4.06]
Lao ki he Pule'i 'o e Toutai [Vahe 18.02]
Lao ki he Fe'alu'aki [Vahe 24.03]
Lao ki he Kava Malohi Tapu [Vahe 12.07]
Lao ki he Ngaahi Faito'o Kona 2021
Lao ki he Ngaahi 'o e Kava Kona [Vahe 12.08]
Lao ki he Ngaahi 'Akau Kovi 'oku Mafola mo Tupu Vao [Vahe 19.05]
Lao ki he Tauhi 'o e Maau 'i he Ngaahi Feitu'u Fakapule'anga [Vahe 7.06]
Lao ki he Pule'i 'o e Ponokalafi [Vahe 4.09]
Lao (Tauhi) ki he Maau 'a e Kakai [Vahe 7.09]

TEPILE 6

(Kupu 29(1))

FOOMU FAKANGOFUA KE KAU ATU KI HE FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU

FIKA 'O E KEISI/FAILE: _____

FAKANGOFUA 'A E TAMASI'I PE TAHA KEI SI'I

Fakatatau ki he Kupu 29(1) 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, ko au [fakahu 'a e hingoa' o e tamasi'i pe taha kei si'i] 'o [fakahu 'a e kolo] 'oku ou fakapapau'i heni kuo u 'oatu 'eku fakangofua ke kau 'i he Founga Ngaue Fakatonutonu 'o e To'utupu.

Ko e ngaahi taumu'a mo e ngaahi kongokonga tefito 'o e Founga Ngaue Fakatonutonu 'o e To'utupu kuo fakamatala'i mai ia kiate au 'e [hingoa 'o e 'Ofisa Fakatonutonu 'o e To'utupu].

'Oku ou mahino'i 'oku ou ma'u 'a e totonu ke u tukuange 'a e Founga Ngaue Fakatonutonu 'o e To'utupu 'i ha taimi pē.

Hingoa 'o e tamasi'i pe taha kei si'i:

Fakamo'oni hingoa:

'Aho:

FAKANGOFUA 'A E (ONGO) MATU'A, (ONGO) TAUHI PE (KINAUTOLU) TAHA 'OKU NE TOKANGA'I

Ko Au/Ko Kimaua [fakahu 'a e hingoa 'o e matu'a, pe ngaahi hingoa 'o e ongo matu'a, ongo matu'a ohi pe ongo tauhi fakalao 'o e tamasi'i pe taha kei si'i] 'o [fakahu 'a e kolo] 'oku ou/'oku ma fakapapau'i kuo 'oatu 'eku/'ema fakangofua ke kau ki he Founga Ngaue Fakatonutonu 'o e To'utupu 'i he Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'o fekau'aki mo homa foha/'ofefine, [fakahu 'a e hingoa' o e tamasi'i pe taha kei si'i].

Ko e ngaahi taumu'a mo e ngaahi kongokonga tefito 'o e Founga Ngaue Fakatonutonu 'o e To'utupu kuo fakamatala'i mai ia kiate au/kimaua 'e [hingoa 'o e 'Ofisa Fakatonutonu 'o e To'utupu].

'Oku ou/'Oku ma mahino'i 'e lava keu/ke ma fili ke tukuange 'a e Founga Ngaue Fakatonutonu 'o e To'utupu 'i ha taimi pē.

Fakamo'oni hingoa ki ai 'a:

Tamai:

Fa'e:

Pe Tauhi/Taha 'oku ne tokanga'i:

'Aho:

TEPILE 7

(Kupu 19(4))

**'AVE 'O HA TAMASI'I PE TAHA KEI SI'I 'E HE POLISI TONGA KI HE
FOUNGA NGAUE FAKATONUTONU 'O E TO'UTUPU**

1 Puke

- (1) Fakatatau ki he ngaahi founga ngaue mo e ngaahi tu'utu'uni pau kuo 'i ai, kuo pau ke ngaue atu 'a e Polisi Tonga ki ha launga.
- (2) Kuo pau ke fakapapau'i 'e he 'ofisa polisi 'oku fakahoko 'a e muimui ki he ngaahi founga ngaue ko 'eni mo e ngaahi tu'utu'uni, 'a ia 'e tokoni ke fakapapau'i 'a e ngaue 'oku totonu.

2 Vakai'i

Kimu'a pea 'ave ha tamasi'i pe taha kei si'i ki he 'Ofisi Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke vakai'i 'e he 'Ofisa Polisi Pule 'a e ngaahi me'a ko 'eni –

- (a) pe 'oku 'i ai ha fakamo'oni fe'unga na'e 'i ai ha hia na'e fakahoko; pea
- (b) pe 'oku taau 'a e tamasi'i pe taha kei si'i ke 'ave ki he founga ngaue fakatonutonu 'o e to'utupu 'i he Kupu 18 mo e Kupu 19 'o e Lao.

3 'Ave

Kapau 'oku taau ha tamasi'i pe taha kei si'i ki he ngaue fakatonutonu 'o e to'utupu 'i he kupu 18 mo e kupu 19 'o e Lao ni, kuo pau ke fa'u 'e he 'Ofisa Polisi Pule ha fakamatala tohi ke fakahu atu ki he Talekita 'o e 'Ofisi Ngaue Fakatonutonu 'o e To'utupu.

4 Fakataha 'a e Famili

- (1) Kapau 'e 'ave 'e he Polisi Tonga 'a e keisi 'a ha tamasi'i pe taha kei si'i ki he Founga Ngaue Fakatonutonu 'o e to'utupu 'i he Lao ni, kuo pau ke fakaha 'eni ki he tamasi'i pe taha kei si'i mo hono famili, pea ke fale'i ma'u pē kia kinautolu 'o fekau'aki mo ia 'i he kotoa 'o e ngaahi tu'unga 'o e Founga Ngaue Fakatonutonu 'o e To'utupu.
- (2) Kuo pau ke fokotu'utu'u 'e he 'Ofisa Fakatonutonu 'o e To'utupu ha Fakataha 'a e Famili mo e tamasi'i pe taha kei si'i mo hono famili 'i loto 'i he uike 'e 1 mei hono ma'u 'o hono 'ave.

TEPILE 8

(Kupu 19(5))

FOOMU KI HONO 'AVE KI HE NGAUE FAKATONUTONU 'O E TO'UTUPU

Fika 'o e keisi:	.....
Hingoa 'o e tamasi'i pe taha kei si'i:	.....
Tu'unga tangata pe fefine:	<input type="checkbox"/> Tangata <input type="checkbox"/> Fefine
Tu'asila:	
'Aho fa'ele'i:	.....
Feitu'u na'e fa'ele'i ai:	.....
Ta'u motu'a:	
Tangata'i fonua:	
Hingoa 'o e ongo matu'a/kinautolu 'oku nau tokanga'i:	Matu'a #1: Matu'a #2: Taha 'oku ne tokanga'i #1: Taha 'oku ne tokanga'i #2:
Hia 'oku tukuaki'i ki ai:	..... ..... .....
'Aho:	.....
Taimi:	.....
Feitu'u:	.....
'Aho na'e lipooti si 'a e hia:	.....
Mamahi/hingoa 'o e taha launga:	.....
Ta'u motu'a 'o e mamahi:	.....
Taha na'a ne lipooti:	.....
Ngaahi fakaikiiki 'o e hia kuo tukuaki'i:	..... ..... .....
Hiki hifo ha ngaahi lavea 'o e mamahi:	..... ..... ..... .....

<p>Hiki hifo ha ngaahi fokoutua 'o e mamahi:</p>	<p>'Oku ma'u 'e he mamahi ha taha pe lahi ange 'o e ngaahi me'a ko 'eni:</p> <table border="1" data-bbox="794 461 1283 922"> <thead> <tr> <th data-bbox="794 461 1038 510">Fokoutua</th> <th data-bbox="1038 461 1166 510">'IO</th> <th data-bbox="1166 461 1283 510">'IKAI</th> </tr> </thead> <tbody> <tr> <td data-bbox="794 510 1038 562">Puke fakae'atamai</td> <td data-bbox="1038 510 1166 562"></td> <td data-bbox="1166 510 1283 562"></td> </tr> <tr> <td data-bbox="794 562 1038 638">Palopalema fakae'atamai</td> <td data-bbox="1038 562 1166 638"></td> <td data-bbox="1166 562 1283 638"></td> </tr> <tr> <td data-bbox="794 638 1038 689">Palopalema 'a e sio</td> <td data-bbox="1038 638 1166 689"></td> <td data-bbox="1166 638 1283 689"></td> </tr> <tr> <td data-bbox="794 689 1038 766">Palopalema 'a e fanongo</td> <td data-bbox="1038 689 1166 766"></td> <td data-bbox="1166 689 1283 766"></td> </tr> <tr> <td data-bbox="794 766 1038 842">Palopalema 'a e ngaue holo</td> <td data-bbox="1038 766 1166 842"></td> <td data-bbox="1166 766 1283 842"></td> </tr> <tr> <td data-bbox="794 842 1038 922">Palopalema 'a e fetu'utaki</td> <td data-bbox="1038 842 1166 922"></td> <td data-bbox="1166 842 1283 922"></td> </tr> </tbody> </table> <p data-bbox="794 936 1329 1016">Kapau kuo ke tali 'io ki ha taha 'o e ngaahi me'a 'i 'olunga, kataki 'o 'omai ha ngaahi fakaikiiki fakalahi 'i lalo:</p> <p data-bbox="794 1039 1169 1178">..... </p>	Fokoutua	'IO	'IKAI	Puke fakae'atamai			Palopalema fakae'atamai			Palopalema 'a e sio			Palopalema 'a e fanongo			Palopalema 'a e ngaue holo			Palopalema 'a e fetu'utaki		
Fokoutua	'IO	'IKAI																				
Puke fakae'atamai																						
Palopalema fakae'atamai																						
Palopalema 'a e sio																						
Palopalema 'a e fanongo																						
Palopalema 'a e ngaue holo																						
Palopalema 'a e fetu'utaki																						
<p>Hiki hifo ha ngaahi luvea 'o e tamasi'i pe taha kei si'i:</p>																						

TEPILE 8

<p>Hiki hifo ha ngaahi fokoutua 'o e tamasi'i pe taha kei si'i:</p>	<p>'Oku ma'u 'e he tamasi'i pe taha kei si'i ha taha pe lahi ange 'o e ngaahi me'a ko 'eni:</p> <table border="1" data-bbox="699 450 1185 913"> <thead> <tr> <th>Fokoutua</th> <th>'IO</th> <th>'IKAI</th> </tr> </thead> <tbody> <tr> <td>Puke fakae'atamai</td> <td></td> <td></td> </tr> <tr> <td>Palopalema fakae'atamai</td> <td></td> <td></td> </tr> <tr> <td>Palopalema 'a e sio</td> <td></td> <td></td> </tr> <tr> <td>Palopalema 'a e fanongo</td> <td></td> <td></td> </tr> <tr> <td>Palopalema 'a e ngaue holo</td> <td></td> <td></td> </tr> <tr> <td>Palopalema 'a e fetu'utaki</td> <td></td> <td></td> </tr> </tbody> </table> <p>Kapau kuo ke tali 'io ki ha taha 'o e ngaahi me'a 'i 'olunga, kataki 'o 'omai ha ngaahi fakaikiiki fakalahi 'i lalo:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	Fokoutua	'IO	'IKAI	Puke fakae'atamai			Palopalema fakae'atamai			Palopalema 'a e sio			Palopalema 'a e fanongo			Palopalema 'a e ngaue holo			Palopalema 'a e fetu'utaki		
Fokoutua	'IO	'IKAI																				
Puke fakae'atamai																						
Palopalema fakae'atamai																						
Palopalema 'a e sio																						
Palopalema 'a e fanongo																						
Palopalema 'a e ngaue holo																						
Palopalema 'a e fetu'utaki																						
<p>Na'e kumi 'a e tamasi'i pe taha kei si'i?</p>	<p><input type="checkbox"/> 'Io <input type="checkbox"/> 'Ikai</p> <p>Kapau 'io, na'e 'i ai ha me'a na'e ma'u 'i he tamasi'i pe taha kei si'i?</p> <p><input type="checkbox"/> 'Io <input type="checkbox"/> 'Ikai</p> <p>Kataki 'o hiki 'i lalo ha ngaahi me'a na'e ma'u:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>																					
<p>Hingoa 'o e taha lahi na'e 'i ai 'i he taimi na'e kumi ai 'a e tamasi'i pe taha kei si'i: (kupu 144, Lao ki he Polisi Tonga [Vahe 7.07])</p>	<p>.....</p> <p>.....</p>																					
<p>Hiki hifo ha koloa na'e to'o mei he tamasi'i pe taha kei si'i mo e 'uhinga na'e to'o ai:</p>	<p>.....</p> <p>.....</p>																					
<p>Ngaahi fakaikiiki 'o ha tu'utu'uni 'a e Fakamaau Polisi pe CIU:</p>	<p>.....</p> <p>.....</p> <p>.....</p>																					

<p><u>Ngaue'aki pē 'e he Polisi Tonga:</u> Hingoa 'o e 'Ofisa ki hono 'Ave & fika: Fika Telefoni 'a e 'Ofisa ki hono 'Ave: 'Aho: Taimi:</p>	<p>.....</p> <p><u>Ngaue'aki pē 'e he 'Ofisi Ngaue Fakatonutonu 'o e To'utupu:</u> Faile na'e ma'u mai 'e: 'Aho: Taimi:</p>
<p>FOUNGA NGAUE 'A E POLISI TONGA:</p> <ol style="list-style-type: none"> (1) Fakakakato 'a e foomu (2) Hiki tatau 'a e foomu (3) Tatau totomu ke 'ave ki he 'Ofisi Ngaue Fakatonutonu 'o e To'utupu 'o fakafou 'i he meili fakavavevave (courier) (4) Tatau ke faile 'i he 'Apitanga Polisi 'o e 'Ofisa Polisi Pule na'a ne fakahoko hono 'ave 	

TEPILE 9

(Kupu 20)

FATONGIA 'O E NGAahi KUPU FELAVE'I

'Oku hā atu 'i lalo 'a e fatongia 'o e Ngaahi Potungaue fekau'aki mo e ngaahi kupu felave'i 'i he komiuniti 'i he founga ngaue fakatonutonu 'o e to'utupu.

1 Polisi Tonga

- (1) Ko e fatongia 'o ha 'Ofisa Polisi Pule 'oku ne ngaue ki ha tamasi'i pe taha kei si'i 'a ia kuo tukuaki'i na'a ne fakahoko ha hia 'a ia 'oku taau ke 'ave ki he founga ngaue fakatonutonu 'o e to'utupu, kuo pau ke kau ai 'a e ngaahi me'a ni –
- (a) hoko ko e 'uluaki fetu'utaki mo e tamasi'i pe taha kei si'i mo tanaki 'a e fakamatala fetu'utaki;
 - (b) fakahoko 'a e fuofua fetu'utaki mo e famili ke fakaha kia kinautolu 'o fekau'aki mo e tamasi'i pe taha kei si'i mo e hia pe ngaahi hia kuo tukuaki'i kuo ne fakahoko;
 - (c) faitu'utu'uni pe 'oku a'usia 'e he tamasi'i pe taha kei si'i 'a e tu'utu'uni ke 'ave 'aki;
 - (d) fakaha ki he tamasi'i pe taha kei si'i mo e famili 'o fekau'aki mo e founga ngaue fakatonutonu 'o e to'utupu;
 - (e) fakakakato mo tuku atu 'a e tohi ki hono 'ave ki he Talekita 'o e 'Ofisi Ngaue Fakatonutonu 'o e To'utupu;
 - (f) teuteu mo vahevahe 'a e fakamatala mo e 'Ofisi Ngaue Fakatonutonu 'o e To'utupu kimu'a 'i he Fakataha 'a e Famili mo e Konifelenisi Fakakulupu 'a e Famili.
 - (g) fakapapau'i 'oku tauhi 'a e ngaahi lekooti kuo tohi pe faka'ilekitulonika 'o e 'ave 'o e tamasi'i pe taha kei si'i, kau ki ai 'a e ngaahi me'a ko 'eni:
 - (i) ngaahi fakamatala 'o e fakatotolo;
 - (ii) tu'utu'uni ki he tu'unga taau mo e fakamo'oni 'oku a'usia 'e he tamasi'i pe taha kei si'i 'a e tu'utu'uni ke 'ave 'aki ki he founga ngaue fakatonutonu 'o e to'utupu;
 - (iii) ngaahi tu'utu'uni kuo a'u ki ai; mo e
 - (iv) ngaahi 'ave kuo fakahoko,
 - (h) kau atu ki ha Konifelenisi Fakakulupu 'a e Famili pea tanaki fakakaukau ki hono fa'u 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu.
- (2) Ko e fakamatala ke vahevahe atu 'i he kupu si'i (1)(f) 'oku kau ki ai ha –
- (a) fakamatala 'o e ngaahi mo'oni'i me'a mo e hia pe ngaahi hia kuo tukuaki'i ki ai 'a e tamasi'i pe taha kei si'i;

- (b) fakama'opo'opo 'o e maumau pe uesia kuo ne fakatupu; mo ha
- (c) fakamatala 'a ha mamahi pe taha fakamo'oni.

2 Kau 'Ofisa Kolo

Fakatatau ki he fakangofua 'o e 'Ofisa Pule Ngaue 'oku ne tokanga'i, kuo pau ke kau 'i he fatongia 'o ha 'Ofisa Kolo 'a e ngaahi me'a ni –

- (a) alea mo e 'Ofisi Ngaue Fakatonutonu 'o e To'utupu fekau'aki mo e ngaahi fokotu'utu'u ki he Konifelenisi Fakakulupu 'a e Famili;
- (b) poupou ki ha 'Ofisa Fakatonutonu 'o e To'utupu 'i hono fakahoko 'o ha ngaahi fokotu'utu'u ki he Konifelenisi Fakakulupu 'a e Famili, 'o kau ki ai hono 'oatu 'o ha feitu'u taau 'i he kolo pe ko 'ene a'u ki he ngaahi ngaue tokoni fakakolo 'a ia 'oku taau mo e ngaahi fiema'u 'a e tamasi'i pe taha kei si'i;
- (c) 'oatu ha fakakaukau 'oku 'aonga ki he Konifelenisi Fakakulupu 'a e Famili 'o fekau'aki mo ha uesia pe maumau ki he kolo koe'uhi ko e hia kuo tukuaki'i;
- (d) fale'i fekau'aki pe tokoni 'i hono 'oatu 'o ha polokalama fakakolo 'a ia 'oku hoko ko ha konga 'o e Palani Ngaue Fakatonutonu 'o e To'utupu;
- (e) tanaki fakakaukau ki hono fa'u 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu;
- (f) kapau 'e kole 'e he Konifelenisi Fakakulupu 'a e Famili, ke tokanga'i 'a e tamasi'i pe taha kei si'i lolotonga hono fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu pe, 'i ha fealea'aki mo e 'Ofisa Fakatonutonu 'o e To'utupu, ke fakahoko ha ngaahi fokotu'utu'u kehe; pea
- (g) kapau 'e kole, 'oatu ha tokoni fakalukufua ki he tamasi'i pe taha kei si'i mo hono famili.

3 Kau Fakahoko Ngaue

- (1) 'E ngofua ke 'oatu 'ikai totongi 'e he taha fakahoko ngaue 'a 'ene ngaahi ngaue ke tokoni 'i he Founga Ngaue Fakatonutonu 'o e To'utupu 'aki 'a e lesisita 'i he Potungaue 'i he founga kuo tu'utu'uni.
- (2) 'E ngofua ke kau 'i he fatongia 'o ha taha fakahoko ngaue 'a e ngaahi me'a ko 'eni –
 - (a) kapau 'e kole 'e ha 'Ofisa Fakatonutonu 'o e To'utupu, ke kau 'i ha Konifelenisi Fakakulupu 'a e Famili;
 - (b) tanaki fakakaukau ki hono fa'u 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu; pea
 - (c) fakahoko ha polokalama tokoni pe 'oatu ha ngaue ke tokoni'i 'a e tamasi'i pe taha kei si'i ke solova 'a e ngaahi tefito'i palopalema kae lava

ke ne fakahoko ha ngaahi fili lelei ange 'i he mo'ui, koe'uhi kae 'ikai toutou maumau lao.

4 Kau fakafongga 'o e siasi mo e kolo

- (1) 'E ngofua ke ngaue 'ikai totongi 'a e ngaahi ngaue 'a ha siasi pe kautaha fakakolo 'i he kolo 'o e tamasi'i pe taha kei si'i ke tokoni 'i he Founa Ngaue Fakatonutonu 'o e To'utupu 'aki 'a e lesisita 'i he Potungae 'i he founa kuo tu'utu'uni.
- (2) 'E ngofua ke kau 'a e ngaahi me'a ko 'eni 'i he fatongia 'o ha siasi pe fakafongga 'o e kolo –
 - (a) kapau 'e kole ki ai, kau ki ha Konifelenisi Fakakulupu 'a e Famili;
 - (b) fakaha 'a e vakai 'a e siasi pe komiuniti 'o fekau'aki mo e uesia pe maumau kuo hoko;
 - (c) tokoni ki hono fa'u 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu; pea
 - (d) fakahoko ha tokoni fakalaumalie pe ha polokalama tokoni ke tokoni'i 'a e tamasi'i pe taha kei si'i ke ne fakahoko ha ngaahi fili lelei ange 'i he mo'ui, koe'uhi kae 'ikai toutou maumau lao.

5 Famili

Kuo pau ke kau 'i he fatongia 'o e famili 'a e tamasi'i pe taha kei si'i 'a e ngaahi me'a ni –

- (a) kau ki he Fakataha 'a e Famili and Konifelenisi Fakakulupu 'a e Famili 'a ia kuo fokotu'u 'e he 'Ofisi Ngaue Fakatonutonu 'o e To'utupu;
- (b) poupou ki he tamasi'i pe taha kei si'i 'i ha fakataha pe faka'eke'eke lolotonga 'a e Founa Ngaue Fakatonutonu 'o e To'utupu;
- (c) talanoa'i 'a e uesia tamaki 'o e maumau lao 'a e tamasi'i pe taha kei si'i.
- (d) tanaki fakakaukau ki hono fa'u 'o e Palani Ngaue Fakatonutonu 'o e To'utupu pea tokoni'i ke lava 'a e tamasi'i pe taha kei si'i 'o fakakakato ia; pea
- (e) 'i hono fakakakato 'o e Palani Ngaue Fakatonutonu 'o e To'utupu, faka'ilonga'i 'a e ola, pe kapau 'oku 'ikai fakakakato, hoko atu hono poupou'i 'o e tamasi'i pe taha kei si'i 'i he ngaahi sitepu hoko 'o e founa ngaue.

TEPILE 10

(Kupu 32(2))

KALASI 'O E NGAHI KONIFELENISI FAKAKULUPU 'A E FAMILI

KALASI	FAKAMATALA	KINAUTOLU 'OKU KAU KI AI	TOTONGI FAKAFOKI
<p>Kalasi 1</p>	<p>Ko e konifelenisi 'Kalasi 1' ko e fotunga angamaheni ia 'o e konifelenisi 'oku fakahoko pea kuo pau ke fakahoko ia 'i hono fakakaukau'i 'o e 'ulungaanga faihia 'a ha tamasi'i pe taha kei si'i hili hono fuofua 'ave.</p> <p>'E ngofua ke fakahoko foki ha konifelenisi 'Kalasi 1' 'i hono tu'oua mo tu'o tolu hono 'ave (toutou maumau lao) kapau 'oku 'ikai ha ngaahi me'a kehe 'e 'ilo'i 'oku ne uesia 'a e 'ulungaanga 'o e tamasi'i pe taha kei si'i, 'o hange ko e ngaahi palopalema 'o e faito'o konatapu mo e kavamalohi, faingata'a'ia ke ako pe ngaahi palopalema fakasino.</p>	<p>Ko kinautolu 'oku kau ki he konifelenisi 'e kau ki ai 'a e tamasi'i pe taha kei si'i, famili 'a e tamasi'i pe taha kei si'i, 'ofisa polisi, 'ofisa kolo, fakafofonga mei he siasi. Ko ha taha mamahi, memipa 'o e kainga pe 'e ngofua ke fakaafe'i ha fakafofonga 'o e komiuniti ke kau atu ki ai.</p> <p>'Oku 'ikai fiema'u ke kau atu ha kau palofesinale pe ha ngaahi ngaue makehe ki he konifelenisi 'Kalasi 1'.</p>	<p>'E ngofua ke kau ki ai ha totongi fakafoki pe totongi huhu'i si'isi'i.</p>
<p>Kalasi 2</p>	<p>'Oku fakahoko 'a e konifelenisi 'Kalasi 2' 'i he taimi 'oku 'ilo'i ai 'a e ngaahi tefito'i me'a ngalingali ke ne uesia 'a e 'ulungaanga 'o e tamasi'i pe taha kei si'i, 'o hange ko e ngaahi palopalema 'o e faito'o konatapu mo e kavamalohi, ngaahi palopalema ki he mo'ui</p>	<p>Tanaki atu ki he ni'ihiki kuo hiki 'i he Kalasi 1, 'oku fiema'u ha kau palofesinale pe ha ngaahi ngaue felave'i. Fakatāta 'aki 'eni – palofesinale 'i he mo'ui, taha fale'i, toketa fale'i, saikolosia fakafaito'o pe talekita polokalama.</p>	<p>'E ala kau 'a e totongi fakafoki pe totongi huhu'i 'o fakataha'i mo e ngaue atu ki ha ngaahi tefito'i palopalema</p>

	lelei fakae'atamai, faingata'a ke ako, fehanga'angai mo e fakamamahi 'i 'api pe ngaohikovia, ngaahi palopalema loto 'ita pe nofo 'ikai ha 'uhinga mei be ako.	'E kau ki ai mo e hokohoko atu 'o e ngaahi ngaue mo e muimui'i.	
Kalasi 3	<p>'Oku fakahoko ha konifelenisi 'Kalasi 3' 'i he taimi 'oku 'ikai fakakakato ai 'e he tamasi'i pe taha kei si'i ha Palani Ngaue Fakatonutonu 'o e To'utupu pe kuo ola lelei hono fakakakato 'e he tamasi'i pe taha kei si'i ha taha pe lahi ange 'o e Ngaahi Palani Ngaue Fakatonutonu 'o e To'utupu ka 'oku hokohoko atu pē 'a 'ene toutou maumau lao.</p> <p>Kuo pau ke toe fakalelei'i 'a e Palani pea felotoi ki ha palani fo'ou, 'aki hono fakakaukau'i 'o e ngaahi tu'unga pe ko e malava ke fakafoki 'e he konifelenisi 'a e tamasi'i pe taha kei si'i ki he Polisi Tonga ki he founga ngaue angamaheni.</p>	Kinautolu na'a nau kau ki he fuofua Konifelenisi Fakakulupu 'a e Famili.	Kuo pau ke vakai'i 'e he konifelenisi 'a e hisitolia totongi fakafoki mo e totongi huhu'i kuo fakahoko 'e he tamasi'i pe taha kei si'i 'i he taimi 'oku fakakaukau'i ai 'a e ngaahi ola 'oku taau.

TEPILE 11

(Kupu 36(2))

SIPINGA 'O E PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU

PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU				
1. Kole fakamolemole mo fakatonutonu 'a e ngaahi me'a				
2. Ngaahi ngaue mo e/pe polokalama 'e kau ki ai 'a e tamasi'i pe taha kei si'i?	Ko e ha e me'a 'e kau ki ai 'a e tamasi'i pe taha kei si'i?	'A fe?	'I fe?	Ko hai te ne tokanga'i mo e ngaahi fakaikiiki 'o e feu'utaki?
3. Ngaahi polokalama pe ngaue 'oku fiema'u ki hono 'ave.	Polokalama/Ngaue	Ko hai te ne fakahoko 'a hono 'ave?	Ko e ha e loloa 'o e polokalama/ngaue	Ko hai te ne tokanga'i mo e ngaahi fakaikiiki 'o e feu'utaki?
4. Ngaahi makatu'unga (e.g. kapau 'e fiema'u – kole fakamolemole, taimi tapu 'a e fe'alu'aki, li'aki 'o e ngaahi fetu'utaki, ngaahi makatu'unga ki he kau atu, tapui mei he ngaahi feitu'u etc.)				
5. Loloa 'o e Palani	'Aho kamata:		'Aho ngata ki ai:	
6. Muimui'i 'o e Palani	Ko hai 'oku ne tokanga'i 'a hono muimui'i 'o e palani?	Hingoa:	Ngaue:	Ngaahi fakaikiiki 'o e fetu'utaki:
7. Hiki ha toe fakamatala kehe fekau'aki mo e Palani:	Ngaahi fakamatala fekau'aki mo hono sivi hono fakakakato:	'E toe 'i ai ha fakataha ke faka'ilonga'i 'a e malava		

		lelei ke fakakakato 'a e Palani Ngaue Fakatonutonu 'o e To'utupu?		
Kuo pau ke taife 'a e Palani Ngaue Fakatonutonu 'o e To'utupu ko 'eni, pea 'oatu hano tatau ki be kotoa 'o kinautolu 'oku kau ki hono fakaboko mo muimui'i 'a e Palani.				

TEPILE 12

(Kupu 39(3))

LEKOOTI 'O HA KONIFELENISI FAKAKULUPU 'A E FAMILI

Kuo pau ke tauhi 'e he 'Ofisa Fakatonutonu 'o e To'utupu 'a e lekooti 'o ha Konifelenisi Fakakulupu 'a e Famili 'o hange ko hono fakaha atu 'i lalo –

LEKOOTI 'O E KONIFELENISI FAKAKULUPU 'A E FAMILI MO E PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU	
ID 'o e KEISI/FAILE:	
FEITU'U:	
'AHO:	
Hingoa 'o e tamasi'i pe taha kei si'i:	
'Aho fa'ele'i:	
Ta'u motu'a:	
'Apiako pe 'apiako ma'olunga ange:	
Tu'asila:	
Hia kuo tukuaki'i ki ai:	
'Aho fakahoko 'o e hia kuo tukuaki'i ki ai:	
Tali 'a hono nunu'a:	<p>Faka'ilonga'i 'a e puha pē 'e TAHA:</p> <ul style="list-style-type: none">'OKU 'IKAI ke tali 'e he tamasi'i pe taha kei si'i 'a e nunu'a ki he hia kuo tukuaki'i ki ai. Ngata 'a e fakataha; fakafoki 'a e keisi ki he Polisi Tonga.'OKU TALI 'e he tamasi'i pe taha kei si'i 'a e nunu'a ki he hia kuo tukuaki'i ki ai. Hoko atu 'a e fakataha ki he <i>talanoa</i> mo hono fa'u 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu.

Kuo pau ke 'oatu fakataha ha tatau 'o e tohi ngaue ki hono 'ave 'e he Polisi Tonga mo e lekooti ni:	'Oku 'oatu fakataha mo e tatau 'o hono 'ave: <input type="checkbox"/> 'Io 'Ikai	
Hingoa 'o e 'Ofisa Fakatonutonu 'o e To'utupu:		
Hingoa 'o e famili:		
Faitu'utu'uni 'a e tamasi'i pe taha kei si'i mo e fakangofua 'a e ongo matu'a ke kau 'i he Founga Ngaue Fakatonutonu 'o e To'utupu:	'Oku 'oatu fakataha mo e foomu fakangofua: <input type="checkbox"/> 'Io 'Ikai	
Ngaahi hingoa 'o kinautolu 'oku kau ki he Konifelenisi Fakakulupu 'a e Famili:	<input checked="" type="checkbox"/>	Kataki 'o faka'ilonga'i pea fakahu 'a e ngaahi hingoa 'i lalo –
	<input type="checkbox"/>	Tamasi'i pe taha kei si'i
	<input type="checkbox"/>	Tamai / Fa'e
	<input type="checkbox"/>	Taha 'oku ne tokanga'i
	<input type="checkbox"/>	(Ongo) Tauhi
	<input type="checkbox"/>	(Kau) Mamahi
	<input type="checkbox"/>	'Ofisa Fakatonutonu 'o e To'utupu
	<input type="checkbox"/>	'Ofisa Fakavahefonua pe 'Ofisa Kolo
	<input type="checkbox"/>	Faifekau pe fakafofonga mei he Siasi
	<input type="checkbox"/>	Fakafofonga mei he ako
	<input type="checkbox"/>	Salvation Army
	<input type="checkbox"/>	Fakafofonga 'o e NGO
	<input type="checkbox"/>	Fakafofonga 'o e NGO
<input type="checkbox"/>	Fakafofonga 'o e NGO	
Ngaahi Ola 'o e Konifelenisi Fakakulupu 'a e Famili:		

Fakama'opo'opo 'o e Palani Ngaue Fakatonutonu 'o e To'utupu 'oku ngaue'aki:	Ngaahi fakaikiiki kakato ke 'oatu fakataha ia ko e Fakalahi I.
Vaha'a taimi 'o e palani:	.....
'Aho kamata:	.....
Aho ngata ki ai:	.....
Taha (ni'ihii) 'oku tokanga'i hono muimui'i:	
Fakamo'oni hingoa 'a e tamasi'i pe taha kei si'i:	
Fakamo'oni hingoa 'a e ongo matu'a:	
Fakamo'oni hingoa 'a e 'Ofisa Ngaue Fakatonutonu 'o e To'utupu:	
'Aho:	
<u>KI HE NGAUE'AKI PĒ 'E HE 'OFISI:</u>	

FAKALAHII 1

Kuo pau ke fakapipiki 'a e Palani Ngaue Fakatonutonu 'o e To'utupu na'e felotoi ki ai mo ha fakamatala fakalahi (ha atu 'i lalo) ko e Fakalahi I.

FAKAMATALA FAKALAHII	
(a) Ngaahi lekooti 'o ha ngaahi fakataha pe fetu'utaki fekau'aki mo hono muimui'i 'o e palani	
(b) Ngaahi lipooti meia kinautolu 'oku kau ki he konifelenisi 'a ia 'oku nau tokoni ki he palani ngaue fakatonutonu 'o e to'utupu 'i he faipau/kau mai 'a e tamasi'i pe taha ta'u si'i	
(c) Ola 'o e Palani Ngaue Fakatonutonu 'o e To'utupu	
(d) Kapau kuo fakakakato 'a e Palani Ngaue Fakatonutonu 'o e To'utupu, ha lekooti 'o hano 'fakafiefia'i' faka'osi mo e lipooti 'o e kotoa 'o kinautolu 'oku kau atu	

TEPILE 12

(e) Kapau na'e 'ikai fakakakato 'a e Palani Ngaue Fakatonutonu 'o e To'utupu, fakaha 'a e (ngaahi) 'uhinga mo e fokotu'u 'a e Konifelenisi Fakakulupu 'a e Famili ki he 'ngaahi sitepu hoko'	
(f) Ngaahi lekooti 'o ha ngaahi fakataha pe fetu'utaki fekau'aki mo hono muimui'i 'o e palani	

TEPILE 13

(Kupu 40(2))

TOHI KOLE KI HONO LILIU 'O HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU



**'OFISI NGAUE FAKATONUTONU 'O E TO'UTUPU
TOHI KOLE KI HONO LILIU 'O HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU**

Fakatatau ki he Kupu 40(2) 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'oku ou KOLE heni ha liliu ki he Palani Ngaue Fakatonutonu 'o e To'utupu 'a ia na'e felotoi ki ai 'a e Konifelenisi Fakakulupu 'a e Famili 'i [kolo] 'i he ['aho] 'o felave'i mo [HINGOA 'O E TAMASI'I PE TAHA KEI SI'I].

Ko e kole 'o e liliu ki he Palani Ngaue Fakatonutonu 'o e To'utupu 'e anga pehe ni –

.....
.....
.....

Ko e tohi kole ko 'eni ki he liliu 'oku makatu'unga ia 'i he ngaahi 'uhinga ko 'eni – [faka'ilonga'i^v 'a e (ngaahi) 'uhinga]

	'Ikai ha faingamalie 'o e ni'ihhi ngaue tefito
	Puke 'a e tamasi'i pe taha kei si'i pe ni'ihhi ngaue tefito
	'Apisia 'a ha memipa tonu 'o e famili 'o e tamasi'i pe taha kei si'i
	Fakatamaki fakanatula
	Liliu 'i he tukunga 'o e tamasi'i pe taha kei si'i (fakatātā 'aki 'eni, ma'u ngaue)
	Ha ngaahi makatu'unga kehe 'a ia 'oku tu'unga 'i he ngaahi 'uhinga fakapotopoto

'Aho:.....

.....
'Ofisa Fakatonutomu 'o e To'utupu

TEPILE 14

(Kupu 40(5))

TU'UTU'UNI KE LILIU HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU



POTUNGAUE FAKAMA AU'ANGA

TU'UTU'UNI KE LILIU HA PALANI NGAUE FAKATONUTONU 'O E TO'UTUPU

Fakatatau ki he Kupu 40(5) 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'oku ou FAKANGOFUA heni 'a e liliu 'o e Palani Ngaue Fakatonutonu 'o e To'utupu 'a ia na'e felotoi ki ai 'a e Konifelenisi Fakakulupu 'a e Famili 'i [kolo] 'i he ['aho] 'o felave'i mo [HINGOA 'O E TAMASI'I PE TAHA KEI SI'I].

Kuo pau ko e liliu ki he Palani Ngaue Fakatonutonu 'o e To'utupu 'e anga pehe ni –

.....
.....
.....
.....
.....

Foaki 'i Nuku'alofa 'i he 'aho 'o[mahina], 20..... [ta'u].

.....
'Eiki Minisita Fakamaau'anga

Nuku'alofa

TEPILE 15

Nuku 'alofa

TEPILE 16

(Kupu 45(3))

FALE'I 'O E 'IKAI FAKAKAKATO



**POTUNGAUE FAKAMAAU'ANGA
NGAUE FAKATONUTONU 'O E TO'UTUPU – FALE'I 'O E 'IKAI FAKAKAKATO**

Fakatatau ki he Kupu 45(3) 'o e Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu, 'oku ou fale'i heni ko [HINGOA 'O E TAMASI'I PE TAHA KEI SI'I] 'o [KOLO] kuo 'ikai ke ne fakakakato 'a e Palani Ngaue Fakatonutonu 'o e To'utupu 'a ia na'e felotoi ki ai 'i he Konifelenisi Fakakulupu 'a e Famili 'i he [fakahu 'a e 'aho]. 'Oku 'oatu fakataha mo ha tatau 'o e Palani Ngaue Fakatonutonu 'o e To'utupu 'i he Fakalahi 1.

Ngaahi 'uhinga ki he 'ikai fakakakato ko e –

.....
.....
.....

'Oku kole atu ai heni ke ke ngaue ki he me'a ni 'o fakatatau mo e lao 'e ala fekau'aki mo ia pea, kapau 'e taau, ke 'ave 'a e me'a ni ki he mafai 'o e Fakamaau'anga 'o fakatatau mo e Lao ki he Fakamaau'anga Polisi mo e/pe Lao 'o e Fakamaau'anga Lahi.

'Aho:.....

.....
Talekita, 'Ofisi Ngaue Fakatonutonu 'o e To'utupu

Nuku 'alofa

TEPILE 17

(Kupu 50(2)(a))

FOOMU LAUNGA



**POTUNGAUE FAKAMAAU'ANGA
FOOMU LAUNGA**

Fika 'o e faile:	
Hingoa 'o e taha launga:	
Tu'asila:	
Telefoni: 'Imeili:	
Natula 'o e Launga: <i>(Ngaue'aki ha lau'i pepa mavahe kapau 'oku 'ikai fe'unga 'a e sipeisi)</i>	
<i>Hili hono fakafomu, 'oku totonu ke fakahu atu 'a e foomu ko 'eni ki he Sekelitali 'o e Komiti Pule pe ki ha fiema'u tokoni, kataki 'o telefoni:..... pe 'imeili ki he tyjoversight@gmail.com.</i>	
Hingoa 'o e Taha launga: Fakamo'oni hingoa: 'Aho:	<u>Ngaue'aki pē 'e he 'Ofisi:</u> 'Aho na'e ma'u ai 'a e Launga: Hingoa 'o e 'ofisa tali launga: Tu'unga: (Ngaahi) Kupu felave'i 'i he Lao 'a Tonga ki hono Fakamaau'i 'o e To'utupu:

FAKAMATALA FAKALAHĪ

(‘Oku ‘ikai hoko ‘a e ngaahi fakamatala ni ko ha konga ‘o e Lao Fakaangaanga ka ‘oku taumu‘a pe ke fakamatala‘i hono ngaue‘aki mo e taumu‘a)

- 1.1 Ko e ngaahi tefito‘i taumu‘a ki he Lao Fakaangaanga ni ke –
 - (a) ta‘ofi ha tamasi‘i pe taha kei si‘i ‘a ia kuo tukuaki‘i kuo ne fakahoko ha hia mei ha‘ane kau atu ki he sisitemi fakamaau‘anga hia mo hono ngaahi nunu‘a kovi ‘e muimui mai ai;
 - (b) fakahoko ha ngaue ‘oku fe‘unga mo e ta‘u motu‘a, fakalakalaka mo e anga fakafonua ki he faihia ‘a e to‘utupu;
 - (c) fakasi‘isi‘i ‘a e ngaue ki he fakamaau‘anga ‘aki hono ‘ave ‘a e ngaahi keisi iiki mei he ngaahi fakamaau‘anga; pea
 - (d) fakasi‘isi‘i ‘a e faingamalie ke toe faihia mo fakahoko ha ngaue ki he ngaahi me‘a ‘oku ne fakatupu ‘a e ‘ulungaanga faihia ‘aki hono fa‘u ‘o ha Ngaahi Palani Ngaue Fakatonutonu ‘o e To‘utupu ‘a ia ‘oku taau pea muimui‘i.
- 1.2 ‘Oku totonu ke lau ‘a e Lao Fakaangaanga ni fakataha mo e Ngaahi Lao Fakaangaanga fakatonutonu ko ‘eni, ‘a ia ‘oku feinga ke ne fakahoko ha ngaahi fakatonutonu ‘o makatu‘unga heni ki he ngaahi lao felave‘i ko ‘eni, ke fakatatau ki he Founa Ngaue Fakatonutonu ‘o e To‘utupu ‘a ia kuo fokotu‘u ‘i he malumalu ‘o e Lao Fakaangaanga ni –

Lao Fakaangaanga (Fakatonutonu) ki he Fakamaau‘anga Polisi 2024, Lao Fakaangaanga (Fakatonutonu) ki he Fakamaau‘anga Lahi 2024, Lao Fakaangaanga (Fakatonutonu) ki he Polisi Tonga mo e Lao Fakaangaanga (Fakatonutonu) ki he Kau ‘Ofisa Fakavahefonua mo e Kau ‘Ofisa Kolo 2024.
- 1.3 ‘Oku fokotu‘u atu ‘i he tepile ‘i lalo ‘a e ngaahi konga mo e ngaahi kupu tefito ‘o e Lao Fakaangaanga ‘a Tonga ki hono Fakamaau‘i ‘o e To‘utupu 2024 –

KONGA ‘I HE LAO FAKAANGAANGA	FAKAMATALA FAKALAHĪ
Konga I – Talateu	‘Oku fokotu‘u atu ‘e he Konga ko ‘eni ‘a e ngaahi kupu ki he hingoa nounou, kamata ngaue‘aki mo e ‘uhinga‘i lea. ‘Oku fokotu‘u atu ‘e he kupu 3 ‘a e ngaahi taumu‘a ‘o e Lao Fakaangaanga kae fokotu‘uu ‘e he kupu 4 ‘a e ngaahi tu‘utu‘uni tatakī ke fakakaukau‘i ‘e he kau faitu‘utu‘uni ‘i he taimi faitu‘utu‘uni ‘i he malumalu ‘o e Lao Fakaangaanga.
Konga II – Pule‘i	‘Oku fokotu‘u ‘e he Konga ko ‘eni ‘a e fa‘unga ki hono pule‘i ‘o e Lao Fakaangaanga. ‘Oku tokanga‘i ‘e he

	<p>Minisita Lao 'a hono pule'i 'o e Lao Fakaangaanga ko 'eni (kupu 6) mo e ngaahi fatongia 'o e Minisita 'a ia kuo tu'utu'uni (kupu 7). 'Oku lava 'a e Minisita ke vahe'i a taha pe lahi ange 'o hono ngaahi fatongia ki he 'Ofisa Pule Ngaue 'o e Potungaue (kupu 8). 'Oku fokotu'u atu 'a e ngaahi fatongia 'o e Potungaue (kupu 9) kae pehe ki he ngaahi fatongia 'o e 'Ofisa Pule Ngaue 'i he (kupu 10).</p>
<p>Konga III – Fokotu'u 'o e 'Ofisi Fakatonutonu 'o e To'utupu</p>	<p>'Oku fokotu'u 'e he Konga ko 'eni 'a e Ofisi Fakatonutonu 'o e To'utupu. 'Oku fokotu'u atu 'a e ngaahi fatongia fakalao 'o e 'Ofisi Fakatonutonu 'o e To'utupu (kupu 12) kae pehe ki he ngaahi mafai 'o ha kau 'ofisa fakatonutonu 'o e to'utupu kuo fakanofa (Kupu 13). 'E fakanofa 'a e Talekita mo e kau ngaue 'o e 'Ofisi Fakatonutonu 'o e To'utupu 'o fakatatau mo e Lao ki he Nague Fakapule'anga (kupu 14).</p>
<p>Konga IV – Fakanofa 'o e Kau 'Ofisa Fakatonutonu 'o e To'utupu</p>	<p>'Oku fokotu'u atu 'e he konga ko 'eni 'a e founga ngaue ki hono fakanofa 'o ha 'Ofisa Fakatonutonu 'o e To'utupu. 'Oku fakamafai 'a e Minisita Fakamaau'anga ke ne fakanofa 'a e 'Ofisa Fakatonutonu 'o e To'utupu mei he loto'i Potungaue Fakamaau'anga 'i hano fokotu'u atu 'e he 'Ofisa Pule Ngaue (kupu 15(1)(a)). 'Oku fakamafai'i foki 'a e Minisita ke ne fakanofa 'a e 'Ofisa Fakatonutonu 'o e To'utupu mei ha Potungaue 'e taha, ka kuo pau ke loto ki ai 'a e Minisita 'oku ne tokanga'i 'a e 'ofisa fakapule'anga (s15(1)(b)). 'Oku fokotu'u atu 'a e makatu'unga ki hono vahe'i 'o ha 'Ofisa Fakatonutonu 'o e To'utupu 'i he kupu 15(3).</p>
<p>Konga V – Ko e Founga Ngaue Fakatonutonu 'o e To'utupu</p>	<p>'Oku fokotu'u 'e he Konga ko 'eni 'a e Founga Ngaue Fakatonutonu 'o e To'utupu. Ko e ongo kupu tefito ko e kupu 18 mo e 19, 'a ia 'oku ne hiki 'a e ngaahi hia 'oku taau ke 'ave ki he ngaue fakatonutou 'o e to'utupu kae pehe ki he tu'unga ke taai ai ha tamasi'i pe taha kei si'i ki he ngaue fakatonutonu 'o e to'utupu.</p>
<p>Konga VI – Ngaahi Fakataha 'a e Famili</p>	<p>'Oku fokotu'u atu 'e he konga ko 'eni 'a kinautolu 'oku kau (kupu 25) mo e ngaahi talanga (kupu 27) 'i a Fakataha 'a e Famili, kae pehe ki he ngaahi taumu'a (kupu 26). Hili ha Fakataha 'a e Famili, kuo pau ke 'oatu 'e he tamasi'i pe taha kei si'i mo hono famili ha fakangofua tohi ke kau ki he founga ngaue fakatonutonu 'o e to'utupu (kupu 29)).</p>
<p>Konga VII – Konifelenisi Fakakulupu 'a e Famili</p>	<p>'Oku fokotu'u atu 'e he Konga ko 'eni 'a kinautolu 'oku kau (kupu 33) mo e ngaahi talanga (kupu 35) 'i ha</p>

	<p>Konifelenisi Fakakulupu 'a e Famili, kae pehe ki he ngaahi taumu'a (kupu 34). Kuo pau ke fa'u 'e kinautolu 'oku kau ki he Konifelenisi Fakakulupu 'a e Famili, 'aki ha'anau felotoi, ha Palani Ngaue Fakatonutonu 'o e To'utupu 'o felave'i mo ha tamasi'i pe taha kei si'i 'a ia 'oku kau ki he Ngaue Fakatonutonu 'o e To'utupu (kupu 36). Makehe mei ai, kuo pau ke fakatatau 'a e Palani Ngaue Fakatonutonu 'o e To'utupu ki he ta'u motu'a mo e matu'otu'a 'a e tamasi'i pe taha kei si'i, 'o fakafe'unga ki he hia kuo tukuaki'i ki ai pea faingofua fe'unga ke faka'ata ha liliu 'i e ngaahi tukunga 'o e tamasi'i pe taha kei si'i mo hono famili (kupu 37).</p>
<p>Konga VIII – Fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu</p>	<p>'Oku fokotu'u atu 'e he Konga ko 'eni 'a e ngaahi tu'utu'uni ki hono fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu. Kuo pau ke vahe'i 'e he Talekita 'a e 'Ofisa Fakatonutonu 'o e To'utupu ke ne muimui'i 'a hono fakahoko 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu Faihia (kupu 41) mo fakapapau'i 'oku hoko atu hono fakaha ki he famili 'o e tamasi'i pe taha kei si'i lolotonga 'a hono fakahoko (kupu 42).</p> <p>Kuo pa ke fakakakato 'e he tamasi'i pe taha kei si'i 'a e kotoa 'o e ngaahi tu'utu'uni 'i e Palani Ngaue Fakatonutonu 'o e To'utupu (Kupu 43). Kapau kuo fakakakato 'e ha tamasi'i pe taha kei si'i 'a e Palani Ngaue Fakatonutonu 'o e To'utupu, kuo pau ke fakaha ia 'e he Talekita kih e Polisi Tonga 'aki ha Fakaha 'o e Fakakakato (kupu 44) pea ko e ngata'anga ia 'o e me'a ko ia. Kapau 'oku 'ikai fakakakato 'e ha tamasi'i pe taha kei si'i ha Palani Ngaue Fakatonutonu 'o e To'utupu, 'e fakaha ia 'e he Talekita ki he Polisi Tonga (kupu 45) 'aki ha Fakaha 'o e 'Ikai Fakakakato pea kuo pau ke ngaue 'a e Polisi Tonga ki he tamasi'i pe taha kei si'i 'i he founga angamaheni, 'o fakatatau mo e ngaahi lao 'e ala fekau'aki mo ia.</p>
<p>Konga IX – Muimui'i 'o e Founga Ngaue Fakatonutonu 'o e To'utupu</p>	<p>'Oku ngaue 'a e Konga ko 'eni ki hono muimui'i 'o e Founga Ngaue Fakatonutonu 'o e To'utupu. 'Oku fokotu'u 'e he kupu 47 'a e Komiti Pule 'a ia 'oku ne tokanga'i 'a hono muimui'i 'o e Founga Ngaue Fakatonutonu 'o e To'utupu mo hono fa'u 'o e ngaahi fokotu'u ki he Minisita ki hono fakaivia mo e fakalelei. Ko e kau memipa 'o e Komiti Pule ko e – Fakamaau Polisi Pule (sea), Polisi Komisiona, Fakahinohino Lao Pule mo e 'Ofisa Pule Ngaue 'o e Potungaue (kupu</p>

	47(2)). Kuo pau ke fokotu'u 'e he Komiti Pule mei he Potungaue 'a e Sekelitali 'o e Potungaue.
Konga X – Founa Fakahoko Launga	'Oku fokotu'u 'e he Konga ko 'eni 'a e founa fakahoko launga 'i he malumalu 'o e Lao Fakaangaanga. 'E ngofua ke fakahu atu 'e ha tamasi'i pe taha kei si'i mo hono famili 'o fekau'aki mo ha ngaue, tu'utu'uni kuo fakahoko, pe ko e ngaue fekau'aki mo ha tamasi'i pe taha kei si'i 'a ia kuo 'ave ki he Founa Ngaue Fakatonotonu 'o e To'utupu (kupu 50). 'Oku fokotu'u atu 'e he kupu 51 'a e founa ngaue ke muimui ki ai 'i hono vakai'i ha launga.
Konga XI – Tu'unga Fakapulipuli 'o e Ngaahi Faile	'Oku tu'utu'uni 'e he Konga ko 'eni kuo pau ke tauhi ke fakapulipuli 'a e ngaahi talanga mo e ola 'o ha fakataha 'a e famili mo ha konifelenisi fakakulupu 'a e famili (kupu 52) koe'uhi ke malu'i 'a e tamasi'i pe taha kei si'i. 'Oku tu'utu'uni 'e he kupu 53 ke ta'ofi 'o 'ikai toe fekau'i 'a hono fakaha 'o e hingoa 'o ha tamasi'i pe taha kei si'i 'a ia 'oku ha 'i ha Fakamaau'anga Polisi pe ko e Fakamaau'anga Lahi, tukukehe ka 'i ai ha tu'utu'uni kehe 'a e Fakamaau'anga.
Konga XII – Ngaahi Me'a Fakapa'anga	'Oku ngaue 'a e Konga ko eni ki he ngaahi totonu 'a e ni'ihi 'a ia 'oku vahe'i ki he ngaahi fatongia 'i he malumalu 'o e Lao Fakaangaanga, ki he ngaahi totongi fakataha pe ngaahi fotunga kehe 'o e vahenga (kupu 54).
Konga XIII – Lesisita	'Oku tu'utu'uni 'e he Konga ko 'eni ke fokotu'u pea tauhi 'e he Talekita 'o e 'Ofisi Fakatonotonu 'o e To'utupu ha lesisita ke lekooti 'a e teita mo e fakamatala 'o felave'i mo hono fakahoko 'o e Founa Ngaue Fakatonotonu 'o e To'utupu 'i he malumalu 'o e Lao Fakaangaanga ni (Kupu 55).
Konga XIV – Ngaahi Me'a Kehekehe	'Oku ngaue 'a e Konga ko 'eni ki he ngaahi palopalema kehekehe 'e ua 'o kau ai 'a e malu'i mei he mo'ua ha 'ofisa pe memipa 'o ha kautaha pe sino kuo fokotu'u 'i he Lao (kupu 56) mo hono 'oatu ki he Minisita 'a e mafai ke fa'u ha ngaahi tu'utu'uni 'i he Lao, 'i he loto ki ai 'a e Kapineti (kupu 57).
Konga XV – Ngaahi Hia mo e Ngaahi Tautea	'Oku fokotu'u atu 'e he Konga ko 'eni 'a e Ngaahi Hia mo e Ngaahi Tautea 'i he malumalu 'o e Lao Fakaangaanga.
Tepile 1 – Tohi Ngaue 'o e Vahe'i	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he tohi ngaue 'a ia 'e ngofua ke vahe'i 'aki 'e he Minisita ha taha pe lahi

	ange 'o hono ngaahi mafai ki he 'Ofisa Pule Ngaue of the Potungaue.
Tepile 2 – Fakanofu 'o ha 'Ofisa Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he tohi ngaue 'o e fakanofu 'o ha 'Ofisa Fakatonutonu 'o e To'utupu.
Tepile 3 – Foomu Faka'ilonga'i 'o ha 'Ofisa Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he foomu faka'ilonga'i 'o ha 'Ofisa Fakatonutonu 'o e To'utupu.
Tepile 4 – Fakata'e'aonga'i 'o ha fakanofu 'o ha 'Ofisa Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he tohi ngaue fakata'e'aonga'i 'o ha fakanofu 'o ha 'Ofisa Fakatonutonu 'o e To'utupu.
Tepile 5 – Ngaahi hia 'e taau ke 'ave ki he Ngaue Fakatonutonu 'o e To'utupu	'Oku fokotu'u atu 'e he Tepile ko 'eni 'a e 'a e lisi 'o e ngaahi lao mo e levolo 'e taau ai ha ha tamasi'i pe taha kei si'i ke 'ave ki he founga ngaue fakatonutonu 'o e to'utupu.
Tepile 6 – Foomu Fakangofua ke kau atu ki he Founga Ngaue Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he foomu fakangofua 'a ia 'oku loto ai 'a e tamasi'i pe taha kei si'i mo hono fakmili ke kau ki he founga ngaue fakatonutonu 'o e to'utupu.
Tepile 7 – 'Ave 'o ha tamasi'i pe taha kei si'i 'e he Polisi Tonga ki he Founga Ngaue Fakatonutonu 'o e To'utupu	'Oku fokotu'u atu 'e he Tepile ko 'eni 'a e founga ngaue ke muimui ki ai 'a e Polisi Tonga 'i hono fakakaukau'i pe 'e 'ave 'a e tamasi'i pe taha kei si'i, 'a ia kuo tukuaki'i kuo ne fakahoko ha hia, ki he founga ngaue fakatonutonu 'o e to'utupu.
Tepile 8 – Foomu ki hono 'Ave ki he Ngaue Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he foomu ke ngaue'aki 'e he Polisi Tonga 'i hono 'ave ha tamasi'i pe taha kei si'i ki he founga ngaue fakatonutonu 'o e to'utupu.
Tepile 9 – Fatongia 'o e Ngaahi Kupu Felave'i	'Oku fokotu'u atu 'e he Tepile ko 'eni 'a e ngaahi fatongia 'o e Ngaahi Potungaue Fekau'aki mo e ngaahi kupu felave'i 'i he komiuniti 'i he founga ngaue fakatonutonu 'o e to'utupu.

Tepile 10 – Kalasi 'o e Ngaahi Konifelenisi Fakakulupu 'a e Famili	'Oku fokotu'u atu 'o he Tepile ko 'eni 'a e kalasi 'o e Ngaahi Konifelenisi Fakakulupu 'a e Famili.
Tepile 11 – Sipinga 'o e Palani Ngaue Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he sipinga ki ha Palani Ngaue Fakatonutonu 'o e To'utupu.
Tepile 12 – Lekooti 'o ha Konifelenisi Fakakulupu 'a e Famili	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he sipinga ki hono lekooti 'o ha Konifelenisi Fakakulupu 'a e Famili.
Tepile 13 – Tohi Kole ki hono Liliu 'o ha Palani Ngaue Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he foomu ki ha tohi kole ke liliu 'a e Palani Ngaue Fakatonutonu 'o e To'utupu.
Tepile 14 – Tu'utu'uni ke Liliu ha Palani Ngaue Fakatonutonu 'o e To'utupu	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he Tu'utu'uni 'oku ne liliu ha Palani Ngaue Fakatonutonu 'o e To'utupu.
Tepile 15 – Fale'i 'o e Fakakakato	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he fakaha 'oku 'oatu 'e he Talekita 'o e 'Ofisi Fakatonutonu 'o e To'utupu ki he Polisi Tonga ke fakaha kuo fakakakato kotoa 'e ha tamasi'i pe taha kei si'i 'a 'ene Palani Ngaue Fakatonutonu 'o e To'utupu.
Tepile 16 – Fale'i 'o e 'Ikai Fakakakato	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he fakaha 'oku 'oatu 'e he Talekita 'o e 'Ofisi Fakatonutonu 'o e To'utupu ki he Polisi Tonga ke fakaha kuo te'eki ai fakakakato 'e he tamasi'i pe taha kei si'i 'a 'ene Palani Ngaue Fakatonutonu 'o e To'utupu.
Tepile 17 – Foomu Launga	'Oku tu'utu'uni 'a e Tepile ko 'eni ki he foomu ki hono fakahu atu 'o ha launga 'i he kupu 50 'o e Lao Fakaangaanga.


 Hon. Samiua Kuita Vaipulu
 Minisita Fakamaau'anga mo e Pilisone



Oct. 15/2024.



TONGA YOUTH JUSTICE BILL 2024



TONGA YOUTH JUSTICE BILL 2024

Arrangement of Sections

Section

PART I – PRELIMINARY		7
1	Short title and commencement.....	7
2	Interpretation.....	7
3	Objectives	9
4	Guiding principles.....	10
5	Criminal liability of children	10
PART II – ADMINISTRATION		10
6	Administration	10
7	Functions of the Minister	10
8	Delegation.....	11
9	Functions of the Ministry	12
10	Functions of the Chief Executive Officer	12
PART III – ESTABLISHMENT OF THE YOUTH DIVERSION OFFICE		12
11	Establishment of the Office	12
12	Functions of the Office	12
13	Powers of officers	13
14	Functions of the Director	13
PART IV – DESIGNATION OF YOUTH DIVERSION OFFICERS		13
15	Designation of officers.....	13
16	Certificate of identity	14
17	Revocation of designation.....	14
PART V – THE YOUTH DIVERSION PROCESS		15
18	Offences eligible for referral to the Youth Diversion Process.....	15

19	Criteria for referral of a child or young person	15
20	Role of relevant stakeholders	16
21	Rights of the child or young person and family	16
22	Mitigation	16
23	Re-offending by a child or young person	16
PART VI – FAMILY MEETINGS		17
24	Authority to call a Family Meeting	17
25	Participants	17
26	Purpose	17
27	Location and proceedings of a Family Meeting	18
28	Election of process	18
29	Consent form to be completed	18
30	Record of a Family Meeting	19
PART VII – FAMILY GROUP CONFERENCE		19
31	Authority to convene a Family Group Conference	19
32	Types of Family Group Conference	19
33	Participants	20
34	Purpose	21
35	Location and proceedings of a Family Group Conference	21
36	Options for a Youth Diversion Plan	22
37	Requirements for a Youth Diversion Plan	22
38	Lack of consensus	23
39	Record of a Family Group Conference	24
40	Application to vary a Youth Diversion Plan	24
PART VIII – IMPLEMENTATION OF A YOUTH DIVERSION PLAN		25
41	Responsibilities for supervising and monitoring	25
42	Family to remain informed	25
43	Duties of a child or young person	26
44	Advice of Completion	26
45	Advice of non-completion	26
46	Reasons for non-completion	27
PART IX – MONITORING OF THE YOUTH DIVERSION PROCESS		27
47	Establishment of an Oversight Committee	27
48	Functions of the Oversight Committee	27
49	Recommendations of the Oversight Committee	28
PART X – COMPLAINTS PROCEDURE		28
50	Complaint may be lodged	28
51	Consideration of a complaint	28

PART XI – CONFIDENTIALITY OF FILES	29
52 Confidentiality	29
53 Name suppression	29
PART XII – FINANCIAL MATTERS	30
54 Fees and other entitlements	30
PART XIV – REGISTER	30
55 Register to be established	30
PART XV – MISCELLANEOUS	31
56 Protection from liability	31
57 Power to make regulations	31
PART XVII – OFFENCES AND PENALTIES	31
58 Failure to provide accurate information and obstruction	31
59 Child or young person not to be exploited, mistreated or assaulted	32
SCHEDULE 1	33
INSTRUMENT OF DELEGATION	33
SCHEDULE 2	34
DESIGNATION OF A YOUTH DIVERSION OFFICER	34
SCHEDULE 3	35
FORM OF IDENTIFICATION OF A YOUTH DIVERSION OFFICER	35
SCHEDULE 4	36
REVOCATION OF DESIGNATION OF A YOUTH DIVERSION OFFICER	36
SCHEDULE 5	37
OFFENCES ELIGIBLE FOR REFERRAL TO YOUTH DIVERSION	37
SCHEDULE 6	38
CONSENT FORM TO PARTICIPATE IN THE YOUTH DIVERSION PROCESS	38
SCHEDULE 7	39
REFERRAL OF A CHILD OR YOUNG PERSON BY TONGA POLICE TO THE YOUTH DIVERSION PROCESS	39

SCHEDULE 8	40
YOUTH DIVERSION REFERRAL FORM	40
SCHEDULE 9	43
ROLE OF RELEVANT LINE MINISTRIES AND COMMUNITY STAKEHOLDERS	43
SCHEDULE 10	46
TYPES OF FAMILY GROUP CONFERENCES	46
SCHEDULE 11	48
YOUTH DIVERSION PLAN TEMPLATE	48
SCHEDULE 12	50
RECORD OF A FAMILY GROUP CONFERENCE	50
SCHEDULE 13	53
APPLICATION FOR VARIATION OF A YOUTH DIVERSION PLAN	53
SCHEDULE 14	54
ORDER VARYING A YOUTH DIVERSION PLAN	54
SCHEDULE 15	55
ADVICE OF COMPLETION	55
SCHEDULE 16	56
ADVICE OF NON-COMPLETION	56
SCHEDULE 17	57
COMPLAINT FORM	57
EXPLANATORY NOTES	58



Tonga

TONGA YOUTH JUSTICE BILL 2024

A BILL TO ESTABLISH THE FRAMEWORK FOR A YOUTH JUSTICE SYSTEM FOR TONGA, TO DIVERT YOUNG PERSONS FROM THE FORMAL CRIMINAL JUSTICE SYSTEM, TO ADDRESS OFFENDING BY YOUNG PEOPLE IN AN APPROPRIATE MANNER AND FOR RELATED MATTERS

BE IT ENACTED by the King and Legislative Assembly of Tonga in the Legislature of the Kingdom as follows:

PART I – PRELIMINARY

1 Short title and Commencement

- (1) This Act may be cited as the Tonga Youth Justice Act 2024.
- (2) This Act shall come into force on a date proclaimed by Cabinet and published in the Tonga Government Gazette.

2 Interpretation

In this Act unless the context otherwise requires —

“adult” for the purposes of this Act means a person of or over the age of 18 years;

“CEO” means the Chief Executive Officer of the Ministry;

“child or young person” for the purposes of this Act means –

- (a) a child who is of or over the age of 7 years and under the age of 14 years who is referred to the Youth Diversion process in accordance with the Magistrate’s Court Act or Supreme Court Act; or
- (b) a young person who is of or over the age of 14 years and under the age of 18 years;

“Court” unless otherwise specified in this Act, a general reference to a court means a Magistrate’s Court or the Supreme Court;

“days” unless otherwise specified in this Act, means calendar days;

“Director” means the Director of the Youth Diversion Office appointed in section 15;

“diversion” for the purposes of this Act, means diverting a child or young person who is alleged to have committed an offence away from the formal justice system and resolving the matter through the youth diversion process which has been established under this Act;

“family” for the purposes of this Act means the biological parent or the child or young person’s legal adoptive or customary adoptive parents or legal guardians, guardians or caregivers;

“Family Group Conference” means a conference which has been convened under Part VII of this Act;

“Family Meeting” means a meeting that has been called under Part VI of this Act;

“Gazette” means the Tonga Government Gazette;

“Magistrate’s Court” means a Magistrate’s Court established under the Magistrate’s Court Act [Cap. 3.12];

“Minister” means the Minister of Justice;

“Ministry” means the Ministry of Justice;

“Oversight Committee” means the committee established in section 47 of this Act;

“Police Officer” for the purposes of this Act, means an authorised officer of Tonga Police under the Tonga Police Act [Cap 7.07];

“Police Officer in Charge” for the purposes of this Act, means the police officer who is in charge of a case involving a child or young person, which is referred to the youth diversion process under this Act;

“Public Service Act” means the Public Service Act [Cap 2.11];

“repeat offender” for the purposes of this Act means a child or young person who has participated in the youth diversion process at least 3 separate times within a two-year period;

“service provider” for the purposes of this Act means a non-government organisation, entity or qualified professional that is part of a process under this Act or providing a service in relation to the implementation of a Youth Diversion Plan;

“Supreme Court” means the Supreme Court established under the Supreme Court Act [Cap. 3.16];

“Youth Diversion Plan” means a plan adopted in accordance with Part VII of this Act;

“Youth Diversion process” means the process for Youth Diversion established under this Act; and

“Youth Diversion Officer” means an officer who has been designated under section 15 of this Act.

3 Objectives

The objectives of this Act are to –

- (a) prevent a child or young person who is alleged to have committed an offence from entering the formal criminal justice system;
- (b) provide an age, developmental and culturally appropriate response to youth offending;
- (c) reduce pressure on the court by diverting minor cases from the courts;
- (d) reduce the likelihood of re-offending and address the issues that have led to offending behaviour through the development of appropriate and monitored Youth Diversion Plans;
- (e) provide the opportunity for a child or young person to understand the impact and consequences of his actions and to take responsibility;
- (f) provide the opportunity for a victim to highlight the impact of the offending behaviour and create a pathway for practical and meaningful reparation;
- (g) involve family, church and community in the youth diversion process, recognising and reinforcing the importance of family, the concept of *‘fofola e fala ka e alea ‘a e kainga’* and the Christian faith as the cornerstone of Tongan society; and
- (h) promote cooperation between governmental, church and societal organisations in responding to young people who are at risk.

4 Guiding principles

The following principles shall be taken into account by decision makers when making decisions under this Act –

- (a) avoidance of formal criminal proceedings whenever possible;
- (b) utilising processes that are culturally, age and developmentally appropriate to the child or young person;
- (c) addressing the vulnerability of a child or young person by providing a supportive environment and the necessary tools to avoid re-offending;
- (d) considering the best interests of the child or young person as a primary consideration, with due regard to the victim's interests;
- (e) keeping a child or young person in the community and preventing entry into the formal criminal justice system;
- (f) recognising age, development and background as potential mitigating factors;
- (g) promoting sanctions that are the least restrictive and account for a child or young person's circumstances within the family and community;
- (h) respecting the dignity and privacy of a child or young person at all times in order to avoid further labelling and stigma;
- (i) encouraging and supporting a child or young person to express his views within the environment of the youth diversion process established under this Act; and
- (j) ensuring that procedures under the Act are conducted and completed speedily.

5 Criminal liability of children

The age of criminal liability of children shall be as stated in section 16 of the Criminal Offences Act.

PART II – ADMINISTRATION

6 Administration

The Minister shall be responsible for the administration of this Act.

7 Functions of the Minister

- (1) The Minister shall have the following functions under this Act –
 - (a) report to and advise Cabinet on policy matters relating to youth justice and the youth diversion process;

- (b) ensure compliance of responsible officers and relevant Ministries and entities with their obligations under this Act and regulations made under this Act;
 - (c) at a high level, foster relationships with relevant international organisations and development partners that are willing to assist with the implementation, delivery or administration of the youth diversion process and for addressing youth justice issues in Tonga; and
 - (d) any other function specified under this Act.
- (2) Where the Minister considers it necessary or desirable to fulfil the Minister's functions under this Act, the Minister may, in writing, require a person to provide information, data or documentation relating to –
- (a) the situation of a child or young person who is referred to youth diversion, whether before or after referral;
 - (b) procedures of a person or organisation in relation to the implementation of a Youth Diversion Plan; or
 - (c) the progress of a child or young person in any school, community, employment, or program provided by a service provider, whether during or following the youth diversion process.
- (3) Information provided to the Minister under subsection (2) shall be used specifically for discharging the functions of the Minister under this Act and not for any other purpose.

8 Delegation

- (1) The Minister may, from time to time, delegate one or more of his functions or powers under this Act to the CEO.
- (2) Notwithstanding subsection (1), the Minister shall not delegate his power of designation under section 15 of this Act.
- (3) A delegation under subsection (1) shall be –
 - (a) made in writing;
 - (b) communicated to the person to whom the power is delegate;
 - (c) state clearly the functions and powers that are being delegated; and
 - (d) state the effective date and end date for the delegation of powers.
- (4) An instrument of delegation shall be in the form prescribed in Schedule 1 of this Act.
- (5) A delegation shall be recorded in the register of the Ministry under section 55 of this Act.
- (6) A delegation may be revoked in writing by the Minister.

9 Functions of the Ministry

- (1) The Ministry shall have the following functions under this Act –
 - (a) provide and facilitate relevant training for officers and stakeholders involved with the implementation of this Act; and
 - (b) any other function that the Minister may determine from time to time, which is necessary for the effective implementation of this Act.
- (2) Functions of the Ministry shall be delivered through the CEO, Director and Youth Diversion Office.

10 Functions of the CEO

- (1) The CEO shall have the following functions under this Act –
 - (a) ensuring that the Youth Diversion Office has –
 - (i) the necessary financial and human resources for effective implementation of this Act; and
 - (ii) a succession plan for continuity of administration and the delivery of services as may be required;
 - (b) liaise with the Minister, Director and Oversight Committee to implement any changes or improvements required to the youth diversion process;
 - (c) recommend to the Minister suitable officers for designation as Youth Diversion Officers under section 15; and
 - (d) establish and maintain registers of the Ministry under section 55 of this Act.
- (2) The CEO shall have such powers as provided under this Act for the discharge of his functions.

PART III – ESTABLISHMENT OF THE YOUTH DIVERSION OFFICE**11 Establishment of the Office**

- (1) The Youth Diversion Office is hereby established.
- (2) The Youth Diversion Office shall be a division under the Ministry of Justice.

12 Functions of the Office

Functions and responsibilities of the Youth Diversion Office shall include –

- (a) implementing the youth diversion process established under this Act;

- (b) providing information and promoting awareness of youth justice issues to relevant stakeholders and members of the public;
- (c) addressing, in the first instance, any complaint from a child or young person, family members, Youth Diversion Officer, relevant stakeholder, or members of the public in relation to the implementation of any aspect of this Act; and
- (d) any other lawful directions of the Minister that are not inconsistent with the objectives of this Act.

13 Powers of officers

For the purposes of this Act, a Youth Diversion Officer shall have such powers as are necessary to carry out the functions of the Youth Diversion Office in section 12.

14 Functions of the Director

Functions and responsibilities of the Director shall include the following –

- (a) report to and make recommendations to the CEO in relation to the implementation and administration of this Act;
- (b) ensure the effective delivery of services and functions of the Youth Diversion Office;
- (c) provide information and promote awareness of youth justice issues to relevant stakeholders and members of the public; and
- (d) recommend suitable officers to be designated by the Minister under section 15.

PART IV – DESIGNATION OF YOUTH DIVERSION OFFICERS

15 Designation of officers

- (1) The Minister shall –
 - (a) on the recommendation of the CEO; and
 - (b) in relation to the designation of a public officer from another Ministry –
 - (i) with the written consent of that public officer's respective Chief Executive Officer; or
 - (ii) in the case of Tonga Police, with the written consent of the Police Commissioner,designate a person who is in the rank of sergeant or higher as a Youth Diversion Officer under this Act.

- (2) Notwithstanding any other provision to the contrary, the Director shall be deemed to be a Youth Diversion Officer under this Act.
- (3) A person who is recommended for designation under subsection (1) shall be a person who –
 - (a) is 25 years or older;
 - (b) has not been convicted of a criminal offence in Tonga or abroad;
 - (c) has displayed skills, qualities and work ethics which show that he will undertake his duties efficiently, effectively and honestly;
 - (d) has undertaken mandatory training facilitated by the Ministry for Youth Diversion Officers under this Act; and
 - (e) is a member of the public service or, if a person is from outside the public service, is eligible under this subsection and will be assigned a function under this Act.
- (4) A person who is designated under subsection (1) shall be issued with an instrument of designation, as evidence of being a designated Youth Diversion Officer under this Act.
- (5) A designation under subsection (1) shall be in the form prescribed in Schedule 2 of this Act.

16 Certificate of identity

- (1) A designated officer shall be issued with a certificate of identity in the form prescribed in Schedule 3 of this Act.
- (2) If requested by a person during any stage of the Youth Diversion Process, a designated officer shall present his certificate of identity, which shall be valid.
- (3) A person whose designation has been revoked under section 17 of this Act shall return his certificate of identity to the CEO immediately.

17 Revocation of designation

- (1) Prior to the expiration date of a Youth Diversion Officer's designation, the Minister may, on the recommendation of the CEO, revoke a designation by issuing to the person the instrument of revocation in the form prescribed in Schedule 4 of this Act.
- (2) Grounds for revoking an instrument of designation shall include –
 - (a) failure to follow the requirements of this Act;
 - (b) violation of a power issued under this Act;
 - (c) restructuring within the Ministry; or
 - (d) pursuant to the written request by a designated person's Chief Executive Officer.

- (3) In issuing the revocation, the Minister shall convey the following –
 - (a) reason for the revocation;
 - (b) effect date for the revocation; and
 - (c) an instruction to return the certificate of identity and any other property of the Ministry issued to the officer in the course of his duties.
- (4) If a designation has been revoked under subsection (1) and that person is a public officer who has been appointed under the Public Service Act, he may continue in his employment as an employee of the Ministry or any other Ministry, unless or until the Public Service Commission directs otherwise, in writing, to that officer's minister.

PART V – THE YOUTH DIVERSION PROCESS

18 Offences eligible for referral to the Youth Diversion Process

Subject to section 22, a child or young person who is alleged to have committed an offence in an Act listed in Schedule 5 for which the punishment is a maximum fine of \$10,000 or a term of imprisonment of up to 2 years, or both, shall be eligible for referral to the youth diversion process under this Act.

19 Criteria for referral of a child or young person

- (1) A child or young person is eligible for referral to the youth diversion process if the child or young person meets all of the following criteria –
 - (a) the child or young person is alleged to have committed an offence which is eligible for referral to the youth diversion process in accordance with section 18 of this Act;
 - (b) there is sufficient evidence that an offence has been committed;
 - (c) the child or young person is not a repeat offender; and
 - (d) it is in the interests of justice that the matter be resolved informally.
- (2) In determining whether diversion is in the interests of justice, the following factors shall be considered –
 - (a) nature, circumstances and seriousness of the offence;
 - (b) background and circumstances of the child or young person, including the child or young person's offending history;
 - (c) views of the victim;
 - (d) the need to ensure public safety; and
 - (e) guiding principles set out in section 4 of this Act.
- (3) In determining the age of the child or young person, the following documents shall be sufficient evidence –

- (a) birth certificate of the child or young person;
 - (b) certificate of live birth issued by a hospital or health clinic in Tonga or abroad; or
 - (c) in the absence of the official documents in subsections (3)(a) or (3)(b), the date of birth shown on the baptismal certificate of the child or young person or any other form of identification.
- (4) The process to be followed by Tonga Police when referring a child or young person to the youth diversion process under this Act shall be in the form prescribed in Schedule 7 of this Act.
- (5) A referral to the youth diversion process shall be made in the form prescribed in Schedule 8 of this Act.

20 Role of relevant stakeholders

The role of relevant stakeholders is set out in Schedule 9 of this Act.

21 Rights of the child or young person and family

- (1) During all stages of the Youth Diversion process, a child or young person and his family may request and receive –
- (a) clarification on any part of the process from a Youth Diversion Officer;
 - (b) independent legal advice; and
 - (c) the support and attendance of any family member or community representative.
- (2) For the purposes of subsection (1)(b), a child or young person and his family may seek independent legal advice at his or their own expense.

22 Mitigation

During the youth diversion process in section 18 or section 19 of this Act –

- (a) an apology or reparation provided by a child or young person to the victim; and
 - (b) the victim has accepted that apology or reparation,
- shall be considered as a mitigating factor during the Family Group Conference meeting.

23 Re-offending by a child or young person

- (1) Where a child or young person is alleged to have re-offended during the implementation of a Youth Diversion Plan, the Youth Diversion Officer, in consultation with the Police Officer in Charge of the matter, shall call a Type 3

Family Group Conference to determine the implications for the child or young person.

- (2) Notwithstanding subsection (1), the child or young person will be in accordance with this Act, assessed by the Police Officer in Charge as to whether the new alleged offending will qualify for the youth diversion process under this Act.

PART VI – FAMILY MEETINGS

24 Authority to call a Family Meeting

Upon receiving the referral form in Schedule 8 in relation to a child or young person from Tonga Police, a Youth Diversion Officer shall convene a Family Meeting with the child or young person and his family, agreeing on the date, venue and time for the meeting and to ensure that the child or young person and his family will be present.

25 Participants

Participants in a Family Meeting shall include the following –

- (a) child or young person who is the subject of the referral to the youth diversion process;
- (b) family of a child or young person;
- (c) youth diversion officer in charge of the matter; and
- (d) any other necessary participant.

26 Purpose

- (1) The purpose of a Family Meeting is for a Youth Diversion Officer to –
- (a) outline the youth diversion process and objectives for youth diversion to the child or young person and his family;
 - (b) outline the alleged summary of facts provided by Officer in Charge of the case and invite the child or young person to present his outline or explanation of event;
 - (c) invite the child or young person and his family to participate in the youth diversion process;
 - (d) respond to questions from the child or young person and his family, ensuring they are informed about the process and what to expect; and
 - (e) where the child or young person elects to participate in the youth diversion process, prepare the child or young person and his family for participating in the Family Group Conference.
- (2) Where, pursuant to subsection (1)(b), a child or young person has raised an objection or requests a correction to the alleged summary of facts, the Youth

Diversion Officer will discuss this further with the Police Officer in Charge of the case, so that any changes can be made to the summary of facts prior to the Family Group Conference.

27 Location and proceedings of a Family Meeting

- (1) A Family Meeting may take place in any place agreed to by the Youth Diversion Officer and the family.
- (2) Proceedings in a Family Meeting shall be determined by the Youth Diversion Office.

28 Election of process

- (1) A child or young person, together with his family, shall have the right to elect whether to take part in the youth diversion process under this Act.
- (2) At the end of a Family Meeting, a Youth Diversion officer shall invite, within a prescribed period, the child or young person to elect whether or not to take part in the youth diversion process in respect of the alleged offending.
- (3) Where a decision is made by a child or young person, together with his family, not to take part in the youth diversion process, the matter shall be processed by the Tonga Police for prosecution in the usual manner.

29 Consent form to be completed

- (1) Where, pursuant to section 28, a child or young person and his family elects or elect to participate in the youth diversion process under this Act, a Youth Diversion Officer shall provide the consent form in the form prescribed in Schedule 6 of this Act for the family to complete and sign.
- (2) Where a child or young person and his family disagree on whether to take part in the youth diversion process, a Youth Diversion Officer shall –
 - (a) make every reasonable effort to understand the reason or reasons for the divergence of views;
 - (b) facilitate further discussions between the child or young person and his family; and
 - (c) encourage the child or young person and his family to reach a consensus on their decision.
- (3) Where a child or young person and his family continue to have diverging views on whether to take part in the youth diversion process, the decision of the child or young person's –
 - (a) biological parents;
 - (b) adoptive parents, in the case where a child or young person has been legally adopted;

- (c) legal guardians, in the case where a child or young person is under a legal guardianship order; or
 - (d) father or mother, in the case of a single parent family,
will take precedence over the consent of the child or young person.
- (4) Notwithstanding subsection (3), where a child or young person elects to take part in the youth diversion process but is not supported by his biological parent, parents, adoptive parents or guardians in subsection (3) –
- (a) a Magistrate Court judge, upon application by a Youth Diversion Officer on behalf of a child or young person appearing before him, may remit the matter to the youth diversion process in accordance with the Magistrates Courts Act; or
 - (b) a Supreme Court judge, upon application by a Youth Diversion Officer on behalf of a child or young person appearing before him, may remit the matter to the youth diversion process in accordance with the Supreme Court Act.

30 Record of a Family Meeting

- (1) A Youth Diversion Officer shall keep an accurate record of what was agreed at a Family Meeting, for inclusion in a child or young person's file.
- (2) At the Family Group Conference, the Youth Diversion Officer shall present the main issues covered and any matters agreed during the Family Meeting.

PART VII – FAMILY GROUP CONFERENCE

31 Authority to convene a Family Group Conference

- (1) A Youth Diversion Officer shall have the authority to call a Family Group Conference.
- (2) A Family Group Conference shall be held –
 - (a) no later than 2 weeks following a Family Meeting; and
 - (b) at a venue in the child or young person's village, which shall not include a police station or a courthouse.
- (3) Matters in a Family Group Conference shall be discussed in confidence, with due consideration for the rights of the child or the young person and also the impact of the offending on the victim(s).

32 Types of Family Group Conference

- (1) There shall be three types of Family Group Conferences –

- (a) Type 1 Family Group Conference;
 - (b) Type 2 Family Group Conference; and
 - (c) Type 3 Family Group Conference.
- (2) The purpose for each type of conference shall be in the form prescribed in Schedule 10 of this Act.

33 Participants

- (1) The following participants shall attend a Family Group Conference –
- (a) child or young person who is the subject of the referral to the youth diversion process and his parents or caregivers;
 - (b) Youth Diversion Officer responsible for the case;
 - (c) Police Officer in Charge who was responsible for making the referral or his nominee; and
 - (d) Town Officer of the village in which the Family Group Conference is taking place.
- (2) In addition to the persons referred to in subsection (1), a Youth Diversion Officer, in consultation with the Police Officer in Charge in subsection (1)(c), may invite the following participants to a Family Group Conference –
- (a) victim or victims of the offending behaviour, accompanied by a family member if the victim is a minor;
 - (b) church representative;
 - (c) representative from the child or young person's –
 - (i) current or former school; or
 - (ii) current or former post-secondary institution;
 - (d) representative from a school, post-secondary institution in which the child or young person intends to enrol;
 - (e) representative of a service provider;
 - (f) youth leader or youth worker who has a good relationship with the child or young person and who has good standing within the local community; or
 - (g) any other person that the Youth Diversion Officer or the child or young person and his family wish to invite to the Family Group Conference.
- (3) A victim, regardless of age, shall have the right to have a support person at a Family Group Conference, provided that the Youth Diversion Officer has been informed of the name and details of the support person prior to the meeting and that person is appropriate to attend.
- (4) Media personnel shall not be allowed to attend a Family Group Conference, unless attending as a direct family member of a person directly involved in the proceedings.

- (5) A law practitioner representing a child or young person may attend a Family Group Conference at the request of the child or young person and his family, although to the extent possible, legal personnel should not be encouraged to participate at this stage.
- (6) An officer of Tonga Police or other representative from a law enforcement agency shall not attend at Family Group Conference in uniform.

34 Purpose

- (1) Purpose for convening a Family Group Conference is, subject to a child or young person's response to an allegation or allegations, to –
 - (a) inform participants of the circumstances of the alleged offence and seek the participants' –
 - (i) advice, counsel and guidance for the child or young person; and
 - (ii) views on an appropriate Youth Diversion Plan;
 - (b) develop and agree upon a Youth Diversion Plan for the child or young person in response to the offending behaviour;
 - (c) hold the child or young person accountable for their actions, assist them to consider why it happened and to help the child or young person gain an understanding of the harm or damage caused to the victim and to enable the child or young person to take responsibility for the offending behaviour;
 - (d) help the child or young person 'right the wrong', assisting them to consider what can be done to put things right and support the child or young person through any reparation or restitution; and
 - (e) support the child or young person in making positive life changes, addressing the underlying causes that lead to offending and reducing the likelihood of re-offending in the future.
- (2) Where there is –
 - (a) a successful completion of the Youth Diversion Plan by a child or young person, there will be no further action by the Youth Diversion Office or Tonga Police; or
 - (b) an unsuccessful or partial completion of a Youth Diversion Plan by a child or young person, the child or young person's case will be transferred back to Tonga Police for a decision on further action.

35 Location and proceedings of a Family Group Conference

- (1) Subject to subsection (2), a Family Group Conference shall take place in the child or young person's village.
- (2) Where a child or young person ordinarily resides in a village, district or island away from his family, a Family Group Conference may take place –

- (a) in the village, district or island where the child or young person ordinarily resides; or
- (b) where, in the opinion of the Youth Diversion Officer, is most convenient for the participants in a Family Group Conference to meet, for reasons of logistics, affordability or convenience.

36 Options for a Youth Diversion Plan

- (1) In the development of a Youth Diversion Plan, the following options shall be available to the Family Group Conference –
 - (a) warning to the child or young person;
 - (b) an oral or written apology by the child or young person to the victim or victims;
 - (c) monitored school attendance for a specified period of time;
 - (d) compliance with any conference-imposed conditions or standards of behaviour;
 - (e) compliance with any curfew imposed;
 - (f) requirement to report to a specified person or organisation at specified times for supervision, monitoring, mentoring;
 - (g) counselling by a specified person or organisation, such as counselling for alcohol and drug issues, anger management or mental health issues with an appropriate service provider;
 - (h) requirement to enrol in a programme such as vocational or skills training or rehabilitation;
 - (i) restitution including the return of any items taken;
 - (j) recompense for any injury or loss caused by the child or young person;
 - (k) reparation of any damage done by the child or young person;
 - (l) the provision of a specified service by the child or young person to the victim or victims, with the consent of the victim;
 - (m) community service of an appropriate type in an appropriate setting; or
 - (n) any other measure deemed appropriate to the child or young person and the local circumstances.
- (2) A Youth Diversion Plan shall be in the form prescribed in Schedule 11 of this Act.
- (3) If required, a Youth Diversion Plan shall be translated into the English language by the Youth Diversion Office.

37 Requirements for a Youth Diversion Plan

- (1) A Youth Diversion Plan shall be –

- (a) appropriate to the age of the child or young person;
 - (b) proportionate to the offence alleged to have been committed by the child or young person;
 - (c) flexible enough to allow for any changes in the circumstances of the child or young person and his family; and
 - (d) subject to section 38 of this Act, confirmed by the consensus of participants attending the Family Group Conference.
- (2) A Youth Diversion Plan shall not –
- (a) be harmful to the child or young person’s physical or mental health;
 - (b) involve corporal punishment, public humiliation, or anything that would degrade or stigmatise the child or young person;
 - (c) involve any form of deprivation of the child or young person’s liberty; or
 - (d) interfere with the child or young person’s schooling.
- (3) To the extent possible, the Youth Diversion Plan shall –
- (a) impart useful skills to the child or young person;
 - (b) address underlying issues that contributed to the child or young person’s offending behaviour;
 - (c) include a restorative justice element aimed at restoring the relationship between the child or young person, the victim and the community; and
 - (d) involve the family and community members in holding the child or young person accountable and addressing the offending behaviour.
- (4) A copy of the Youth Diversion Plan shall be provided to the following –
- (a) child or young person and his family;
 - (b) each person who is responsible for implementing and monitoring the Youth Diversion Plan; and
 - (c) Police Officer in Charge who was responsible for making the referral to the Youth Diversion Office.
- (5) A Youth Diversion Plan shall stipulate the persons responsible for supervising and monitoring the implementation of the Youth Diversion Plan.

38 Lack of consensus

Where, despite full discussions, the participants in the Family Group Conference fail to reach a consensus on a particular issue or on the nature of a Youth Diversion Plan, the Youth Diversion Officer shall have the right to make a final decision based on the best interests of the child or young person in order to facilitate an outcome or a Youth Diversion Plan that is practical and appropriate for the child or young person.

39 Record of a Family Group Conference

- (1) A Youth Diversion Officer who leads a Family Group Conference shall ensure that there is an accurate record of the proceedings of a Family Group Conference.
- (2) The record in subsection (1) shall be kept in the file of the child or young person which is held at the Youth Diversion Office, with a copy provided to the Police Officer in Charge of the case, or the Police Officer in attendance.
- (3) A record in subsection (1) shall be in the form prescribed in Schedule 12 of this Act.

40 Application to vary a Youth Diversion Plan

- (1) A Youth Diversion Officer may, in writing, apply to the Director for a variation of an agreed Youth Diversion Plan.
- (2) An application for the variation of a Youth Diversion Plan shall be in the form prescribed in Schedule 13 of this Act.
- (3) In determining whether or not to grant an application under subsection (1), the Director shall consider the following –
 - (a) nature of the variation;
 - (b) reasons for the request for variation;
 - (c) support by the child or young person and his family for the variation;
 - (d) if applicable, support by the Family Group Conference; and
 - (e) whether the child or young person has generally been in compliance with the Youth Diversion Plan prior to the application.
- (4) The Director shall, within 3 working days of an application being lodged under subsection (1), issue a written decision to the Youth Diversion Officer, with a copy provided to the –
 - (a) child or young person and his parents or caregivers;
 - (b) Police Officer in Charge who responsible for making the referral; and
 - (c) Town Officer or person responsible for monitoring the plan.
- (5) An Order varying a Youth Diversion Plan shall be in the form prescribed in Schedule 14 of this Act.

PART VIII – IMPLEMENTATION OF A YOUTH DIVERSION PLAN

41 Responsibilities for supervising and monitoring

- (1) The responsibilities of a person from the community who is assigned to supervise, assist or deliver services for a child or young person in relation to a Youth Diversion Plan, shall be clearly stipulated, either in the Youth Diversion Plan or in a written communication from a Youth Diversion Officer.
- (2) A Youth Diversion Officer shall be assigned by the Director to closely monitor the activities under subsection (1) and to record the activities in a child or young person's file.
- (3) To the extent possible, where a child or young person is a female, a female shall be assigned to supervise or monitor a child or young person who is fulfilling the requirements of a Youth Diversion Plan.
- (4) Where a person in subsection (1) or a Youth Diversion Officer in subsection (2) fails to conduct, supervise or monitor the tasks which they were assigned in a Youth Diversion Plan, resulting in the non-completion of the Youth Diversion Plan by the child or young person, –
 - (a) this lack of support shall be raised, verbally or in writing, by the family of the child or young person to the CEO of the Ministry;
 - (b) the CEO shall assign one or more persons to supervise the completion of the Youth Diversion Plan by the child or young person within a prescribed period; and
 - (c) the child or young person shall not be penalised for non-completion of the Youth Diversion Plan.

42 Family to remain informed

- (1) The Youth Diversion Officer responsible for each case shall keep a child or young person's family informed on the commencement, duration, requirements, and conditions of the child or young person's Youth Diversion Plan.
- (2) Prior to any change in the implementation of a Plan, a Youth Diversion Officer shall advise a child or young person's family.
- (3) Unless a child or young person objects, a child or young person's family shall be entitled to accompany a child or young person to carry out or attend a programme under a Youth Diversion Plan.

43 Duties of a child or young person

- (1) A child or young person shall comply with all requirements of a Youth Diversion Plan, once adopted under Part VII.
- (2) A child or young person shall attend any community service, counselling programme, church activity, or make an apology or provide reparation in the manner or on the date directed by his supervisor or Youth Diversion Officer, pursuant to his Youth Diversion Plan.
- (3) If a child or young person or his family wish to vary his attendance on a particular date, the child or young person shall contact and obtain the approval of his Youth Diversion Officer at least 48 hours prior to the date of the activity.
- (4) Where a date for an activity has been varied under subsection (3), the Youth Diversion Officer shall record the reasons for the change and the new date on which the activity shall be carried out and convey this to the child or young person's supervisor at the earliest opportunity.

44 Advice of Completion

- (1) At the successful completion of a Youth Diversion Plan by a child or young person, the Youth Diversion Officer shall, in consultation with all stakeholders who were involved in the youth diversion advise the Director of the completion of the youth diversion process.
- (2) Upon receiving the advice in subsection (1) -
 - (a) the Director shall in writing, submit an Advice of Completion to the Police Officer in Charge who was responsible for the referral; and
 - (b) upon receiving the request from the Director, the Police Officer in Charge who was responsible for the referral shall record this in the child or young person's file and take no further action against the child or young person.
- (3) An Advice of Completion shall be in the form prescribed in Schedule 15 of this Act.

45 Advice of Non-Completion

- (1) Where a child or young person has failed to comply with or complete a Youth Diversion Plan, a Youth Diversion Officer shall, in consultation with all stakeholders who were involved in the Family Group Conference, advise the Director of the non-completion of the youth diversion process.
- (2) Upon receiving the advice in subsection (1), the Director shall, in writing, notify the Police Officer in Charge who was responsible for the referral, and the child or young person referred back to the formal court process.

- (3) An Advice of Non-Completion shall be in the form prescribed in Schedule 16 of this Act.

46 Reasons for non-completion

Where a child or young person does not complete a Youth Diversion Plan, the reasons for non-completion shall be recorded by a Youth Diversion Officer in sufficient detail to assist in the successful monitoring and strengthening of the youth diversion process.

PART IX – MONITORING OF THE YOUTH DIVERSION PROCESS

47 Establishment of an Oversight Committee

- (1) The Minister shall establish an Oversight Committee to be responsible for monitoring the implementation of this Act.
- (2) The Oversight Committee shall be comprised of the following members –
 - (a) Chief Magistrate (chair);
 - (b) Police Commissioner;
 - (c) Solicitor General; and
 - (d) CEO of the Ministry.
- (3) The Oversight Committee may, from time to time, co-opt any additional members as it may require, for the discharge of its functions.
- (4) The term for each member of the Oversight Committee shall be, for a –
 - (a) person holding an *ex-officio* position, for as long as that person holds the position;
 - (b) non-Government representative or a co-opted person, for a period of two years, with the possibility of reappointment by the Oversight Committee for one additional term.
- (5) A person shall not be co-opted to the Oversight Committee unless he has –
 - (a) knowledge of or experience in the justice sector in Tonga or the Pacific; or
 - (b) specialised skills or knowledge that are relevant to the functions of the Oversight Committee.
- (6) The Ministry shall provide the secretariat duties for the Oversight Committee.

48 Functions of the Oversight Committee

The Oversight Committee shall have the following functions –

- (a) monitor the implementation of the Act by relevant stakeholders to ensure compliance with this Act and regulations made under it;
- (b) assess outcomes for young people who have completed the youth diversion process to see whether any changes should be made to the process, and provide recommendations to the Minister as applicable;
- (c) consider and make recommendations to the Minister in relation to –
 - (i) a complaint lodged under section 50 of this Act; or
 - (ii) strengthening the legal, regulatory and policy framework for youth justice in Tonga; or
- (d) any other function that the Minister may request on the Oversight Committee from time to time.

49 Recommendations of the Oversight Committee

- (1) Recommendations of the Oversight Committee under Parts IX and X of this Act shall be carefully considered by the Minister and, if the Minister approves the recommendations, they shall be implemented.
- (2) The CEO shall be responsible for overseeing the implementation of recommendations which are approved by the Minister under subsection (1).

PART X – COMPLAINTS PROCEDURE

50 Complaint may be lodged

- (1) A child or young person and his family may lodge a complaint in writing to the Oversight Committee about a process, decision made, or treatment of a child or young person under this Act.
- (2) A complaint shall be –
 - (a) in the form prescribed in Schedule 17 of this Act; and
 - (b) submitted to the Secretariat of the Oversight Committee within 21 days of the grievance occurring or the decision being made.

51 Consideration of a complaint

- (1) The Oversight Committee shall meet as and when required to determine a complaint which has been lodged under this Part.
- (2) If required, the Oversight Committee shall obtain additional information from the complainant or person who is the subject of the complaint.

- (3) The Oversight Committee shall issue its decision within 28 days of the complaint being lodged or, where additional information was requested, within 28 days of receiving the full information it required.
- (4) The Ministry shall provide the resources required by the Oversight Committee to carry out its functions under this Part.

PART XI – CONFIDENTIALITY OF FILES

52 Confidentiality

The proceedings and outcome of a Family Meeting and Family Group Conference shall be kept strictly confidential except in the following circumstances –

- (a) to the extent that information shall be shared with participants who have agreed to help implement or monitor parts of the Youth Diversion Plan; or
- (b) where a child or young person continues to re-offend and is processed by the Court in accordance with applicable law.

53 Name suppression

- (1) There shall be automatic suppression of the name of a child or young person who is –
 - (a) referred to and participating in the youth diversion process; or
 - (b) appearing before the Magistrates Court or Supreme Court in relation to any matter which involves a child or young person, unless the court determines that there are exceptional circumstances requiring the name suppression to be lifted.
- (2) For the purposes of subsection (1), exceptional circumstances shall include that the child or young person –
 - (a) has been convicted of a serious crime that in the public interest, it would be unreasonable to withhold the name and identity of the child or young person; or
 - (b) is a repeat offender who has been previously convicted and imprisoned for criminal offences.

PART XII – FINANCIAL MATTERS

54 Fees and other entitlements

The Minister may, in consultation with Cabinet, approve or establish any meeting fee, reimbursable expense or entitlement of any person, entity or committee for a function or assigned responsibility under this Act.

PART XIII – REGISTER

55 Register to be established

- (1) The Director shall, within 12 months of the commencement of this Act, establish and maintain a register containing the following information –
 - (a) power that has been delegated by the Minister to the CEO in section 8 of this Act;
 - (b) name of each child or young person that has been referred to the youth diversion process in section 18 and section 19 of this Act;
 - (c) prior police record of a child or young person who has been referred to youth diversion, if any;
 - (d) names of the Youth Diversion Officer, Police Officer in Charge, town officer and community stakeholders involved at each stage of the youth diversion process in respect of each child or young person's Youth Diversion Plan that has been adopted in relation to each child or young person and in particular –
 - (i) whether the plan was fully completed or not completed;
 - (ii) if not completed, reasons for the non-completion;
 - (iii) if not completed, whether a variation order was applied for and the new conditions under the variation order;
 - (iv) if there was a variation order, whether the Youth Diversion Plan was fully completed or not completed; and
 - (v) any recommendations for further refining and strengthening the youth diversion process in Tonga;
 - (e) name of a Youth Diversion Officer who has been designated under section 15 of this Act, as well as evidence of training and police clearance;
 - (f) name of a Youth Diversion Officer whose designation has been revoked under section 17 of this Act;
 - (g) name and information relating to a service provider that provides or delivers a service under this Act, including the names and background checks of each of their authorised officers;

- (i) in relation to paragraph (h), information on whether the service provider has complied, or continues to comply, with minimum standards prescribed in regulations made under this Act or the national child protection policy which has been approved by Cabinet;
 - (j) complaints that have been lodged under section 50 of this Act, including the nature and outcome of each complaint; and
 - (k) any other item or record that the Director shall deem necessary to be included in the register.
- (2) To the extent possible, the register established in subsection (1) shall be maintained electronically.

PART XIV – MISCELLANEOUS

56 Protection from liability

No action shall be taken against an officer or member of an entity or body established under this Act, for an act which was done in good faith or is purported to have been done by the officer or member in the performance of that officer or member's duties or discharge of functions under this Act.

57 Power to make regulations

The Minister shall, with the consent of Cabinet, make regulations for the effective implementation of this Act.

PART XV – OFFENCES AND PENALTIES

58 Failure to provide accurate information and obstruction

A person who —

- (a) knowingly provides false, outdated or inaccurate information to the Ministry, Youth Diversion Office or a designated officer under this Act;
- (b) wilfully fails to give information or to produce any document lawfully requested by the Ministry or a designated officer under the provisions of this Act; or
- (c) obstructs a designated officer in the exercise of his powers or duties under this Act,

shall be liable on conviction to a fine not exceeding \$2,000 or a term of imprisonment of up to 3 months, or both.

59 Child or young person not to be mistreated

- (1) A child or young person shall not be mistreated by a person performing a function during any stage of the youth diversion process under this Act.
- (2) A person who violates subsection (1) is liable, upon conviction, to a fine not exceeding \$5,000 or to a term of imprisonment of up to 6 months, or to both.

Passed by the Legislative Assembly this day of 2024.

SCHEDULE 1

(Section 8(4))

INSTRUMENT OF DELEGATION



**MINISTRY OF JUSTICE
INSTRUMENT OF DELEGATION**

Delegation No.: _____ / 20____

Pursuant to section 8 of the Tonga Youth Justice Act, I hereby **DELEGATE** the following responsibilities and/or powers to the Chief Executive Officer of the Ministry of Justice.

Powers or functions delegated:

<i>(Section no.)</i>	<i>(Description of power or function)</i>
.....
.....

This delegation shall take effect on and will continue until[month], 20.....[year].

.....
Honourable Minister for Justice

.....
Date

SCHEDULE 2*(Section 15(1))***DESIGNATION OF A YOUTH DIVERSION OFFICER****MINISTRY OF JUSTICE
INSTRUMENT OF DESIGNATION**

Designation No.: _____ / 20____

Pursuant to section 15(1) of the Tonga Youth Justice Act, I hereby **DESIGNATE** [OFFICER'S NAME] of [MINISTRY NAME] as a Youth Diversion Officer under the Act.

You are hereby authorised to act as a Youth Diversion Officer on behalf of the Ministry, holding full powers of a Youth Diversion Officer under the Tonga Youth Justice Act, but subject to all provisions in the Act and regulations made under it.

This designation is valid until: At this date, your designation will automatically lapse until a further designation is issued in writing by the Minister in office.

Issued at Nuku'alofa on this day of [month],
20..... [year].

.....
Honourable Minister for Justice

SCHEDULE 3*(Section 16(1))***FORM OF IDENTIFICATION OF A YOUTH DIVERSION OFFICER****FRONT:**

Name:

Designation:

Ministry:

Expiration:

ID No.:

FULL POWERS / LIMITED POWERS**BACK:**

THIS ID IS THE PROPERTY OF THE
MINISTRY OF JUSTICE.

You are hereby required to carry this identification at all times when you are exercising your powers under the Tonga Youth Justice Act. You must show this ID if you are requested by any person.

At the expiration or revocation of your designation, you are required to immediately return your identification card to the Chief Executive Officer of the Ministry of Justice.

SCHEDULE 4

(Section 17(1))

REVOCATION OF DESIGNATION OF A YOUTH DIVERSION OFFICER



Revocation No.: _____ / 20____

Pursuant to section 17(1) of the Tonga Youth Justice Act, I hereby **REVOKE** the designation of [OFFICER'S NAME] of [MINISTRY NAME] as a Youth Diversion Officer under the Act.

Your authority to act as a Youth Diversion Officer on behalf of the Ministry, is immediately revoked and you cannot exercise or purport to exercise any powers of a Youth Diversion Officer under the Act.

Issued at Nuku'alofa on this day of[month],
20..... [year].

.....

Honourable Minister for Justice

SCHEDULE 5*(Section 18)***OFFENCES ELIGIBLE FOR REFERRAL TO YOUTH DIVERSION**

Pursuant to section 18, a child or young person who is –

- (a) alleged to have committed an offence in an Act listed in this Schedule 5; and
 - (b) the punishment for the offence which is alleged to have been committed is a maximum fine of \$10,000 or a term of imprisonment of up to 2 years, or both,
- shall be, together with criteria in section 19, eligible for referral to the youth diversion process in accordance with this Act.

ACT
Criminal Offences Act [Cap. 4.04]
Illicit Drugs Control Act [Cap. 4.06]
Fisheries Management Act [Cap. 18.02]
Traffic Act [Cap. 24.03]
Intoxicating Liquor Act [Cap. 12.07]
Intoxicating Substances Act 2021
Manufacture of Intoxicating Liquor Act [Cap. 12.08]
Noxious Weeds Act [Cap. 19.05]
Order in Public Places Act [Cap. 7.06]
Pornography Control Act [Cap. 4.09]
Public Order (Preservation) Act [Cap. 7.09]

SCHEDULE 6

(Section 29(1))

CONSENT FORM TO PARTICIPATE IN THE YOUTH DIVERSION PROCESS

CASE/FILE NO: _____

CONSENT OF THE CHILD OR YOUNG PERSON

Pursuant to section 29(1) of the Tonga Youth Justice Act, I [insert name of child or young person] of [insert village] hereby confirm that I have given my consent to take part in the Youth Diversion Process.

The objectives and main elements of the Youth Diversion Process have been explained to me by [name of Youth Diversion Officer].

I understand that I have the right to withdraw from the Youth Diversion Process at any time.

Name of child or young person:

Signature:

Date:

CONSENT OF PARENT(S), GUARDIAN(S) OR CAREGIVER(S)

I/We [insert name of parent, or names of parents, adoptive parents or legal guardians of the child or young person] of [insert village] confirm that I/we have given my/our consent to take part in the Youth Diversion Process under the Tonga Youth Justice Act, in respect of our son/daughter, [insert name of child or young person].

The objectives and main elements of the Youth Diversion Process have been explained to me/us by [name of Youth Diversion Officer].

I/we understand that I/we can choose to withdraw from the Youth Diversion Process at any time.

Signed by:

Father:

Mother:

Or Guardian/caregiver:

Date:

SCHEDULE 7*(Section 19(4))***REFERRAL OF A CHILD OR YOUNG PERSON BY TONGA POLICE TO THE YOUTH DIVERSION PROCESS****1 Apprehension**

- (1) Pursuant to standard procedures and requirements in place, Tonga Police shall respond to any complaint.
- (2) A police officer shall ensure that these procedures and requirements are followed, which will help to ensure due process.

2 Assessment

Before a child or young person can be referred to the Youth Diversion Office, the Police Officer in Charge shall consider the following –

- (a) whether there is sufficient evidence that an offence has been committed; and
- (b) whether the child or young person qualifies to be referred to the youth diversion process under section 18 and section 19 of this Act.

3 Referral

Where a child or young person is eligible for youth diversion under section 18 and section 19 of this Act, the Police Officer in Charge shall make the written referral for submission to the Director of the Youth Diversion Office.

4 Family Meeting

- (1) If Tonga Police refers the case of a child or young person to the Youth Diversion Process under this Act, the child or young person and his family shall be advised of this, and remain informed throughout all stages of the Youth Diversion Process.
- (2) A Youth Diversion Officer shall arrange a Family Meeting with the child or young person and his family within 1 week of the referral being received.

SCHEDULE 8

(Section 19(5))

YOUTH DIVERSION REFERRAL FORM

Case number:	.....
Name of child or young person:	.....
Gender:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Address:	.....
Date of birth:	.....
Place of birth:	.....
Age:	.....
Nationality:	.....
Name of parents/caregivers:	Parent #1: Parent #2: Caregiver #1: Caregiver #2:
Alleged offence:	..... ..... .....
Date:	.....
Time:	.....
Location:	.....
Date offence reported:	.....
Victim/complainant name:	.....
Age of victim:	.....
Person reporting:	.....
Details of the alleged offence:	..... ..... ..... .....
Note any injuries that the victim has:	..... ..... ..... .....

<p>Note any health conditions of the victim:</p>	<p>Does the victim have one or more of the following:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="text-align: center;">Condition</th> <th style="text-align: center;">YES</th> <th style="text-align: center;">NO</th> </tr> </thead> <tbody> <tr> <td>Mental illness</td> <td></td> <td></td> </tr> <tr> <td>Intellectual impairment</td> <td></td> <td></td> </tr> <tr> <td>Visual impairment</td> <td></td> <td></td> </tr> <tr> <td>Hearing impairment</td> <td></td> <td></td> </tr> <tr> <td>Mobility impairment</td> <td></td> <td></td> </tr> <tr> <td>Communications impairment</td> <td></td> <td></td> </tr> </tbody> </table> <p>If you have answered yes to any of the above, please provide additional details below:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	Condition	YES	NO	Mental illness			Intellectual impairment			Visual impairment			Hearing impairment			Mobility impairment			Communications impairment		
Condition	YES	NO																				
Mental illness																						
Intellectual impairment																						
Visual impairment																						
Hearing impairment																						
Mobility impairment																						
Communications impairment																						
<p>Note any injuries that the child or young person has:</p>																						
<p>Note any health conditions of the child or young person:</p>	<p>Does the child or young person have one or more of the following:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="text-align: center;">Condition</th> <th style="text-align: center;">YES</th> <th style="text-align: center;">NO</th> </tr> </thead> <tbody> <tr> <td>Mental illness</td> <td></td> <td></td> </tr> <tr> <td>Intellectual impairment</td> <td></td> <td></td> </tr> <tr> <td>Visual impairment</td> <td></td> <td></td> </tr> <tr> <td>Hearing impairment</td> <td></td> <td></td> </tr> <tr> <td>Mobility impairment</td> <td></td> <td></td> </tr> <tr> <td>Communications impairment</td> <td></td> <td></td> </tr> </tbody> </table> <p>If you have answered yes to any of the above, please provide additional details below:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	Condition	YES	NO	Mental illness			Intellectual impairment			Visual impairment			Hearing impairment			Mobility impairment			Communications impairment		
Condition	YES	NO																				
Mental illness																						
Intellectual impairment																						
Visual impairment																						
Hearing impairment																						
Mobility impairment																						
Communications impairment																						
<p>Was the child or young person searched?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, was there anything found on child or young person?</p>																					

	<input type="checkbox"/> Yes <input type="checkbox"/> No Please list any items found below:
Name of adult present when the child or young person was searched: (section 144, Tonga Police Act [Cap. 7.07])	..... .....
Note any property taken from the child or young person and reason why it was taken:	..... .....
Details of any direction by a Magistrate Judge or CIU:	..... ..... .....
<u>For Tonga Police only:</u> Referring Officer name & number: Referring Officer phone number: Date: Time:	<u>For Youth Diversion Office only:</u> File received by: Date: Time:
TONGA POLICE PROCESS: (1) Complete form (2) Photocopy form (3) Original to be given to Youth Diversion Office via courier (4) Copy to be filed at Police Station of the Police Officer in Charge who made the referral	

SCHEDULE 9*(Section 20)***ROLE OF RELEVANT STAKEHOLDERS**

The role of relevant line Ministries and community stakeholders in the youth diversion process is outlined below.

1 Tonga Police

- (1) The role of the Police Officer in Charge who deals with a child or young person who is alleged to have committed an offence which is eligible for referral to the youth diversion process, shall include the following –
 - (a) be the first contact with the child or young person and gather contact information;
 - (b) undertake initial contact with family to inform them regarding the child or young person and offence or offences alleged to have been committed;
 - (c) determine if the child or young person meets the criteria for referral;
 - (d) inform the child or young person and family about the youth diversion process;
 - (e) complete and send referral to the Director of the Youth Diversion Office;
 - (f) prepare and share information with the Youth Diversion Office prior to the Family Meeting and the Family Group Conference;
 - (g) ensure that written or electronic records are kept of the referral of the child or young person, including the following:
 - (i) notes of investigation;
 - (ii) criteria for eligibility and evidence that the child or young person met the criteria for referral to the youth diversion process;
 - (iii) decisions reached; and
 - (iv) referrals made.
 - (h) attend a Family Group Conference and contribute to the formulation of a Youth Diversion Plan.
- (2) Information to be shared in subsection (1)(f) include –
 - (a) statement of facts and the alleged offence or offences by the child or young person;
 - (b) a summary of damage or harm caused; and
 - (c) any victim or witness statement.

2 Town Officers

Subject to the approval of the responsible Chief Executive Officer, the role of a Town Officer shall include the following –

- (a) liaise with Youth Diversion Office over arrangements for the Family Group Conference;
- (b) support a Youth Diversion Officer in making practical arrangements for a Family Group Conference, including provision of an appropriate venue within the village or accessing local support services appropriate to the needs of the child or young person;
- (c) provide relevant input into the Family Group Conference on the effects of any harm or damage to the community due to the alleged offending;
- (d) advise on or assist with the provision of any locally based programme that forms a part of the Youth Diversion Plan;
- (e) contribute to the formulation of a Youth Diversion Plan;
- (f) if requested by the Family Group Conference, supervise the child or young person during the implementation of a Youth Diversion Plan or, in consultation with a Youth Diversion Officer, facilitate other arrangements; and
- (g) if requested, provide general support for the child or young person and his family.

3 Service Providers

- (1) A service provider may volunteer its services to assist in the Youth Diversion Process by registering with the Ministry in the prescribed manner.
- (2) The role of a service provider may include the following –
 - (a) if requested by a Youth Diversion Officer, participate in a Family Group Conference;
 - (b) contribute to the formulation of a Youth Diversion Plan; and
 - (c) provide a programme of support or deliver a service to help the child or young person to address underlying issues in order to make better life choices, so as not to re-offend.

4 Church and community representatives

- (1) A church or community organisation in the child or young person's village may volunteer its services to assist in the Youth Diversion Process by registering with the Ministry in the prescribed manner.
- (2) The role of a church or community representative may include the following –
 - (a) if requested, participate in a Family Group Conference;
 - (b) present the church or community's view of the harm or damage caused;

- (c) contribute to the formulation of a Youth Diversion Plan; and
- (d) provide spiritual support or a programme of support to help the child or young person make better life choices, so as not to re-offend.

5 Family

The role of a child or young person's family shall include the following –

- (a) attend the Family Meeting and Family Group Conference convened by the Youth Diversion Office;
- (b) support the child or young person at any meeting or interview during the Youth Diversion Process;
- (c) discuss the effect of the child or young person's offending.
- (d) contribute to the formulation of the Youth Diversion Plan and enable the child or young person to complete it; and
- (e) at the completion of the Youth Diversion Plan, acknowledge the outcome, or where there is non-completion, continue to support the child or young person in the next steps of the process.

SCHEDULE 10*(Section 32(2))***TYPES OF FAMILY GROUP CONFERENCES**

TYPE	DESCRIPTION	PARTICIPANTS	REPARATION
Type 1	<p>A 'Type 1' conference is the standard form of conference held and shall be for consideration of a child or young person's offending behaviour following their first referral.</p> <p>A 'Type 1' conference may also be convened for a second or third referral (repeat offending) where there are no other known factors affecting a child or young person's behaviour, such as drug and alcohol issues, learning difficulties or health issues.</p>	<p>Participants would include the child or young person, child or young person's family, police officer, town officer, church representative. A victim, extended family member or a community representative may be invited to attend.</p> <p>No professionals or additional services are required to attend a 'Type 1' conference.</p>	Minor reparation or restitution may be involved.
Type 2	A 'Type 2' conference is held when there are known underlying factors likely to be affecting the child or young person's behaviour, such as drug and alcohol issues, mental health problems, learning difficulties, exposure to domestic violence or abuse, anger issues or school truancy.	<p>In addition to the persons listed in Type 1, relevant professionals or services are required. For example – health professional, counsellor, therapist, psychologist or programme director.</p> <p>Ongoing interventions and monitoring will be involved.</p>	Reparation or restitution may be involved in combination with addressing any underlying issues.
Type 3	A 'Type 3' conference is held when a prior Youth Diversion Plan has not been completed by the child or young person or the child or young person has	Participants from the original Family Group Conference.	The restitution and reparation history of the child or young person must be considered by the conference when

	<p>successfully completed one or more Youth Diversion Plans but has continued to re-offend.</p> <p>The Plan must be revised and a new plan agreed, taking into account the circumstances or the conference can refer a child or young person back to Tonga Police for processing in the usual manner.</p>		<p>determining appropriate outcomes.</p>
--	---	--	--

SCHEDULE 11*(Section 36(2))***YOUTH DIVERSION PLAN TEMPLATE**

YOUTH DIVERSION PLAN				
1. Apology and putting things right				
2. Activities and/or programmes in which the child or young person will be involved	What will the child or young person be involved in?	When?	Where?	Who will be responsible and contact details?
3. Programmes or activities requiring referral	Programme/ Activity	Who will make the referral?	What is the duration of the programme/activity?	Who will be responsible and contact details?
4. Conditions (e.g. if appropriate - apology, curfew, non-association, attendance conditions, prohibited locations etc.)				
5. Duration of the Plan	Start date:		End date:	
6. Monitoring the Plan	Who is responsible for monitoring the plan?	Name:	Occupation:	Contact details:
7. List any other information about the Plan:	Comments regarding assessment of completion:	Will there be another meeting to acknowledge successful completion of the Youth		

		Diversion Plan?		
This Youth Diversion Plan should be typed, and a copy given to all participants involved in the implementation and monitoring of the Plan.				

SCHEDULE 12*(Section 39(3))***RECORD OF A FAMILY GROUP CONFERENCE**

A Youth Diversion Officer shall keep a record of a Family Group Conference as set out below –

RECORD OF FAMILY GROUP CONFERENCE AND YOUTH DIVERSION PLAN	
CASE/FILE ID:	
VENUE:	
DATE:	
Name of child or young person:	
Date of birth:	
Age:	
School or tertiary institution:	
Address:	
Alleged offence:	
Date of alleged offence:	
Acceptance of responsibility:	Tick ONE box only: <input type="checkbox"/> The child or young person DOES NOT accept responsibility for the alleged offence. Meeting ends; refer case back to Tonga Police. <input type="checkbox"/> The child or young person DOES accept responsibility for the alleged offence. Meeting proceeds to <i>talanoa</i> and developing a Youth Diversion Plan.
Copy of referral documentation by Tonga Police must be attached to this record:	Copy of referral attached: <input type="checkbox"/> Yes <input type="checkbox"/> No

Name of Youth Diversion Officer:		
Name of family:		
Decision of child or young person and parents' consent to take part in the Youth Diversion Process:	Consent form attached: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Names of participants in the Family Group Conference:	✓	Please mark and insert names below –
		Child or young person
		Father / Mother
		Guardian(s)
		Caregiver
		Victim(s)
		Youth Diversion Officer
		District or Town Officer
		Reverend or Church representative
		School representative
		Salvation Army
		NGO representative
	NGO representative	
	NGO representative	
Outcomes of Family Group Conference:		
Summary of Youth Diversion Plan adopted:	Full details to be attached as Annex 1.	
Duration of plan:	.....
Start date:	.....
End date:	.....
Person(s) responsible for monitoring:		

Signature of child or young person:	
Signature of parents:	
Signature of Youth Diversion Officer:	
Date:	
<u>FOR OFFICE USE ONLY:</u>	

ANNEX 1

The agreed Youth Diversion Plan and any additional information (outlined below) shall be appended as Annex 1.

ADDITIONAL INFORMATION	
(a) Records of any plan monitoring meetings or contacts	
(b) Reports from conference participants assisting with the diversion plan on the child or young person's compliance / engagement	
(c) Youth Diversion Plan outcome	
(d) If the Youth Diversion Plan has been completed, a record of any final 'celebration' and the reports of all participants	
(e) If the Youth Diversion Plan has not been completed, state the reason(s) for non – completion and the recommendation of the Family Group Conference for the 'next steps'	
(f) Records of any planned monitoring meetings or contacts	

SCHEDULE 13*(Section 40(2))***APPLICATION FOR VARIATION OF A YOUTH DIVERSION PLAN**

**YOUTH DIVERSION OFFICE
APPLICATION FOR VARIATION OF A YOUTH DIVERSION PLAN**

Pursuant to section 40(2) of the Tonga Youth Justice Act, I hereby APPLY for variation of the Youth Diversion Plan that was agreed to by the Family Group Conference at [village] on [date] in relation to [CHILD OR YOUNG PERSON'S NAME].

The request for variation to the Youth Diversion Plan is as follows –

.....

This application for variation is based on the following grounds – [tick reason(s)]

<input type="checkbox"/>	Unavailability of key personnel
<input type="checkbox"/>	Sickness of child or young person or key personnel
<input type="checkbox"/>	Bereavement of an immediate family member of the child or young person
<input type="checkbox"/>	Natural disaster
<input type="checkbox"/>	Change in circumstances of the child or young person (for example, employment)
<input type="checkbox"/>	Any other circumstances based on reasonable grounds

Dated:.....

.....
Youth Diversion Officer

SCHEDULE 14

(Section 40(5))

ORDER VARYING A YOUTH DIVERSION PLAN



**MINISTRY OF JUSTICE
ORDER VARYING A YOUTH DIVERSION PLAN**

Pursuant to section 40(5) of the Tonga Youth Justice Act, I hereby APPROVE the variation of the Youth Diversion Plan that was agreed to by the Family Group Conference at [village] on [date] in relation to [CHILD OR YOUNG PERSON'S NAME].

The variation to the Youth Diversion Plan shall be as follows –

.....
.....
.....
.....
.....

Issued at Nuku'alofa on this day of[month],
20..... [year].

.....

Hon. Minister of Justice

Nuku'alofa

SCHEDULE 15

(Section 44(3))

ADVICE OF COMPLETION



**MINISTRY OF JUSTICE
YOUTH DIVERSION – ADVICE OF COMPLETION**

Pursuant to section 44(3) of the Tonga Youth Justice Act, I hereby advise that [CHILD OR YOUNG PERSON'S NAME] of [VILLAGE] has fully completed the Youth Diversion Plan that was agreed to by the Family Group Conference on [insert date].

The following activities were completed by the child or young person:

(a).....[date]

(b).....[date]

etc

A copy of the Youth Diversion Plan is attached as Annex 1.

Dated:.....

.....
Director, Youth Diversion Office

Nuku'alofa

SCHEDULE 16

(Section 45(3))

ADVICE OF NON-COMPLETION



**MINISTRY OF JUSTICE
YOUTH DIVERSION – ADVICE OF NON-COMPLETION**

Pursuant to section 45(3) of the Tonga Youth Justice Act, I hereby advise that [CHILD OR YOUNG PERSON’S NAME] of [VILLAGE] has not completed the Youth Diversion Plan that was agreed to by the Family Group Conference on [insert date]. A copy of the Youth Diversion Plan is attached as Annex 1.

Reasons for non-completion were –

.....
.....
.....

You are hereby requested to process this matter in accordance with applicable law and, if appropriate, to refer this matter to the jurisdiction of the Courts pursuant to the Magistrates Courts Act and/or Supreme Court Act.

Dated:.....

.....
Director, Youth Diversion Office
Nuku’alofa

SCHEDULE 17*(Section 50(2)(a))***COMPLAINT FORM****MINISTRY OF JUSTICE
COMPLAINT FORM**

File number:	
Name of complainant:	
Address:	
Telephone:	
Email:	
Nature of Complaint: <i>(Use a separate sheet if space not sufficient)</i>	
<p><i>Once completed, this form should be submitted to the Secretary of the Oversight Committee or for assistance, please contact telephone: ----- or email tyjoversight@gmail.com.</i></p>	
Name of Complainant:	For Office Use Only:
Signature:	Date Complaint received:
Date:	Name of receiving officer:
	Designation:
	Relevant section(s) under Tonga Youth Justice Act:

EXPLANATORY NOTES

(These notes do not form part of the Bill and is only intended to explain its scope and purpose)

- 1.1 The primary purposes for this Bill are to –
- (a) prevent a child or young person alleged to have committed an offence from entering the formal criminal justice system and the adverse consequences which follow;
 - (b) provide an age, developmental and culturally appropriate response to youth offending;
 - (c) reduce pressure on the court system by diverting minor cases from the courts; and
 - (d) reduce the likelihood of a child or young person re-offending by addressing the issues that have led to offending behaviour, through the development of an appropriate and monitored Youth Diversion Plan.
- 1.2 This Bill should be read in conjunction with the following amendment Bills, which seek to make consequential amendments to relevant laws, to align with the Youth Diversion Process established under this Bill –
Magistrate’s Court (Amendment) Bill 2024, Supreme Court (Amendment) Bill 2024, Tonga Police (Amendment) Bill 2024 and the District and Town Officers (Amendment) Bill 2024.
- 1.3 The table below outlines the main parts and sections of the Tonga Youth Justice Bill 2024 –


PART IN BILL	EXPLANATORY NOTE
Part I – Preliminary	This Part sets out the short title, commencement and interpretation sections. Section 3 sets out the objectives of the Bill while section 4 establishes guiding principles to be considered by decision makers when making decisions under the Bill.
Part II – Administration	This Part establishes the framework for the administration of the Bill. The Minister of Justice is responsible for administration of this Bill (section 6) and the Minister’s functions prescribed (section 7). The Minister is able to delegate one or more of his functions to the Chief Executive Officer of the Ministry (section 8). Functions of the Ministry are outlined (section 9) as well as functions of the Chief Executive Officer in (section 10).

Part III – Establishment of the Youth Diversion Office	This Part establishes the Youth Diversion Office. Statutory functions of the Youth Diversion Office are outlined (section 12) as well as powers of designated youth diversion officers (section 13). The Director and staff of the Youth Diversion Office are to be appointed in accordance with the Public Service Act (section 14).
Part IV – Designation of Youth Diversion Officers	This Part outlines the process for the designation of a Youth Diversion Officer. The Minister of Justice is empowered to designate a Youth Diversion Officer from within the Ministry of Justice on the recommendation of the Chief Executive Officer (section 15(1)(a)). The Minister is also empowered to designate a Youth Diversion Officer from another Ministry, provided that the Minister responsible for the public officer consents (s15(1)(b)). Criteria for the selection of a person as a Youth Diversion Officer are outlined in section 15(3).
Part V – The Youth Diversion Process	This Part establishes the Youth Diversion Process. The two key sections are sections 18 and 19, which lists the offences which are eligible for referral to youth diversion as well as criteria for the child or young person to be eligible for youth diversion.
Part VI – Family Meetings	This Part outlines the participants (section 25) and proceedings (section 27) in a Family Meeting, as well as the objectives (section 26). Following a Family Meeting, a child or young person and his family must provide written consent to take part in the youth diversion process (section 29)).
Part VII – Family Group Conference	This Part outlines the participants (section 33) and proceedings (section 35) in a Family Group Conference, as well as the objectives (section 34). The participants in a Family Group Conference must, by consensus, develop a Youth Diversion Plan in relation to a child or young person who is taking part in the Youth Diversion Process (section 36). Among other things, the Youth Diversion Plan must be appropriate to the age and maturity of the child or young person, proportionate to the alleged offence and flexible enough to allow for any change in the circumstances of the child or young person and his family (section 37).
Part VIII – Implementation of a Youth Diversion Plan	This Part outlines the requirements for implementation of a Youth Diversion Plan. The Director must assign a Youth Diversion Officer to monitor the implementation of a Youth Diversion Plan (section 41) and ensure that

	<p>the child or young person's family remains informed during implementation (section 42).</p> <p>A child or young person must fulfil all the requirements in the Youth Diversion Plan (section 43). Where a Youth Diversion Plan is fully completed by a child or young person, the Director will advise Tonga Police with an Advice of Completion (section 44) and that is the end of the matter. Where a Youth Diversion Plan is not fully completed by the child or young person, the Director will advise Tonga Police (section 45) with an Advice of Non-Completion and Tonga Police shall process the child or young person in the usual manner, in accordance with applicable laws.</p>
Part IX – Monitoring of the Youth Diversion Process	<p>This Part deals with monitoring of the Youth Diversion Process. Section 47 establishes an Oversight Committee which is responsible for monitoring the youth diversion process and making recommendations to the Minister for its strengthening and improvement. Members of the Oversight Committee are – the Lord Chief Justice (chair), Chief Police Magistrate (deputy chair), Chief Executive Officer of the Ministry of Justice, Police Commissioner and Solicitor General (section 47(2)). The Secretary of the Oversight Committee shall be appointed by the Oversight Committee from the Ministry.</p>
Part X – Complaints Procedure	<p>This Part establishes a complaints procedure under the Bill. A child or young person and his family may lodge a complaint about a process, decision made, or treatment of a child or young person who is referred to the Youth Diversion Process (section 50). Section 51 outlines the process to be followed when considering a complaint.</p>
Part XI – Confidentiality of Files	<p>This Part requires that proceedings and outcomes of a family meeting and family group conference must be kept confidential (section 52) for the protection of the child or young person. Section 53 requires automatic name suppression for a child or young person who is appearing before a Magistrate's Court or the Supreme Court on any matter, except where the Court determines otherwise.</p>
Part XII – Financial Matters	<p>This Part deals with the entitlement of persons who are assigned with responsibilities under the Bill, to meeting fees or other forms of remuneration (section 54).</p>

Part XIII – Register	This Part requires the Director of the Youth Diversion Office to establish and maintain a register to record data and information in relation to the implementation of the Youth Diversion Process under this Bill (section 55).
Part XIV – Miscellaneous	This Part deals with two miscellaneous issues including the protection from liability of an officer or member of an entity or body established under this Act (section 56) and the provision of the Minister’s power to promulgate regulations under the Act, with the consent of Cabinet (section 57).
Part XVII – Offences and Penalties	This Part sets out offences and penalties under the Bill.
Schedule 1 – Instrument of Delegation	This Schedule prescribes the instrument by which the Minister may delegate one or more of his powers to the Chief Executive Officer of the Ministry.
Schedule 2 – Designation of a Youth Diversion Officer	This Schedule prescribes the instrument of designation of a Youth Diversion Officer.
Schedule 3 – Form of Identification of a Youth Diversion Officer	This Schedule prescribes the form of identification of a Youth Diversion Officer.
Schedule 4 – Revocation of Designation of a Youth Diversion Officer	This Schedule prescribes the instrument of revocation of the designation of a Youth Diversion Officer.
Schedule 5 – Offences eligible for referral to Youth Diversion	This Schedule outlines the list of laws and threshold by which a child or young person shall be eligible for referral to the youth diversion process.
Schedule 6 – Consent Form to participate in the Youth Diversion Process	This Schedule prescribes the consent form by which a child or young person and his family agrees to take part in the youth diversion process.
Schedule 7 – Referral of a Child or Young Person by Tonga Police to the Youth Diversion Process	This Schedule outlines the process to be followed by Tonga Police when determining whether to refer a child or young person, alleged to have committed an offence, to the youth diversion process.
Schedule 8 – Youth Diversion Referral Form	This Schedule prescribes the form to be used by Tonga Police when referring a child or young person to the youth diversion process.

Schedule 9 – Role of Relevant Stakeholders	This Schedule outlines the roles of relevant line ministries and community stakeholders in the youth diversion process.
Schedule 10 – Types of Family Group Conferences	This Schedule outlines the types of Family Group Conferences.
Schedule 11 – Youth Diversion Plan Template	This Schedule prescribes the template for a Youth Diversion Plan.
Schedule 12 – Record of a Family Group Conference	This Schedule prescribes the template for a record of a Family Group Conference.
Schedule 13 – Application for Variation of a Youth Diversion Plan	This Schedule prescribes the form for an application to vary a youth diversion plan.
Schedule 14 – Order Varying a Youth Diversion Plan	This Schedule prescribes the Order which varies a Youth Diversion Plan.
Schedule 15 – Advice of Completion	This Schedule prescribes the notice that the Director of the Youth Diversion Office provides to Tonga Police to advise that a child or young person has fully completed his Youth Diversion Plan.
Schedule 16 – Advice of Non-Completion	This Schedule prescribes the notice that the Director of the Youth Diversion Office provides to Tonga Police to advise that a child or young person has not completed his Youth Diversion Plan.
Schedule 17 – Complaint Form	This Schedule prescribes the form for the lodging of a complaint under section 50 of the Bill.


Hon. Samiu Kuita Vaipulu
Minister of Justice and Prisons

