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Tonga

**LAO FAKAANGAANGA KI HE LESISITA
SIVILE MO E FAKAMO'ONI
FAKAKOMIPIUTA 2025**



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LAO FAKAANGAANGA KI HE LESISITA SIVILE MO E FAKAMO'ONI FAKAKOMIPIUTA 2025

KO E LAO FAKAANGAANGA KI HONO FAKALELEI'I 'A E SISITEMI
LEISISITA SIVILE MO E FOKOTU'U 'O E TEITAPEISI FAKAMO'ONI
FAKAKOMIPIUTA MO E FIKA FAKAMO'ONI MAVAHÉ

‘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 MO E FAKAHOKO NGAUE

1 Hingoa nounou

- (1) ‘E ui ‘a e Lao ni ko e Lao ki he Lesisita Sivile mo e Fakamo’oni Fakakomipiuta 2025.
- (2) Kuo pau ke kamata ngaue’aki ‘a e Konga III ‘o e Lao ni ‘i ha ‘aho ‘e fanongonongo ‘e he Kapineti pea pulusi ‘i ha fanongonongo ‘i he Kasete.

2 'UHINGA'I lea

'I he Lao ni —

“teitapeisi fakapule’anga kuo fakangofua” ‘oku ‘uhinga taautaha ki ha –

- (a) Lesisita Sivile;
- (b) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o e ‘Ofisi Kaati Faka’ilonga’i Fakafonua kuo fokotu’u ‘i he Lao ki he Kaati Faka’ilonga’i Fakafonua [Vahe 2.16];
- (c) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o e Potungaue ki Muli ‘oku lekooti ‘a e fakamatala fekau’aki mo ha ni’ihi ‘oku felave’i ki ha totonu ki he mo e kole ki he mo e foaki, fakafo’ou mo e ngata ‘o ha tohi folau mo e tohi faka’ilonga’i pea mo e ngaahi me’a ‘oku felave’i tonu kuo fokotu’u ‘i he Lao ki he Tohi Fakangofua ke Folau [Vahe 10.03];
- (d) teitapeisi ‘oku felave’i ki ha totonu ki he mo e foaki, fakafo’ou mo e ngata ‘o ha ngaahi ngofua ke tu’uta mo nofo ‘i Tonga ‘oku tauhi ‘i he Lao ki he Kakai Hu Mai [Vahe 10.01];
- (e) tohi fakakatoa ki he fili ‘oku tauhi ‘e ha pe fakafongga ‘o e Supavaisa Fili ‘i he Lao ki he Fili Fale Alea [Vahe 2.03];
- (f) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o e ‘Ofisa Pule Ngaue ‘oku ne tokangaekina ‘a e tanaki pa’anga hu mai mo e tute ‘i he Lao ki hono Pule’i ‘o e Ngaahi Ngaue Tanaki Pa’anga Hu Mai 2021 mo ha lao tanaki pa’anga hu mai kehe;
- (g) teitapeisi ‘oku tauhi ai ha lekooti fakamatala fekau’aki mo ha ni’ihi ‘oku felave’i mo ha ngaahi kole mo e foaki, fakafo’ou mo e ngata ‘o ha ngaahi laiseni faka’uli ‘i he Lao ki he Fe’alu’aki [Vahe 24.03];
- (h) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o e Poate Ngaue Fakafaito’o mo e Nifo ki he ngaahi taumu’a lesisita ‘a e kau ngaue fakafaito’o, ‘ofisa mo’ui mo e nifo ‘oku fokotu’u ‘i he Lao ki he Kau Toketa, Kau Ngaue ki he Nifo mo e Kau Ngaue ki he Mo’ui 2021;
- (i) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o e Poate ‘a e Kau Neesi ki he taumu’a ko hono lesisita ‘a e kau mā’uli, kau neesi mo e kau neesi fakafaito’o ‘i he Lao ki he Kau Neesi, Kau Neesi Fakafaito’o mo e Kau Ma’uli 2021;
- (j) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o e Minisita ki he Mo’ui, pe Minisita kehe ‘oku ne tokangaekina ‘a e ngaahi ngaue ki he mo’ui ‘i he Lao ki he Ngaahi Ngaue ki he Mo’ui [Vahe 12.06] pea mo ha lao ‘oku felave’i ki he ngaahi me’a ki he mo’ui;
- (k) teitapeisi ‘oku tauhi ‘e ha pe fakafongga ‘o ha Failesisita ‘o e Ngaahi Laiseni Pisinisi ‘i he Lao ki he Ngaahi Laiseni Pisinisi [Vahe 17.01];
- (l) lesisita kuo tauhi ‘i he Lao ki he Kelekele [Vahe 20.01], fakatatau ki hono tali ‘e he Minisita Fonua;

- (m) teitapeisi kehe 'a e Pule'anga Tonga kuo tauhi pe fiema'u pe fakamafai'i 'e he Lao pe tu'utu'uni ke tauhi ha fakamatala fakafo'ituitui 'oku lau ki ai 'i he kupu 3 pea tali 'e he Failesisita Seniale; pea
- (n) teitapeisi 'o ha potungaue, va'a ngaue pe fakafofonga 'o ha pule'anga muli kapau 'oku tu'utu'uni 'i ha aleapau 'oku kau ki ai 'a e Pule'anga mo ha pule'anga muli pea tali 'e he Failesisita Seniale;

“faka'ilonga felave'i” 'oku 'uhinga ki he fika makehe 'oku kehe mei ha kae felave'i makehe mo e UIN pea 'oku vahe'i 'e he Failesisita Seniale ki ha tokotaha kuo lesisita 'i he kupu 53 pea 'e ngofua ke ngaue'aki ko e fetongi 'o e UIN 'o fakatatau ki he Lao ni;

“teita fakaesino” 'oku ne ma'u 'a e 'uhinga 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui;

“Lesisita Sivile” 'oku 'uhinga ki he sisitemi lesisita 'o e ngaahi me'a 'oku hoko 'oku tu'utu'uni 'i he Konga II, pea kuo pau ke kau ki ai 'a e teitapeisi faka'ilekitulonika 'oku felave'i ki ai 'i ai, ko ha lesisita pepa 'e ngofua ke tauhi hokohoko 'e he Failesisita Seniale ki hono lesisita 'o e ngaahi me'a kuo hoko, pea mo ha lesisita 'ilekitulonika pe pepa na'e tauhi kimu'a 'e he Failelesisita Seniale 'i he ngaahi lao kuo fakapekia kimu'a pea kamata ngaue'aki 'a e Lao ni;

“taha ngaue'aki 'o e fakamatala” 'oku ne ma'u 'a e 'uhinga 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui;

“tohi fakamo'oni pekia” 'oku 'uhinga ki he tohi kuo tuku atu 'i he kupu 17;

“Teitapeisi Fakamo'oni Fakakomipiuta” 'oku 'uhinga ki he teitapeisi 'oku fakamatala 'i he kupu 38;

“me'a 'oku hoko” 'oku 'uhinga ki ha fa'ele, mali pe pekia kuo hoko pe tali 'i ha feitu'u pe 'i he Pule'anga pe ko ha fa'ele 'a ia 'oku ngaue'aki ki ai 'a e kupu 8 pe ko ha pekia 'oku ngaue'aki mo kau ki ai 'a e kupu 15 pea kau ki ai ha fa'ahinga kimu'a na'e mei pehe, ka kuo 'ikai, lesisita 'i ha lesisita na'e tauhi kimu'a 'i ha ngaahi lao kuo fakapekia;

“ofisa mo'ui lelei” 'oku 'uhinga ki ha taha 'oku lesisita 'i he Lao ki he Ngaue Fakafaito'o mo e Nifo [Vahe 12.09];

“Teita Fakamo'oni” 'oku 'uhinga ki he fakamatala 'oku ha 'i he kupu 38(3);

“Tohi Fakangofua ki he Ohi” 'oku 'uhinga ki he Tohi Fakangofua ki ha Ohi 'i he Lao ki he Tauhi 'o e Fanau Ta'e Mali [Vahe 6.07] pe ko ha tu'utu'uni 'o ha fakamaau'anga Tonga 'oku ne tali ha tu'utu'uni tatau 'o ha fakamaau'anga muli;

“tohi fakamo'oni pekia fakafaito'o” 'oku 'uhinga ki he tohi fakamo'oni 'oku tuku atu 'e ha toketā ko e fakafofonga 'a e Minista ki he Mo'ui 'o fakamo'oni ai ki he pekia 'o ha taha pea mo hono tupu'anga;

“toketā” 'oku 'uhinga ki ha taha kuo lesisita 'i he Lao ki he Ngaue Fakafaito'o mo e Nifo [Vahe 12.09];

“ma‘uli” ‘oku ‘uhinga ki ha taha kuo lesisita ‘i he Lao ki he Kau Neesi, Kau Neesi Fakafaito‘o mo e Kau Ma‘uli 2021;

“Minisita” ‘oku ‘uhinga ki he Minisita ‘oku ne tokangaekina ‘a e Fakamaau‘anga;

“kaati faka‘ilonga’i fakafonua” ‘oku ‘uhinga ki he kaati faka‘ilonga’i fakafonua kuo foaki ‘i he Lao ki he Kaati Faka‘ilonga’i Fakafonua [Vahe 2.16];

“tokotaha fakahā” ‘oku ‘uhinga ki ha taha ‘oku ne fakaha pe lesisita, pe tu‘utu‘uni ke ne fakaha pe lesisita, ha me‘a kuo hoko ki he pe kau ki he Lesisita Sivile ‘i he Lao ni;

“neesi” ‘oku ‘uhinga ki ha taha kuo lesisita ‘i he Lao ki he Kau Neesi, Kau Neesi Fakafaito‘o mo e Kau Ma‘uli 2021;

“neesi fakafaito‘o” ‘oku ‘uhinga ki ha taha ‘oku lesisita ‘i he Lao ki he Kau Neesi, Kau Neesi Fakafaito‘o mo e Kau Ma‘uli 2021;

“fakamatala fakafu‘ituitui” ‘oku ne ma‘u ‘a e ‘uhinga ‘oku ha ‘i he Lao ki he Totonu ki he Me‘a Fakafu‘ituitui;

“ngaue” ‘oku ne ma‘u ‘a e ‘uhinga ‘oku ha ‘i he Lao ki he Totonu ki he Me‘a Fakafu‘ituitui;

“Failesisita Seniale” ‘oku ‘uhinga ki he Failesisita Seniale kuo fakanofu ‘i he kupu 3(1);

“tokotaha kuo lesisita” ‘oku ‘uhinga ki ha tokotaha kuo lesisita ‘i he Teitapeisi Fakamo‘oni Fakakomipiuta ‘i he kupu 39;

“faha’i fakafalala” ‘oku ‘uhinga ki ha potungaue, va’a ngaue pe fakafafonga ‘a e Pule’anga Tonga, pe ha sino fakalao pe ha taha totonu ‘oku lesisita ‘e he Failesisita Seniale ‘o fakatatau ki he kupu 47;

“tokoni failesisita” ‘oku ‘uhinga ki ha taha kuo fakanofu ‘o fakatatau ki he kupu 3(2);

“UIN” ‘oku ‘uhinga ki he fika fakamo‘oni makehe ‘oku foaki ‘e he Failesisita Seniale ki he taha kuo lesisita, ‘oku fakamahino pau ‘i he kupu 53 ‘o e Lao ni; pea

“sitetisitika mahu’inga” ‘oku ‘uhinga ki he ngaahi sitetisitika felave’i mo e ngaahi me‘a kuo hoko pe ha ngaahi me‘a kuo tu‘utu‘uni.

3 ‘Ofisi ‘a e Failesisita Seniale

- (1) ‘E ngofua ki he Palemia ‘i he loto ki ai ‘a e Kapineta ke fakanofu ha Failesisita Seniale ‘a e Lesisita Sivile mo e Fakamo‘oni Fakakomipiuta.
- (2) Kuo pau ke ‘i ai ‘a e tokoni failesisita ‘e ngofua ke fokotu‘u ‘e he Failesisita Seniale fakatatau ki he alea mo e Fakamaau Polisi Lahi pea ‘i he loto ki ai ‘a e

Palemia; pea 'e ngofua ki he tokoni failesisita ke ma'u 'a e lakanga 'o fakafehokotaki mo ha ngaahi 'ofisi fakapule'anga kehe.

- (3) 'I he tu'unga 'oku 'ikai malava 'e he tokoni failesisita 'o fakahoko fakataimi hono fatongia 'i he 'ofisi 'o makatu'unga 'i ha ngaahi 'uhinga 'ikai 'amanekina, 'e ngofua ki ha Kovana pe Fakafofonga Pule'anga, 'i he loto ki ai 'a e Palemia, ke fokotu'u 'e he Failesisita Seniale ke ngaue 'i he tu'unga ko e tokoni failesisita.

KONGA II – LESISITA SIVILE

4 Lesisita Sivile

- (1) Kuo pau ki he Failesisita Seniale ke tauhi 'a e lesisita, 'a ia kuo pau ke 'iloa ko e "Lesisita Sivile" 'o e ngaahi fa'ele, mali mo e pekia kotoa 'oku hoko 'i he Pule'anga pea hoko tatau 'i tu'a mei he Pule'anga pea 'e ngofua ke lesisita fakatatau ki he Konga ni.
- (2) Kuo pau ki he Failesisita Seniale ke tu'utu'uni 'a e ngaahi me'a kotoa kuo hoko kuo fakaha ki he pe lesisita mo e Failesisita Seniale pe ha tokoni failesisita 'o fakatatau ki he Lao ni kuo pau ke lesisita 'i he Lesisita Sivile.
- (3) 'E ngofua ki ha fakamo'oni (evidence) 'o ha fakamatala 'oku fakahu 'i he Lesisita Sivile pea mo e mo'oni' i me'a kuo fakaha 'i ai 'aki hono fakahoko atu 'o ha fa'u 'o ha tohi ngaue kuo fakamo'oni fakapapau' i ko e tatau mo'oni 'o e fakamatala 'oku fakahu 'e he Failesisita Seniale pe tokoni failesisita pe ha taha 'oku fakamafai ko e fakafofonga 'e he Failesisita Seniale pe tokoni failesisita.
- (4) Kuo pau ke fiemalie ha tu'utu'uni 'a e lao ki hano 'oatu 'o ha fakamo'oni 'o ha me'a kuo hoko 'aki hono 'oatu 'o ha tatau kuo fakamo'oni 'o e fakamatala felave'i kuo fakahu 'i he Lesisita Sivile.
- (5) Kuo pau ki ha fanongonongo, kole pe lesisita, pea mo ha tohi fakamo'oni felave'i mo ha me'a kuo hoko 'oku lesisita 'i he Lesisita Sivile, 'a ia ko e tokotaha 'i he me'a kuo hoko kuo 'osi lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he Konga III, 'o kau ki ai mo 'ene UIN pe faka'ilonga felave'i. **Lesisita Sivile**

5 Tanaki mo e tuku atu 'o ha fakamatala ki he Teitapeisi Fakamo'oni Fakakomipiuta

Kuo pau ki he Failesisita Seniale ke ne fakapapau' i 'i ha kaungatonu mo ha fakaha, kole pe lesisita pe ngaahi fakatonutonu 'oku felave'i ki ha me'a kuo hoko 'i he Lesisita Sivile, Fakamatala Fakamo'oni 'oku felave'i ki he tokotaha 'i he me'a kuo hoko ke tanaki, lekooti pea tauhi ki he tu'unga fakamuimui taha 'i he fakamatala 'a e Lesisita

Sivile pea tufaki mei ai ki he Teitapeisi Fakamo'oni Fakakomipiuta 'o fakatatau ki he Konga III.

6 Lesisita 'i hono ma'u ha fakaha 'o ha fa'ele mei ha taha taukei fakafaito'o

- (1) Kuo pau ki he Failesisita Seniale, hili hono ma'u ha –
 - (a) tohi fakamo'oni 'o ha fa'ele mo'ui 'o ha tamasi'i kuo tuku atu 'e he pe fakafofonga 'o e Potungaue ki he Mo'ui; pe
 - (b) tohi fakamo'oni 'o ha fa'ele kuo pekia pea tuku atu ki tu'a 'e ha toketa, ke ne lekooti 'a e ngaahi fakamatala felave'i 'i he Lesisita Sivile pea kuo pau ke 'otometiki hono lesisita 'a e tamasi'i 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he kupu 39 pea fokotu'u 'a e UIN 'i he kupu 53.
- (2) 'E ngofua ki he lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he kupu-si'i (1) ke fakahoko 'o 'ikai lekooti ha hingo 'o ha tamasi'i pe hingo fakataimi, pe 'i he hoko pe ha taha 'ia naua, kuo pau ko e hingo 'o e tamasi'i 'a ia pe 'oku 'i he lekooti 'o felave'i ki he lesisita mo e kole ki ha tohi ta'u fa'ele'i 'i he kupu 7.
- (3) Kuo pau ki he tokoni failesisita 'o e vahefonua 'a e fa'ele ke ne tuku atu 'a e UIN pea fakapapau'i 'a e lesisita 'i he kupu-si'i (1) ki he Potungaue ki he Mo'ui.
- (4) Kapau ko e fakaha pe lesisita 'i he kupu-si'i (1) 'oku felave'i ki ha fa'ele kuo pekia, kuo pau ke lekooti 'a e 'aho pekia 'i he Teitapeisi Fakamo'oni Fakakomipiuta.

7 Lesisita 'o e mo e kole ki ha tohi ta'u fa'ele'i

- (1) Kuo pau ki ha taha pe fakatou'osi 'o e ongo matu'a 'o ha tamasi'i mali na'e fa'ele'i mo'ui, pe fa'e 'o ha tamasi'i na'e fa'ele'i mo'ui 'i he ta'emali ke fakahu 'i loto 'i he mahina 'e 3 hili 'a e fa'ele, ha lesisita mo e kole ki ha tohi ta'u fa'ele'i ki he 'ofisi 'o e Failesisita pe tokoni failesisita 'o e vahefonua 'o e fa'ele ko ia, 'i he 'ene felave'i, 'o ngaue'aki 'a e foomu kuo tu'utu'uni.
- (2) Kuo pau ki he fa'e 'o e tamasi'i fanau'i ta'emali, ke ne fakahu 'i loto 'i he mahina 'e 3 hili 'a e fa'ele, ha lesisita mo e kole ki ha tohi ta'u fa'ele'i ki he 'ofisi 'o e Failesisita pe tokoni failesisita 'o e vahefonua 'o e fa'ele ko ia, 'i he 'ene felave'i, 'o ngaue'aki 'a e foomu kuo tu'utu'uni.
- (3) Kapau ko e fa'e kuo mali ka 'oku 'ikai ko e tamai 'ene tamasi'i 'a hono husepaniti, kuo pau ki he fa'e ke fakahu 'i loto 'i he mahina 'e tolu hili hono fa'ele'i 'a e tamasi'i, ha lesisita mo e kole ki ha tohi ta'u fa'ele'i 'o fakaha ai 'a e tamai.

- (4) Kapau ko e ongo matu'a, 'i he tu'unga ko e tamasi'i fanau'i 'i he mali, pe ko e fa'ē, 'i he tu'unga ko e tamasi'i fanau'i ta'emali, kuo na pekia pe 'ikai malava ke faipau ki he kupu-si'i (1), (2) mo e (3), kuo pau ki he ni'ihiki hokohoko ko 'eni ke nau ma'u 'a e fatongia ki hono fakahu 'a e lesisita mo e kole ki ha tohi ta'u fa'ele'i ki he tokoni failesisita 'o e vahefonua 'o e fa'ele ko ia 'o ngaue'aki 'a e foomu totonu 'oku tu'utu'uni –
- (a) ko ha kui 'o e tamasi'i;
 - (b) ko ha tauhi 'o e tamasi'i 'i he Lao ki hono Tauhia 'o e Fanau [Vahe 6.04];
 - (c) ko ha tokotaha na'e 'i ai 'i he fa'ele;
 - (d) kapau na'e hoko 'a e fa'ele 'i ha fale 'oku ngaue'aki ko ha nofo'anga, ko ha taha na'e 'i he fale 'i he taimi 'o e fa'ele;
 - (e) kapau na'e hoko 'a e fa'ele 'i ha falemahaki pe ha kautaha pe pisinisi kehe, ko e 'ofisa pule 'o e falemahaki pe kautaha pe pisinisi kehe pe ha taha fakamafai'i 'e he 'ofisa pule ke fakahoko hono ngaahi fatongia; pe
 - (f) ko ha taha 'oku ne tokanga'i 'a e tamasi'i.
- (5) 'I hono ma'u ha lesisita mo e kole 'i he kupu-si'i (1) pe (2) pe kupu 8, kuo pau ki he Failesisita Seniale pe tokoni failesisita felave'i, 'i hono ngaue'aki, 'i he 'ene sivi'i ki he 'ene fiemalie, ke ne lekooti 'a e fakamatala 'i he Lesisita Sivile.
- (6) Kapau ko e 'aho fa'ele'i 'o ha tamasi'i 'a ia ko hono fa'ele'i 'oku tu'utu'uni ke fakaha pe lesisita 'i he Lao ni 'oku 'ikai 'ilo'i pea 'oku fakamo'oni 'e ha toketa 'i ha tohi, 'i he 'ene fakakaukau, na'e hoko 'a e fa'ele 'i he pe ofi ki ha 'aho kuo fakamahino 'i he tohi fakamo'oni'i, 'e ngofua ki he Failesisita Seniale pe tokoni failesisita felave'i, 'i hono ngaue'aki, ke fakahu 'a e 'aho ko ia 'i he Lesisita Sivile ko e 'aho fa'ele'i 'o e tamasi'i.
- (7) Kuo pau ki he Failesisita Seniale ke ne tu'utu'uni, 'i hano lekooti 'a e fakamatala 'i he Lesisita Sivile 'i he kupu-si'i (4), ha fakamatala felave'i 'oku te'eki ai lekooti 'i ai 'o fakatatau ki he kupu 6(1) kuo pau ke lekooti 'i he taimi pe ko ia 'i he Teitapeisi Fakamo'oni Fakakomipiuta.
- (8) Kuo pau ki he Failesisita Seniale ke ne vakai'i ha fehalaaki 'i he vaha'a 'o e fakamatala kuo lekooti 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'o fakatatau ki he kupu-si'i (4) mo e kupu 6(1), alea mo e fa'ahi fakaha, pea fakahoko 'a e ngaahi founa ke fakatonutonu 'a e fehalaaki ko ia.

8 Fa'ele 'oku hoko 'i tu'apule'anga

'E ngofua ki ha ongo matu'a, ongo kui pe tauhi 'o ha taha fanau'i 'i tu'apule'anga, pe fa'ahinga tokotaha kuo ta'u 18 pe lahi hake, ke lesisita pea kole ki ha tohi ta'u fa'ele'i mei ha Lesisita Sivile 'i hano fakahu atu 'o ha foomu mo e tohi 'oku ngaue'aki ko e fakamo'oni kuo tu'utu'uni.

9 Fakamatala felave'i mo e tamai 'i he tu'unga ko e ongo matu'a 'ikai mali

- (1) Kuo pau ki ha tamai 'o ha tamasi'i na'e 'ikai mali ki he fa'ē 'a e tamasi'i ke 'ikai tuku atu ha fakamatala felave'i mo e fanau'i 'o e tamasi'i 'o hange ko ia 'oku ha 'i he Lao ni.
- (2) Kuo pau ke 'ikai fakahu 'e he Failesisita Seniale 'i he lesisita 'a e hingoa 'o ha taha ko e tamai 'o ha tamasi'i 'i ha fa'ahinga tu'unga 'oku lave ki ai 'i he kupu-si'i (1) tuku kehe —
 - (a) 'i ha kole fakataha 'a e fa'ē pea mo e tokotaha 'oku ne pehē ko e tamai ia 'a e tamasi'i; pe
 - (b) kuo tu'utu'uni 'e ha fakamaau'anga ko e tokotaha ko ia ko e tamai ia 'a e tamasi'i.

10 Tuku atu 'o e ngaahi tohi ta'u fa'ele'i

- (1) Kuo pau 'i hano fakamahino'i mei he Lesisita Sivile ko e fakamatala 'oku fiema'u felave'i mo ha fa'ele mo'ui kuo lekooti totonu, ko e Failesisita Seniale pe tokoni failesisita 'o e vahenga felave'i ke tuku atu 'a e tohi fakamo'oni fa'ele 'i he foomu kuo tu'utu'uni, kau ki ai 'a e fakamatala kuo to'o mei he Lesisita Sivile 'i he foomu kuo tu'utu'uni, 'o kau ki ai 'a e UIN pe faka'ilonga felave'i 'a e tamasi'i, ki he tokotaha 'oku kole 'i he kupu 7.
- (2) 'E ngofua ki ha tokotaha pe ko 'ene ongo matu'a pe tauhi, pe ha taha kuo fakamafai'i totonu 'e ha taha 'o e ni'ihiki kuo ha atu 'i ha taimi ke kole ki he Failesisita Seniale pe tokoni failesisita 'o 'ene vahefonua ki ha tohi fakamo'oni 'o ha fa'ele kau ki ha fa'ele'i 'o ha tokotaha.
- (3) Kuo pau ke tuku atu 'e he Failesisita Seniale pe tokoni failesisita felave'i 'a e tohi fakamo'oni fa'ēle'i 'i he foomu kuo tu'utu'uni 'i loto 'i he 'aho 'e 5 hili hono ma'u ha kole 'i he kupu-si'i (2).
- (4) Kapau 'e kole 'e ha ongo matu'a 'o ha tamasi'i fa'ēle'i kuo pekia pea tuku atu 'a e fakamatala 'e malava ke tu'utu'uni 'i he kupu 7, 'e ngofua ki he Failesisita Seniale pe tokoni failesisita felave'i ke tuku atu ki he ongo matu'a 'a e tohi fakamo'oni pekia fekau'aki mo e tamasi'i kuo pekia.

11 Fakaha 'o ha fa'ele ki he Potungaue Mo'ui

Kuo pau ki he Failesisita Seniale ke 'ave ki he Potungaue Mo'ui 'a e -

- (a) 'aho 'o e fa'ele'i;
- (b) feitu'u na'e fa'ele'i ai;
- (c) pe ko ha fa'ele'i mo'ui pe fa'ele'i kuo pekia;
- (d) hingoa 'o e fa'ē;
- (e) ko e UIN kuo vahe'i ki he fa'ē 'a e tamasi'i;

- (f) ko e hingoa 'o e tamasi'i; mo e
- (g) UIN kuo fokotu'u ki he tamasi'i 'i he tu'unga 'o ha fa'ele'i mo'ui.

12 Ma'u 'o ha tamasi'i toki fa'ele'i pe sino kuo pekia

Kuo pau ki ha taha kuo ne ma'u ha tamasi'i toki fa'ele'i pe sino kuo pekia ke ne tuku atu 'o 'ikai to e toloi 'i ha 'uhinga 'ikai fakapotopoto 'a e fakamatala ki he tokoni failesisita pe ko e 'ofisa kolo 'o e vahefonua na'e ma'u ai 'a e tamasi'i toki fa'ele'i pe sino kuo pekia pea ka 'ikai fakahoko kuo pau ke mo'ua pa'anga 'o 'ikai toe laka hake 'i he \$1000.

13 Lesisita 'o ha ohi

- (1) Kuo pau ki ha taha pe fakatou'osi 'o e ongo matu'a ohi ke na fakahu atu ha tohi fakamo'oni'i 'o e Tohi Fakangofua ki he Ohi felave'i mo e tamasi'i ohi ki he Failesisita Seniale, 'a ia kuo pau ke lesisita 'a e ohi pe ha ngaahi fakatonutonu 'i he Lesisita Sivile.
- (2) Kuo pau ki he Failesisita Seniale ke ne lesisita ki he Teitapeisi Fakamo'oni Fakakomipiuta ha tamasi'i ohi pe matu'a ohi 'o kapau 'oku te'eki lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he kupu 39 'o kau 'i hono fakakaukau'i 'a e ngaahi fakamatala 'i he Lesisita Sivile, pea vahe'i ha UIN ki he taha ko ia 'i he kupu 53.
- (3) Kuo pau ki he Failesisita Seniale ke ne fakatonutonu e fakamatala 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'oku kaunga ki ha taha 'o pehe ki he ngaahi fakamatala 'i he Lesisita Sivile 'o kapau ko e tamasi'i ohi pe matu'a ohi kuo 'osi lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta.
- (4) 'I he hili 'o ha lesisita 'o e ohi 'i he Lesisita Sivile mo e lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'o fakataui ki he kupu ni, kuo pau ki he Failesisita Seniale ke ne tuku atu ha tohi fakamo'oni'i 'o ha fa'ele'i ki he matu'a ohi 'o fakaha kinua ko e ongo matu'a 'a e tamasi'i ohi pea mo e hingoa 'o e tamasi'i ohi.

14 Lesisita mo e kole ki ha tohi fakamo'oni pekia

Ka hoko ha pekia 'i he Pule'anga, ko e fatongia ia 'a e taha 'oku ne ma'u 'a e tohi fakamo'oni pekia fakafaito'o kuo tuku atu totonu 'e ha toketa 'i he Lao ki he Ngaahi Ngaue ki he Mo'ui [Vahe 12.06] ke ne lesisita 'a e pekia pea kole ki he Failesisita Seniale pe tokoni failesisita 'o e vahefonua na'e hoko ai 'a e pekia ki ha tohi fakamo'oni pekia 'i loto 'i he mahina 'e 3 hili 'a e pekia 'o ngaue'aki 'a e foomu kuo tu'utu'uni.

15 Ngaahi pekia 'oku hoko 'i tu'apule'anga

- (1) Ko ha famili 'o ha tokotaha tangata'i fonua Tonga pe kuo lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta kuo pekia 'i tu'apule'anga 'e ngofua ke lesisita mo kole ha tohi fakamo'oni pekia felave'i mo e pekia 'o e tokotaha ko ia mei he Lesisita Sivile.
- (2) Kuo pau ke fakahoko 'a e lesisita mo e kole 'i he kupu-si'i (1) ki he Failesisita Seniale 'aki hono fakahu atu —
 - (a) 'a e foomu kuo tu'utu'uni; mo
 - (b) ha taha pe 'i he —
 - (i) tohi fakamo'oni pekia totonu 'oku felave'i ki he pekia 'a e tokotaha ko ia mei he ngaahi lekooti sivile 'i he feitu'u na'e hoko ai 'a e pekia; pe
 - (ii) kapau 'oku 'ikai malava ke ma'u ha tohi fakamo'oni pekia totonu 'i he palakalafi-si'i (i), ko ha tatau kuo fakamo'oni 'i ki he fiemalie 'a e Failesisita Seniale.

16 Lekooti 'o ha pekia 'i he Teitapeisi Fakamo'oni Fakakomipiuta

Kuo pau ki he Failesisita Seniale ke tu'utu'uni, 'o kapau ko e tokotaha kuo pekia na'e te'eki lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta, pea 'i hono lekooti 'a e fakamatala felave'i ki he 'ene pekia 'i he Lesisita Sivile 'o fakatatau ki he kupu 14, pe 15 —

- (a) kuo pau ke 'otometiki 'a e lesisita 'o e pekia 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he kupu 39 pea vahe'i ki ai 'a e UIN 'i he kupu 53; pea
- (b) kuo pau ke tauhi ki he fakamuimui taha 'a e Teitapeisi Fakamo'oni Fakakomipiuta ke hā 'a e ngaahi fakamatala felave'i mo 'ene pekia.

17 Tuku atu 'o ha ngaahi tohi fakamo'oni pekia

- (1) 'I hono fakapapau'i mei he Lesisita Sivile ko e fakamatala 'oku fiema'u ki ha pekia kuo lekooti, kuo pau ki he Failesisita Seniale pe tokoni failesisita 'o e vahefonua na'e hoko ai 'a e pekia ke tuku atu 'a e tohi fakamo'oni pekia 'i he foomu kuo tu'utu'uni, 'o kau ki ai 'a e UIN pe faka'ilonga felave'i 'a e pekia, ki he taha 'oku ne lesisita 'a e pekia mo kole 'a e tohi fakamo'oni pekia 'i he kupu 14.
- (2) 'E ngofua ki ha famili 'o e pekia ke kole ki he Failesisita Seniale pe tokoni failesisita felave'i, pe 'i hono ngaue'aki, ki ha tohi fakamo'oni pekia 'oku felave'i ki he pekia 'o ha pekia.
- (3) 'I loto 'i he 'aho 'e 5 hili hono ma'u ha kole, kuo pau ke tuku atu 'e he Failesisita Seniale pe tokoni failesisita felave'i, 'i hono fiema'u, ha tohi fakamo'oni pekia 'i he foomu kuo tu'utu'uni ki he taha 'oku ne kole.

18 'Ikai fe'unga ki ha laiseni mali

Kuo pau ke 'ikai fakangofua ha taha 'oku vale pe si'i hifo 'i he ta'u 18 ha tohi fakangofua ke mali.

19 Fa'ahinga kainga 'oku tapu ke mali ki ha tangata

Kuo pau 'e 'ikai ngofua ki ha tangata ke ne mali –

- (a) mo 'ene kui fefine;
- (b) mo e tuofefine 'o 'ene tamai (mehikitanga);
- (c) mo e tokoua fefine 'o 'ene fa'ē;
- (d) mo e tama 'a hono mehikitanga;
- (e) mo e 'ofefine 'o e tokoua 'o 'ene tamai;
- (f) mo e tama 'a e tokoua 'o 'ene fa'ē;
- (g) mo 'ene fa'ē;
- (h) mo 'ene fa'ē fakalao (houmotu'a);
- (i) mo e fa'ē 'a hono mali;
- (j) mo hono tuofefine;
- (k) mo hono 'ofefine;
- (l) mo e mali 'a hono foha;
- (m) mo e 'ofefine 'a hono tokoua;
- (n) mo e tama 'a hono tuofefine ('ilamutu); pe
- (o) mo hono mokopuna fefine.

20 Fa'ahinga kainga 'oku tapu ke mali ki ha fefine

Kuo pau 'e 'ikai ngofua ki ha fefine ke ne mali –

- (a) mo 'ene kui tangata;
- (b) mo e tokoua 'o 'ene tamai;
- (c) mo e tuonga'ane 'o 'ene fa'ē (tu'asina);
- (d) mo e foha 'o e tokoua 'o 'ene tamai;
- (e) mo e foha 'o e tuonga'ane 'o 'ene fa'ē (tama 'a tu'asina);
- (f) mo e tama 'a e tokoua fefine 'o 'ene fa'ē;
- (g) mo 'ene tamai;
- (h) mo 'ene tamai fakalao (houmotu'a);
- (i) mo e tamai 'a hono mali;
- (j) mo hono tuonga'ane;

- (k) mo 'ene tamai;
- (l) mo e mali 'a 'ene tama;
- (m) mo e foha 'a hono tuonga'ane (fakafotu);
- (n) mo e tama 'a hono tokoua; pe
- (o) mo hono mokopuna tangata.

21 Kole ki ha tohi fakangofua ke mali

- (1) Kuo pau ki he ongo fa'ahi ki ha mali 'oku 'amanaki ke hoko ke na kole, 'i he foomu kuo tu'utu'uni, ki he Failesisita Seniale pe tokoni failesisita 'o e vahefonua na'e nofo ai ha taha 'i he ongo fa'ahi 'o 'ikai si'i hifo 'i he mahina 'e 3 kimu'a 'i he 'aho 'o e kole ki hono tuku atu ha tohi fakangofua ke mali.
- (2) Kuo pau ke kau 'i he kole ki ha tohi fakangofua ke mali 'i he kupu-si'i (1) ha tohi fuakava 'i he foomu kuo tu'utu'uni 'oku 'ikai ha me'a fakalao ke ta'ofi 'a e mali 'oku teu ke fakahoko.
- (3) 'I hono fakahoko 'a e kole 'i he kupu-si'i (1), kuo pau ke lekooti 'a e fakamatala 'i he Lesisita Sivile.
- (4) Neongo 'a e ngaahi tu'utu'uni nofo fonua 'oku tu'utu'uni 'i he kupu-si'i (1) 'o e kupu ni, 'e ngofua ki he Failesisita Seniale ke ne foaki ha tohi fakangofua makehe ke mali kapau 'oku 'i ai ha fehokotaki pau ha taha 'o e ongo fa'ahi mo Tonga.

22 Tuku atu 'o e tohi fakangofua ke mali 'e he tokoni failesisita

'E ngofua ki he tokoni failesisita, 'i hono fakahoko ha kole 'i hono tu'utu'uni 'i he kupu 21, ke 'eke ki he ni'ihiki kuo kole 'a e ngaahi fakamatala 'oku fiema'u ki hono tuku atu 'o ha tohi fakangofua ke mali 'a ia 'oku tu'utu'uni 'e he Ngaahi Tu'utu'uni, pea ka fiemalie ia 'oku malava fakalao 'a e ongo fa'ahi 'o felotoi ki ha mali totonu, kuo pau ke ne tuku atu kiate kinaua ha tohi fakangofua ke mali 'i he foomu kuo tu'utu'uni.

23 Ke lesisita 'a e kau faifekau ke fai 'a e ngaahi mali

'I he 'ene ma'u 'e he Failesisita Seniale ha tohi 'i he tohinima 'o ha faifekau, tatau pe, pe ko e tangata Tonga ia pe 'ikai, pe 'i he tohinima 'a e taki lotu 'oku kau ki ai 'a e faifekau ko ia, 'oku ne fakaha ai ko e Lotu fe 'oku ne kau ki ai, mo e hingoa 'o hono lakanga, pea mo e kolo 'oku ne nofo ai, 'o kole 'aki 'a e tohi ko ia ke lesisita ia ko e faifekau kuo fakangofua ke fai 'a e ngaahi mali 'i he Pule'anga ni 'oku pau ke tohi 'e he Failesisita Seniale 'i he tohi lesisita 'oku ngaue'aki koe'uhi ko e me'a ko ia 'a e hingoa 'o e faifekau ko ia mo e ngaahi fakamatala 'oku ha 'i he konga kimu'a 'o e kupu ni.

24 Fakahoko mo e tohi 'o e mali

- (1) Kuo pau ki he mali kotoa pe ke fakahoko 'i he 'ao 'o ha kau fakamo'oni 'oku 'ikai si'i hifo 'i he toko 2 pea kuo pau ke na fakamo'oni hingoa ki he tatau taki taha 'o e tohi fakamo'oni ke mali 'i he tohi 'o e ngaahi foomu 'oku tauhi 'e he faifekau 'oku ne fakahoko 'a e mali. Kuo pau ke fakamo'oni hingoa 'a e faifekau ki he tatau taki taha.
- (2) Kuo pau ki he faifekau 'i loto 'i he uike 'e 3 'a hono fakahoko 'o e mali ke ne 'oatu ki he tokoni failesisita 'o e vahefonua na'e fakahoko ai 'a e mali, ha tatau 'e taha (pe kapau ko e kau tokoni failesisita 'o Vava'u, Ha'apai, 'Eua mo e ongo Niua), ke 'oatu ha tatau 'e 2 'o e tohi fakamo'oni ke mali.
- (3) Ka 'i ai ha faifekau he 'ikai te ne fakahoko 'a e ngaahi tu'utu'uni 'i heni kuo pau 'e ala mo'ua 'i hano fakamaau'i ki ha tautea pa'anga 'ikai laka hake 'i he \$500. Ka 'i ai ha faifekau 'e laka hake tu'o ua 'i he ta'u fakatohimahina 'e taha 'ene 'ikai faipau kuo pau ke ne mo'ua 'o to'o 'ene laiseni fakahoko mali.
- (4) Ka 'osi kotoa 'a e ngaahi foomu 'i he tohi hono ngāue'aki kuo pau ke fakafoki ia 'e he faifekau ki he tokoni failesisita na'a ne 'oange kiate ia. Kuo pau ke 'oatu 'e he tokoni failesisita 'a e tohi ki he Failesisita Seniale 'i Nuku'alofa 'a ia te ne tauhi 'i ha feitu'u malu tuku kehe ka ko e siasi 'oku kau ki ai 'a e faifekau kuo 'oange ki ai ha laiseni mei he Failesisita Seniale ke ne tauhi 'a e tohi 'a ia kuo pau ke ne 'oatu ia ki he 'ulu 'o e siasi ko ia.

25 Lesisita 'o e mali

- (1) 'I hono ma'u 'a e tohi fakamo'oni mei he faifekau 'i he kupu 24(2), kuo pau ke lekooti 'e he tokoni failesisita, 'i ha'ane vakai ki ai 'o fiemalie, 'a e fakamatala 'oku felave'i mo e mali ko ia 'i he Lesisita Sivile.
- (2) Kuo pau ke tu'utu'uni 'e he Failesisita Seniale, 'i hono lekooti 'o e fakamatala felave'i mo e mali ko ia 'i he Lesisita Sivile 'i he kupu-si'i (1), kuo pau ke 'otometiki hono fakatonutonu 'a e tu'unga fakamali 'o e ngaahi fa'ahi takitaha ki he mali 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he kupu 38.

26 Vete mo e fakata'e'aonga'i 'o e mali

- (1) 'I hono foaki 'e ha fakamaau'anga ha tu'utu'uni vete pe fakata'e'aonga'i 'o e mali, kuo pau ke 'oatu 'e he 'ofisa fakamaau'anga kuo fakamafai 'e he fakamaau'anga ke ne fakahoko ia ki he Failesisita Seniale pe ko e tokoni failesisita 'o e vahefonua 'a ia na'e hoko ai 'a e mali pe na'e lesisita fakamuimui 'oku nofo fakataha ai 'a e ongo matu'a mali 'a e tu'utu'uni vete pe fakata'e'aonga'i, ko e ha pe 'a e me'a, kau ki ai 'a e 'aho 'o e tu'utu'uni ko ia, fakataha mo ha ngaahi fakaikiiki 'o felave'i mo e me'a ko ia.
- (2) Kuo pau ke lekooti 'e he Failesisita Seniale pe tokoni failesisita ha vete kuo fakaha 'i he kupu-si'i (1) 'i he Lesisita Sivile, pea kuo pau ke ne tu'utu'uni 'a

hono fakatonutonu 'otometiki 'a e Teitapeisi Fakamo'oni Fakakomipiuta ke lekooti 'a e tu'unga fakamali 'o e taha takitaha ki he "vete."

- (3) Kuo pau ke fakatonutonu 'e he Failesisita Seniale pe tokoni failesisita, 'a e Lesisita Sivile 'i hono ma'u 'a e fakaha 'o ha tu'utu'uni fakata'e'aonga'i 'o e mali 'i he kupu-si'i (1), koe'uhi ke 'oua 'e lekooti 'i ai na'e mali 'a e ongo fa'ahi, pea kuo pau ke tu'utu'uni ke fakatonutonu 'otometiki 'a e Teitapeisi Fakamo'oni Fakakomipiuta ke ne lekooti 'a e tu'unga fakamali 'o e fa'ahi takitaha ki he "te'eki ai mali" pe ko 'ena tu'unga fakamali kimu'a.

27 Ko e mali kotoa pe 'e fakahoko 'e ha faifekau

'E lau ko e mali mo'oni fakalao 'a e mali kotoa pe 'e fakahoko 'e ha faifekau hili ha'ane ma'u 'a e tohi fakangofua ke mali 'a ia na'e 'oatu ki he ongo fa'ahi 'oku teu ke mali 'o kapau na'e fakahoko 'a e mali ko ia 'o fakatatau ki he Konga V pea 'e 'ikai ke hoko ko e mali mo'oni fakalao ha mali na'e fakahoko 'o 'ikai fakatatau ki he kupu ko ia.

28 Ko e fakalao 'o e ngaahi mali na'e fakahoko ki mu'a 'i he Lao ko 'eni

'E lau ko e mali mo'oni fakalao 'a e ngaahi mali kotoa pe na'e fakahoko 'i Tonga ni 'e ha faifekau 'i he te'eki ke ngaue'aki 'a e Lao ko 'eni 'e lau ko e mali mo'oni fakalao ia mei he 'aho na'e fakahoko ai 'a e mali neongo na'e 'ikai ke faipau ki ha ngaahi foomu pe ha ngaahi me'a kehe, 'o kapau he 'ikai ha me'a 'i heni 'e fakalao'i —

- (a) ha mali 'e tu'utu'uni 'e he Fakamaau'anga Lahi kuo fakata'e'aonga'i;
- (b) ha mali 'oku 'i ai ha taha 'i he ongo fa'ahi 'oku 'i ai ha'ane husepaniti pe uaifi 'oku mo'ui;
- (c) ha mali na'e mei hoko pe 'e fakata'e'aonga'i 'i ha fa'ahinga 'uhinga 'o ha kainga pe kākā pe 'ikai malava ke mali; pe
- (d) ha mali 'a ia ('i he taimi na'e fakahoko ai na'e 'ikai ko e mali mo'oni) ko ha taha 'i he ongo fa'ahi 'i he hili pe kimu'a hono ngaue'aki 'a e Lao ni kuo na 'osi mali mo ha taha kehe.

29 Tautea ka fakahoko 'e ha faifekau ha mali ta'e tomu'a ma'u ha tohi fakangofua

Ka 'i ai ha faifekau te ne fakahoko ha mali ta'e tomu'a ma'u ha tohi fakangofua totonu 'i he foomu 'i he Tepile 1, 'a ia 'oku fakangofua 'aki 'a e ongo fa'ahi ke mali, 'e fakamaau'i ia pea ka 'ilo 'oku mo'oni, 'e mo'ua ia 'o 'ikai lahi hake 'i he \$1,000.

30 Ngaahi liliu hingoa

- (1) 'E ngofua ki ha taha ke ne liliu hono hingoa 'o fakatatau ki he Ngaahi Tu'utu'uni kuo tu'utu'uni.

- (2) Kuo pau ke tu'utu'uni 'e he Failesisita Seniale —
- (a) kapau 'oku te'eki ai ke lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta ha taha 'oku kole ke liliu hono hingoa 'i he kupu-si'i (1), kuo pau ke lesisita 'otometiki 'a e taha ko ia 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'i he kupu 39 pea vahe'i ki ai ha UIN 'i he kupu 53; pea
- (b) kuo pau ke fakatonutonu 'a e Teitapeisi Fakamo'oni Fakakomipiuta ke ha ai 'a e hingoa kuo liliu.

31 Ngaahi founga faile faka'ilekitulonika

- (1) Kuo pau ke fakaha 'e he Failesisita Seniale ha ngaahi founga faka'ilekitulonika ki hono fakahu atu 'a e ngaahi fakaha, ngaahi tohi kole mo e ngaahi lesisita 'e he ni'ihia fakaha 'i he Konga ko 'eni.
- (2) Kapau 'oku 'ikai 'atā ke ngaue'aki 'a e ngaahi founga faka'ilekitulonika 'i he kupu-si'i (1), kuo pau ke fakahoko 'a e fakaha, lesisita pe tohi kole, ki he tokoni failesisita 'o e vahefonua 'a ia na'e hoko ai 'a e me'a 'i he fotunga fakapepa, 'a ia kuo pau ke ne lekooti 'i ha'ane ma'u 'a e fakamatala ko ia kuo fakaha 'i he Lesisita Sivile.
- (3) Koe'uhi ko e ngaahi taumu'a 'o e kupu-si'i (1), kuo pau ke tu'utu'uni 'e he Failesisita Seniale kuo pau ke —
- (a) lesisita 'a e taha fakaha 'i he Teitapeisi Fakamo'oni Fakakomipiuta pea vahe'i ha UIN ki he taha fakaha ko ia;
- (b) fakamo'oni'i 'a e faka'ilonga'i 'o e taha fakaha;
- (c) lekooti pe ko e taha fakaha ko ha toketa, ma'uli, 'ofisa mo'ui, neesi, pe 'ofisa neesi ki he mo'ui.

32 Fanongonongo ki hono fakahoko 'a hono fakaha

- (1) Ka ha mai ki he Tokoni Failesisita 'o ha vahefonua kuo 'ikai fakahoko ha fakaha, lesisita pe tohi kole felave'i mo ha me'a 'oku hoko 'i hono vahefonua 'i he founga kuo tu'utu'uni 'i he Konga ni, kuo pau te ne 'oatu ha fanongonongo ki he taha ko ia 'oku ne pehe 'oku ne tokngaekina 'i he kupu ni ke fakahoko 'a e fakaha, lesisita pe tohi kole ko ia.
- (2) Kuo pau ke tu'utu'uni 'e he fakaha 'i he kupu-si'i (1) 'a e taha ko ia ke ne lava atu ki he 'ofisi 'o e tokoni failesisita ko ia pe ha feitu'u kehe kuo ne fakamahino pau 'i loto 'i he uike 'e tolu hili e 'aho na'a ne ma'u ai 'a e fakaha ko ia koe'uhi ke ne 'oatu ha fakamatala fekau'aki mo e me'a ko ia.
- (3) Ka 'i ai ha taha hili hono tufa atu ki ai 'a e fanongonongo 'i he kupu-si'i (2) pea 'ikai te ne ha'u 'ikai ha 'uhinga fe'unga ki he'ene 'ikai fai ki he fanongonongo ko ia, kuo pau ke ala mo'ua 'i ha 'ane halaia ki ha tautea pa'anga 'o 'ikai lahi hake 'i he \$100.

33 Ngaahi fakaha mo e ngaahi lesisita 'e he Kau 'Ofisa Kolo mo e Kau 'Ofisa Fakavahefonua

- (1) Kapau 'e 'ilo 'e ha 'Ofisa Kolo fekau'aki mo ha me'a kuo hoko 'i he ngaahi fakangatangata 'o hono kolo pea 'oku ha mai 'oku 'ikai ha taha 'i he Lao ni 'oku ne tokangaekina ke ne fakahoko 'a e fakaha, lesisita pe tohi kole kuo tu'utu'uni, kuo pau, 'i he te'eki ke 'osi 'a e uike 'e 3 hili 'ene 'ilo ke ne —
- (a) fakahoko 'a e ngaahi ngaue fakapopototo ke ma'u mai 'a e fakamatala fekau'aki mo ia; pea
- (b) fakahoko 'a e fakaha, lesisita pe tohi kole fekau'aki mo ia.
- (2) Kuo pau ke fakaha 'e ha 'Ofisa Fakavahefonua 'a ia 'oku ne ma'u ha fakamatala mei ha 'Ofisa Kolo 'i he kupu-si'i (1) 'a e fakamatala ko ia ki he tokoni failesisita 'o e vahefonua.
- (3) Kuo pau ke lekooti 'e he tokoni failesisita 'i he'ene ma'u ha fakamatala mei ha 'Ofisa Fakavahefonua 'i he kupu-si'i 2 'a e fakamatala 'i he Lesisita Sivile.

34 Lesisita 'o e ngaahi me'a kuo hoko 'i tu'a 'i he Pule'anga

'E ngofua ke tu'utu'uni 'e he Failesisita Seniale, 'i hono fakahoko ki ai 'a e fakamo'oni ko ia 'oku ha fiemalie ki ai, ke lesisita ha me'a kuo hoko 'i he Lesisita Sivile kapau —

- (a) na'e 'ikai ke 'i ai ha sisitemi lesisita 'o e ngaahi me'a ko ia 'i he taimi 'o e me'a kuo hoko 'i he feitu'u na'e hoko ai 'a e me'a ko ia pe ko ha sisitemi pehe na'e ngaue'aki ki ha taha pe ni'ihii 'oku fekau'aki mo ia; pe
- (b) 'oku 'ikai lava ke ma'u ha ngaahi tatau 'o e, pe ha ngaahi fakamatala kuo to'o mei he ngaahi lekooti sivile fekau'aki mo e me'a kuo hoko.

35 Fekau'aki 'a e UIN mo e ngaahi me'a kuo hoko mo hono lesisita 'o e ni'ihii 'oku te'eki ke lesisita

- (1) 'I hono lesisita ha me'a kuo hoko mo lekooti ha ni'ihii 'a ia ko kinautolu 'oku fekau'aki mo e me'a na'e hoko pe ko e taha 'oku ne fakahu ha fakaha, lesisita pe tohi kole 'o fekau'aki mo ha me'a, kuo pau ke lekooti 'e he Failesisita Seniale 'a e UIN 'o e taha takitaha ko ia fakataha mo hono hingo.
- (2) Ka 'i ai ha taha kuo 'uhinga ki ai 'i he kupu-si'i (1) 'a ia 'oku te'eki ke vahe'i ki ai ha UIN 'i he taimi na'e lesisita ai 'a e me'a kuo hoko, kuo pau ke lesisita 'e he Failesisita Seniale 'a e taha ko ia 'i he Teitapeisi Fakamo'oni Fakakomipiuta pea vahe'i ha UIN ki he taha ko ia.

36 Fekumi 'o e Lesisita Sivile

- (1) 'E ngofua ki ha taha, pe 'oku toe ta'u si'i hifo he ta'u 18 mei he'ene ongomatu'a, ke fekumi 'a e Lesisita Sivile ki ha ngaahi fokotu'u fekau'aki mo e tokotaha felave'i, pea 'e ngofua ke ne ma'u ha tatau 'o ha tohi fakamo'oni pe ha lekooti kuo fokotu'u 'i ai kapau kuo tomu'a totongi 'a e totongi ki he fekumi mo e tatau ko ia.
- (2) Kuo pau ke tu'utu'uni 'e he Failesisita Seniale, tuku kehe 'o fakatatau ki ha kole kuo fakahoko 'i he kupu-si'i(3), 'e 'ikai ha taha tuku kehe 'a e Failesisita Seniale pe ko ha taha kuo fakamafai ki he ngaue ko ia 'e he Failesisita Seniale ke ne ngaue'aki 'a e fakamatala 'i he Lesisita Sivile felave'i mo ha fa'ele kuo pekia pe ko e mo'oni'i me'a na'e hoko 'a e fa'ele kuo pekia ko ia.
- (3) Kuo pau ke fekau 'e he Failesisita Seniale, tuku kehe ki ha tu'utu'uni mei he Fakamaau'anga Lahi, 'e 'ikai ha taha tuku kehe 'a e Failesisita Seniale pe ko ha taha kuo fakamafai ki he ngaue ko ia 'e he Failesisita Seniale ke ne ngaue'aki 'a e fakamatala 'i he Lesisita Sivile 'o felave'i mo hono ohi 'o ha taha pe ko e mo'oni'i me'a ko e taha ko ia na'e ohi.
- (4) 'Oku ikai maumau'i 'e he kupu ni ha fatongia kehe kuo hilifaki 'e he Lao ni pe 'i he Lao ni pe ha Lao kehe ke tu'utu'uni pe ma'u mai ha fakamatala 'o felave'i mo ha fa'ele'i, fa'ele kuo pekia, pekia, mali pe ko ha me'a kehe.

37 Ngaahi fakamo'oni 'o ha lekooti

- (1) Ko e tatau kotoa kuo fakamo'oni'i 'o ha lekooti kuo fokotu'u 'o ha fa'ele 'i he kupu 19 'o e Lao ni kuo pau ke 'oatu 'i he foomu kuo tu'utu'uni 'i he Ngaahi Tu'utu'uni.
- (2) Ko e tatau kotoa ko ia kuo fakamo'oni'i kuo pau ke lau ia ko ha tatau mo'oni 'o ha ngaahi me'a kuo fakama'opo'opo mei he lekooti kuo mu'aki fokotu'u 'i he lesisita.
- (3) Ko e tatau kotoa kuo fakamo'oni'i 'o ha lekooti kuo fokotu'u 'o ha pekia 'i he kupu 19 'o e Lao ni kuo pau ke 'i he foomu kuo tu'utu'uni 'i he Ngaahi Tu'utu'uni.
- (4) Ko e tatau kotoa kuo fakamo'oni'i 'o ha tohi fakamo'oni ke mali kuo pau ke 'i he foomu kuo tu'utu'uni 'i he Ngaahi Tu'utu'uni.

KONGA III – FAKAMO'ONI'I FAKAKOMIPIUTA

38 Teitapeisi Fakamo'oni Fakakomipiuta

- (1) Kuo pau ke fokotu'u mo tauhi 'e he Failesisita Seniale ha lesisita faka'ilekitulonika, ke 'iloa ko e "Teitapeisi Fakamo'oni Fakakomipiuta".

- (2) Kuo pau ke hoko 'a e taumu'a 'o e Teitapeisi Fakamo'oni Fakakomipiuta ke –
- (a) fakafaingofua 'a e fakamo'oni'i 'ilo'i 'o ha ni'ihii 'e he founa faka'ilekitulonika 'aki hono ngaue'aki 'a e ngaahi fakamatala totonu fekau'aki mo e ni'ihii ko ia; mo
 - (b) 'oatu ha ma'u'anga fakamatala tonu 'o e fakamatala totonu fekau'aki mo e ni'ihii ko ia 'e malava ke falala ki ai 'a e ngaahi potungaue, ngaahi va'a ngaue mo e ngaahi kautaha fakapule'anga mo e kau fakahoko ngaue 'i he sekitoa taautaha ki he –
 - (i) fakahoko atu 'o e ngaahi sevesi ki he mo e ngaahi ngaue fe'ave'aki mo e ni'ihii ko ia; mo e
 - (ii) fekumi fakasaienisi mo e fakalalakaka faka'ekonomika mo fakasosiale.
- (3) Kuo pau ke kau 'i ha founa fakakomipiuta 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e Fakamatala Fakamo'oni, 'a ia 'e kau ki ai mo e ngaahi fakamatala ko eni 'oku fekau'aki mo e ni'ihii kuo lesisita, 'i hono fiema'u mo faingamalie –
- (a) UIN mo ha faka'ilonga felave'i;
 - (b) ha fika ID taautaha 'i ha kaati faka'ilonga'i fakafonua kuo 'oatu ki he taha ko ia 'e he 'Ofisi ki he Kaati Faka'ilonga'i Fakafonua 'i he Lao ki he Kaati Faka'ilonga'i Fakafonua [Vahe 2.16];
 - (c) ngaahi hingoa;
 - (d) tu'asila nofo'anga;
 - (e) tangata pe fefine;
 - (f) ta'u, mahina mo e 'aho fa'ele'i;
 - (g) feitu'u mo e fonua na'e fa'ele'i ai;
 - (h) tu'unga fakamali (te'eki mali; mali; vete; uitou);
 - (i) ngaahi hingoa mo e ngaahi UIN mo ha ngaahi faka'ilonga felave'i 'o e ongomatu'a 'o kau ai hano ohi;
 - (j) ngaahi hingoa mo e ngaahi UIN mo ha ngaahi faka'ilonga felave'i 'o e fanau 'o kau ai hano ohi;
 - (k) hingoa mo e UIN mo ha ngaahi faka'ilonga felave'i 'o e mali lolotonga, 'o kapau 'oku 'i ai;
 - (l) ta'u, mahina mo e 'aho 'o e pekia; mo e
 - (m) fonua, vahe fonua mo e feitu'u 'o e pekia.
- (4) Kuo pau ke 'ikai tanaki 'e he Failesisita Seniale, pea 'ikai kau 'i he Teitapeisi Fakamo'oni Fakakomipiuta, ha teita fakaesino.
- (5) Kuo pau ke tanaki, lekooti mo tauhi ki he tu'unga lolotonga 'a e Teita Fakamo'oni'i 'e he Failesisita Seniale 'i he Lesisita Sivile, 'a ia kuo pau ke ne tuku atu 'a e teita ko ia ki he Teitapeisi Fakamo'oni Fakakomipiuta.

- (6) Kuo pau ke ma'u 'e he Minisita 'a e mafai ke tuku atu 'a e ngaahi tu'utu'uni fekau'aki mo e fokotu'u mo e pule'i 'o ha founa hū pe 'e taha ki he ngaahi sevesi faka'initaneti. 'E ngofua ke kau 'i he founa ko eni, kae 'ikai fakangatangata ki he, ngaue'aki 'o ha polokalama telefoni to'oto'o, hingoa ngaue, mo e sisitemi paasiueeti, pe ha founa fakamo'oni'i fakakomipiuta kehe pe 'oku taau.
- (7) 'Oku fakamafai 'i heni 'a e Minisita ke ne tuku atu ha ngaahi tu'utu'uni ki hono fakakau pe to'o 'o ha kalasi teita tanaki mo e ngaahi fika faka'ilonga'i, 'o hangē ko e ngaahi fika paasipooti, ngaahi fika laiseni faka'uli, mo e ngaahi founa faka'ilonga'i felave'i kehe pe, ki he Teitapeisi Fakamo'oni Fakakomipiuta, fakatatau ki he ngaahi makatu'unga ko eni –
- (a) ko e ngaahi teita tanaki atu mo e ngaahi fika faka'ilonga'i 'e kau ki he Teitapeisi Fakamo'oni Fakakomipiuta kuo pau ke 'osi 'i ai pe pea kuo tanaki 'e he ngaahi fakafofonga fakapule'anga pe ngaahi sino kuo fakamafai. Kuo pau ke 'ikai 'i ai ha mafai ki ha tanaki teita fo'ou 'oku ma'u hangatonu mei he kakai 'o e fonua ki he taumu'a pau pe ko hono fakakau 'i he Teitapeisi Fakamo'oni Fakakomipiuta; mo
- (b) fakakau 'o e ngaahi teita ko ia 'oku taumu'a ke fakalelei 'a e ngaue, fengaue'aki fakakomipiuta, mo e ngaahi taumu'a ngaue 'o e Teitapeisi Fakamo'oni Fakakomipiuta, tautefito 'i hono fakafaingamalie 'a e ngaahi founa ngaue lelei ki he fakamo'oni'i pea mo e ma'u 'a e ngaahi sevesi fakapule'anga.

39 Lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta

- (1) Kuo pau ke lesisita 'e he Failesisita Seniale 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e –
- (a) kakai kotoa pe 'oku nofo 'i Tonga;
- (b) tangata'i fonua 'o Tonga 'oku nau nofo muli 'a ia kuo nau 'osi hoko ko e kaveinga 'o e ngaahi tohi ngaue mo e ngaahi fakamatala 'i he sisitemi lesisita sivile; mo e
- (c) tamasi'i kotoa pe 'oku fa'ele'i 'i Tonga.
- (2) Kuo pau ke kau 'i he lesisita 'o ha taha 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e –
- (a) vahe'i atu 'o ha UIN ki he taha ko ia; mo e
- (b) lekooti 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e –
- (i) fakamatala kuo fakamahino 'i he kupu (3)(a), (c) mo e (d) 'oku felave'i mo e taha ko ia;
- (ii) fakamatala kuo fakamahino 'i he kupu (3)(e) mo e (f) 'oku felave'i mo e taha ko ia tukukehe kapau ko e fakamatala ko ia 'oku 'ikai malava pe 'oku 'ikai 'uhinga lelei 'ene faingata'a ke ma'u; mo e

- (iii) fakamatala kehe kuo fakamahino 'i he kupu (3) 'i hono ma'u 'e he Failesisita 'o fakatatau ki he Lao ni.
- (3) Kuo pau ke 'ikai lesisita 'e he Failesisita Seniale ha taha 'o kapau ko e fakamatala 'oku tu'utu'uni 'i he lesisita 'i he kupu-si'i (i) 'oku 'ikai ma'u pe 'oku ma'u 'oku 'ikai mo'oni pea 'ikai fakatonutonu.
- (4) Kuo pau ke lesisita 'e he Failesisita Seniale 'a e ni'ihl 'oku lau ki ai 'i he kupu-si'i (1) 'i he Teitapeisi Fakamo'oni Fakakomipiuta –
- (a) fekau'aki mo e lesisita 'i he Lesisita Sivile 'i he Konga II 'o ha me'a 'oku hoko felave'i mo e taha ko ia; pe
- (b) 'i ha tohi kole kuo fakahoko 'e he pe ma'ae taha ko ia.
- (5) Kuo pau ke fakahoko atu 'e he Failesisita Seniale ki he taha kotoa 'i ha tohi 'a hono lesisita kinautolu 'i he Teitapeisi Fakamo'oni Fakakomipiuta –
- (a) kuo lesisita ia; pea
- (b) ki he UIN pe faka'ilonga fekau'aki kuo vahe'i ki he taha ko ia.

40 Fakapapau'i mo e tamate'i 'o ha fakamatala tatau

- (1) Kimu'a pea lesisita ha taha 'i he Teitapeisi Fakamo'oni Fakakomipiuta, kuo pau ke fakapapau'i 'a e fakamo'oni 'i 'o e taha ko ia fakatatau ki he kupu-si'i (2) mo e (3).
- (2) Fakatatau ki he kupu 39, 'e ngofua ke tali 'e he Failesisita Seniale 'a e ngaahi tohi ngaue ko eni ko e fakamo'oni 'o ha faka'ilonga'i 'o ha taha mo e ma'u'anga 'o e fakamatala 'i he taimi 'e lesisita ai ia 'i he Teitapeisi Fakamo'oni Fakakomipiuta pe liliu 'a e tohi ngaue tatau –
- (a) tohi ta'u fa'ele'i pe ha tohi fakamo'oni 'e taha kuo foaki 'e he Failesisita Seniale 'i he Lao ni pe foaki 'e ha mafai taau 'i muli;
- (b) tohi fakangofua ke folau, tohi fakamo'oni 'ilo'i pe ha tohi ngaue faka'ilonga'i kehe kuo foaki 'i he Lao ki he Tohi Fakangofua ke Folau [Vahe 10.03] pe foaki 'e ha mafai taau 'i muli;
- (c) 'i he 'ikai 'i ai ha taha 'o e ngaahi me'a kimu'a, ko ha tu'utu'uni fakafakamaau 'oku ne faka'ilonga'i 'a e taha ko ia 'oku foaki 'e ha Fakamaau'anga 'o Tonga;
- (d) 'i he 'ikai 'i ai ha taha 'o e ngaahi me'a kimu'a, ko ha tohi fakangofua pe tohi ngaue kehe kuo foaki 'e he 'Ofisa Pule ki he Kakai Hu Mai 'i he Lao ki he Kakai Hu Mai [Vahe 10.01] 'oku ne tuku atu 'a e makatu'unga fakalao ki he taha ko ia ke ne hū mo nofo 'i Tonga;
- (e) 'i he 'ikai 'i ai ha taha 'o e ngaahi me'a kimu'a, ko e lesisita 'o e taha fili 'i he Lao ki he Fili Fale Alea [Vahe 2.03];

- (f) 'i he 'ikai 'i ai ha taha 'o e ngaahi me'a kimu'a, ko e ngaahi tohi ngaue kuo foaki 'e he Pule'anga 'o Tonga fekau'aki mo e tukuhaui mo e ngaahi lekooti tukuhaui;
 - (g) 'i he 'ikai 'i ai ha taha 'o e ngaahi me'a kimu'a, ko e laiseni faka'uli kuo foaki 'i he Lao ki he Fe'alu'aki [Vahe 24.03]; pea
 - (h) 'i he 'ikai 'i ai ha taha 'o e ngaahi me'a kimu'a, ko e ngaahi tohi mo'ua, fakamo'oni 'i 'ilo 'oku ngaue'aki ki he ngaahi taumu'a 'o e ako pe ngaahi tohi ngaue kehe ko ia 'i hono fakamahino 'e he tu'utu'uni.
- (3) Kuo pau ke fakatatau 'e he Failesisita Seniale 'a e tohi ngaue mo e fakamatala kuo ma'u mei he founa ngaue lesisita mo e fakamatala kuo 'osi lekooti 'i he Teitapeisi Fakamo'oni Fakakomipiuta pe ngaahi teitapeisi fakapule'anga kuo tali ke fakapapau 'i 'i he tu'unga ma'olunga 'o e 'ilo pau 'oku –
- (a) 'ikai 'i ai ha taha 'oku lesisita tu'o ua 'i he Teitapeisi Fakamo'oni Fakakomipiuta;
 - (b) 'ikai 'i ai ha taha 'oku lahi hake 'ene UIN 'i he taha; mo
 - (c) 'ikai 'i ai ha UIN 'oku vahe 'i ki he tokolahi ange 'i he toko taha.

41 Ma'u'anga 'o e ngaahi tohi ngaue mo e fakamatala

- (1) Ki he ngaahi taumu'a ke fakapapau 'i mo tamate 'i 'o ha fakamatala tataui 'i he kupu 40, 'e ngofua ke tanaki 'e he Failesisita Seniale 'a e ngaahi tohi ngaue mo e fakamatala mei he –
- (a) ngaahi tohi ngaue kuo ma'u mo foaki 'e he Failesisita Seniale 'o fekau'aki mo e ngaahi fanongonongo, ngaahi tohi kole mo e ngaahi lesisita kimu'a mo e lolotonga 'oku felave 'i mo e ngaahi me'a kuo hoko 'oku lekooti 'i he Lesisita Sivile;
 - (b) ngaahi tohi ngaue mo e fakamatala kuo fakahu 'o fekau'aki mo e tohi kole 'o ha taha ke lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta mo ha UIN 'i he fakatatau ki he kupu 39;
 - (c) ngaahi fakamatala kuo ma'u hangatonu mei ha ngaahi teitapeisi fakapule'anga kuo tali; pe
 - (d) 'i he 'ikai 'i ai 'a e ngaahi ma'u'anga fakamatala 'oku lau ki ai 'i he palakalafi (a), (b) mo e (c), ko ha fa'ahinga ma'u'anga fakamatala 'e ngofua ke tu'utu'uni 'e he Failesisita Seniale.
- (2) Kuo pau ke femahino'aki 'a e Failesisita Seniale mo e ngaahi ma'u mafai 'oku nau tokangaekina 'a e ngaahi tohi ngaue mo e fakamatala 'a ia 'oku falala ki ai 'a e Failesisita Seniale 'o fekau'aki mo e ngaahi ngaue ki hono fakapapau 'i 'a e 'aonga, mo'oni mo e tonu, pea kuo pau ke sivi 'i 'enau falala'anga felave 'i.
- (3) Kuo pau ke lekooti 'e he Failesisita Seniale 'a e lekooti pe 'a e fakamatala fekau'aki mo e taha ko ia 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'o kapau 'oku ne fiemalie 'i ha 'uhinga lelei ki he falala'anga 'a e fakamatala.

- (4) Kuo pau ke lekooti 'e he Failesisita Seniale 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e ma'u'anga 'o e me'a fakamatala taki taha 'oku kau ai 'i he lolotonga mo 'i he kuohili, 'o kau ai 'a e –
- (a) natula 'o e fakamatala;
 - (b) 'aho 'o e 'aonga 'a e fakamatala;
 - (c) ma'u'anga 'o e fakamatala;
 - (d) ngaahi founa na'e fakahoko ke fakapapau'i 'aki 'a e ma'u'anga fakamatala;
 - (e) sitapa'i 'o e 'aho 'a ia na'e ma'u ai 'a e fakamatala ko ia 'e he Teitapeisi Fakamo'oni Fakakomipiuta; mo e
 - (f) tatau faka'ilekitulonika 'o ha tohi ngaue 'oku fakafalala ki ai.
- (5) Kapau ko e ma'u'anga 'o e fakamatala 'i he Teitapeisi Fakamo'oni Fakakomipiuta ko ha tohi ngaue, kuo pau ke tauhi 'e he Failesisita Seniale ha sisitemi 'o e ngaahi lekooti 'oku fokotu'utu'u ka fekau'aki 'a e tohi ngaue mo e fakamatala fekau'aki mo e taha ko ia 'i he Teitapeisi Fakamo'oni Fakakomipiuta.

42 Kau fakafofonga kuo fakamafai'i 'o e fanau, ni'ihiki 'ikai malava, kau tangata'i fonua matu'otu'a mo e ni'ihiki kehe

- (1) 'E ngofua ki ha taha ke fakafofonga'i 'e ha fakafofonga kuo fakamafai'i ki he taumu'a 'o e tohi kole ki he lesisita, pe fakahoko ha totonu pe fakahoko ha fatongia 'i he malumalu 'o e Lao ni 'o kapau ko e taha ko ia –
- (a) 'oku si'i hifo 'i he ta'u motu'a ko e ta'u taha-valu;
 - (b) 'oku 'ikai malava 'i he tu'unga fakalao;
 - (c) ko ha tangata'i fonua matu'otu'a 'oku vaivai fakaesino;
 - (d) ko ha taha 'oku mo'ua 'i ha faingata'a'ia; pe
 - (e) ko ha memipa 'o ha kalasi kehe 'o e ni'ihiki 'oku fakamahino 'e he Failesisita Seniale.
- (2) Ki he ngaahi taumu'a 'o e Lao ni mo hono ngaue'aki 'o e Lao ki he Totonu ki he Me'a Fakafo'ituitui 'i he felave'i mo e Lao ni, 'e ngofua ki he fakafofonga kuo fakamafai'i ki ha taha 'oku lau ki ai 'i he kupu-si'i (1) ko e –
- (a) taha 'o e ongomatu'a 'o e taha 'oku fakafofonga'i, tauhi fakalao pe tokotaha fakahoko ngaue fakalao 'oku ne fakahoko 'a e ngaue ma'ae taha ko ia;
 - (b) 'i he 'ikai 'i ai 'a e taha 'oku lau ki ai 'i he palakalafi (a), ko ha tuonga'ane pe tu'ofefine pe ko ha tauhi 'o e taha ko ia; pe
 - (c) faifekau 'i he kolo 'a ia 'oku nofo ai 'a e taha 'oku fakafofonga'i.

- (3) Kuo pau ki ha fakafofonga kuo fakamafai'i 'oku ne tohi kole ki he lesisita 'o ha taha pe fakahoko ha totonu kehe 'i he Lao ni ma'ae taha ko ia ke fakahu 'e he fakafofonga kuo fakamafai'i ko ia 'ene –
 - (a) UIN mo ha faka'ilonga fekau'aki 'o kapau kuo 'osi foaki;
 - (b) ngaahi hingo;
 - (c) tu'asila 'a hono 'api nofo'anga;
 - (d) tangata pe fefine;
 - (e) ta'u, mahina mo e 'aho fa'ele'i;
 - (f) feitu'u mo e fonua na'e fa'ele'i ai;
 - (g) vā mo e taha 'oku fakafofonga'i; mo e
 - (h) fakamo'oni 'o e makatu'unga 'a ia 'oku hoko ai 'a e fakafofonga kuo fakamafai'i ko e fakafofonga kuo fakamafai'i ki he taha 'oku fakafofonga'i.
- (4) Kuo pau ke tu'utu'uni 'e he Failesisita Seniale 'a e ngaahi founa makehe 'i he ngaahi sisitemi Lesisita Sivile mo e Teitapeisi Fakamo'oni Fakakomipiuta pea 'i he ngaahi senitā ngaue ke fakafaingofua 'a e tuku atu 'o e fakamatala, lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta, mo e foaki 'o e ngaahi UIN ki he ni'ihī 'oku lau ki ai 'i he kupu-si'i (1) mo 'enau kau fakafofonga.

43 Fakatonutonu 'o e Teitapeisi Fakamo'oni Fakakomipiuta

- (1) Kuo pau ke fakahoko 'e he Failesisita Seniale ha ngaahi founa fakapotopoto ke fakapapau'i ko e Teita Fakamo'oni'i 'o e taha kuo lesisita 'oku tauhi ki he tu'unga lolotonga mo tonu.
- (2) Kapau 'oku liliu 'a e Teita Fakamo'oni'i 'o ha taha kuo lesisita, kuo pau ke ne 'oatu ki he Failesisita Seniale 'a e fakamatala fakamuimui taha.
- (3) Kuo pau ke 'oatu 'e he Failesisita Seniale ha founa 'oku faingofua hono ngaue'aki ki he ni'ihī kuo lesisita ke fakatonutonu ki he fakamuimui taha mo fakatonutonu 'a e Teita Fakamo'oni'i.
- (4) Kuo pau ke 'ikai hoko ai 'a e 'ikai fakatonutonu ki he fakamuimui taha 'e he taha kuo lesisita pe fakatonutonu 'a 'ene Teita Fakamo'oni'i ke ta'ofi fakataimi pe to'o fakataimi 'ene UIN.
- (5) Kuo pau ke lekooti 'e he Failesisita Seniale 'a e ngaahi fakatonutonu fakamuimui taha ki he, mo e fakamatala kuo fetongi 'e he Teita Fakamo'oni'i fakamuimui taha, tu'uma'u 'i ha 'akaivi 'o e teitapeisi ki he taumu'a ke fakapapau'i 'a e fakahoko ngaue mo e hisitolia tonu 'o e Teita Fakamo'oni'i.

44 Tu'unga fakalao 'o e Teita Fakamo'oni'i

- (1) Kuo pau ke lau 'a e Teita Fakamo'oni'i 'oku lekooti 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'oku tonu tukukehe ka 'i ai ha fakamo'oni kehe ange.
- (2) Kuo pau ke fakahoko 'e he ngaahi potungaue, ngaahi va'a ngaue mo e ngaahi kautaha Fakapule'anga 'enau ngaahi ngaue ki he kakai mo fakahoko 'enau ngaahi ngaue fakapule'anga 'o makatu'unga 'i he Teita Fakamo'oni'i 'oku lekooti 'i he Teitapeisi Fakamo'oni Fakakomipiuta.

45 Fengaue'aki fakakomipiuta mo e ngaahi teitapeisi fakapule'anga kuo tali

- (1) Fakatatau ki he kupu-si'i (5), kuo pau ki he Failesisita Seniale mo e potungaue, va'a ngaue mo e kautaha takitaha 'oku tokangaekina ha teitapeisi fakapule'anga kuo tali ke fokotu'utu'u mo tauhi 'a e fengaue'aki fakakomipiuta 'i he vaha'a 'o e Teitapeisi Fakamo'oni Fakakomipiuta mo e teitapeisi fakapule'anga kuo tali 'a ia 'oku tokangaekina 'e he potungaue, va'a ngaue pe kautaha ko ia.
- (2) Kuo pau ko e taumu'a 'o e fengaue'aki fakakomipiuta 'i he kupu-si'i (1) ke –
 - (a) fakahoko mo tauhi 'a e ngaue'aki 'o e ngaahi UIN 'o e kakai pe ngaahi faka'ilonga fekau'aki ki he ngaahi taumu'a ke faka'ilonga'i 'a e ni'ihiki ko ia 'i he ngaahi teitapeisi fakapule'anga kuo tali;
 - (b) fakangofua 'a e ngaahi teitapeisi fakapule'anga kuo tali ke kole mo ma'u 'i he taimi pe ko ia 'a e Teita Fakamo'oni'i 'oku felave'i mo e ni'ihiki ko ia 'oku tu'utu'uni pe fakamafai 'e he lao ke fakahoko 'a e ngaue;
 - (c) fakangofua 'a e Teitapeisi Fakamo'oni Fakakomipiuta ke kole mo ma'u 'i he taimi pe ko ia ha fakamatala 'oku hā 'i he kupu-si'i (3) 'oku tauhi 'i he teitapeisi fakapule'anga kuo tali 'i he 'ene fekau'aki mo e –
 - (i) lesisita 'o ha taha; mo e
 - (ii) tanaki atu mo e fakafo'ou 'a e Teita Fakamo'oni'i; mo
 - (d) 'i he palakalafi-si'i (a), (b) mo e (c), ke fakapapau'i 'a e pule'i lelei, kakato mo e tonu 'o e Teita Fakamo'oni'i 'oku tauhi 'i he Teitapeisi Fakamo'oni Fakakomipiuta mo e ngaahi teitapeisi fakapule'anga kuo tali.
- (3) Kuo pau ke fakangatangata 'a e ngata'anga 'o ha kole 'o ha pe tuku atu 'o ha fakamatala taautaha 'i he vaha'a 'o e Teitapeisi Fakamo'oni Fakakomipiuta mo e ngaahi teitapeisi fakapule'anga kuo tali ki he ngaahi taumu'a 'oku hā 'i he kupu-si'i (2) mo e ngaahi taumu'a tanaki.
- (4) Kuo pau ki he Failesisita Seniale mo e ngaahi potungaue, ngaahi va'a ngaue mo e ngaahi kautaha 'oku tokangaekina 'a hono tauhi 'o e ngaahi teitapeisi fakapule'anga kuo tali ke femahino'aki mo tali 'a e ngaahi founa ngaue mo e ngaahi founa pule'i mo fakatekinikale ke fakapapau'i 'a e malu, angatonu mo e malu'i 'o e fakamatala taautaha 'oku nau tauhi mo fe'ave'aki 'ia nautolu.

- (5) Kuo pau ke 'ikai fokotu'utu'u pe tauhi 'e he Failesisita Seniale 'a e fengaue'aki fakakomipiuta 'o ha teitapeisi fakapule'anga kuo tali mo e Teitapeisi Fakamo'oni Fakakomipiuta tukukehe kapau 'oku fakahoko 'e he teitapeisi ko ia 'a e ngaahi founa pule'i mo fakatekinikale ke fakapapau'i 'a e malu, angatonu mo e malu'i 'o e fakamatala taautaha ki he fiemalie 'a e Failesisita Seniale.
- (6) Kuo pau ke lekooti 'e he Failesisita Seniale 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e kole fakamatala kotoa kuo fakahoko 'e ha teitapeisi fakapule'anga kuo tali ki he Teitapeisi Fakamo'oni Fakakomipiuta, 'o kau ai 'a e –
- (a) teitapeisi fakapule'anga kuo tali na'a nau kole 'a e fakamatala;
 - (b) natula 'o e fakamatala na'e kole;
 - (c) 'aho ko ia na'e kole 'a e fakamatala; mo e
 - (d) 'aho na'e tuku atu ai 'a e fakamatala ko ia ki he teitapeisi fakapule'anga kuo tali.

46 Kole 'a e sino 'oku kole ki he Teita Fakamo'oni'i

- (1) Fakatatau ki he kupu-si'i (5), 'e ngofua ke faka'eke'eke 'a e ngaahi sino 'oku kole ki he Failesisita Seniale ki he Teita Fakamo'oni'i 'oku felave'i mo ha taha 'oku lekooti 'i he Teitapeisi Fakamo'oni Fakakomipiuta ki he ngaahi taumu'a ke fakahoko 'a e ngaahi ngaue ki pe fakahu ki he ngaahi fe'ave'aki mo e taha ko ia, mo e ngaahi ngaue tanaki mo felave'i ofi.
- (2) 'E ngofua ke kole 'e he ngaahi sino 'oku kole mei he Failesisita Seniale, pea 'e ngofua ke tuku atu 'e he Failesisita Seniale ki he ngaahi sino 'oku kole, 'a e Teita Fakamo'oni'i 'oku felave'i mo ha taha 'i ha founa pea ki he ngata'anga 'oku taau ki he sino 'oku kole ke fakakakato 'a e ngaahi fatongia 'i he lao 'oku makatu'unga ai 'ene taau ke hoko ko ha sino 'oku kole 'i he kupu 47 pea ki he taumu'a 'oku tuku atu ai 'a e fakamatala.
- (3) Kuo pau ke fanongonongo 'e he ngaahi sino 'oku kole 'oku nau kole fakamatala ki he Failesisita Seniale 'i he makatu'unga 'o 'enau totonu 'i he kupu-si'i (1).
- (4) Kuo pau ke tali 'e he Failesisita Seniale 'a e ngaahi kole fakamatala pe ki ha sino 'oku fakapapau'i 'e he Failesisita Seniale 'oku –
- (a) totonu ke hoko ko ha sino 'oku kole 'i he kupu 47; pea
 - (b) kuo ne fakahoko 'a e ngaahi founa pule'i mo fakatekinikale taau ke fakahoko 'a e ngaahi fatongia mo e ngaahi ngafa 'o ha sino 'oku kole 'i he Lao ni, Lao ki he Totonu ki he Me'a Fakafo'ituitui mo ha tu'utu'uni 'oku fakahoko 'i heni.
- (5) Kuo pau ke fokotu'u 'e he Failesisita Seniale 'a e ngaahi founa ngaue mo e ngaahi founa pule'i mo fakatekinikale ki he –
- (a) fakahoko mo tali 'o e ngaahi kole ki he Teita Fakamo'oni'i;

- (b) fakapapau'i 'a e malu, angatonu mo e malu'i 'o e Teita Fakamo'oni'i 'oku tuku atu mei he Teitapeisi Fakamo'oni Fakakomipiuta; mo
 - (c) fakapapau'i ko e fakamatala ko ia 'oku ngaue'aki pe ki he ngaahi taumu'a ko ia 'oku tuku atu ki ai pea 'oku 'ikai tauhi 'o 'ikai ha 'uhinga lelei 'i he hili ko ia.
- (6) Fakatatau ki he ngaahi tu'utu'uni 'o e Lao ni mo e ngaahi tu'utu'uni 'e fakahoko 'i heni, 'e ngofua ki he Failesisita Seniale ke ne tuku atu 'a e Teita Fakamo'oni'i ki he Pule Ngaue Sitetisitika 'a e Pule'anga kapau –
- (a) ko e taumu'a 'o e kole ko ia ki hono fakahoko, tanaki, 'analaiso, fakamo'oni'i pe pulusi 'o e ngaahi sitetisitika 'i he Lao ki he Sitetisitika [Vahe 8.13], pe fekumi fakasaienisi pe fakalakalaka faka'ekonomika mo fakasosiale;
 - (b) ko e taha tali 'oku ne tuku atu 'a e ngaahi fakaikiiki ki he ngaue'aki tefito 'oku fokotu'u ki he Failesisita Seniale;
 - (c) ko e taha tali 'oku ne tuku atu ki he Failesisita Seniale 'a e ngaahi ngaue 'i ha tohi 'oku fakafiernalie ki he Failesisita Seniale 'o fakangatangata 'a e ngaue'aki mo e loloa 'o ha fakahoko 'o ha teita ki hono ngaue'aki pau 'o fakatatau ki he palakalafi-si'i (a) mo e (b); pea
 - (d) fakapapau'i 'e he Failesisita Seniale ko e fakamatala taautaha pe 'oku tuku atu 'oku 'uluaki to'o 'a e faka'ilonga 'ilo'i, 'i hono faka'uhinga'i 'o e lea ko eni 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui.
- (7) Kuo pau ke lekooti 'e he Failesisita Seniale 'i he Teitapeisi Fakamo'oni Fakakomipiuta 'a e kole taki taha ki ha fakamatala 'i he Teitapeisi Fakamo'oni Fakakomipiuta, 'o kau ai 'a e –
- (a) sino 'oku kole 'a e fakamatala;
 - (b) natula 'o e fakamatala na'e kole;
 - (c) 'aho ko ia na'e kole 'a e fakamatala; mo e
 - (d) 'aho na'e tuku atu ai 'a e fakamatala ko ia ki he sino 'oku kole.

47 Ngaahi sino 'oku kole

- (1) 'Oku kau 'a e ngaahi sino 'oku fe'unga ke hoko ko e ngaahi sino 'oku kole ha –
- (a) potungaue, va'a ngaue pe kautaha 'oku tauhi 'a e teitapeisi fakapule'anga kuo tali;
 - (b) potungaue, va'a ngaue pe kautaha, kautaha fakapa'anga, sino taautaha ke pe ha taha fakanatula, 'i he taimi 'oku fiema'u pe fakamafai 'e he lao ke faka'ilonga'i 'a e kakai pea ke tauhi 'a e fakamatala taautaha 'oku felave'i mo kinautolu ki he taumu'a ke fakahoko 'a e ngaahi ngaue pe ke hu ki ha ngaahi fe'ave'aki mo kinautolu; mo e

- (c) potungaue, va'a ngaue pe kautaha 'o ha fonua muli 'oku fakatatau ki ha aleapau kuo fakahoko 'i he vaha'a 'o e Pule'anga mo fonua muli ko ia pea tali 'e he Failesisita Seniale.
- (2) Kuo pau ki he Failesisita Seniale ke ne –
 - (a) fakapapau'i 'a e taau 'o ha kautaha ke hoko ko ha sino 'oku kole 'o fakatatau ki he kupu ni;
 - (b) lesisita 'a e kautaha ko ia ko ha sino 'oku kole pea fakamahino'i 'a e tu'unga ko ia 'i ha fanongonongo 'i he uepisaiti 'a e Potungaue Fakamaau'anga;
 - (c) pulusi 'i he uepisaiti 'a e Potungaue Fakamaau'anga ha malolo fakataimi pe to'o fakataimi 'a e totonu 'o ha sino 'oku kole; mo
 - (d) tauhi 'a e tohi fakamuimui taha 'i he uepisaiti 'a e Failesisita Seniale 'o e ngaahi sino 'oku kole 'oku te'eki fakangata, mo fakaha ai 'a e ni'ihiki kuo to'o fakataimi.
- (3) Kuo pau ke tu'utu'uni 'a e ngaahi founa ngaue ki he kole mo e tali 'o e tu'unga taau mo e to'o fakataimi pe fakangata 'o e tu'unga taau ko ia 'i he kupu ni.

48 Faipau 'a e sino 'oku kole

- (1) Kuo pau ke tali 'e he sino 'oku kole ha kole fakamatala 'a e Failesisita Seniale fekau'aki mo e faipau 'a e sino 'oku kole ki he 'ene ngaahi fatongia 'i he Lao ni, tu'utu'uni 'oku fakahoko 'i heni, mo ha ngaahi founa ngaue mo e ngaahi founa fakatekinikale mo pule'i 'oku fiema'u 'e he Failesisita Seniale.
- (2) 'E ngofua ke fanongonongo 'e he Failesisita Seniale ki ha sino 'oku kole pe 'oku 'i ai ha 'uhinga ke tui ai 'a e Failesisita Seniale 'oku 'ikai ke ne faipau ki he 'ene ngaahi fatongia 'i he Lao ni, tu'utu'uni kuo fakahoko 'i heni, mo ha ngaahi founa ngaue mo e ngaahi founa fakatekinikale mo fakangaue 'oku fiema'u 'e he Failesisita Seniale mo tu'utu'uni 'a e sino 'oku kole ko ia ke faipau ki ai.
- (3) 'E ngofua ke to'o fakataimi pe fakangata 'e he Failesisita Seniale 'o fanongonongo pe 'ikai fanongonongo, 'a e totonu 'o ha sino 'oku kole ke kole 'a e Teita Fakamo'oni'i mei he Teitapeisi Fakamo'oni Fakakomipiuta 'o kapau –
 - (a) 'oku 'i ai ha 'uhinga ke tui ai 'a e Failesisita Seniale 'oku 'ikai toe fe'unga 'a e sino 'oku kole 'i he kupu 46; pe
 - (b) 'oku 'ikai faipau 'a e sino 'oku kole ki ha tu'utu'uni 'i he Lao ni, tu'utu'uni 'a e Failesisita Seniale, mo ha ngaahi founa ngaue mo e ngaahi founa fakatekinikale mo fakangaue 'oku fiema'u 'e he Failesisita Seniale, pe ha tohi fanongonongo 'o e Failesisita Seniale fekau'aki mo eni.

49 Ngaahi kole fakamatala 'a e sino 'oku kole

Kimu'a hono kole 'o e ngaahi fakamatala mei he Teitapeisi Fakamo'oni Fakakomipiuta, kuo pau ke fakaha 'e he ngaahi sino 'oku kole ki he taha ko ia 'a e –

- (a) natula 'o e fakamatala taauteha 'oku kole;
- (b) ngaahi taumu'a 'e ngaue ki ai 'a e sino 'oku kole ki he fakamatala taauteha;
- (c) ha fa'ahi hono tolu 'a ia 'e fakaha ki ai 'a e fakamatala; mo e
- (d) fuoloa 'a hono tauhi 'o e fakamatala ko ia.

50 Ngaahi founa malu'i

- (1) Kuo pau ke fokotu'u 'e he Failesisita Seniale 'a e ngaahi founa ngaue ke ngaue'aki 'o kapau 'e 'ikai ngaue 'a e Teitapeisi Fakamo'oni Fakakomipiuta pe ko e lekooti pe 'ave 'o e fakamatala fekau'aki mo e ni'ihiki kuo lesisita.
- (2) Kuo pau ko e taumu'a 'o e ngaahi founa ngaue 'i he kupu-si'i (1) ke fakapapau'i 'e 'ikai uestia kovi 'a e ni'ihiki ko eni mo e ngaahi sino 'oku kole 'o kapau ko e ngaahi kole fakamatala 'i he kupu 46 'oku 'ikai ngaue lelei.

51 Fakatau mai, ngaahi tu'uaki koloa mo e ngaahi tekinolosia

Kapau 'oku malava faka'ekonomika mo fakatekinikale, kuo pau ke fakapapau'i 'e he Failesisita Seniale ko e Teitapeisi Fakamo'oni Fakakomipiuta, mo 'ene ngaahi sisitemi mo e fengaue'aki fakakomipiuta felave'i mo e ngaahi teitapeisi kehe 'oku –

- (a) ngaue'aki 'a e ngaahi tekinolosia mo e ngaahi fa'unga 'oku 'ikai hoko eni ke nau fakafalala ta'e'uhinga ki he tekinolosia pe ngaahi tu'uaki koloa 'e taha, 'o kau ai 'a e fekau'aki mo e ngaahi fakatonutonu pe fakalelei 'i he kaha'u, ngaue'aki kehe mo e fengaue'aki fakakomipiuta mo e ngaahi sisitemi kehe; mo
- (b) fakakau 'a e ngaahi tu'unga 'ataa mo e kouti 'oku 'ataa ki ha taha pe ke fakangofua 'a e fengaue'aki fakakomipiuta.

52 Fakamatala ki he kakai fekau'aki mo hono fakahoko 'a e ngaue ki he 'enau ngaahi fakamatala taauteha

Kimu'a hono lesisita 'o ha taha, kuo pau ke fakahoko kiate ia 'e he Failesisita Seniale, pe ko ha taha 'o 'ene ongomatu'a, tauhi fakalao, taha pule fakalao pe ha fakafongfa kuo fakamafai'i ma'a na, 'a e ngaahi fakaikiiki ko eni –

- (a) fakamatala fetu'utaki ki he Failesisita Seniale 'a ia 'e malava ke ngaue'aki ke fokotu'u ha ngaahi fehu'i ki ai mo fakafetu'utaki mo e Failesisita Seniale fekau'aki mo e Teitapeisi Fakamo'oni Fakakomipiuta

mo e ngaahi fakamatala taautaha 'oku felave'i mo e taha 'oku 'i ai 'ene totonu;

- (b) taumu'a 'o e tanaki 'o e fakamatala taautaha mo hono ngaue'aki 'e he Teitapeisi Fakamo'oni Fakakomipiuta 'i he Lao ni;
- (c) fakamatala taautaha 'e ngofua ke tuku atu pe fakaha ki ha taha pe sino kehe ange mei he Failesisita Seniale;
- (d) fa'ahinga kakai pe sino ko ia 'e ngofua ke tuku atu pe fakaha ki ai 'a e fakamatala taautaha ko ia;
- (e) taumu'a, founa mo e loloa 'o e hu pe fakaha, mo e ngaue ki he fakamatala taautaha mo e ngaahi fakangatangata 'oku ngaue'aki ki ai;
- (f) fuoloa 'a hono tauhi 'o e fakamatala taautaha;
- (g) pe 'e fakahoko ha fakamatala fakatahataha pe ngaahi ngaue fai tu'utu'uni fakakomipiuta ki he ngaahi fakamatala taautaha;
- (h) founa 'e fakahu ai ha launga pe fekumi ki ha totongi huhu'i ha taha, pe ha taha 'o e ongomatu'a, tauhi fakalao, taha pule fakalao pe fakafofonga kuo fakamafai ke fakafofonga'i ia, fekau'aki mo ha ngaue'aki hala 'o e ngaahi fakamatala taautaha; pe
- (i) takitaha 'o e ngaahi totonu 'a e taha ko ia 'i he kupu 59 mo e 61 'o e Lao ni.

53 Vahe'i 'o e ngaahi UIN mo e ngaahi faka'ilonga

- (1) 'I he lesisita 'i he kupu 39, kuo pau ke vahe'i 'e he Failesisita Seniale ki he taha ko ia ha UIN.
- (2) Ko e taumu'a 'o e UIN ke fokotu'u 'a e ngaahi founa makehe ki he fakamo'oni'i 'o e kakai 'e malava ke ngaue'aki 'e he ngaahi potungaue, ngaahi va'a ngaue mo e ngaahi kautaha mo e kau fakahoko ngaue 'i he sekitoa taautaha ki he fakahoko ngaue lelei ki he mo e ngaahi fengaue'aki kehe mo e ni'ihiki ko ia.
- (3) 'I he tanaki atu ki hono vahe'i 'o ha UIN, 'e ngofua ki he Failesisita Seniale ke ne foaki ha faka'ilonga 'oku fekau'aki mo e UIN ko ia ke ngaue'aki ko e fetongi 'o e UIN ko ia ke fakapapau'i 'a e malu, angatonu mo e malu'i 'o e Teitapeisi Fakamo'oni Fakakomipiuta mo hono ngaue'aki 'i ai, pea fakasi'isi'i 'a e fakatu'utamaki ki he totonu fakafo'ituitui mo e malu 'o e fakamatala taautaha.
- (4) Kuo pau ko e UIN mo ha faka'ilonga fekau'aki ko ha fika makehe 'oku kau ai ha –
 - (a) ngaahi mata'ifika (numbers) pe ngaahi mata'itohi fa'u noa 'i hono tu'utu'uni; mo
 - (b) ha mata'ifika (digits) 'e taha pe lahi ange ke hoko ko ha me'a sivi 'a ia 'e fika'i mei he fika fa'u noa 'o fakatatau ki ha founa kuo tu'utu'uni.

- (5) Kuo pau ke fokotu'u 'a e founa ki hono fika'i 'o e me'a sivi mo e fakakaukau ke fakasi'isi'i 'a e ala hoko 'o ha fehalaaki mei ha taha pe kehe ange 'i hono tohi, hiki tatau, fakafetongi, lekooti, fakafetu'utaki mo ha fakahoko ngaue kehe pe 'o e UIN pe faka'ilonga fekau'aki, 'i hono ngaue'aki.
- (6) Kuo pau ke 'ikai ma'u mai, fakaha 'i he 'ilo pau pe fai tatau ha mata'ifika pe fakataha'i 'o ha ngaahi mata'ifika 'i he UIN pe ha faka'ilonga fekau'aki ki ha fakamatala taautaha fekau'aki mo e taha ko ia 'oku foaki ki ai 'a e UIN pe faka'ilonga fekau'aki.
- (7) 'E ngofua ki he Failesisita Seniale 'i he lesisita ke ne fanongonongo ki he taha ko ia, pe taha 'o 'ene ongomatu'a, tauhi fakalao, taha pule fakalao pe fakafofonga kuo fakamafai'i ke fakafofonga'i ia, ki he 'ene UIN mo e/pe faka'ilonga fekau'aki.
- (8) Kuo pau ke 'ikai vahe'i ki ha taha kehe ha UIN pe faka'ilonga fekau'aki kuo vahe'i ki ha taha, neongo pe kuo hili ia ha mālōlō 'a e taha ko ia pe kuo fakata'e'aonga'i 'a e fika.
- (9) Fakatatau ki he kupu-si'i (10) mo e kupu 54, kuo pau ke ma'u 'e he taha ko ia 'a e UIN tatau ki he lolotonga 'ene mo'ui.
- (10) 'E ngofua ke vahe'i 'e he Failesisita Seniale ha UIN pe faka'ilonga fekau'aki fo'ou ki ha taha mo'ui ke fetongi 'aki ha UIN pe faka'ilonga kuo fakata'e'aonga'i, 'i hono fakahokohoko, na'e vahe'i ki he taha ko ia.

54 Fakata'e'aonga'i 'o e ngaahi UIN mo e ngaahi faka'ilonga

- (1) Kuo pau ke fakamālōlō'i 'e he Failesisita Seniale 'a e UIN 'o ha taha –
 - (a) 'i loto 'i he 'aho 'e 28 hili 'a e mālōlō 'o ha taha 'oku lesisita 'i he Lesisita Sivile 'i he Konga II; pe
 - (b) 'i he vave taha pe 'o kapau 'oku vakai 'a e Failesisita Seniale kuo uesia 'a e tonu mo e falala'anga 'o e UIN koe'uhī ko e founa 'a hono foaki, ha maumau'i 'o e fakamatala taautaha pe maumau'i kehe 'o e malu 'a e fakamatala.
- (2) Kuo pau ke fakamālōlō'i 'e he Failesisita Seniale ha faka'ilonga –
 - (a) 'i he taimi pe ko ia kapau kuo fakamālōlō'i 'a e UIN fekau'aki;
 - (b) 'i he vave taha pe 'o kapau 'oku vakai 'a e Failesisita Seniale kuo uesia 'a e tonu mo e falala'anga 'o e faka'ilonga koe'uhī ko e founa 'a hono foaki, ha maumau'i 'o e fakamatala taautaha pe maumau'i kehe 'o e malu 'a e fakamatala; pe
 - (c) 'i ha taimi 'oku vakai 'e he Failesisita Seniale 'oku faingamalie ki hono pule'i 'o e UIN pea fakakaukau eni ki he ngaue'aki 'e ha fa'ahi hono tolu 'o e faka'ilonga ki hono fakamo'oni'i 'o e ni'ihī kuo lesisita.
- (3) Kuo pau ki he Failesisita Seniale ke ne –

- (a) fakatonutonu ki he fakamuimui taha 'a e Teitapeisi Fakamo'oni Fakakomipiuta ke fakaha 'a e fakamālōlō'i 'o ha UIN pe faka'ilonga fekau'aki; mo
- (b) fanongonongo ki he ngaahi teitapeisi fakapule'anga kuo tali mo ha ngaahi sino 'oku kole felave'i ki he fakamālōlō'i 'o ha UIN pe faka'ilonga fekau'aki.
- (4) 'I he tali 'o ha kole felave'i mo e faka'ilonga'i 'o fekau'aki mo ha UIN pe faka'ilonga fekau'aki kuo fakamālōlō'i, kuo pau ki he Failesisita Seniale ke ne fanongonongo ki he sino 'oku kole kuo fakamālōlō'i 'a e UIN pe faka'ilonga.
- (5) Kuo pau ke fokotu'u 'e he Failesisita Seniale 'a e ngaahi founa ki hono fakamālōlō'i 'o e ngaahi UIN 'o e ni'ihi kuo nau pekia, 'o kau ai pea 'ikai fakangatangata ki he ni'ihi kuo nau pekia 'i muli, pea kau ki hono vakai'i 'a e ngaahi fanongonongo 'o e ngaahi pekia 'i he Konga II.

55 Tu'unga 'o e UIN mo e faka'ilonga fekau'aki

- (1) Kuo pau ke tali mo ngaue'aki 'e he ngaahi potungaue, ngaahi va'a ngaue mo e ngaahi kautaha, ngaahi kautaha fakapa'anga kotoa mo ha ngaahi sino kehe pe 'oku tu'utu'uni pe fakamafai 'e he lao ke faka'ilonga'i pe fakamo'oni'i ha ni'ihi, 'a e UIN pe faka'ilonga fekau'aki ke faka'ilonga'i ha taha felave'i kuo lesisita ki he 'enau ngaahi taumu'a taki taha.
- (2) Kuo pau ke 'ikai puke ha tali 'o ha UIN pe faka'ilonga fekau'aki koe'uhī ko e 'ikai fakaha 'o ha kaati faka'ilonga'i fakafonua.
- (3) Ko e ngaahi sino mo e ni'ihi fakanatula kotoa 'oku 'ikai fakatatau ki he kupu-si'i (1) –
 - (a) 'oku 'ikai ke 'i ai ha'anau fatongia 'i he Lao ni ke fakafalala ki he UIN pe faka'ilonga fekau'aki ko ha founa 'o e fakamo'oni'i pe ke ma'u mai ha fakamatala taautaha; pea
 - (b) 'e 'ikai ngofua ke 'ikai tali ha taha ha ngaue pe ha fe'ave'aki koe'uhi ko e 'ikai 'oatu 'o ha UIN pe faka'ilonga fekau'aki, pe 'ikai fakaha 'o ha kaati faka'ilonga'i fakafonua.

56 Fengaue'aki mo e ngaahi kautaha kehe

Kuo pau ke tokanga'i mo fokotu'utu'u ma'u pe 'e he Failesisita Seniale mo e ngaahi potungaue, ngaahi va'a ngaue mo e ngaahi kautaha pea mo e sekitoa taautaha fekau'aki mo –

- (a) 'enau ngaue'aki 'o e UIN, ngaahi faka'ilonga fekau'aki mo e ngaahi kole ki ha fakamatala mei he Teitapeisi Fakamo'oni Fakakomipiuta;
- (b) ngaue'aki, fakahoko mo tokanga'i 'o e ngaahi ngaue lelei mo e ngaahi tu'unga taau ki he faka'ilonga'i mo e fakamo'oni'i lelei mo 'aonga; mo

- (c) ngaue'aki mo e fakahoko mo e tokanga'i 'o e ngaahi malu'i 'o e teita 'oku taau mo e ngaahi tu'utu'uni ngaue mo e ngaahi founa ngaue taautaha.

KONGA IV – MALU'I 'O E FAKAMATALA MO E TOTONU KI HE ME'A FAKAFO'ITUITUI

57 Ngaahi fatongia 'o e Failesisita Seniale 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui

- (1) Kuo pau ke ngaue'aki 'a e Lao ki he Totonu ki he Me'a Fakafo'ituitui ki hono tauhi 'o e Lesisita Sivile mo e Teitapeisi Fakamo'oni Faka'ilekitulonika mo e kotoa hono ngaue'aki 'o e fakamatala taautaha 'i he Lao ni, 'o vakai ki he ngaahi makatu'unga kuo tu'utu'uni ki ai 'i he Lao ni.
- (2) Kuo pau ke lau 'a e Failesisita Seniale ko ha pule fakamatala koe'uhi ko e ngaahi taumu'a 'o e Lao ki he Totonu ki he Me'a Fakafo'ituitui, 'o felave'i mo ha fakamatala taautaha te ne ngaue'aki pe 'i hano fakafofonga'i ia 'i he Lao ni pea, tukukehe 'i hano tu'utu'uni kehe 'i he Lao ni, kuo pau ke ne ma'u 'a e ngaahi totonu mo e ngaahi fatongia 'o ha pule fakamatala pehe 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui.
- (3) Kuo pau 'e 'ikai ha me'a 'i he Lao ni te ne fakangatangata 'a e ngaahi mafai, ngaahi fatongia mo e ngaahi ngafa 'o e Komisoni ki hono Malu'i 'o e Me'a Fakafo'ituitui 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui 'o felave'i mo hono ngaue'aki 'o e fakamatala taautaha 'e he, pe 'o fakafofonga'i 'a e Failesisita Seniale 'i he Lao ni.

58 Totonu ki he fakamatala

- (1) 'Oku 'i ai 'a e totonu 'a e taha taautaha ke ma'u mei he Failesisita Seniale, 'o 'ikai ha fakangatangata pe ha toloi 'o 'ikai ha 'uhinga fakapotopoto —
 - (a) 'a e fakapapau'i pe 'oku tauhi pe kehe ange 'oku ngaue'aki 'e he Failesisita Seniale pe ko ha taha ngaue'aki teita 'oku ne fakafofonga'i ia ha fakamatala taautaha 'o felave'i mo e taha ko ia, mo e natula 'o ha fakamatala pehe;
 - (b) ha tatau 'o e fakamatala taautaha pehe 'i ha fotunga pepa pe faka'ilekitulonika 'oku lahi hono faka'aonga'i 'i hono tu'utu'uni 'e he taha ko ia;
 - (c) tamate'i 'o ha fakamatala taautaha pehe 'a ia 'oku 'ikai fakamafai 'a e Failesisita Seniale ke ne tauhi; mo e
 - (d) fakamatala kuo fakaikiiki 'oku felave'i mo e —

- (i) fakamatala taautaha 'a ia kuo 'oatu ki ha potungaue 'a e pule'anga pe fa'ahi sino 'oku kole;
 - (ii) taimi na'e tuku atu ha fakamatala taautaha pehe;
 - (iii) taha kuo tuku atu ki ai; mo e
 - (iv) taumu'a, founa mo e vaha'a taimi hono ngaue'aki 'o e fakamatala taautaha ko ia mo e ngaahi fakangatangata kuo ngaue'aki ki ai.
- (2) Kuo pau ke fakahoko 'e he Failesisita Seniale 'a e ngaahi founa 'oku taau ke fakapapau'i 'oku lava 'a e ni'ihiki kuo lesisita ke ngaue'aki lelei 'a e ngaahi totonu kuo fakaha 'i he kupu-si'i (1).

59 Totonu ke fakatonutonu

- (1) 'E ngofua ka 'i ai ha taha 'oku 'i ai ha'ane kaunga ke ne tohi ki he failesisita tokoni hono vahefonua pe ki he Failesisita Seniale 'o kole ha fakatonutonu ki ha fehalaaki 'i he fakamatala kuo lekooti 'i he Lesisita Sivile mo e Teitapeisi Fakamo'oni Faka'ilekitulonika, pea kuo pau ke ne 'oatu ha fakamo'oni 'o e fakamatala 'oku tonu.
- (2) 'I hono ma'u ha kole ki ha fakatonutonu 'i he kupu-si'i (1), kuo pau ke fakatonutou 'e he failesisita tokoni pe Failesisita Seniale 'a e Lesisita Sivile mo e Teitapeisi Fakamo'oni Faka'ilekitulonika, 'i he 'ene taau, kapau kuo ne fimalie ki he tonu 'a e fakamatala.

60 Ngaahi Launga

- (1) 'Oku 'i ai 'a e totonu 'a ha taha mamahi ke ne launga ki he Failesisita Seniale 'o felave'i mo hono ngaue'aki hala 'o e ngaahi fatongia, mafai mo e ngaahi ngafa 'i he Lao ni.
- (2) Kuo pau ke tuku atu 'e he Failesisita Seniale ha ngaahi founa lelei mo faingofua ke ngaue'aki ki hono fakahu atu 'o e ngaahi launga 'i he founa faka'ilekitulonika mo e pepa.
- (3) Kuo pau ke fakahoko ha ngaue 'e he Failesisita Seniale ki he ngaahi launga 'i loto 'i he 'aho 'e 30 hili hono fakahu atu 'e he taha launga 'a e fakamatala pea kuo pau ke ne fakaha ki he taha launga 'i he vave taha 'o fekau'aki mo e tu'utu'uni pe ko ha ngaue kuo fakahoko.
- (4) 'E ngofua ke launga ha taha mamahi 'a ia 'oku ne pehe 'oku 'ikai fakafimalie 'a e ngaue na'e fakahoko ki he me'a ko ia 'i loto 'i he 'aho 'e 30 hili hono fakahu atu 'o e fakamatala taau 'o fakatatau ki he kupu-si'i (3) ki he 'Omipatimeni 'i he Lao ki he 'Omipatimeni [Vahe 2.02].

61 Totonu ke tangi

- (1) Kapau kuo 'ikai pe 'oku 'ikai loto 'a e Failesisita Seniale pe ko ha failesisita tokoni ke ne lekooti ha fakamatala 'i he Lesisita Sivile pe ke ne lesisita ha taha 'i he Teitapeisi Fakamo'oni Faka'ilekitulonika pe 'oatu ha UIN pe kehe ange kuo 'ikai pe 'oku 'ikai loto ke ne fakahoko ha ngaue kehe 'a ia kuo tu'utu'uni 'i he Lao ni, kuo pau ke fakaha ki he ni'ih'i 'oku fekau'aki mo ia 'o fekau'aki mo e 'ikai ke fakahoko pe 'ikai loto ki ai.
- (2) 'E ngofua ke kole 'e taha 'oku kaunga ki ai 'a ia kuo uesia pe 'ikai fiemalie ki ha fakahoko ngaue pe 'ikai fakahoko ngaue 'a e Failesisita Seniale pe ko ha failesisita tokoni ke toe vakai'i mo fakakaukau'i 'e he Failesisita Seniale 'a e me'a, kuo pau ke fakahoko ia 'e he Failesisita Seniale 'i loto 'i he 'aho 'e 60 hili ha kole pehe pea fakaha ki he taha ko ia 'a 'ene tu'utu'uni.
- (3) 'E ngofua ke kole 'e he Failesisita Seniale ha fale'i 'a e 'Ateni Seniale hili ha'ane vakai ki ha kole 'i he kupu-si'i (2).
- (4) 'E ngofua ke kole 'e ha taha 'a ia 'oku fekau'aki mo ha tu'utu'uni kuo fakahoko 'e he Failesisita 'i he kupu-si'i (2), 'o 'ikai ha uesia ki he Lao ki he 'Omipatimeni [Vahe 2.02], 'i loto 'i he 'aho 'e 21 hono fakahoko 'o e tu'utu'uni, ha ngofua ke tangi ki he Fakamaau'anga Lahi.
- (5) Kapau 'oku uesia 'e he ola (output) pe ola (outcome) 'o e Sisitemi Lesisita Fakapule'anga mo e Faka'ilonga'i Faka'ilekitulonika ha taha 'i he tu'unga taautaha 'o e taha ko ia, kuo pau 'e 'ikai ta'ofi ha ola (output) pe ola (outcome) pehe mei he'ene hoko ko ha "tu'utu'uni pule'i fakangaue" koe'uhi ko e ngaahi taumu'a 'o e Lao ki he 'Omipatimeni [Vahe 2.02] 'o tu'unga koe'uhi na'e tupu mei ha sisitemi pule'i ngaue, founga ngaue fakahoko iate ia pe pe ko hono fakataha'i kinaua.
- (6) 'E ngofua ke kau ki he ola (output) pe ola (output) 'i he kupu-si'i (5) 'o 'ikai fakangatangata ki hono lekooti pe ko hono ngaue'aki kehe 'o e fakamtala taautaha, 'a e tuku atu pe 'ikai tuku atu 'o ha tohi fakamo'oni, tu'utu'uni 'o e taau ke lesisita 'i he Teitapeisi Fakamo'oni Faka'ilekitulonika, ko hono 'oatu 'o ha UIN pe ha faka'ilonga fekau'aki, ko ha ngaue'aki ta'efakalao 'o e fakamatala pe ko e ola 'o ha founga ngaue fakamo'oni'i.

KONGA V – 'IKAI FAIPAU MO E NGAHI HIA**62 Lesisita loi 'o ha faifekau**

Ka 'i ai ha taha kuo pau 'oku ne fekau ke lesisita hono hingoa ko ha faifekau 'o ha siasi, ko ia 'i he taimi ko ia 'oku 'ikai ko ha faifekau pehe pea 'oku ne 'ilo'i ko ia 'oku 'ikai ko ha taha pehe, kuo pau ke ne halaia ki ha hia 'o maumau ai 'a e Lao ni pea 'i ha'ane halaia kuo pau ke ne ala mo'ua ki ha mo'ua pa'anga 'o 'ikai lahi hake 'i he

\$10,000 pe ko 'ene ngaue popula ki ha vaha'a taimi 'oku 'ikai laka hake 'i he ta'u 'e 2 pe fakatou'osi.

63 Fakaha 'ikai mo'oni 'o fekau'aki mo e mali

Ka 'i ai ha taha 'oku ne 'ilo pea loto 'aki ke 'ave ha fakamatala loi ke ma'u mai ha laiseni mali kuo pau ke ne halaia ki ha hia pea 'i ha'ane halaia kuo pau ke ne ala mo'ua ki he ngaue popula ki ha vaha'a taimi 'ikai laka hake 'i he ta'u 'e 2 pe ki ha mo'ua pa'anga 'o 'ikai lahi hake 'i he \$10,000 pe fakatou'osi.

64 Fakamatala loi felave'i mo e ngaahi fa'ele pe pekia

Ka 'i ai ha taha 'oku ne 'ilo pea loto 'aki ke 'ave ha fakamatala loi ke fakahoko ha leisisita 'o ha fa'ele pe pekia kuo pau ke ne halaia ki ha hia pea 'i ha'ane halaia kuo pau ke ne ala mo'ua ki he ngaue popula ki ha vaha'a taimi 'ikai laka hake 'i he ta'u 'e 2 pe ki ha mo'ua pa'anga 'o 'ikai lahi hake 'i he \$10,000 pe fakatou'osi.

65 Fakamatala loi felave'i mo e Teita Fakamo'oni'i

Ka 'i ai ha taha 'oku ne 'ilo pea loto 'aki ke 'ave ha fakamatala loi felave'i mo ha teita fakamo'oni'i mo taumu'a ke fakahu 'a e fakatamala tatau ki he Teitapeisi Fakamo'oni Fakakomipiuta kuo pau ke ne halaia ki ha hia pea 'i ha'ane halaia kuo pau ke ne ala mo'ua ki he ngaue popula ki ha vaha'a taimi 'ikai laka hake 'i he ta'u 'e 2 pe ki ha mo'ua pa'anga 'o 'ikai lahi hake 'i he \$10,000 pe fakatou'osi.

66 Fakapuli

Ka 'i ai ha taha —

- (a) 'oku ne lesisita loi ia 'i he 'ilo pau 'i he Teitapeisi Fakamo'oni Faka'ilekitulonika ko ha taha kehe, 'o tatau pe ko e taha ko ia 'oku mo'ui pe kuo pekia, 'aki hono fakahu atu 'o e fakamatala loi, pe 'oku ne feinga ke fakahoko pehe;
- (b) 'oku ne fakaha loi ia 'i he 'ilo pau ko ha taha kehe 'oku fekau'aki mo ha UIN pe ha faka'ilonga felave'i, 'o tatau pe ko e taha ko ia 'oku mo'ui pe kuo pekia, pe 'oku ne feinga ke fakahoko pehe;
- (c) 'oku ne liliu pe feinga ke liliu ha Teita Fakamo'oni'i 'o ha taha kuo lesisita 'a ia kuo ngaue'aki 'i he Teitapeisi Fakamo'oni Faka'ilekitulonika 'aki 'a e taumu'a ke fakatupu ha uesia pe maumau ki he taha kuo lesisita ko ia, pe 'i he taumu'a ke pule'i 'a hono faka'ilonga'i; pe
- (d) kuo 'ikai fakamafai ke ne tanaki ha fakamatala 'i he ngaahi tu'utu'uni 'o e Lao ni, 'i he lea, ngaue pe 'ulungaanga ka 'oku fakangalingali kuo fakamafai ia ke ne fakahoko pehe;

kuo pau ke ne halaia ki ha hia pea 'i ha'ane halaia kuo pau ke ne ala mo'ua ki he ngaue popula ki ha vaha'a taimi 'ikai laka hake 'i he ta'u 'e 2 pe ki ha mo'ua pa'anga 'o 'ikai lahi hake 'i he \$10,000 pe fakatou'osi.

67 Fakaha 'ikai fakamafai' 'o e teita

- (1) Ka 'i ai ha taha 'oku ngaue pe kehe ange mei ai kuo aleapau ngaue pe fakakau mai 'e he Failesisita Seniale koe'uhi ko e ngaahi taumu'a 'o e Lao ni, ko ha failesisita tokoni, sino 'oku kole, taha ngaue'aki 'o e teita pe ha taha kehe, 'o 'ikai ha makatu'unga 'oku fakalao, 'oku ne fakaha, tufaki, ha ngaahi tatau pe kehe ange 'oku ne tufaki ha teita taautea kuo tanaki pe na'e ngaue'aki 'i hono fakahoko 'o e lesisita ki ha taha na'e 'ikai fakamafai 'i he Lao ni pe ngaahi tu'utu'uni kuo fa'u 'i heni pe maumau ai ha aleapau kuo kau ki ai 'o fakatatau mo e ngaahi tu'utu'uni 'o e Lao ni, kuo pau ke ne halaia ki ha hia pea 'i ha'ane halaia kuo pau ke ne ala mo'ua ki he ngaue popula ki ha vaha'a taimi 'ikai laka hake 'i he ta'u 'e 3 pe ki ha mo'ua pa'anga 'o 'ikai lahi hake 'i he \$20,000 pe fakatou'osi.
- (2) Kuo pau 'e 'ikai ngaue'aki 'a e kupu-si'i (1) ki hono fakaha, 'ave, hiki tatau pe ki ha tufaki kehe kuo fakahoko 'i he mafai 'o e lao pe ha tu'utu'uni fakaefakamaau'anga.

68 'ikai faipau 'a e ngaahi sino 'oku kole mo kinautolu 'oku ngaue'aki 'a e teita

- (1) Kuo pau ke ala mo'ua ha sino 'oku kole pe taha ngaue'aki 'o e teita 'oku 'ikai ke ne faipau ki ha kupu 'o e Lao ni 'a ia kuo fa'u 'i heni ke totongi ha mo'ua pa'anga 'o 'ikai lahi hake 'i he \$10,000 ki he fuofua 'ikai faipau mo e \$20,000 ki ha ngaahi 'ikai faipau 'amui.
- (2) 'E ngofua ke tu'utu'uni 'e he Failesisita Seniale 'i ha taimi pe 'a e ngaahi sino 'oku kole mo e ni'ihii 'oku ngaue'aki 'a e teita kenau 'oatu ha fakamatala felave'i mo 'enau ngaahi ngaue 'i he Lao ni 'i he fakakaukau ke fakamo'oni' 'aki 'enau faipau ki ai.
- (3) Kapau 'oku 'i ai ha 'uhinga ke tui 'a e Failesisita Seniale kuo 'ikai faipau ha sino 'oku kole pe ha taha ngaue'aki 'o e teita ki he Lao ni, kuo pau ke fakaha ia 'e he Failesisita Seniale ki he ma'u mafai totonu pea tokoni ki ai 'i ha fakatotolo pe.

69 Fakangatangata 'o e faka'ilo

Kuo pau 'e 'ikai fakahoko ha faka'ilo 'o ha taha ki ha hia 'i he kupu 65, 66 pe 67 'o e Lao ni tukukehe kapau kamata ngaue'aki 'a e me'a tatau 'i loto 'i he ta'u 'e 5 mei he taimi na'e fakahoko ai 'a e hia ko ia.

KONGA VI – FAKALUKUFUA

70 Ngaahi 'Ofisi Tokoni Failesisita

Kuo pau ke fokotu'u 'e he Failesisita Seniale ha ngaahi senita fakahoko ngaue mo ha 'ofisi failesisita si'i fakataha mo ha ngaahi naunau taau 'i he ngaahi feitu'u totonu koe'uhi ko e taumu'a 'o 'ene ngaahi ngaue 'i he Lao ni, kau ki ai hono –

- (a) ma'u mo hono tufaki 'o e fakamatala ki he kakai 'o fekau'aki mo e Teitapeisi Fakamo'oni Faka'ilekitulonika mo e ngaahi UIN;
- (b) ma'u, fakatonutonu mo tufaki 'a e fakamatala koe'uhi ko e taumu'a ke lesisita, fakaha 'a e ngaahi UIN mo e ngaahi me'a kehe 'i hono ngaue'aki 'o e founa ngaue ki he fakamo'oni'i;
- (c) ma'u 'o e ngaahi fakaha mo e fakamatala kuo fakatonutonu, mo hono tufaki 'o e ngaahi tohi fakamo'oni, 'i he Konga I 'o e Lao ni;
- (d) totongi mo ma'u 'o ha ngaahi totongi kuo tu'utu'uni;
- (e) tali 'o e ngaahi fehu'i mei he kakai; mo
- (f) ha taumu'a kehe kuo tu'utu'uni koe'uhi ko e ngaahi fatongia 'o e Failesisita Seniale 'i he Lao ni.

71 Ngaahi Totongi

Kuo pau ke tu'utu'uni 'e he Ngaahi Tu'utu'uni 'a e ngaahi totongi 'e ala hilifaki 'i he Lao ni.

72 Mafai ke fa'u 'a e ngaahi tu'utu'uni

'E ngofua ke fa'u 'e he Failesisita Seniale 'i he loto ki ai 'a e Kapineta ha ngaahi tu'utu'uni ke tu'utu'uni ki he kotoa 'o e ngaahi me'a 'a ia kuo tu'utu'uni pe kuo fakangofua ke tu'utu'uni 'e he Lao ni, pe 'a ia 'oku taau pe 'aonga ke tu'utu'uni ki hono fakahoko pe kamata ngaue'aki 'o e Lao ni.

73 Fakapekia mo e ngaahi fakahaofi

- (1) 'Oku fakapekia 'i heni 'a e Lao ki he Lesisita 'o e Fa'ele, Pekia mo e Mali [Vahe 6.01].
- (2) Neongo 'a e kupu-si'i (1) –
 - (a) kuo pau ke hoko atu pe hono ngaue'aki ha tu'utu'uni (regulation), tu'utu'uni (lao), tu'utu'uni (order), fanongonongo (notice) pe ha lao fakalahi kehe pe ha tu'utu'uni kuo fa'u 'o fakatatau mo e Lao ki he Lesisita 'o e Fa'ele, Pekia mo e Mali mo e ngaahi foomu mo e ngaahi totongi kuo tu'utu'uni 'i he Tepile 1, Tepile 2, Tepile 3, Tepile 4, Tepile

5, Tepile 6 mo e Tepile 7 'o e Lao ki he Lesisita 'o e Fa'ele, Pekia mo e Mali [Vahe 6.01], kapau 'oku ngaue'aki ia 'i hono kamata ngaue'aki 'o e Lao ni, kae 'oua kuo fetongi 'e ha tu'utu'uni (regulation), tu'utu'uni (rule), tu'utu'uni (order), fanongonongo (notice) pe ha lao fakalahi kehe pe tu'utu'uni kuo fa'u 'i he Lao ni; pea

- (b) ko ha ngaue, tu'utu'uni pe ha me'a kehe kuo fakahoko 'o fakatatau ki he Lao ki he Lesisita 'o e Fa'ele, Pekia mo e Mali kuo pau ke lau ia kuo fakahoko 'i he Lao ni.

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

FAKAMATALA FAKALAHİ

(‘Oku ‘ikai hoko ‘a e ngaahi fakamatala ni ko ha konga ‘o e Lao Fakaangaanga
pea ‘oku taumu‘a pe ke ne fakamatala‘i hono ngata‘anga mo e taumu‘a)

Ko e Lao Fakaangaanga kuo fa‘u ia ke ne fokotu‘u ha fa‘unga fakalao kakato ki hono
pule‘i ‘o e lesisita sivile mo e fakamo‘oni fakakomipiuta ‘i Tonga. Ko hono tefito‘i
taumu‘a ke fakaonopooni mo fakafaingofua ‘a e ngaahi founa hono lekooti ‘o e ngahai
‘iveni mahu‘inga ‘o hange ko e ngaahi fa‘ele‘i, pekia, mali, mo e ngaahi ohi. ‘Oku
fakafe‘iloaki mai ‘e he Lao Fakaangaanga ha Teitapeisi Fakamo‘oni Fakakomipiuta, ‘a
ia ‘oku taumu‘a ke ne fakalelei‘i ‘a e tonu mo e ola lelei ‘o e fakamo‘oni fakafo‘ituitui,
‘o fakafaingofua ai ‘a e ngaahi fengau‘aki lelei ‘i he vaha‘a ‘o e kakai mo e ngaahi
ngaue kehekehe ‘a e pulse‘anga. ‘I hono fakakau atu ‘o e ngaahi tekinolosia
fakakomipiuta ki he lesisita sivile, ‘oku feinga ‘a e Lao Fakaangaanga ke fakalelei‘i
hono pulse‘i ‘o e teita, fakapapau‘i ‘a e malu ‘a e fakamatala fakafo‘ituitui, pea
faipoupoua ‘a hono fakahoko lelei ‘o e ngaahi ngaue ma‘ae kakai. ‘Ikai ko ia pe, ‘oku
fenapasi ia mo e ngaahi tu‘unga fakaonopooni ki hono malu‘i ‘o e teita mo e totonu ki
he me‘a fakafo‘ituitui, ke fakapapau‘i ‘oku malu‘i ‘a e ngaahi totonu ‘a e kakai ‘i he
kuonga faka‘ilekitulonika.

‘Oku fokotu‘utu‘u lelei ‘a e Lao Fakaangaanga ki ha ngaahi konga kehekehe, ko e konga
takitaha ‘oku fakamatala ia ki he ngaahi tafa‘aki pau ‘o e lesisita sivile mo e
fakamo‘oni‘i fakakomipiuta. ‘I he fakakatoa, ko e Lao Fakaangaanga ‘oku lahi hono
ngaahi kupu, ‘a ia kuo fokotu‘utu‘u lelei ke ne ma‘u ‘a e tu‘unga kakato ‘o e lesisita
sivile mo e ngaahi ngaue fakamo‘oni‘i faka‘ilekitulonika. Ko e fa‘unga ‘o e Lao
Fakaangaanga ‘oku vahevahe ia ki he konga lalahi ‘e ono: Talateu mo e Fakahoko
Ngaue, Lesisita Sivile, Fakamo‘oni‘i Fakakomipiuta, Malu‘i ‘o e Teita mo e Totonu ki
he Me‘a Fakafo‘ituitui, ‘Ikai Faipau mo e Ngaahi Hia, mo e Ngaahi Tu‘utu‘uni
fakalukufua. Ko e konga takitaha ‘oku ‘i ai ha ngaahi kupu pau ‘a ia ‘oku fakaikiiki ai
‘a e ngaahi founa ngaue, fatongia, mo e ngaahi tu‘utu‘uni fakalao ‘oku fekau‘aki mo
e ngaahi tafa‘aki kehekehe ‘o e lesisita sivile and fakamo‘oni‘i fakakomipiuta. ‘Oku
fakapapau‘i ‘e he founa fokotu‘utu‘u ko ‘eni ‘a e mahino mo e kakato, ‘e malava ai ke
fakahoko mo pulse‘i lelei ‘a e ngaahi tu‘utu‘uni ‘o e Lao Fakaangaanga. ‘Oku tuku atu
‘e he ngaahi tepile ‘oku fakakau mai ‘i he ngata‘anga ‘o e Lao Fakaangaanga ha ngaahi
fakaikiiki makehe mo e ngaahi foomu ‘e fie ma‘u ki hono ngaue‘aki ‘o hono ngaahi
tu‘utu‘uni, ‘o fakalahi ange ai pe hono ngaue‘aki mo hono ‘aonga.

KONGA I: TALATEU & FAKAHOKO NGAUE

Kupu 1: ‘Oku fakafe‘iloaki mai ‘e he kupu ko ‘eni ‘a e hingoa ‘o e Lao mo fakamahino
pau ‘a e ‘aho ‘e kamata ngaue‘aki ai ‘a e Lao, ko e faka‘ilonga‘i ‘a e kamata‘anga ‘o
hono ngaue‘aki fakalao.

Kupu 2: ‘Oku ne tuku atu ‘a e ngaahi ‘uhinga‘i lea kakato ki he ngaahi tefito‘i lea mo
e ngaahi konga lea ‘oku ngaue‘aki ‘i he kotoa ‘o e Lao. ‘Oku mahu‘inga ‘eni ki hono

fakapapau'i 'oku 'i ai 'a e 'ilo mahino mo tatau 'o kau ki he ngaahi tu'utu'uni 'o e lao 'i he kotoa 'o e kau memipa felave'i.

Kupu 3: 'Oku ne fakaikiiki 'a hono fokotu'u 'o e 'Ofisi 'o e Failesisita Pule, 'o fakaha 'a hono fatongia mo e mafai. 'Oku mahu'inga 'a e 'ofisi ko 'eni ki hono pule'i 'o e ngaue'aki mo e fakahoko 'o e ngaahi tu'utu'uni 'o e Lao.

KONGA II: LESISITA SIVILE

Kupus 4-37: 'Oku fokotu'u fakatahataha 'e he ngaahi kupu ko 'eni 'a e Lesisita Sivile, 'a ia ko ha lekooti pule ki he kotoa 'o e ngaahi me'a mahu'inga 'o hange ko e ngaahi fa'ele'i, pekia, mo e ngaahi mali 'i loto 'i he Pule'anga. 'Oku nau fakaikiiki 'a e ngaahi founa ki hono lesisita 'a e ngaahi me'a ko eni, foaki 'o e ngaahi tohi fakamo'oni faka'ofisiale, mo hono tokanga'i 'a e ngaahi keisi makehe, 'o hange ko e ngaahi me'a fekau'aki mo e kau tangata'i fonua 'a ia 'oku hoko 'i tu'a 'i he Pule'anga. 'Oku fakapapau'i 'e he Konga ko 'eni 'oku lekooti founa totonu mo fakamo'oni 'i 'a e ngaahi me'a mahu'inga kotoa pe.

KONGA III: TEITAPEISI FAKAMO'ONI FAKAKOMIPIUTA

'Oku fokotu'u 'e he ngaahi konga ko 'eni ha fa'unga fakalukufua ki he fakamo'oni 'i faka'ilekitulonika, ke fakapapau'i 'a e totonu mo e malu hono pule'i 'o e teita fakamo'oni fakafo'ituitui kae taimi tatau 'oku fakafaingofua 'i hono fakahoko lelei 'o e ngaue mo e vahevahe faka'ilekitulonika 'o e teita 'i he ngaahi tafa'aki kehekehe.

Kupu 38 - Teitapeisi Fakamo'oni Fakakomipiuta

'Oku fokotu'u 'e he kupu ko 'eni 'a e Teitapeisi Fakamo'oni Fakakomipiuta, ko ha lesisita faka'ilekitulonika pule ki hono tauhi 'o e ngaahi fakamatala fakafo'ituitui kuo fakamo'oni 'i. 'Oku kau 'i he ngaahi tefito'i taumu'a 'o e ngaahi teitapeisi 'a hono fakafaingofua 'i 'o e fakamo'oni 'i faka'ilekitulonika 'o e fakafo'ituitui pea hoko ko ha ma'u'anga fakamatala falala'anga ma'a e ngaahi kautaha 'a e pule'anga mo e sekitoa taautaha. 'Oku fa'u ia ke ne fakalelei 'i 'a e tu'unga fakahoko ngaue mo poupu ki he ngaahi fakatotolo fakasaienisi mo e fakalakalaka fakasosiale mo faka'ekonomika.

Kupu 39 - Lesisita 'i he Teitapeisi Fakamo'oni Fakakomipiuta

'Oku fokotu'u atu 'e he kupu ko 'eni 'a e makatu'unga mo e founa ki hono lesisita 'o e kakai 'i he Teitapeisi Fakamo'oni Fakakomipiuta. 'Oku kau ai 'a e kakai kotoa pe 'oku nofo 'i Tonga, tangata'i fonua 'oku nofo muli, mo e fanau kotoa pe na'e fa'ele'i 'i Tonga. 'Oku kau 'i he founa lesisita 'a hono vahe'i 'o ha Fika Fakamo'oni 'i Fakafo'ituitui (UIN) ki he taha takitaha pea lekooti ha fakamatala fakafo'ituitui pau. 'Oku fakapapau'i 'e he kupu ko 'eni ko e taha kotoa pe 'oku 'i loto 'i he fakangatangata 'o e Lao 'oku lau ia 'i he teitapeisi.

Kupu 40 – Fakapapau'i mo e Tamate'i 'o e Fakamatala Tatau

'Oku fakamamafa'i 'e he kupu ko 'eni 'a e mahu'inga 'o e teita 'oku tonu mo falala'anga 'i he Teitapeisi Fakamo'oni Fakakomipiuta. 'Oku ne tu'utu'uni 'a hono fakamo'oni'i 'o e ngaahi tu'unga fakafo'ituitui kimu'a pea toki lesisita mo hono fakahoko 'o e ngaahi founa ke ta'ofi 'aki 'a e ngaahi fakahu teita tu'o ua. 'Oku mahu'inga 'a e founa ko 'eni ki hono tauhi 'o e falala'anga 'o e teitapeisi mo fakapapau'i 'oku ma'u 'e he taha fakafo'ituitui kotoa pe ha tu'unga faka'ilekitulonika makehe.

Kupu 41 – Ma'u'anga 'o e Ngaahi Tohi Ngaue mo e Fakamatala

'Oku tokanga'i 'e he kupu ko 'eni 'a e ngaahi ma'u'anga fakamatala mo e ngaahi tohi ngaue 'oku ngaue'aki ki hono fakamo'oni'i 'i he Teitapeisi Fakamo'oni Fakakomipiuta. 'Oku ne tu'utu'uni 'a e Failesisita Seniale ke ne sivi 'a e falala'anga 'o e ngaahi ma'u'anga fakamatala ko 'eni pea ke ne toki lekooti pe 'a e ngaahi fakamatala 'a ia 'oku ne pehe 'oku falala'anga. 'Oku fakapapau'i 'e he kupu ko 'eni 'a e mo'oni mo e tonu 'o e ngaahi teita kuo fakahu.

Kupu 42 – Kau Fakafongia Kuo Fakamafai'i 'o e Fanau, Ni'ihii 'Ikai Malava, Kau Tangata'i Fonua Matu'otua, mo e Ni'ihii Kehe

'I hono fakatokanga'i 'oku 'i ai ha kakai 'e ni'ihii 'e 'ikai ke nau lava 'o fakafongia'i kinautolu 'i he founa lesisita, 'oku faka'ata ai 'e he kupu ko 'eni ha kau fakafongia kuo fakamafai'i ke fakafongia'i kinautolu. 'Oku kau heni 'a e fanau iiki, ni'ihii fakafo'ituitui 'oku faingata'a'ia fakaesino, kakai matu'otu'a, mo e ni'ihii kehe 'e ala fie ma'u tokoni. 'Oku ne fakapapau'i ko e founa lesisita 'oku ne fakakau kotoa mai pea 'oku 'ata ki he taha kotoa.

Kupu 43 – Fakatonutonu 'o e Teitapeisi Fakamo'oni Fakakomipiuta

'Oku tu'utu'uni 'e he kupu ko 'eni ke tauhi 'e he Failesisita Seniale 'a e fakamatala fakamuimitaha mo tonu. 'Oku ne tu'utu'uni ke lipooti 'e he ni'ihii fakafo'ituitui ha ngaahi liliu 'i he'enu Teita Fakamo'oni'i mo tuku atu ha founa ke nau fakatonutonu 'aki 'enu fakamatala. 'Oku mahu'inga 'a e founa fakatonutonu hokohoko ko 'eni ki he tonu mo e 'aonga 'o e teitapeisi.

Kupu 44 – Tu'unga Fakalao 'o e Teita Fakamo'oni'i

'Oku fokotu'u 'e he kupu ko 'eni 'a e fakakaukau fakalao 'oku tonu 'a e Teita Fakamo'oni'i 'i he teitapeisi. 'Oku ne fakafatongia 'aki 'a e ngaahi potungaue pule'anga, potungaue, mo e ngaahi kautaha ke fakatefite 'enu ngaahi 'ekitiviti mo e ngaahi ngaue 'i he teita ko 'eni, ke faka'ilonga'i 'aki 'a e tu'unga mafai 'o e teitapeisi 'i he ngaahi felu'aki fakafonua mo e pule'anga.

Kupu 45 – Fengaue'aki Fakakomipiuta mo e Ngaahi Teitapeisi Fakapule'anga Kuo Tali

'Oku tokanga taha 'a e kupu ko 'eni 'i hono fakataha'i 'o e Teitapeisi Fakamo'oni Fakakomipiuta mo e ngaahi teitapeisi kehe 'a e pule'anga. 'Oku fakataumu'a ia ke ne fa'u ha founga fevahevahe'aki fakamatala 'oku 'ikai hano mele mo lelei, fakalelei'i 'a e fakahoko ngaue pea fakasi'isi'i 'a e founga ngaue fakafaingata'a 'i he pule'anga. 'Oku taumu'a 'a e fengaue'aki fakakomipiuta ke fakafaingofua'i hono ngaue'aki 'o e ngaahi UIN 'i he ngaahi tafa'aki kehekehe 'a e pule'anga.

Kupu 46 – Kole 'a e Sino 'oku Kole ki he Teita Fakamo'oni'i

'Oku fokotu'u 'e he kupu ko 'eni 'a e founga 'e lava 'e he ngaahi kautaha mei tu'a, 'a ia 'oku ui ko e "ngaahi sino 'oku kole," 'o kole ke a'u ki he Teita Fakamo'oni mei he teitapeisi. 'Oku ne fokotu'u 'a e ngaahi makatu'unga 'e lava ke fevahevahe'aki ai ha teita pehe, 'o fakapapau'i 'oku ngaue'aki totonu pea ki ha ngaahi taumu'a 'oku fakalao.

Kupu 47 – Ngaahi Sino 'oku Kole

'Oku faka'uhinga'i 'e he kupu ko 'eni 'a ia 'e ala lau ko ha "sino 'oku kole" 'oku fe'unga ke a'u ki he Teitapeisi Fakamo'oni Fakakomipiuta. 'Oku kau ai 'a e kau minisita 'a e pule'anga, ngaahi potungaue, kautaha mo e ngaahi kautaha taautaha 'e ni'ihī. 'Oku mahu'inga 'a e a'u ko 'eni ki he ngaahi kautaha ko 'eni ke fakakakato honau ngaahi fatongia fakalao mo fakahoko lelei 'a e ngaahi ngaue.

Kupu 48 – Faipau 'a e Sino 'oku Kole

'Oku tu'utu'uni 'e he kupu ko 'eni 'a e faipau mei he ngaahi fa'ahi 'oku 'i ai honau ngaahi fatongia 'oku fokotu'u 'i he Lao, kau ai 'a e talangofua ki he lao mo e ngaahi founga fakatekinikale ki hono malu'i mo e falala'anga 'o e teita. 'Oku ne fakapapau'i 'oku tauhi 'e he ngaahi kautaha 'oku nau a'u ki he teitapeisi 'a e ngaahi tu'unga ma'olunga taha 'o e Malu'i 'o e Teita mo e Totonu ki he Me'a Fakafo'ituitui.

Kupu 49 – Ngaahi Kole Fakamatala 'a e Sino 'oku Kole

'Oku tu'utu'uni 'e he kupu ko 'eni ke 'ata ki tu'a 'a e ngaahi fa'ahi 'i he taimi 'oku kole ai ha fakamatala mei he teitapeisi. Kuo pau ke nau fakahaa'i 'a e natula 'o e fakamatala 'oku kole, ko e ngaue'aki 'oku taumu'a ki ai, ko ha ngaahi fa'ahi hono tolu 'oku kau ki ai, mo e loloa tenau tauhi ai. 'Oku mahu'inga 'a e 'ata ki tu'a ko 'eni ke tauhi 'aki 'a e falala 'a e kakai ki he sisitemi.

Kupu 50 – Ngaahi Founga Malu'i

'I hono 'ilo'i 'a e malava ke hoko ha ngaahi tōnounou fakatekinikale, 'oku fokotu'u atu ai 'e he kupu ní 'a e ngaahi founga ki he tokanga'i 'o e ngaahi me'a hā ngali kehe mo e ngaahi

tōnounou 'i he Teitapeisi Fakamo'oni Fakakomipiuta. 'Oku fakataumu'a ke fakapapau'i 'oku 'ikai ke uestia kovi 'a e ni'ihi mo e ngaahi sino kole 'e he ngaahi me'a na'e hoko.

Kupu 51 – Fakatau mai, ngaahi tu'uaki koloa mo e ngaahi tekinolosia

'Oku tokanga'i 'e he kupu ni 'a e ngaahi tafa'aki fakatekinikale 'o e Teitapeisi Fakamo'oni Fakakomipiuta, kau ai 'a hono fakatau 'o e tekinolosia mo e fili 'o e kau fakatau. 'Oku fakamamafa'i ai 'a e faka'aonga'i 'o e ngaahi tu'unga 'ataa mo e ngaahi tekinolosia ke faka'ehi'ehi mei he tāfataha pe ki ha taha fai fakatau 'e taha mo fakapapau'i 'a e ngaue'aki fe'ungamālie mo e fengāue'aki fakataha 'i he kaha'u.

Kupu 52 – Fakamatala ki he kakai fekau'aki mo hono fakahoko 'a e ngaue ki he 'enau ngaahi fakamatala taautaha

Ko e kupu ni 'oku fakataumu'a ke faka'ilo ki he ni'ihi fekau'aki mo e founa 'a hono ngaue'aki 'a 'enau ngaahi fakatamala fakafo'ituitui 'i loto 'i he Teitapeisi. 'Oku ne ma'u 'a e ngaahi tafa'aki hangē ko e taumu'a 'o e tanaki teita, fa'ahinga fakamatala 'oku vahevahe, mo e totonu 'a e ni'ihi fakafo'ituitui fekau'aki mo 'enau ngaahi teita. Ko e Kupu ni 'oku mahu'inga 'aupito 'i hono pukepuke 'a e ngaahi tefito'i mo'oni 'a hono malu'i 'o e teita mo e ngaahi totonu fakafo'ituitui.

Kupu 53 – Vahe'i 'o e ngaahi UIN mo e ngaahi faka'ilonga

'Oku fakaikiiki 'e he kupu ni 'a e vahevahe 'o e ngaahi Fika Fakamo'oni Makehe (UINs) mo e ngaahi faka'ilonga fekau'aki ki he ni'ihi kuo lesisita 'i he teitapeisi. 'Oku ne fokotu'u mai 'a e taumu'a, fa'unga, mo hono pule'i 'o e ngaahi faka'ilonga ko 'eni, fakapapau'i 'oku nau makehe mo malu.

Kupu 54 – Fakata'e'aonga'i 'o e ngaahi UIN mo e ngaahi faka'ilonga

'Oku ma'u 'e he kupu ni 'a e ngaahi tu'unga 'e lava ke UINs mo e ngaahi faka'ilonga 'e ala fakata'e'aonga'i, 'o hange ko ha pekia 'o ha ni'ihi pe maumau'i 'o e totonu 'o e teita. 'Oku fakapapau'i ko e teitapeisi 'oku kei lolotonga mo malu.

Kupu 55 – Tu'unga 'o e UIN mo e faka'ilonga fekau'aki

Ko e kupu ni 'oku ne fokotu'u 'a e tu'unga fakalao 'o e UINs mo e ngaahi faka'ilonga, fekau'i 'enau tali 'a e ngaahi kautaha kehekehe ki he ngaahi taumu'a faka'ilonga'i. 'Oku ne fakamamafa'i 'a e mahu'inga 'o e ngaahi faka'ilonga ko 'eni 'i he sisitemi faka'ilonga fakakomipiuta.

Kupu 56 – Fengaue'aki mo e ngaahi kautaha kehe

'Oku fakahoko 'e he kupu ni 'a e fetu'utaki ma'u pē 'i he vaha'a 'o e Failesisita Seniale mo e ngaahi fakafofonga pe ngaahi kautaha kehe. 'Oku fakataumu'a ke fakaapapau'i 'oku

tu'uma'u mo lelei hono ngaue'i 'o e sisitemi UIN 'i he ngaahi sekitoa kehekehe pea mo hono tauhi ki he fakamuimui taha 'o e teita mo e ngaahi tu'unga fakafo'ituitui.

KONGA IV: MALU'I 'O E FAKAMATALA MO E TOTONU KI HE ME'A FAKAFO'ITUITUI

Ko e ngaahi kupu fakatahataha ni 'oku nau fakapapau'i 'oku ngaue 'a e Sisitemi Lesisita Sivile 'i he tu'unga ma'olunga 'a hono malu'i 'o e teita mo e fakapulipuli, 'o foaki ki he ni'ihi fakafo'ituitui 'a e ngaahi totonu ki he 'enau fakamatala fakafo'ituitui mo hono fokotu'u 'o e ngaahi fatongia mahino ki he ni'ihi 'oku nau tokanga'i 'o e teita.

Kupu 57 – Ngaahi fatongia 'o e Failesisita Seniale 'i he Lao ki he Totonu ki he Me'a Fakafo'ituitui

Ko e kupu ni 'oku ne fokotu'u atu 'a e ngaahi fatongia 'o e Failesisita Seniale 'i hono tauhi 'o e Lao ki he Totonu 'o e Me'a Fakfo'ituitui. 'Oku ne fakamamafa'i 'a e fiema'u ke tokanga'i fakapotopoto 'a e teita fakafo'ituitui 'i he sisitemi lesisita sivile, fakapapau'i ko e teita 'oku tanaki, tauhi mo ngaue'aki 'oku hōhōa tatau mo e ngaahi lao ki he ngaahi me'a fakafo'ituitui mo e malu'i 'o e teita.

Kupu 58 – Totonu ki he fakamatala

Ko e kupu ni 'oku ne foaki ki he ni'ihi fakafo'ituitui 'a e totonu ke nau hū ki he 'enau ngaahi fakamatala fakafo'ituitui 'oku tauhi 'i he sisitemi lesisita sivile. 'Oku ne faka'ata ke 'ilo 'e he ni'ihi fakafo'ituitui ko e ha 'a e teita 'oku tauhi, founga hono ngaue'aki, mo e fakapapau'i 'a e 'ata ki tu'a 'a hono ngaue'aki.

Kupu 59 – Totonu ke fakatonutonu

Ko e kupu ni 'oku ne 'oange 'a e totonu ki he ni'ihi fakafo'ituitui ke nau kole ha ngaahi fakatonutonu ki he 'enau ngaahi teita fakafo'ituitui 'i he sisitemi lesisita sivile. 'Oku ne fakapapau'i 'e lava 'e he ni'ihi fakafo'ituitui 'o fakamo'oni ha ngaahi hala pe ngaahi fehalaaki 'i he 'enau fakamatala fakafo'ituitui, tauhi e totonu 'o 'enau teita.

KONGA V: 'IKAI FAIPAU MO E NGAHI HIA

Ko e ngaahi kupu fakatahataha ni 'oku nau fo'u 'a e fa'unga fakalao kakato ke fakalelei'i mo tautea'i 'a e 'ikai faipau mo e ngaahi hia fekau'aki ki he lesisita sivile mo e ngaue fakamo'oni fakakomipiuta. 'Oku nau mahu'inga ki hono tauhi 'a e totonu, malu, mo e falala'anga 'o e sisitemi lesisita sivile mo e fakamo'oni faka'ilonga'i fakakomipiuta. 'I hono fokotu'u mahino 'a e ngaahi tautea mo e ngaahi fiema'u faipau, 'oku taumu'a 'a e Lao ke ne ta'ofi 'a e ngaahi ngaue kākā pea fakapapau'i 'a e fatongia tauhi 'o e teita fakafo'ituitui.

Kupu 62 – Lesisita loi 'o ha faifekau

Ko e kupu ni 'oku ngaue ki he palopalema 'o e lesisita loi, tautefito ki he tu'unga 'o ha kau 'ofisa lotu. 'Oku fokotu'u ai 'a e ngaahi tautea ki he ni'ihī 'oku nau lesisita loi kinautolu ko e kau faifekau 'o e lotu ki he taumu'a ke fakahoko 'a e ngaahi mali, koe'uhi ke malu'i 'a e totonu 'o e ngaahi lekooti ki he lotu mo e mali.

Kupu 63 – Fakaha 'ikai mo'oni 'o fekau'aki mo e mali

Ko e kupu ni 'oku ne tautea'i 'a e ngaue 'o e fakahoko ha ngaahi fakahā loi pe fakamatala ke ma'u mai ha ngaahi tohi fakamo'oni mali pe ngaahi laiseni. 'Oku taumu'a ke ta'ofi e ngaahi mali kākā 'i hono fakapapau'i ko e ngaahi fakahā kotoa mo e ngaahi tohi fakahū atu ki ha lesisita mali 'oku mo'oni mo totonu.

Kupu 64 – Fakamatal loi felave'i mo e ngaahi fa'ele pe pekia

Ko e kupu ni 'oku ne hilifaki 'a e ngaahi tautea ki ha fakamatala loi fekau'aki mo ha ngaahi fa'ele mo e ngaahi mate. 'Oku mahu'inga ke tauhi 'a e totonu mo falala'anga 'o e ngaahi sitesitika mahu'inga ni 'a ia 'oku mahu'inga ki he ngaahi palani fakapule'anga mo e ngaue fakapule'anga.

Kupu 65 – Fakamatala loi felave'i mo e Teita Fakamo'oni'i

Ko e kupu ni 'oku fakataumu'a ia ke tautea'i 'a e ngaahi tu'utu'uni 'o e fakamatala loi ki ha taumu'a 'o e lesisita 'I he Teitapeisi Fakamo'oni'i Fakakomipiuta. 'I he ngaahi founa 'o e faka'ilonga'i fakafo'ituitui mo e fakamo'oni, fakapapau'i 'a e tonu 'o e fakahū ko e teita 'oku mahui'nga taha.

Kupu 66 – Fakapuli

Ko e kupu ni 'oku fekau'aki mo e hia'o e fakapuli, 'a ia 'oku kau ai 'a e lesisita loi ko ha taha kehe pe ko ha ngaue hala 'aki ha faka'ilonga 'o ha taha kehe, tautefito 'i he tu'unga 'o e Teitapeisi Fakamo'oni Fakakomipiuta. Ko e tu'utu'uni 'oku mahu'inga ki hono ta'ofi 'a e kaiha'a teita pe kākā.

Kupu 67 – Fakaha 'ikai fakamafai'i 'o e teita

Ko e kupu ni 'oku ne fakafepaki'i 'a e fakahā ta'e fakamafai'i 'o e ngaahi teita fakafo'ituitui 'oku tanaki 'i he Lao. 'Oku fokotu'u 'a e ngaahi tautea ki he ni'ihī kuo, 'ikai ma'u ha ngofua fakalao, fakahā e ngaahi fakamatala fakafo'ituitui pelepelengesi, 'o maumau'i ai 'a e ngaahi tu'unga fakafo'ituitui mo fakapulipuli.

Kupu 68 – 'ikai faipau 'a e ngaahi sino 'oku kole mo kinautolu 'oku ngaue'aki 'a e teita

Ko e kupu ni 'oku fakafetifo ia 'i hono fakapapau'i 'oku 'i ai 'a e ngaahi kautaha (ngaahi sino kole mo e kau ngaue ki he fakamatala) 'oku hū pe ngaue'aki 'a e teita mei he Teitapeisi

‘o e Fakamo'oni Fakakomipiuta ke fakamalohia ‘a e faipau mo tokoni ‘i hono fakatotolo‘i ‘o e ‘ikai faipau.

Kupu 69 – Fakangatangata ‘o e Faka‘ilo

Ko e kupu ni ‘oku ne fokotu‘u ha lao fakangatangata ki hono faka‘ilo ‘o e ngaahi hia ‘i he ngaahi tu‘utu‘uni pau ‘i he Kupu ‘o e Lao. ‘Oku fokotu‘u ha taimi ‘a ia kuo pau ke kamata ai ha ngaue fakalao ‘o ‘omai ha palanisi ‘i he vaha‘a ‘o e fiema‘u ke fai ha taliui mo e tefito‘i mo‘oni ‘o e fakalao pau.

KONGA VI: FAKALUKUFUA

Koe ngaahi kupu ni ‘i he Konga VI ‘oku mahu‘inga ‘i he ‘enau ngaue mo e ngaahi tafa‘aki ‘aonga ‘o e fakahoko ‘a e Lao, fakapapau‘i ‘oku lele lelei ‘a e liliu ki he founa fo‘ou pea ko e pule ‘o e sisitemi ‘oku tu‘ulao mo fe‘unga. ‘Oku nau tokonaki mai ‘a e ngaahi fa‘unga fakapule‘anga mo e fakalao ‘oku fiema‘u ke poupou‘i ‘aki ‘a e ngaue lelei ‘a e ngaue ‘o e lesisita sivile mo e faka‘ilonga fakakomipiuta ‘i Tonga.

Kupu 70 – Ngaahi ‘Ofisi Tokoni Failesisita

Ko e kupu ni ‘oku ne fakahoko ‘a e tu‘utu‘uni ke fokotu‘u ‘a e ngaahi senitā sevesi ‘e he Lesisita Seniale. Ko e ngaahi senitā ko eni oku fakataumu‘a ke fakafaingofua‘i hono fakahoko ‘a e Lao ‘aki hono ‘oatu ‘a e ngaahi feitu‘u ‘oku malava ke a‘u ki ai ‘a e fakafehi ‘a e kakai. ‘Oku nau fakahoko ha ngaahi fatongia kehekehe, kau ai ‘a e tufaki atu ‘a e fakamatala fekau‘aki mo e Teitapeisi Fakamo'oni Fakakomipiuta mo e UINs, tokanga‘i ‘a e ngaahi fanongonongo mo e ngaahi lesisita, ‘oatu ‘a e ngaahi tohi fakamo‘oní, mo e ngaue ki he ngaahi fehu‘i ‘a e kakai. ‘Oku fakapapau‘i ‘e he tu‘utu‘uni ko ‘eni ‘a e ngaahi sevesi fekau‘aki mo e lesisita sivile mo e fakamo'oni fakakomipiuta oku malava ke hū ki ai ‘a e kakai kotoa pe ‘a e ngaahi fakamo'oni fakakomipiuta, ‘o fakalahi ai ‘a e taau mo e anga fakakaume‘a ‘a e sisitemi.

Kupu 71 – Ngaahi Totongi

‘Oku foaki ‘e he kupu ni ki he Failesisita Seniale ‘a e mafai ke ne ‘eke ‘a e ngaahi totongi ki he ngaahi sevesi ‘oku ‘oatu ‘i he Lao. Ko e malava ke hilifaki ha ngaahi totongi ‘oku mahu‘inga ia ki hono ma‘u ‘o e ngaahi fakamole fakangaue ki hono tauhi ‘o e sisitemi lesisita sivile mo e Fakamatala Fakamo'oni Fakakomipiuta. ‘Oku tokoni foki ia ki hono fakapapau‘i ‘oku tu‘ulao ‘a e ngaahi sevesi taimi loloa. ‘Oku ‘uhinga ‘a e Kupu ni koe totongi kuo fokotu‘u pea fakalukufua, ngalingali ‘oku fakaikiiki ‘i ha taimi-tēpile pe ko ha tu‘utu‘uni kehe.

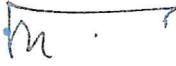
Kupu 72 – Mafai ke fa‘u ‘a e Ngaahi Tu‘utu‘uni

‘Oku fakaivia ‘e he kupu ni ‘a e Failesisita Seniale, ‘i he loto ki ai ‘a e Kapineti, ke ne fakahoko ‘a e ngaahi tu‘utu‘uni ‘oku fiema‘u ki hono fakahoko lelei ‘o e Lao. ‘Oku kau heni ‘a hono tu‘utu‘unia ‘a e ngaahi me‘a ‘oku fiema‘u pe fakangofua ‘e he Lao pe ‘oku fiema‘u

ki hono fakahoko 'o 'ene ngaahi tu'utu'uni. 'Oku mahu'inga 'aupito 'a e kupu ni he 'oku ne 'omai 'a e fe'unu'aki ke fe'unga mo fakalelei'i 'a e founa fakahoko 'o e Lao 'o makatu'unga 'i he ngaahi a'usia 'aonga, ngaahi fakalakalaka fakatekinolosia mo e ngaahi fiema'u liliu 'a e sōsaietí.

Kupu 73 – Fakapekia mo e Ngaahi Fakahaofi

Ko e Kupu ni 'oku lave ia ki he liliu mei he fa'unga fakalao kimu'a ki he sisitemi fo'ou kuo fokotu'u 'e he Lao ni. 'Oku ne fakapekia 'a e Lao ki he Lesisita 'o e Fa'ele, Pekia mo e Mali lolotonga ka 'oku kau foki mo ha kupu fakahaofi ai ke fakapapau'i 'oku lele lelei 'a e liliu. Ko e kupu fakahaofi 'oku angamaheni 'aki hono faka'ata 'a e hokohoko atu 'o e ngaahi ngaue, ngaahi tu'utu'uni (regulations) mo e ngaahi tu'utu'uni na'e fakahoko 'i he malumalu 'o e Lao kuo fakapekia kae 'oua kuo fetongi 'i he malumalu 'o e Lao fo'ou. Ko e founa ko 'eni 'oku ne fakapapau'i 'a 'ene hokohoko fakalao pea ta'ofi ha tonounou fakangaue pe fakalao lolotonga 'a e vaha'a taimi liliú.


Hon. Mo'ale Finau
Minisita Fakamaau'anga



ki hono fakahoko 'o 'ene ngaahi tu'utu'uni. 'Oku mahu'inga 'aupito 'a e kupu ni he 'oku ne 'omai 'a e fe'unu'aki ke fe'unga mo fakalelei'i 'a e founa fakahoko 'o e Lao 'o makatu'unga 'i he ngaahi a'usia 'aonga, ngaahi fakalakalaka fakatekinolosia mo e ngaahi fiema'u liliu 'a e sōsaietī.

Kupu 73 – Fakapekia mo e Ngaahi Fakahaofi

Ko e Kupu ni 'oku lave ia ki he liliu mei he fa'unga fakalao kimu'a ki he sisitemi fo'ou kuo fokotu'u 'e he Lao ni. 'Oku ne fakapekia 'a e Lao ki he Lesisita 'o e Fa'ele, Pekia mo e Mali lolotonga ka 'oku kau foki mo ha kupu fakahaofi ai ke fakapapau'i 'oku lele lelei 'a e liliu. Ko e kupu fakahaofi 'oku angamaheni 'aki hono faka'ata 'a e hokohoko atu 'o e ngaahi ngaue, ngaahi tu'utu'uni (regulations) mo e ngaahi tu'utu'uni na'e fakahoko 'i he malumalu 'o e Lao kuo fakapekia kae 'oua kuo fetongi 'i he malumalu 'o e Lao fo'ou. Ko e founa ko 'eni 'oku ne fakapapau'i 'a 'ene hokohoko fakalao pea ta'ofi ha tonounou fakangaue pe fakalao lolotonga 'a e vaha'a taimi liliú.


Hon. Mo'ale Finau
Minisita Fakamaau'anga





Tonga

CIVIL REGISTRATION AND DIGITAL IDENTIFICATION BILL 2025



CIVIL REGISTRATION AND DIGITAL IDENTIFICATION BILL 2025

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CIVIL REGISTRATION AND DIGITAL IDENTIFICATION BILL 2025

A BILL FOR THE UPGRADED CIVIL REGISTRATION SYSTEM AND THE ESTABLISHMENT OF THE DIGITAL IDENTIFICATION DATABASE AND UNIQUE IDENTIFIER NUMBERS

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

PART I – PRELIMINARY AND ADMINISTRATION

1 Short Title and Commencement

- (1) This Act may be cited as the Civil Registration and Digital Identification Act 2025.
- (2) Part III of this Act shall come into force on a date proclaimed by Cabinet and published in a notice in the Gazette.

2 Interpretation

In this Act –

“approved government database” means each of –

- (a) the Civil Register;
- (b) any database maintained by or on behalf of the National Identity Card Office under the National Identity Card Act [Cap 2.16];
- (c) any database maintained by or on behalf of the Ministry of Foreign Affairs recording information about individuals relating to entitlement to and applications for and issuance, renewal and expiration of passports and certificates of identity and directly related matters carried out under the Passports Act [Cap 10.03];
- (d) any database relating to entitlement to and the issuance, renewal and expiration of permits to enter and reside in Tonga maintained under the Immigration Act [Cap 10.01];
- (e) the electoral roll kept by or on behalf of the Supervisor of Elections under the Electoral Act [Cap 2.03];
- (f) any database maintained by or on behalf of the Chief Executive Officer responsible for revenue and customs under the Revenue Services Administration Act 2021 and any other revenue act;
- (g) any database maintained for recording information about individuals relating to applications for and issuance, renewal and expiration of driving licences under the Traffic Act [Cap 24.03];
- (h) any database maintained by or on behalf of the Medical and Dental Practice Board for the purposes of registering medical practitioners, health officers and dentists and dental therapists under the Medical, Dental and Allied Health Practitioners Act 2021;
- (i) any database maintained by or on behalf of the Nurses Board for the purposes of registering midwives, nurses and nurse practitioners under the Nurses, Nurse Practitioners and Midwives Act 2021;
- (j) any database maintained by or on behalf of the Minister for Health or such other minister as is responsible for health services under the Health Services Act [Cap 12.06] and any other act relating to matters of health;
- (k) any database maintained by or on behalf of the Registrar of Business Licences under the Business Licences Act [Cap 17.01];
- (l) any register maintained under the Land Act [Cap 20.01], subject to the approval of the Minister of Lands;
- (m) such other databases of the Government of Tonga as held or are required or authorised by law or regulation to hold personal information referred to in section 3 and are approved by the Registrar General; and
- (n) a database of a ministry, department or agency of a foreign state if so provided in an agreement entered into between the Kingdom and such foreign state and approved by the Registrar General;

“associated token” means a unique number that is different from but exclusively associated with a UIN and that is assigned by the Registrar General

to a registered individual under section 53 and may be used in lieu of the UIN in accordance with this Act;

“biometric data” has the meaning given under the Privacy Act;

“Civil Register” means the system for registration of events provided for in Part II, and shall include the electronic database referred to therein, any paper register that the Registrar General may continue to maintain for the registration of events, and any electronic or paper register formerly maintained by the Registrar General under the repealed enactments prior to the entry into force of this Act;

“data processor” has the meaning given in the Privacy Act;

“death certificate” means a document issued under section 17;

“Digital Identification Database” means the database described in section 38;

“event” means a birth, marriage or death occurring or granted anywhere in the Kingdom or a birth to which section 8 applies or a death to which section 15 applies and includes any of the foregoing that could have been, but was not, registered in a register formerly maintained under the repealed enactments;

“health officer” means a person who is duly registered as such under the Medical and Dental Practice Act [Cap 12.09];

“Identification Data” means the information provided under section 38(3);

“Letters of Adoption” means Letters of Adoption under the Maintenance of Illegitimate Children Act [Cap 6.07] or the order of a Tongan court recognising a similar order of a foreign court;

“medical death certificate” means a certificate issued by a medical practitioner on behalf of the Ministry of Health certifying as to the death of a person and the cause thereof;

“medical practitioner” means a person who is duly registered under the Medical and Dental Practice Act [Cap 12.09];

“midwife” means a person who is duly registered under the Nurses, Nurse Practitioners and Midwives Act 2021;

“Minister” means the Minister responsible for Justice;

“national identity card” means a national identity card issued under the National Identity Card Act [Cap 2.16];

“notifying person” means any person notifying or registering, or required to notify or register, an event to or with the Civil Register under this Act;

“nurse” means a person who is duly registered under the Nurses, Nurse Practitioners and Midwives Act 2021;

“nurse practitioner” means a person who is duly registered under the Nurses, Nurse Practitioners and Midwives Act 2021;

“personal information” has the meaning given in the Privacy Act;

“processing” has the meaning given in the Privacy Act;

“Registrar General” means the Registrar General appointed under section 3(1);

“registered individual” means an individual who has been registered in the Digital Identification Database under section 39;

“relying party” means any ministry, department or agency of the Government of Tonga, or any legal entity or any natural person that is registered with the Registrar General as such in accordance with section 47;

“sub-registrar” means a person appointed as such pursuant to section 3(2);

“UIN” means a unique identifier number issued by the Registrar General to each registered individual, as specified more particularly in section 53 of this Act; and

“vital statistics” means statistics in relation to events or any other prescribed matters.

3 Office of Registrar General

- (1) The Prime Minister with the consent of Cabinet may appoint a Registrar General of Civil Registration and Digital Identification.
- (2) There shall be such sub-registrars as may be appointed by the Registrar General following consultation with the Chief Magistrate and with the consent of the Prime Minister; and a sub-registrar may hold that post in conjunction with any other public office.
- (3) Where a sub-registrar is, by reason of unforeseen circumstances temporarily unable to perform the duties of the office, a Governor or Government Representative may, with the consent of the Prime Minister, be appointed by the Registrar General to act in the place of the sub-registrar.

PART II – CIVIL REGISTRATION

4 Civil Register

- (1) The Registrar General shall maintain a register, which shall be known as the “Civil Register”, of all births, marriages and deaths occurring in the Kingdom and such as occur outside the Kingdom and may be registered in accordance with this Part.
- (2) The Registrar General shall procure that all events notified to or registered with the Registrar General or a sub-registrar in accordance with this Act shall be registered in the Civil Register.

- (3) Evidence of an entry in the Civil Register and of the facts stated therein may be given by the production of a document certified to be a true copy of the entry by the Registrar General or sub-registrar or a person authorised in that behalf by the Registrar General or sub-registrar.
- (4) Any requirement of law for the production of a certificate of an event shall be satisfied by the production of a certified copy of the relevant entry in the Civil Register.
- (5) A notification, application or registration, and any certificate, relating to an event being registered in the Civil Register shall, where the individual who is the subject of the event has already been registered in the Digital Identification Database under Part III, include his UIN or associated token.

5 Collection and supply of information to the Digital Identification Database

The Registrar General shall ensure that in connection with any notification, application or registration or amendments relating to an event in the Civil Register, the Identification Data relating to the individual who is the subject of such event shall be collected, recorded and maintained up-to-date in the database of the Civil Register and supplied therefrom to the Digital Identification Database in accordance with Part III.

6 Registration upon notification of birth by a medical professional

- (1) The Registrar General shall, upon receipt of –
 - (a) a certificate of live birth of a child issued by or on behalf of the Ministry of Health; or
 - (b) a certificate of a stillbirth issued by a medical practitioner,record the relevant information in the Civil Register and the child shall be automatically registered in the Digital Identification Database under section 39 and assigned a UIN under section 53.
- (2) Registration in the Digital Identification Database under subsection (1) may be made without recording any name of the child or with a provisional name, and in either case, the name of the child shall be that recorded in connection with registration and application for a birth certificate under section 7.
- (3) The sub-registrar of the district of the birth shall provide the UIN and confirmation of registration under subsection (1) to the Ministry of Health.
- (4) Where the notification and registration under subsection (1) relates to a stillbirth, the date of death shall be recorded in the Digital Identification Database.

7 Registration of and application for a birth certificate

- (1) One or both parents of a child born live in wedlock, or the mother of a child born live out of wedlock shall within 3 months after the birth submit a registration and application for a birth certificate to the office of the Registrar or sub-registrar of the district of such birth, as applicable, using the prescribed form.
- (2) The mother of a child born illegitimately, shall within 3 months after the birth submit a registration and application for a birth certificate to the office of the Registrar or sub-registrar of the district of such birth, as applicable, using the prescribed form.
- (3) Where the mother is married but the child's father is not the husband, the mother shall within three months after the birth of the child, submit a registration and application for a birth certificate indicating the father.
- (4) If the parents, in the case of child born in wedlock, or the mother, in the case of a child born out of wedlock, are dead or incapable of complying with subsection (1), (2) and (3), then each of the following in the order indicated, shall have the duty to submit the registration and application for a birth certificate with the sub-registrar of the district of such birth using the required prescribed form –
 - (a) a grandparent of the child;
 - (b) a guardian of the child under the Guardianship Act [Cap 6.04];
 - (c) a person present at the birth;
 - (d) if the birth occurred in a building used as a dwelling, any person who was in the building at the time of the birth;
 - (e) if the birth occurred in a hospital or other organisation or enterprise the chief officer of the hospital or other organisation or enterprise or a person authorised by the chief officer to perform his functions; or
 - (f) a person having charge of the child.
- (5) Upon receiving the registration and application under subsection (1) or (2) or section 8, the Registrar General or sub-registrar concerned, as applicable, shall, upon reviewing it to his satisfaction, record the information in the Civil Register.
- (6) Where the date of the birth of a child whose birth is required to be notified or registered under this Act is not known and a medical practitioner certifies in writing that, in his opinion, the birth took place on or about a date specified in the certificate, the Registrar General or sub-registrar concerned, as applicable, may enter that date in the Civil Register as the date of the birth of the child.
- (7) The Registrar General shall require that, upon the recording of the information in the Civil Register under subsection (4), any such information as is not already recorded therein pursuant to section 6(1) shall be automatically recorded in the Digital Identification Database.

- (8) The Registrar General shall review any discrepancy between information recorded in the Digital Identification Database pursuant to subsection (4) and section 6(1), consult with the notifying parties, and take measures to resolve such discrepancy.

8 Births occurring outside the Kingdom

The parents, grandparents or a guardian of an individual born outside the Kingdom, or such individual himself if 18 years or older, may register and apply for a birth certificate from the Civil Register by submission of such form and documentation as may be prescribed.

9 Information about the father where parents are not married

- (1) The father of a child who was not married to the mother of the child shall not be required to give information under this Act concerning the birth of such child.
- (2) The Registrar General shall not enter in the register the name of any person as father of a child in the circumstances referred to in subsection (1) unless —
 - (a) at the joint request of the mother and of the person acknowledging himself to be the father of such child; or
 - (b) a court has ordered that the person is the father of such child.

10 Issuance of birth certificates

- (1) Upon confirmation from the Civil Register that the required information about a live birth has been duly recorded, the Registrar General or sub-registrar of the relevant district shall provide a certificate of birth in the form prescribed, consisting of information excerpted from the Civil Registry in the form prescribed, including the child's UIN or associated token, to the person who applied under section 7.
- (2) An individual or his parent or guardian, or any person duly authorised by any of the foregoing, may at any time request the Registrar General or sub-registrar of his district, as applicable, for a certificate of birth relating to the birth of the individual.
- (3) Within 5 days after receiving a request under subsection (2), the Registrar General or relevant sub-registrar shall provide a certificate of birth in the form prescribed.
- (4) If the parents of a stillborn child so request and provide the information that would have been required under section 7, the Registrar General or relevant sub-registrar may issue to the parents a death certificate relating to the stillborn child.

11 Notification of birth to the Ministry of Health

The Registrar General shall transmit to the Ministry of Health –

- (a) the date of birth;
- (b) the place of birth;
- (c) whether it is a live birth or stillbirth;
- (d) the name of the mother;
- (e) the UIN assigned to the child's mother;
- (f) the name of the child; and
- (g) the UIN assigned to the child in the case of a live birth.

12 Discovery of a newly born child or dead body

Any person who discovers a newly born child or a dead body shall without unreasonable delay give information to the sub-registrar or the town officer of the district in which such newly born child or dead body shall have been discovered and in default of so doing shall be liable on conviction to a fine not exceeding \$1000.

13 Registration of adoption

- (1) One or both adoptive parents shall submit a certified copy of the Letters of Adoption relating to the adopted child to the Registrar General, who shall register the adoption or any amendments in the Civil Register.
- (2) If the adopted child or an adoptive parent is not already registered in the Digital Identification Database, the Registrar General shall register such person in the Digital Identification Database under section 39 taking into account the information in the Civil Register, and assign a UIN to the person under section 53.
- (3) If the adopted child or an adoptive parent is already registered in the Digital Identification Database, the Registrar General shall amend the information in the Digital Identification Database relating to such person taking into account the information in the Civil Register.
- (4) After registration of the adoption in the Civil Register and registration in the Digital Identification Database in accordance with this section, the Registrar General shall issue a certificate of birth to the adoptive parents showing them as parents of the adopted child and the name of the adopted child.

14 Registration and application for a death certificate

When a death occurs in the Kingdom, it is the duty of a person receiving a medical death certificate duly issued by a medical practitioner under the Health Services Act [Cap 12.06] to register the death and apply to the Registrar General or sub-registrar of

the district of the death for a death certificate within 3 months after the death using the form prescribed.

15 Deaths occurring outside the Kingdom

- (1) Any family member of an individual having Tongan nationality or being registered in the Digital Identification Database who has died outside the Kingdom may register and apply for a death certificate relating to the death of such individual from the Civil Register.
- (2) Registration and application under subsection (1) shall be made by submitting to the Registrar General—
 - (a) the prescribed form; and
 - (b) either –
 - (i) an original death certificate relating to the individual's death from the civil records in the jurisdiction in which the death occurred; or
 - (ii) if it is impossible to obtain an original death certificate under sub-paragraph (i), then a certified copy thereof satisfactory to the Registrar General.

16 Recording of death in the Digital Identification Database

The Registrar General shall procure that, if a deceased individual was not already registered in the Digital Identification Database, then upon the recording of the information relating to his death in the Civil Register pursuant to section 14, or 15 –

- (a) the deceased shall be automatically registered in the Digital Identification Database under section 39 and assigned a UIN under section 53; and
- (b) the Digital Identification Database shall be updated to reflect the information about his death.

17 Issuance of certificates of death

- (1) Upon confirmation from the Civil Register that the required information about a death has been recorded, the Registrar General or sub-registrar of the district of death shall provide a death certificate in the form prescribed, including the deceased's UIN or associated token, to the person registering the death and applying for a death certificate under section 14.
- (2) Any relative of the deceased may request the Registrar General or relevant sub-registrar, as applicable, for a death certificate relating to the death of the deceased.

- (3) Within 5 days after receiving a request, the Registrar General or relevant sub-registrar, as applicable, shall provide a death certificate in the form prescribed to the requesting person.

18 Ineligibility for marriage licence

No person who is insane or who is under the age of 18 years shall be granted a marriage licence.

19 Prohibited degrees of consanguinity for a man

It shall not be lawful for a man to marry –

- (a) his grandmother;
- (b) his father's sister;
- (c) his mother's sister;
- (d) his father's sister's daughter;
- (e) his father's brother's daughter;
- (f) his mother's sister's daughter;
- (g) his mother;
- (h) his stepmother;
- (i) his wife's mother;
- (j) his sister;
- (k) his daughter;
- (l) his son's wife;
- (m) his brother's daughter;
- (n) his sister's daughter; or
- (o) his granddaughter.

20 Prohibited degrees of consanguinity for a woman

It shall not be lawful for a woman to marry —

- (a) her grandfather;
- (b) her father's brother;
- (c) her mother's brother;
- (d) her father's brother's son;
- (e) her mother's brother's son;
- (f) her mother's sister's son;
- (g) her father;

- (h) her stepfather;
- (i) her husband's father;
- (j) her brother;
- (k) her son;
- (l) her daughter's husband;
- (m) her brother's son;
- (n) her sister's son; or
- (o) her grandson.

21 Application for a marriage licence

- (1) Parties to an intended marriage shall apply, in the form prescribed, to the Registrar General or sub-registrar of the district in which one of the parties has resided for at least 3 months prior to the date of the application for the issue to them of a licence to marry.
- (2) An application for a marriage licence under subsection (1) shall include an affidavit in the form prescribed that there is no legal impediment to the proposed marriage.
- (3) Upon application under subsection (1), the application shall be recorded in the Civil Register.
- (4) Notwithstanding the residence requirements provided under subsection (1) of this section, the Registrar General may grant a special licence to marry where at least one of the parties has an established link with Tonga.

22 Issuance of marriage licence by sub-registrar

The sub-registrar, upon application being made as prescribed in section 21 hereof, may ask the applicants the several particulars required for the issue of a licence as prescribed by Regulations, and if he is satisfied that the parties are legally capable of contracting a valid marriage, he shall issue to them a licence to marry in the form prescribed.

23 Ministers of religion solemnising marriages to be registered

The Registrar General, upon receiving a requisition in writing in the name of any minister of religion whether a Tongan subject or not under the hand of such minister or head of the denomination to which he belongs, such requisition specifying his religious denomination and designation and his residence, desiring that he may be registered as a minister for solemnising marriages within the Kingdom, shall register the name of such minister with the foregoing particulars in a register book to be kept for that purpose.

24 Solemnisation and documentation of marriage

- (1) Every marriage shall be solemnised before at least 2 witnesses who shall sign each copy of the certificate in the printed book of forms in the possession of the minister of religion officiating. The minister of religion shall also sign each form.
- (2) The minister of religion shall within 3 weeks of the performance of the ceremony cause to be delivered to the sub-registrar of the district in which the ceremony took place one copy (or, in the case of the Vava'u, Ha'apai, Eua and Niua sub-registrars), 2 copies of the certificate.
- (3) Any minister of religion who fails to carry out the provisions hereof shall be liable on conviction to a fine not exceeding \$500. Any minister of religion who defaults more than twice in any one calendar year shall be liable to forfeit his licence to solemnize marriage.
- (4) When all the forms in a book have been used the minister of religion shall return it to the sub-registrar who issued it. The sub-registrar shall forward the book to the Registrar General in Nuku'alofa who shall keep it in a secure place unless the church to which the minister of religion belongs has a licence from the Registrar General to hold such book in which case he shall cause it to be delivered to the head of the church.

25 Registration of marriage

- (1) Upon receiving the certificate from the minister under section 24(2), the sub-registrar shall, upon reviewing it to his satisfaction, record the information relating to the marriage in the Civil Register.
- (2) The Registrar General shall procure that, upon the recording of the information relating to the marriage in the Civil Register under subsection (1), the marital status of each of the parties to the marriage in the Digital Identification Database under section 38 shall be automatically updated.

26 Divorce and nullity of marriage

- (1) When a court grants a decree of divorce or nullity of marriage, an officer of the court authorised in that behalf by the courts shall send to the Registrar General or the sub-registrar of the district in which the marriage occurred or the married couple were last registered as living together the decree of divorce or nullity, as the case may be, including the date of such decree, together with any particulars in relation to such matter.
- (2) The Registrar General or sub-registrar shall record any divorce notified under subsection (1) in the Civil Register, and shall procure that the Digital Identification Database shall be automatically updated to record each individual's marital status as "divorced".

- (3) The Registrar General or sub-registrar shall, upon receiving notification of a decree of nullity of marriage under subsection (1), amend the Civil Register such that it does not record that the two parties were ever married, and shall procure that the Digital Identification Database shall be automatically updated to record each party's marital status as "unmarried" or their previous marital status.

27 Solemnisation by minister of religion

Every marriage which shall be solemnised by any minister of religion after the receipt by such minister of religion of a licence issued to the parties to be married shall subject to the provisions of Part V hereof be a legal marriage and no other marriage shall be valid.

28 Validation of marriage prior to this Act

Every marriage solemnised in Tonga before this Act comes into force by any minister of religion shall be deemed to have been from the time of solemnisation a legal and binding marriage notwithstanding any non-compliance with any forms or other matters, provided that nothing herein contained shall legalise—

- (a) any marriage which shall be declared invalid by the Supreme Court;
- (b) any marriage where either party thereto had another wife or husband living;
- (c) any marriage which would have been or would be void by reason of any relationship or of fraud or of incapacity to marry; or
- (d) any marriage where (the same being at the time of its solemnisation invalid) either of the parties thereto shall afterward and before this Act comes into force have intermarried with any person.

29 Penalty for solemnising marriage without licence

Any minister of religion who shall solemnise a marriage without first having received a licence in the form in Schedule 1 enabling the parties to be married, shall on conviction thereof be liable to pay a fine not exceeding \$1,000.

30 Changes of name

- (1) A person's name may be changed in accordance with the prescribed Regulations.
- (2) The Registrar General shall procure that—
 - (a) if a person whose name is changed under subsection (1) is not already registered in the Digital Identification Database, then the person shall be

automatically registered in the Digital Identification Database under section 39 and assigned a UIN under section 53; and

- (b) the Digital Identification Database shall be updated to reflect the changed name.

31 Electronic means of filing

- (1) The Registrar General shall provide electronic means for the submission of notifications, applications and registrations by notifying persons under this Part.
- (2) If electronic means under subsection (1) are unavailable, the notification, registration or application, as applicable, shall be made in paper form to the sub-registrar of the district in which the event occurred, who shall thereupon record the information provided in the Civil Register.
- (3) For the purposes of subsection (1), the Registrar General shall procure that—
 - (a) the notifying person shall be registered in the Digital Identification Database and assigned a UIN to such notifying person;
 - (b) the identity of the notifying person shall be verified;
 - (c) it shall be recorded whether a notifying person is a medical practitioner, midwife, health officer, nurse or nurse practitioner.

32 Notice to provide information

- (1) When it shall appear to the sub-registrar of a district that a notification, registration or application relating to any event occurring in his district has not been made as required in this Part, he shall cause a notice to be served on any person whom he considers responsible under this Act to make such notification, registration or application.
- (2) The notice under subsection (1) shall require such person to attend at the office of such sub-registrar or such other location specified by him within three weeks after the date of service of such notice for the purpose of giving information concerning the relevant event.
- (3) Any person who after being served with a notice under subsection (2) fails without reasonable excuse to conform with the same shall be liable on conviction to a fine not exceeding \$100.

33 Notifications and registrations by Town and District Officers

- (1) Where a Town Officer learns of an event that has occurred within the boundaries of his town and there appears not to be any person responsible under this Act to make the required notification, registration or application, he shall, using the form prescribed by Regulations, within 3 weeks after so learning—

- (a) make reasonable efforts to obtain the relevant information; and
 - (b) make the relevant notification, registration or application.
- (2) A District Officer receiving information from a Town Officer under subsection (1) shall provide such information to the sub-registrar of the district.
- (3) The sub-registrar receiving information from a District Officer under subsection (2) shall record it in the Civil Register.

34 Registration of events occurring outside the Kingdom

The Registrar General may, on production to him of such evidence as appears to him to be satisfactory, cause an event to be registered in the Civil Register if –

- (a) there was not at the time of the event a system of registration of such events in the place where the event occurred or such a system that applied to the individual or individuals concerned; or
- (b) it is not possible to obtain copies of or extracts from civil records of the event.

35 Association of UIN with events and registration of unregistered individuals

- (1) When registering any event and recording any individuals who are the subject of the event or are the person submitting a notification, registration or application with respect to an event, the Registrar General shall record the UIN of each such individual with his name.
- (2) If any individual referred to in subsection (1) has not been assigned a UIN at the time of registering the event, the Registrar General shall register the individual in the Digital Identification Database and assign a UIN to such individual.

36 Searching of the Civil Register

- (1) Any person, or if he is less than 18 years old then his parents, or a person authorised by the foregoing, may search the Civil Register for entries relating to the concerned person, and may receive a copy of any certificate or other entry therein provided the fee for such search and copy have been prepaid.
- (2) The Registrar General shall procure that, except pursuant to a request made under sub-section (3), no person other than the Registrar General or a person authorised in that behalf by the Registrar General shall have access to information in the Civil Register relating to a stillbirth or the fact that such stillbirth has occurred.
- (3) The Registrar General shall procure that, except pursuant to an order of the Supreme Court, no person other than the Registrar General or a person authorised in that behalf by the Registrar General shall have access to

information in the Civil Register relating to the adoption of an individual or the fact that he has been adopted.

- (4) This section is without prejudice to any other obligation imposed by or under this or any other Act to provide or obtain information in relation to a birth, stillbirth, death, marriage or any other matter.

37 Certified copies

- (1) Every certified copy of an entry of a birth under section 19 of this Act shall be issued in the form prescribed by Regulations.
- (2) Every such certified copy shall be deemed to be a true copy of particulars compiled from the original entry in the register.
- (3) Every certified copy of an entry of death under section 19 of this Act shall be in the Form prescribed by Regulations.
- (4) Every certified copy of a marriage certificate shall be in a form prescribed by Regulations.

PART III – DIGITAL IDENTIFICATION

38 Digital Identification Database

- (1) The Registrar General shall establish and maintain the currency of an electronic register, to be known as the “Digital Identification Database”.
- (2) The purpose of the Digital Identification Database shall be to—
 - (a) enable the identification of individuals by electronic means using verified information about individuals; and
 - (b) provide a common source of verified information about individuals on which public sector ministries, departments and agencies and authorised private sector service providers may rely for –
 - (i) provision of services to and other transactions with such individuals; and
 - (ii) scientific research and economic and social development.
- (3) The Digital Identification Database shall contain in digital form the Identification Data, which shall comprise the following information relating to registered individuals, where applicable and available –
 - (a) UIN and any associated token;
 - (b) any personal ID number on a national identity card issued to the individual by the National Identity Card Office under the National Identity Card Act [Cap 2.16];
 - (c) names;

- (d) home address;
 - (e) sex;
 - (f) year, month and day of birth;
 - (g) village or town and country of birth;
 - (h) marital status (never married; currently married; currently legally separated; divorced and not remarried; widowed and not remarried);
 - (i) names and UINs and any associated tokens of parents including by adoption;
 - (j) names and UINs and any associated tokens of children including by adoption;
 - (k) name and UIN and any associated tokens of current spouse, if any;
 - (l) year, month and day of death; and
 - (m) country, district and village or town of death.
- (4) The Registrar General shall not collect, and the Digital Identification Database shall not contain, any biometric data.
- (5) The Registrar General shall collect, record and maintain up-to-date the Identification Data in the Civil Register, which shall supply such data to the Digital Identification Database.
- (6) The Minister shall have the authority to issue regulations concerning the establishment and management of a single sign-on mechanism for online services. This mechanism may include, but is not limited to, the use of a smartphone application, username, and password system, or any other digital authentication methods deemed appropriate.
- (7) The Minister is hereby empowered to issues regulations for the inclusion or removal of additional data types and identification numbers, such as passport numbers, driving license numbers, and other relevant identifiers, into the Digital Identification Database, subject to the following conditions –
- (a) the additional data and identification numbers to be included in the Digital Identification Database must already be in existence and collected by other government agencies or authorized entities. There shall be no mandate for fresh data collection directly from citizens for the sole purpose of inclusion in the Digital Identification Database; and
 - (b) the inclusion of such data is intended to enhance the functionality, interoperability, and objectives of the Digital Identification Database, particularly in facilitating efficient identification processes and access to government services.

39 Registration in the Digital Identification Database

- (1) The Registrar General shall register in the Digital Identification Database—
- (a) all residents of Tonga;

- (b) citizens of Tonga living abroad who are already the subject of documents and information in the civil registration system; and
 - (c) every child born in Tonga.
- (2) Registration of an individual in the Digital Identification Database shall consist of—
 - (a) assigning a UIN to the individual; and
 - (b) recording in the Digital Identification Database—
 - (i) at least the information specified in sections (3)(a), (c) and (d) relating to such individual;
 - (ii) the information specified in sections (3) (e) and (f) relating to such individual unless such information is impossible or unreasonably difficult to obtain; and
 - (iii) such other information specified in section (3) as is received by the Registrar in accordance with this Act.
- (3) The Registrar General shall not register an individual if the information required for registration under subsection (i) is not received or is found to be false and has not been corrected.
- (4) The Registrar General shall register individuals referred to in subsection (1) in the Digital Identification Database—
 - (a) in connection with registration in the Civil Register under Part II of an event relating to the individual; or
 - (b) upon application made by or on behalf of such individual.
- (5) The Registrar General shall inform each individual in writing when registered in the Digital Identification Database—
 - (a) that he has been registered; and
 - (b) of the UIN or an associated token assigned to the individual.

40 Verification and deduplication

- (1) Before registering an individual in the Digital Identification Database, the Registrar General shall verify the identity of the individual in accordance with subsections (2) and (3).
- (2) Subject to section 39, the Registrar General may accept the following documents as evidence of an individual's identity and source of information when registering him in the Digital Identification Database or updating the same—
 - (a) birth certificate or any other certificate issued by the Registrar General under this Act or issued by an appropriate authority overseas;

- (b) passport, certificate of identity or other document of identity issued under the Passports Act [Cap 10.03] or issued by an appropriate authority overseas;
 - (c) in the absence of any of the foregoing, judicial decision identifying the individual issued by a Court of Tonga;
 - (d) in the absence of any of the foregoing, permit or other document issued by the Principal Immigration Officer under the Immigration Act [Cap 10.01] providing the legal basis for the individual to enter and reside in Tonga;
 - (e) in the absence of any of the foregoing, voter registration under the Electoral Act [Cap 2.03];
 - (f) in the absence of any of the foregoing, documents issued by the Government of Tonga in relation to taxation and tax records;
 - (g) in the absence of any of the foregoing, a driving licence issued under the Traffic Act [Cap 24.03]; and
 - (h) in the absence of any of the foregoing, utility bills, identity used for education purposes or such other documentation as may be specified by regulation.
- (3) The Registrar General shall compare documentation and information received in the registration process with information already recorded in the Digital Identification Database or approved government databases with a view to ensuring with a high level of certainty that—
- (a) no individual is registered twice in the Digital Identification Database;
 - (b) no individual has more than one UIN; and
 - (c) no UIN is assigned to more than one individual.

41 Provenance of documents and information

- (1) For the purposes of verification and deduplication under section 40, the Registrar General may collect documents and information from—
- (a) documents received and issued by the Registrar General in connection with past and ongoing notifications, applications and registrations relating to events recorded in the Civil Register;
 - (b) documents and information submitted in connection with the individual's application for registration in the Digital Identification Database and a UIN in accordance with section 39;
 - (c) information obtained directly from approved government databases; or
 - (d) in the absence of the sources referred to in paragraphs (a), (b) and (c), such alternative source as the Registrar General may prescribe.
- (2) The Registrar General shall consult with the authorities responsible for documents and information on which the Registrar General relies with regard

to their processes for verifying validity, authenticity and accuracy, and shall assess their relative reliability.

- (3) The Registrar General shall only record information about an individual in the Digital Identification Database if reasonably satisfied as to the reliability of the information.
- (4) The Registrar General shall record in the Digital Identification Database the provenance of each item of information included in it currently and historically, including—
 - (a) the nature of the information;
 - (b) the date of validity of the information;
 - (c) the source of the information;
 - (d) steps taken to verify such source;
 - (e) the timestamped date on which such information was received by the Digital Identification Database; and
 - (f) an electronic copy of any physical document relied upon.
- (5) Where the source of information in the Digital Identification Database is a physical document, the Registrar General shall maintain a system of physical records organised so as to link the document to the information about the individual in the Digital Identification Database.

42 Authorised representatives of children, persons lacking capacity, senior citizens and certain other individuals

- (1) An individual may be represented by an authorised representative for the purpose of application for registration, or exercise of any right or carrying out of any duty under this Act if the individual is—
 - (a) under the age of eighteen;
 - (b) lacking legal capacity;
 - (c) a senior citizen who is incapacitated;
 - (d) an individual with disability; or
 - (e) a member of such other category of individuals as may be specified by the Registrar General.
- (2) For the purposes of this Act and the application of the Privacy Act in relation to this Act, an authorised representative of an individual referred to in subsection (1) may be—
 - (a) the represented individual's parent, legal guardian or lawful administrator acting on his behalf;
 - (b) in the absence of a person referred to in paragraph (a), a sibling or a guardian of the individual; or

- (c) the minister of religion in the village in which the represented individual resides.
- (3) An authorised representative applying for the registration of an individual or exercising any other right under this Act on behalf of the individual shall submit the authorised representative's—
 - (a) UIN and any associated token if such have been issued;
 - (b) names;
 - (c) home address;
 - (d) sex;
 - (e) year, month and day of birth;
 - (f) village or town and country of birth;
 - (g) relationship to the individual represented; and
 - (h) evidence of the basis on which the authorised representative is the authorised representative of the individual represented.
- (4) The Registrar General shall provide for special measures in the Civil Register and Digital Identification Database systems and at its service centres to facilitate provision of information, registration in the Digital Identification Database, and issuance of UINs to individuals referred to in subsection (1) and their representatives.

43 Updating the Digital Identification Database

- (1) The Registrar General shall take reasonable measures to ensure that a registered individual's Identification Data is kept current and correct.
- (2) Where Identification Data of a registered individual changes, he shall provide to the Registrar General updated information.
- (3) The Registrar General shall provide an easily accessible means for registered individuals to update and otherwise correct their Identification Data.
- (4) A registered individual's failure to update or otherwise correct his Identification Data shall not result in the deactivation or suspension of his UIN.
- (5) The Registrar General shall record all updates to, and information replaced by updated Identification Data, permanently in an archive of the database for the purpose of verifying the correct administration and history of the Identification Data.

44 Legal status of Identification Data

- (1) Identification Data recorded in the Digital Identification Database shall be presumed to be correct unless proven otherwise.

- (2) Ministries, departments and Government agencies shall carry out their public activities and provide their public services on the basis of the Identification Data recorded in the Digital Identification Database.

45 Interoperability with approved government databases

- (1) Subject to subsection (5), the Registrar General and each ministry, department and agency responsible for maintaining an approved government database shall arrange and maintain interoperability between the Digital Identification Database and the approved government database for which such ministry, department or agency is responsible.
- (2) The purpose of interoperability under subsection (1) shall be to—
 - (a) introduce and maintain the use of individuals' UINs or associated tokens for the purposes of identifying such individuals in approved government databases;
 - (b) enable approved government databases to automatically request and receive Identification Data relating to individuals that such approved government databases are required or authorised by law to process;
 - (c) enable the Digital Identification Database to automatically request and receive any of the information listed in section (3) held by approved government databases in connection with the –
 - (i) registration of an individual; and
 - (ii) addition and updating of Identification Data; and
 - (d) in each case of paragraphs (a), (b) and (c) with a view to ensuring the efficient management, completeness and accuracy of Identification Data held in the Digital Identification Database and approved government databases.
- (3) The extent of any request for and provision of any personal information between the Digital Identification Database and approved government databases shall be limited to the purposes stated in subsection (2) and ancillary purposes.
- (4) The Registrar General and the ministries, departments and agencies responsible for maintaining approved government databases shall consult with and adopt protocols and administrative and technical measures to ensure the security, integrity and protection of personal information held by them and transmitted between them.
- (5) The Registrar General shall not arrange or maintain interoperability of any approved government database with the Digital Identification Database unless such database employs administrative and technical measures to ensure the security, integrity and protection of personal information to the reasonable satisfaction of the Registrar General.

- (6) The Registrar General shall record in the Digital Identification Database each request for information made by an approved government database to the Digital Identification Database, including—
 - (a) the approved government database that requested the information;
 - (b) the nature of the information requested;
 - (c) the date on which the information was requested; and
 - (d) the date on which such information was provided to the approved government database.

46 Relying party requests for Identification Data

- (1) Subject to subsection (5), relying parties may make inquiries of the Registrar General as to Identification Data relating to an individual recorded in the Digital Identification Database for the purposes of provision of services to or entering into transactions with such individual, and for ancillary and closely related functions.
- (2) Relying parties may request from the Registrar General, and the Registrar General may provide to relying parties, Identification Data relating to an individual only in such manner and to such extent as is necessary for the relying party to meet its obligations under the law that is the basis of its eligibility to be a relying party under section 47 and for the purpose for which the information is provided.
- (3) Relying parties requesting information shall notify the Registrar General of the basis of their eligibility under subsection (1).
- (4) The Registrar General shall respond to information requests only to an entity that the Registrar General has verified—
 - (a) is eligible to be a relying party under section 47; and
 - (b) has implemented the necessary administrative and technical measures to assume the responsibilities and obligations of a relying party under this Act, the Privacy Act and any regulation made hereunder.
- (5) The Registrar General shall establish protocols and administrative and technical measures for—
 - (a) the making of and responding to requests for Identification Data;
 - (b) ensuring the security, integrity and protection of Identification Data provided from the Digital Identification Database; and
 - (c) ensuring that the information is used only for the purposes for which it is provided and is not unnecessarily retained thereafter.
- (6) Subject to provisions of this Act and regulations made hereunder, the Registrar General may provide Identification Data to the Government Statistician if—

- (a) the purpose of such request is the generation, collection, analysis, certification or publication of statistics under the Statistics Act [Cap 8.13], or scientific research or economic and social development;
 - (b) the recipient provides details of the specific proposed use to the Registrar General;
 - (c) the recipient provides to the Registrar General written undertakings satisfactory to the Registrar General limiting the use and duration of any data processing to the use specified in accordance with paragraphs(a) and(b); and
 - (d) the Registrar General ensures that any personal information so provided has first been de-identified or permanently de-identified, as such terms are defined in the Privacy Act.
- (7) The Registrar General shall record in the Digital Identification Database each request for information in the Digital Identification Database, including—
 - (a) the entity that requested the information;
 - (b) the nature of the information requested;
 - (c) the date on which the information was requested; and
 - (d) the date on which such information was provided to the requesting entity.

47 Relying parties

- (1) Entities eligible to be relying parties include –
 - (a) a ministry, department or agency that maintains an approved government database;
 - (b) a ministry, department or agency , a financial institution, another private entity or a natural person, in each case required or authorised by law to identify individuals and to hold personal information relating to them for the purpose of providing services to or entering into other transactions with them; and
 - (c) a ministry, department or agency of a foreign state in accordance with an agreement entered into between the Kingdom and such foreign state and approved by the Registrar General.
- (2) The Registrar General shall —
 - (a) verify the eligibility of any organisation to be a relying party in accordance with this section;
 - (b) register such organisation as a relying party and confirm such status by notification in the Ministry of Justice website;
 - (c) publish in the Ministry of Justice website any suspension or termination of a relying party's eligibility; and

- (d) maintain an updated list on the website of the Registrar General of all relying parties that have not been terminated, and indicating where any has been suspended.
- (3) Procedures for requests and approval of eligibility and requests and the suspension or termination of such eligibility under this section shall be prescribed.

48 Relying party compliance

- (1) A relying party shall respond to a request for information by Registrar General with respect to the relying party's compliance with its obligations under this Act, any regulation made hereunder, and any protocols and technical and administrative measures required by the Registrar General.
- (2) The Registrar General may notify any relying party that the Registrar General has reason to believe is not in compliance with its obligations under this Act, any regulation made hereunder, and any protocols and technical and administrative measures required by the Registrar General and order such relying party to comply therewith.
- (3) The Registrar General may with or without notice suspend or terminate the right of any relying party to request Identification Data from the Digital Identification Database if—
 - (a) the Registrar General has reason to believe that the relying party is no longer eligible under section 46; or
 - (b) such relying party does not comply with any provision of this Act, any regulation of the Registrar General, and any protocols and technical and administrative measures required by the Registrar General, or any notice of the Registrar General in connection therewith.

49 Relying party information requests

Before requesting information from the Digital Identification Database, relying parties shall disclose to the individual –

- (a) the nature of the personal information requested;
- (b) the purposes for which the relying party shall process the personal information;
- (c) any third parties to whom the information may be disclosed; and
- (d) for how long the information will be retained.

50 Safeguarding procedures

- (1) The Registrar General shall establish procedures to apply in case of failure of the Digital Identification Database or the recording or transmission of information about registered individuals.
- (2) The purpose of procedures under subsection (1) shall be to ensure that individuals and relying parties shall not be prejudiced if information requests under section 46 do not function effectively.

51 Procurement, vendors and technologies

Where economically and technically feasible, the Registrar General shall ensure that the Digital Identification Database, its related systems and interoperability with other databases shall –

- (a) use technologies and designs that do not render them unnecessarily dependent on one technology or vendor, including with respect to future updates or improvements, alternative uses and interoperability with other systems; and
- (b) incorporate open standards and open-source code to enable interoperability.

52 Information for individuals about processing of their personal information

Before registering an individual, the Registrar General shall inform him, or any parent, legal guardian, lawful administrator or other authorised representative acting on his behalf, of the following details—

- (a) contact information for the Registrar General which may be used to pose questions to and otherwise communicate with the Registrar General with respect to the Digital Identification Database and personal information relating to the eligible individual;
- (b) the purpose of collection of the personal information and use thereof by the Digital Identification Database under this Act;
- (c) what personal information may be provided to or disclosed to any person or entity other than the Registrar General;
- (d) the types of persons or entities to whom or to which such personal information may be provided or disclosed;
- (e) the purpose, manner and duration of access or disclosure, and processing of such personal information and restrictions applying thereto;
- (f) for how long the personal information will be stored;
- (g) whether any profiling or automated decision-making processes may be applied to the personal information;

- (h) how the individual, or a parent, legal guardian, lawful administrator or authorised representative acting on his behalf, may lodge a complaint or seek redress in relation to any improper use of the personal information; or
- (i) each of the individual's rights under sections 59 and 61 of this Act.

53 Assignment of UINs and tokens

- (1) Upon registration under section 39, the Registrar General shall assign to the individual a UIN.
- (2) The purpose of the UIN shall be to provide a unique means of identification of individuals that may be used by public sector ministries, departments and agencies and private sector service providers for the efficient provision of services to and other transactions with such individuals.
- (3) In addition to assigning a UIN, the Registrar General may issue a token associated with such UIN for use in place of such UIN in order to ensure the security, integrity and protection of the Digital Identification Database and usage made thereof, and reduce risk to privacy and security of personal information.
- (4) A UIN and any associated token shall be a unique number comprising—
 - (a) randomly generated numbers or letters as prescribed; and
 - (b) an additional one or more digits to serve as a checksum which shall be calculated from the randomly generated number pursuant to a formula prescribed.
- (5) The formula for calculating the checksum shall be set with a view to reducing risk of human and other error in the writing, copying, transposition, recording, communicating and other processing of the UIN or associated token, as applicable.
- (6) No digit or combination of digits in the UIN or any associated token shall be derived from, intentionally signify or bear any relation to any personal information about the individual to whom the UIN or associated token is issued.
- (7) The Registrar General may upon registration notify the individual, or parent, legal guardian, lawful administrator or authorised representative acting on his behalf, of his UIN and/or the associated token.
- (8) A UIN or associated token assigned to an individual shall not be assigned to any other person, even after the individual is deceased or the number has been deactivated.
- (9) Subject to subsection (10) and section 54, an individual shall have the same UIN for the duration of his life.

- (10) The Registrar General may assign a new UIN or associated token to a living individual to replace a deactivated UIN or token, respectively, previously assigned to that individual.

54 Deactivation of UINs and tokens

- (1) The Registrar General shall deactivate an individual's UIN—
- (a) within 28 days after the individual's death is registered in the Civil Register under Part II; or
 - (b) promptly if the Registrar General considers that the integrity and reliability of the UIN has been undermined as a result of the manner of its issuance, a personal information breach or other breach of data security.
- (2) The Registrar General shall deactivate a token—
- (a) immediately if the associated UIN has been deactivated;
 - (b) promptly if the Registrar General considers that the integrity and reliability of the token has been undermined as a result of the manner of its issuance, a personal information breach or other breach of data security; or
 - (c) at such time as the Registrar General considers convenient for the management of the UIN taking into account use by third parties of the token in identifying registered individuals.
- (3) The Registrar General shall—
- (a) update the Digital Identification Database to reflect the deactivation of a UIN or associated token; and
 - (b) notify approved government databases and any relevant relying parties of the deactivation of a UIN or associated token.
- (4) In response to any request relating to identification with respect to a deactivated UIN or associated token, the Registrar General shall notify the relying party that the UIN or token has been deactivated.
- (5) The Registrar General shall establish procedures for deactivation of UINs of deceased individuals, including without limitation those deceased overseas, taking account of the notifications of deaths under Part II.

55 Status of the UIN and associated token

- (1) All ministries, departments and agencies, financial institutions and any other entities required or authorised by law to identify or authenticate individuals shall accept and use the UIN or an associated token in identifying a relevant registered individual for their respective purposes.

- (2) Acceptance of the UIN or an associated token shall not be withheld due to the non-presentation of a national identity card.
- (3) All entities and natural persons that are not subject to subsection (1)—
 - (a) have no obligation under this Act to rely upon the UIN or an associated token as a means of identification or obtaining personal information; and
 - (b) may not refuse an individual a service or a transaction due to non-provision of a UIN or an associated token, or non-presentation of a national identity card.

56 Coordination with other agencies

The Registrar General shall monitor and regularly coordinate with ministries, departments and agencies and with the private sector with respect to –

- (a) their usage of the UIN, associated tokens and requests for information from the Digital Identification Database;
- (b) the adoption, implementation and monitoring of good practices and appropriate standards for effective and efficient identification and authentication; and
- (c) the adoption and implementation and monitoring of appropriate data security and privacy policies and procedures.

PART IV – DATA PROTECTION AND PRIVACY

57 Responsibilities of the Registrar General under the Privacy Act

- (1) The Privacy Act shall apply to the maintenance of the Civil Register and Digital Identification Database and all processing of personal information under this Act, taking into account the specifications provided for in this Act.
- (2) The Registrar General shall be deemed for the purposes of the Privacy Act to be a data controller in relation to any personal information processed by him or on his behalf under this Act and, except as otherwise provided in this Act, shall have the rights and obligations of such a data controller under the Privacy Act.
- (3) Nothing in this Act limits the powers, functions and duties of the Privacy Commission under the Privacy Act in relation to the processing of personal information by or on behalf of the Registrar General under this Act.

58 Right to information

- (1) An individual has the right to obtain from the Registrar General, without constraint or unreasonable delay—

- (a) confirmation as to whether or not the Registrar General or a data processor acting on his behalf is storing or otherwise processing personal information relating to the individual, and the nature of any such information;
 - (b) a copy of such personal information in a paper-based or commonly used electronic format as required by the individual;
 - (c) deletion of any such personal information which the Registrar General is not authorised to retain; and
 - (d) detailed information relating to—
 - (i) what personal information from the Digital Identification Database has been provided to any ministry, department or agency or relying party;
 - (ii) when such personal information was provided;
 - (iii) to whom it was provided; and
 - (iv) the purpose, manner and duration of the processing of such personal information and restrictions applied thereto.
- (2) The Registrar General shall implement measures necessary to ensure that registered individuals are able to effectively exercise the rights set out in subsection (1).

59 Right to correction

- (1) A person having an interest may write to the sub-registrar of his district or to the Registrar General requesting the correction of an error in information recorded in the Civil Register and Digital Identification Database, and shall provide evidence of the correct information.
- (2) Upon receiving a request for correction under subsection (1), the sub-registrar or Registrar General, as applicable, shall if satisfied as to the correctness of the information, correct the record in the Civil Register and Digital Identification Database.

60 Complaints

- (1) Any aggrieved individual has the right to complain to the Registrar General in relation to the improper exercise of functions, powers and duties under this Act.
- (2) The Registrar General shall provide an effective and accessible means for submitting complaints electronically and in paper form.
- (3) The Registrar General shall resolve complaints within 30 days after the complainant has submitted the necessary information and shall forthwith inform the complainant of the decision or any action taken.

- (4) Any aggrieved individual who considers that the matter is not satisfactorily resolved within 30 days after submitting the necessary information in accordance with subsection (3) may complain to the Ombudsman under the Ombudsman Act [Cap 2.02].

61 Right of appeal

- (1) Where the Registrar General or a sub-registrar fails or refuses to record information in the Civil Register or register an individual in the Digital Identification Database or issue a UIN or otherwise fails or refuses to take any other action provided for under this Act, the Registrar General or sub-registrar shall notify the individuals concerned of the reasons for the failure or refusal.
- (2) An interested individual who is affected and dissatisfied by any action or inaction of the Registrar General or any sub-registrar may request that the Registrar General review and reconsider the matter, and the Registrar General shall do so within 60 days after such request and inform the individual of his determination.
- (3) The Registrar General hearing a request under subsection (2) may seek the opinion of the Attorney General.
- (4) Without prejudice to the Ombudsman Act [Cap 2.02], a person in respect of whom a determination has been made by the Registrar General under subsection (2) may, within 21 days after the determination, seek leave to appeal to the Supreme Court.
- (5) Where the output or outcome of the operation of the Civil Register and Digital Identification System affects a person in the person's personal capacity, such output or outcome shall not be prevented from being an "administrative decision" for the purposes of the Ombudsman Act [Cap 2.02] on the basis that it arose from an administrative system, an automated process or a combination the foregoing.
- (6) An output or outcome under subsection (5) may include without limitation the recording or other processing of personal data, the issuance or non-issuance of a certificate, a determination of eligibility for registration in the Digital Identification Database, the issuance of a UIN or related token, a personal data breach or the result of an authentication process.

PART V – NON-COMPLIANCE AND OFFENCES

62 False registration as a minister

If anyone shall cause his name to be registered as an officiating minister of religion, he being at the time not such a minister and knowing himself not to be such, he shall

be guilty of an offence against this Act and upon conviction shall be liable to a fine not exceeding \$10,000 or to be imprisoned for any term not exceeding 2 years or to both.

63 False information relating to marriage

Any person who knowingly and wilfully provides false information in order to procure a marriage license shall be guilty of an offence and upon conviction shall be liable to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$10,000 or to both.

64 False information relating to births or deaths

Any person who knowingly and wilfully provides false information in order to procure the registration of any birth or death shall be guilty of an offence and upon conviction shall be liable to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$10,000 or to both.

65 False information relating to Identification Data

Any person who knowingly and wilfully provides false information relating to the identification data with intent to have the same inserted in the Digital Identification Database shall be guilty of an offence and upon conviction shall be liable to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$10,000 or to both.

66 Personation

If any person —

- (a) knowingly registers falsely in the Digital Identification Database as another individual, whether the latter is alive or dead, by submission of false information, or attempts to do so;
- (b) knowingly claims falsely to be another individual associated with a UIN or an associated token, whether the latter is alive or dead, or attempts to do so;
- (c) changes or attempts to change any identification data of a registered individual used in the Digital Identification Database with the intention of causing harm or mischief to such registered individual, or with the intention of appropriating his identity; or
- (d) not being authorised to collect information under the provisions of this Act, by words, conduct or demeanour pretends that he is authorised to do so;

he shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for a term not exceeding 2 years or to a fine not exceeding \$10,000 or to both.

67 Unauthorised disclosure of data

- (1) If a person employed or otherwise contracted or engaged for the purposes of this Act by the Registrar General, a sub-registrar, a relying party, a data processor or any other person, without lawful excuse, discloses, transmits, copies or otherwise disseminates any personal data collected or otherwise processed in the course of registration to any person not authorised under this Act or regulations made hereunder or in contravention of any arrangement entered into pursuant to the provisions of this Act, he shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for a term not exceeding 3 years or to a fine not exceeding \$20,000 or to both.
- (2) Sub-section (1) shall not apply to disclosure, transmission, copy or other dissemination made under authority of law or judicial order.

68 Non-compliance by relying parties and data processors

- (1) A relying party or data processor failing to comply with any provision of this Act made hereunder shall be liable to payment of a fine not to exceed \$10,000 for the first failure to comply and \$20,000 for any subsequent failures to comply.
- (2) The Registrar General may at any time require relying parties and data processors to provide any information relating to their activities under this Act with a view to verifying their compliance with it.
- (3) Where the Registrar General has reason to believe that a relying party or data processor has not complied with this Act, the Registrar General shall notify the appropriate authority and assist it in any investigation.

69 Limitation of action

No prosecution shall be instituted against any person for an offence under section 65, 66 or 67 of this Act unless the same shall be commenced within 5 years from the time of the commission of such offence.

PART VI – GENERAL

70 Sub-registries

The Registrar General shall establish service centres and a sub-registry office with necessary facilities at suitable locations for the purpose of its activities under this Act, including for -

- (a) receiving and disseminating information to the general public about the Digital Identification Database and UINs;
- (b) receiving, updating and disseminating information for the purpose of registration, notification of UINs and other aspects of administration of the identification system;
- (c) receiving notifications and updated information, and delivering certificates, under Part I of this Act;
- (d) paying and receiving any fees as prescribed;
- (e) answering questions from the general public; and
- (f) any other purpose required for the Registrar General's functions under this Act.

71 Fees

The fees chargeable under this Act shall be prescribed by Regulations.

72 Power to make regulations

The Registrar General with the consent of Cabinet may make regulations prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

73 Repeal and savings

- (1) The Births, Deaths and Marriages Act [Cap 6.01] is hereby repealed.
- (2) Notwithstanding subsection (1) –
 - (a) any regulation, rule, order, notice or other subsidiary legislation or guideline made pursuant to the Births, Deaths and Marriages Registration Act and the forms and fees prescribed under Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6 and Schedule 7 of the Births, Deaths and Marriages Registration Act [Cap 6.01] shall, if in force at the commencement of this Act, continue in force until replaced by any regulation, rule, order, notice or other subsidiary legislation or guideline made under this Act; and

- (b) any act, decision or other matter carried out pursuant to the Births, Deaths and Marriages Registration Act shall be deemed to have been carried out under this Act.

Passed by the Legislative Assembly on this day of 2025.

EXPLANATORY NOTES

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

The Bill is designed to establish a comprehensive legal framework for managing civil registration and digital identification in Tonga. Its primary purpose is to modernize and streamline the processes of recording vital events such as births, deaths, marriages, and adoptions. The Bill introduces a Digital Identification Database, which aims to enhance the accuracy and efficiency of personal identification, thereby facilitating smoother interactions between citizens and various government services. By integrating digital technologies into civil registration, the Bill seeks to improve data management, ensure the security of personal information, and support the effective delivery of public services. Additionally, it aligns with contemporary standards for data protection and privacy, ensuring that citizens' rights are safeguarded in the digital era.

The Bill is meticulously structured into several parts, each addressing specific aspects of civil registration and digital identification. In total, the Bill comprises a significant number of provisions, meticulously organized to cover the full spectrum of civil registration and digital identification processes. The structure of the Bill is divided into six main parts: Preliminary and Administration, Civil Registration, Digital Identification, Data Protection and Privacy, Non-Compliance and Offences, and General provisions. Each part contains specific sections that detail the procedures, responsibilities, and legal requirements associated with various aspects of civil registration and digital identification. This structured approach ensures clarity and comprehensiveness, allowing for the effective implementation and administration of the Bill's provisions. The inclusion of schedules at the end of the Bill provides additional details and forms necessary for the practical application of its provisions, further enhancing its usability and effectiveness.

PART I: PRELIMINARY & ADMINISTRATION

Section 1: This section formally introduces the title of the Act and specifies the date when the Act will officially come into force, marking the beginning of its legal application.

Section 2: Provides comprehensive definitions for key terms and phrases used throughout the Act. This is crucial for ensuring a clear and uniform understanding of the Act's provisions among all stakeholders.

Section 3: Details the creation of the Office of the Registrar General, outlining its role and authority. This office is pivotal for overseeing the implementation and administration of the Act's provisions.

PART II: CIVIL REGISTRATION

Sections 4-37: These sections collectively establish the Civil Register, a central record for all vital events like births, deaths, and marriages within the Kingdom. They detail the procedures for registering these events, issuing official certificates, and handling special cases, such as events involving citizens that occur outside the Kingdom. This Part ensures that all vital events are systematically recorded and certified.

PART III: DIGITAL IDENTIFICATION DATABASE

These sections lay out a comprehensive framework for digital identification, ensuring the accurate and secure management of personal identification data while facilitating efficient service delivery and data sharing across various platforms.

Section 38 - Digital Identification Database

This section establishes the Digital Identification Database, a centralized electronic register for storing verified personal information. The database's primary objectives include facilitating electronic identification of individuals and serving as a reliable information source for public and private sector entities. It's designed to enhance service delivery efficiency and support scientific research and socio-economic development.

Section 39 - Registration in the Digital Identification Database

This section outlines the criteria and process for registering individuals in the Digital Identification Database. It includes all residents of Tonga, citizens living abroad, and every child born in Tonga. The registration process involves assigning a Unique Identification Number (UIN) to each individual and recording specific personal information. This section ensures that every individual within the scope of the Act is accounted for in the database.

Section 40 - Verification and Deduplication

This section emphasizes the importance of data accuracy and integrity in the Digital Identification Database. It mandates the verification of individuals' identities before their registration and the implementation of measures to prevent duplicate entries. This process is crucial for maintaining the reliability of the database and ensuring that each individual has a unique digital identity.

Section 41 - Provenance of Documents and Information

This section deals with the sources of information and documents used for verification in the Digital Identification Database. It requires the Registrar General to assess the reliability of these sources and only record information that is deemed reliable. This section ensures the authenticity and accuracy of the data entered into the database.

Section 42 - Authorised Representatives of Children, Persons Lacking Capacity, Senior Citizens, and Certain Other Individuals

Recognizing that some individuals may not be able to represent themselves in the registration process, this section allows for authorized representatives to act on their behalf. This includes minors, individuals with disabilities, senior citizens, and others who may require assistance. It ensures inclusivity and accessibility in the registration process.

Section 43 - Updating the Digital Identification Database

This section mandates the Registrar General to keep the database current and correct. It requires individuals to report any changes in their Identification Data and provides a mechanism for them to update or correct their information. This ongoing updating process is vital for the database's accuracy and usefulness.

Section 44 - Legal Status of Identification Data

This section establishes the legal presumption that the Identification Data in the database is correct. It obligates government ministries, departments, and agencies to base their activities and services on this data, highlighting the database's authoritative status in civil and governmental transactions.

Section 45 - Interoperability with Approved Government Databases

This section focuses on the integration of the Digital Identification Database with other government databases. It aims to create a seamless and efficient information-sharing system, enhancing service delivery and reducing bureaucratic redundancy. The interoperability is intended to facilitate the use of UINs across different government platforms.

Section 46 - Relying Party Requests for Identification Data

This section outlines how external entities, termed "relying parties," can request access to Identification Data from the database. It sets the conditions under which such data can be shared, ensuring that it is used appropriately and for legitimate purposes.

Section 47 - Relying Parties

This section defines who can be considered a "relying party" eligible to access the Digital Identification Database. It includes government ministries, departments, agencies, and certain private entities. This access is crucial for these entities to fulfill their legal obligations and provide services efficiently.

Section 48 - Relying Party Compliance

This section mandates compliance from relying parties with the obligations set out in the Act, including adherence to protocols and technical measures for data security and integrity. It ensures that entities accessing the database uphold the highest standards of data protection and privacy.

Section 49 - Relying Party Information Requests

This section requires relying parties to be transparent when requesting information from the database. They must disclose the nature of the information requested, its intended use, any third parties involved, and the duration of retention. This transparency is key to maintaining public trust in the system.

Section 50 – Safeguarding Procedures

Recognizing the possibility of technical failures, this section outlines procedures for handling exceptions and failures in the Digital Identification Database. It aims to ensure that individuals and relying parties are not adversely affected by such incidents.

Section 51 - Procurement, Vendors, and Technologies

This section addresses the technical aspects of the Digital Identification Database, including the procurement of technology and selection of vendors. It emphasizes the use of open standards and technologies to avoid vendor lock-in and ensure future adaptability and interoperability.

Section 52 - Information for Individuals about Processing of Their Personal Information

This section is dedicated to informing individuals about how their personal information is processed within the database. It covers aspects such as the purpose of data collection, types of data shared, and individuals' rights regarding their data. This section is crucial for upholding data protection principles and individual rights.

Section 53 - Assignment of UINs and Tokens

This section details the assignment of Unique Identification Numbers (UINs) and associated tokens to individuals registered in the database. It outlines the purpose, structure, and management of these identifiers, ensuring they are unique and secure.

Section 54 - Deactivation of UINs and Tokens

This section covers the circumstances under which UINs and associated tokens can be deactivated, such as upon an individual's death or compromise of data integrity. It ensures that the database remains current and secure.

Section 55 - Status of the UIN and Associated Token

This section establishes the legal status of UINs and associated tokens, mandating their acceptance by various entities for identification purposes. It underscores the centrality of these identifiers in the digital identification system.

Section 56 - Coordination with Other Agencies

This section mandates regular coordination between the Registrar General and other agencies or entities. It aims to ensure consistent and efficient use of the UIN system across different sectors and to uphold data security and privacy standards.

PART IV: DATA PROTECTION AND PRIVACY

These sections collectively ensure that the civil registration system operates with a high standard of data protection and privacy, granting individuals rights over their personal information and setting clear responsibilities for data handlers.

Section 57 - Responsibilities of the Registrar General under the Privacy Act

This section outlines the duties of the Registrar General in complying with the Privacy Act. It emphasizes the need to handle personal data responsibly in the civil registration system, ensuring that data collection, storage, and processing align with privacy and data protection laws.

Section 58 - Right to Information

This section grants individuals the right to access their personal information held within the civil registration system. It allows individuals to know what personal data is stored, how it is used, and ensures transparency in data processing.

Section 59 - Right to Correction

This section provides individuals with the right to request corrections to their personal data in the civil registration system. It ensures that individuals can rectify any inaccuracies or errors in their personal information, maintaining the integrity of the data.

PART V: NON-COMPLIANCE AND OFFENCES

These sections collectively form a comprehensive legal framework to address and penalize non-compliance and offenses related to the civil registration and digital identification processes. They are crucial for maintaining the integrity, security, and reliability of the civil registration system and the Digital Identification Database. By establishing clear penalties and compliance requirements, the Act aims to deter fraudulent activities and ensure the responsible handling of personal data.

Section 62 - False registration as a minister

This section addresses the issue of false registration, particularly in the context of religious officiants. It sets out penalties for individuals who falsely register themselves as ministers of religion for the purpose of officiating marriages, thereby safeguarding the integrity of religious and marital records.

Section 63 - False Declaration relating to marriage

This section penalizes the act of making false declarations or statements to obtain marriage certificates or licenses. It aims to prevent fraudulent marriages by ensuring that all declarations and documents submitted for marriage registration are truthful and accurate.

Section 64 - False Information Relating to Births or Deaths

This section imposes penalties for providing false information regarding births and deaths. It is crucial for maintaining the accuracy and reliability of vital statistics, which are essential for various governmental planning and public services.

Section 65 - False Information Relating to Identification Data

This section is designed to penalize the provision of false information for the purpose of registration in the Digital Identification Database. Given the database's significance in personal identification and verification processes, ensuring the accuracy of entered data is paramount.

Section 66 - Personation

This section deals with the offense of personation, which includes falsely registering as another individual or misusing someone else's identity, particularly in the context of the Digital Identification Database. This provision is critical for preventing identity theft and fraud.

Section 67 - Unauthorized Disclosure of Data

This section addresses the unauthorized disclosure of personal data collected under the Act. It sets out penalties for individuals who, without lawful excuse, disclose sensitive personal information, thereby breaching privacy and confidentiality standards.

Section 68 - Non-Compliance by Relying Parties and Data Processors

This section focuses on ensuring that entities (relying parties and data processors) that access or process data from the Digital Identification Database comply with the Act's provisions. It allows the Registrar General to enforce compliance and assist in investigations of non-compliance.

Section 69 - Limitation of Action

This section establishes a statute of limitations for prosecuting offenses under specific sections of the Act. It sets a time frame within which legal action must be initiated, providing a balance between the need for accountability and the principle of legal certainty.

PART VI: GENERAL

These sections in Part VI are essential as they deal with the practical aspects of implementing the Act, ensuring that the transition to the new system is smooth and that the system's administration is sustainable and adaptable. They provide the necessary administrative and legal framework to support the effective functioning of the civil registration and digital identification system in Tonga.

Section 70 - Sub-registries

This section mandates the establishment of service centers by the Registrar General. These centers are intended to facilitate the Act's implementation by providing accessible locations for public interaction. They serve various functions, including disseminating information about the Digital Identification Database and UINs, handling notifications and registrations, issuing certificates, and addressing public inquiries. This provision ensures that the services related to civil registration and digital identification are accessible to all citizens, thereby enhancing the efficiency and user-friendliness of the system.

Section 71 - Fees

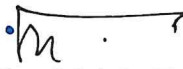
This section grants the Registrar General the authority to charge fees for services provided under the Act. The ability to levy fees is essential for covering the operational costs of maintaining the civil registration system and the Digital Identification Database. It also helps in ensuring that the services are sustainable in the long term. The section implies that the fee structure will be regulated and standardized, likely detailed in a schedule or a separate regulation.

Section 72 - Power to Make Regulations

This section empowers the Registrar General, with the consent of the Cabinet, to make regulations necessary for the Act's effective implementation. This includes prescribing matters required or permitted by the Act or necessary for carrying out its provisions. This provision is crucial as it provides the flexibility to adapt and refine the implementation process of the Act in response to practical experiences, technological advancements, and changing societal needs.

Section 73 - Repeal and Savings

This section addresses the transition from the previous legal framework to the new system established by this Act. It repeals the existing Births, Deaths, and Marriages Act but also includes a savings clause to ensure that the transition is smooth. The savings clause typically allows for the continuation of actions, regulations, and decisions made under the repealed Act until they are replaced under the new Act. This approach ensures legal continuity and prevents any administrative or legal vacuum during the transition period.


Hon. Mo'ale Finau
Minister of Justice



