

TONGA GOVERNMENT GAZETTE SUPPLEMENT EXTRAORDINARY

No. 49

JULY, 2

1991.

CIVIL AVIATION ACT CIVIL AVIATION (CHARGES AT AERODROMES) REGULATIONS 1991

In exercise of the powers conferred on him by section 7 of the Civil Aviation Act, 1990, the Minister for Civil Aviation, with the consent of the Cabinet, makes the following regulations -

1. These regulations may be cited as the Civil Aviation (Charges at Aerodromes) Regulations 1991.
2. The Civil Aviation (Charges at Aerodromes) Regulations 1984 is repealed.
3. The charges specified in the schedule hereto shall be paid by all aircraft except as provided in the said schedule.

SCHEDULE LANDING FEES

1. Subject to the provisions of paragraphs 2 and 3 of this schedule, Landing Fees in accordance with the following scale per 1 tonne (1016 Kgs) weight shall be charged and payable in respect of each Landing at an aerodrome by an aircraft for the carriage of passengers, cargo or mail.
 - (a) Domestic Operations - T\$2.50 per 1016 kgs
 - (b) International Operations - Fua'amotu T\$7.50 per 1016 kgs
 - (c) International Operations - Vava'u, Niuaotupapu T\$5.50 per 1016 kgs
2. In calculating the fees to be charged in accordance with the scale set out in the preceding paragraph the weight of the aircraft shall be the maximum permissible take-off weight of the aircraft authorised by the Aircraft Flight Manual or other equivalent document reckoned to the nearest 1016 kgs.
3. In the case of the Landing of an aircraft of or exceeding the maximum permissible take-off weight of 5000 kilograms whilst engaged on a flight made solely for the purpose of training aircraft personnel, the fees charged shall be one quarter of the appropriate fee set out in paragraph 1 of the schedule.
4. The following surcharges are in addition to the above charges when flight operates between sunset and sunrise.

- (a) If the aircraft Lands between sunrise and sunset but takes off between sunset and sunrise a 25 percent additional charge is made, minimum of T\$50.00.
- (b) If the aircraft lands between sunset and sunrise and takes off within one hour a 25 per cent additional charge is made, minimum T\$40.
- (c) If the aircraft lands between sunset and sunrise and takes off after one hour between sunset and sunrise a 50 percent additional charge is made, minimum T\$70.

5. Payments of landing charges shall be made in Tongan Pa'anga in the following manner.

- (a) Every domestic operators shall forward within 30 days at the end of each month a return of his landings for that month together with payment for the landing charges thereon unless other arrangements are approved by the Minister.
- (b) Every scheduled international operator shall forward within 42 days of the end of each month a return of his landings for that month together with payment for the landing charges thereof unless other arrangements are approved by the Minister.
- (c) Every non-scheduled international operator shall pay his landing charges before take-of unless other arrangements are approved by the Minister.

6. Charges will be reduced to one-half for rotary-wing aircraft.

7. The following aircraft shall be exempt from the payment of fees:-

- (a) foreign military aircraft
- (b) diplomatic aircraft
- (c) state aircraft
- (d) aircraft being used for Government ceremonial purposes
- (e) aircraft carrying out a test flight or flights before departure
- (f) aircraft engaged in air / sea (rescue) flights

Provided that:

- (i) each such flight is undertaken solely for the purpose of testing the aircraft, the engines of instrument of the aircraft.
- (ii) the person in charge of the aerodrome is given prior notice of any such flight and is satisfied that each such flight is necessary.
- (g) non-scheduled aircraft which received exemption by authority of the Minister Responsible for Civil Aviation on the individual application by the carrier or operator to the Minister.

- (h) aircraft operating to provide necessary amenity scheduled services to 'Eua, Ha'apai, Niuafo'ou, Niuatoputapu, and Vava'u as may be authorised by the Minister Responsible for Civil Aviation.
- (i) Aircraft being used to calibrate navigational aids in Tonga.

PARKING FEES

8. Subject to the provisions of paragraph, 10 of this Schedule, fees shall be charged and payable for the parking of aircraft at any aerodrome for any period in excess of three hours and shall be paid in accordance, with the following scale.

PERIOD OF PARKING AND RATE		
Weight of Aircraft	Not in Excess of	Per Hour or Part thereof
	Six Hours	in Excess of Six Hours
	T\$	T\$
Not exceeding 10160 kgs	nil	0.50
Exceeding 10160 kgs but not exceeding 25401 kgs	8.50	2.00
Exceeding 25401 kgs but not exceeding 50802 kgs	18.50	4.00
Exceeding 50802 kgs but not exceeding 203208 kgs	36.50	7.50
Exceeding 203208 kgs	55.00	11.00

9. For the purpose of the last preceding paragraph the weight of and aircraft shall be assessed on the same basis as under the provision of paragraph 2 of this schedule.

10. The following aircraft shall be exempt from parking fees:-

- (a) Foreign Military aircraft
- (b) Diplomatic aircraft
- (c) State aircraft
- (d) Aircraft being used for Government ceremonial purposes
- (e) Aircraft engaged in air/ sea (rescue) flights
- (f) Aircraft normally operational from aerodromes within the Kingdom
- (g) Aircraft being used to calibrate navigational aids in Tonga
- (h) Non-schedule aircraft such as may be exempted by authority of the Minister Responsible for Civil Aviation on the individual application by the carrier or operator to the Minister.

11. Payments of parking charges shall be made in Tongan Pa'anga in the following manner:-

- (a) Every domestic operator shall forward within 30 days at the end of each month a return of his parkings for that month together with payment for the parking his charges thereon unless other arrangements are approved by the Minister.
- (b) Every scheduled international operator shall forward within 42 days of the end of each month a return of parkings for that month together with payments for the parking charges thereon unless other arrangements are approved by the Minister.
- (c) Every non-scheduled international operator shall pay his parking charges before take-off unless other arrangements are approved by the Minister.

CERTIFICATION OF AIRCRAFT AND LICENSING OPERATORS

1. The fees payable in respect of the issue of a Certificate of Registration in the first instance shall be T\$200. Thereafter a fee of T\$50 shall be payable in respect of each registration transfer.

2. The fees payable in respect of the issue of a Certificate of Validation of a Certificate of Airworthiness shall be T\$200.

3. The fee to be charged in respect of every type certificate of Airworthiness or certificate of type approval shall be at the discretion of the Minister and shall be based upon, but shall not exceed, the cost of the investigation into the design and construction of the aircraft or aircraft components for the purposes of the certificate.

4. The fee in respect of the issue of every series certificate of airworthiness shall be:

- "(a) For aircraft over 5700 kg, \$500:
- "(b) For aircraft over 2950 kg, \$200:
- "(c) For aircraft of 2950 kg or below \$80.

5. The fee in respect of the renewal of every series certificate of airworthiness shall be:

- "(a) For aircraft over 5700 kg, \$200:
- "(b) For aircraft over 2950 kg, \$80:
- "(c) For aircraft of 2950 kg or below, \$40:

6. A fee of T\$20 will be charged for issue of a Validation Certificate to any licence or rating. A fee of T\$15 may be charged for any examination that takes place for the purpose of issuing a Validation Certificate.

7. A fee of \$200 shall be payable for the issue of an air service licence or certificate and a fee of \$50 shall be payable for any transfer of any such licence or certificate.

8. A fee of TS20 shall be payable for the issue of a duplicate certificate or licence of any kind when the original is lost or destroyed.

Dated this 1st day of July 1991.

Minister for Civil Aviation

**CIVIL AVIATION ACT
CIVIL AVIATION (PASSENGER SERVICE CHARGE)
REGULATIONS 1991**

In exercise of the powers conferred on him by Section 7 of the Civil Aviation Act, 1990, the Minister for Civil Aviation, with the consent of the Cabinet, makes the following regulations -

1. These regulations may be cited as the Civil Aviation (Passenger Service Charge) Regulations 1991.
2. The Civil Aviation (Passenger Service Charge) Regulations 1977, as amended, is repealed.
3. Unless otherwise exempted under these regulations any passenger embarking on an aircraft at an airport within Tonga for a destination outside Tonga shall pay to the Government a passenger service charge of TS15.00.
4. The manner in which the passenger service charge shall be paid and collected and all forms and procedures appropriate thereto shall be determined by the Minister responsible for Civil Aviation.
5. The following passengers shall be exempted from the payment of a passenger service charge:
 - (a) a Head of State;
 - (b) a Diplomats accredited to Tonga;
 - (c) transit passengers continuing their journey by the same or first connecting flight whether they leave the airport or not and up to a maximum period of 12 hours after arrival at the airport;
 - (d) children under two years of age accompanied by a passenger who has paid passenger service charge or who is exempted from payment in terms of this regulations;
 - (e) aircraft crews travelling on duty including positioning crews;
 - (f) passengers travelling in a State aircraft or an aircraft being used for the ceremonial purpose of the Government;
 - (g) passengers travelling in an aircraft being used to calibrate navigational aids in Tonga;
 - (h) passengers travelling on an aircraft engaged in a search and rescue flights;
 - (i) crew of military aircraft on duty;

- (j) any passenger specifically exempted in writing by the Minister responsible for Civil Aviation.

6. In any case where an aircraft lands at an airport within Tonga because of an emergency no passenger service charge will be payable in respect of the later departure of a passenger arriving on that aircraft whether the passenger leaves on the same aircraft or not or whether the passenger leaves the airport or not.

7. All passenger service charges collected in accordance with these Regulations shall be paid into the Government Revenue.

8. Any passenger who knowingly fails to pay the passenger service charge imposed by these Regulations shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pa'anga or to imprisonment for a period not exceeding one month or to both such fine and imprisonment.

9. The Minister responsible for Civil Aviation may delegate his powers under these Regulations in the manner provided under Section 5 of the Civil Aviation Act 1990.

10. Payment of fees - until the appropriate fee has been paid the Minister may decline to do any act, or permit any act to be done, or to receive any document, in respect of which the fee is payable under these Regulations.

Dated this 1st day of July 1991.

Minister for Civil Aviation.

CIVIL AVIATION ACT 1990
CIVIL AVIATION (RESTRICTION OF USE OF LAND)
REGULATIONS 1991

In exercise of the powers conferred on me by Section 14(1) of the Civil Aviation Act, 1990, the Minister for Civil Aviation, with the consent of Cabinet, makes the following regulations -

1. These regulations may be cited as the Civil Aviation (Restriction of Use of Land) Regulations 1991 and shall come into force on the day that the Civil Aviation Act, 1990, comes into force.

2. The following are prohibited and restricted in the areas specified in the First, Second and Third Schedules and the diagrams referred to therein

- (a) The erection of buildings, structures or other things.
- (b) The planting of trees.
- (c) The sowing or growing of any plant or crop except with the consent of the Minister in areas specified by the Minister in writing.
- (d) The bringing of vessels or vehicles or the anchoring or mooring or any vessel or the parking of any vehicle.

3. Any person acting in contravention of these regulations commits an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding six months or to both.

4. The Order-in-Council dated 9 March 1990 and published in the Tonga Government Gazette Supplement Extraordinary dated 11 July 1990 is hereby repealed.

SCHEDULE 1

FUA'AMOTU AERODROME CLEARANCE

Transitional Side Surface:

On both sides of the east-south-east - west-north-west airstrip so that a line starting from any point at ground level on the edge of the airstrip, 79 metres from the centre line of the airstrip and drawn at right angles thereto and at a gradient of 1 in 7 from the horizontal will be clear of all obstructions.

On both sides of the north-south airstrip so that a line starting from any point at ground level on the edge of the Airstrip, 57.5 metres from the centre line of the airstrip, and drawn at right angles thereto at a gradient of 1 in 7 from the horizontal will be clear of all obstructions.

Approach Surface:

On both sides or ends of the east-south-east - west-north-west airstrip there exist funnel shaped planes as shown in Diagram 1 on this schedule that will be clear of all obstructions. These planes are defined with a 150 metres long inner edge at right angles to the centre lines of the airstrip located 60 metres horizontally in the direction of take-off from the threshold of the airstrip and diverging on both sides at 12.5%. The planes incline at an angle of 1 in 50 (2%) to the horizontal from the inner edge, and have gradients at right angles to the centre line of the airstrip of 1 in 7 from the edges of this plane.

On both ends of the north - south airstrip there exist funnel shaped planes as shown in Diagram 1 on this schedule that will be clear of all obstructions. These planes are defined with a 115 metres long inner horizontally in the direction of take-off from the threshold of the airstrip and diverging on both sides at 10.0 percent. The planes incline at an angle of 1 in 40 (2.5%) to the horizontal from the inner edge, and have the gradients at right angles to the centre line of the airstrip of 1 in 7 from the edges of this planes.

Inner Horizontal Surface:

The horizontal surface is contained in a horizontal plane located 150 feet (45 metres) above the aerodrome elevation datum. Its outer limits are at a horizontal radius of at least 4000 metres measured from the periphery of the strip. Refer to diagram 2.

SCHEDULE 2**KAUFANA AERODROME CLEARANCE****Transitional Side Surface:**

On both sides of the north - south airstrip so that a line starting from any point at ground level on the edge of the strip, 45 metres from the centre line of the airstrip and drawn at right angles thereto and at a gradient of 1 in 7 from the horizontal will be clear of all obstructions.

Approach Surface:

On both ends of the north - south airstrip there exist funnel shaped planes as shown in Diagram 1 on this schedule that will be clear of all obstructions. These planes are defined with a 90 metres long inner edge at right angles to the centre line of the airstrip located 60 metres horizontally in the direction of take-off from the threshold of the airstrip and diverging on both sides at 15%. The planes incline at an angle of 1 in 40 (2.5%) to the horizontal from the inner edge, and have gradients at right angles to the centre line of the airstrip of 1 in 7 from the edges of this plane.

SCHEDULE 3**SALOTE PILOLEVU AERODROME CLEARANCE****Transitional Side Surface:**

On both sides of the east-south-east - west-north-west airstrip so that a line starting from any point at ground level on the edge of the airstrip, 45 metres from the centre lines of the airstrip and drawn at right angle thereto and at a gradient of 1 in 7 from the horizontal for a distance of 50 metres will be clear of all obstruction.

Approach Surface:

On the northern end of the airstrip there exist funnel shaped planes as shown in Diagram 1 on this schedule that will be clear of all obstructions. The plane is defined with a 90 metres long inner edge at right angles to the centre line of the airstrip located 60 metres horizontally in the direction of take-off from the threshold of the airstrip and diverging on both sides at 15%. The planes incline at an angle of 1 in 40 (2.5%) to the horizontal from the inner edge, and have gradients at right angles to the centre line of the airstrip of 1 in 7 from the edges of this plane.

Made this 1st day of July 1991.

Minister of Civil Aviation

FAKALAHİ KI HE KASETE 'A E PULE'ANGA KASETE MAKEHE

Fika. 4.

SIULAI, 2

1991.

LAO KI HE FOLAU VAKAPUNA SIVILE NGAAHI TU'UTU'UNI KI HE FOLAU VAKAPUNA SIVILE (NGAAHI TOTONGI MALA'E VAKAPUNA) 1991

'I hono ngaue'aki 'a e ngaahi mafai kuo foaki kiate ia 'e he Kupu 7 'o e Lao ki he Folau Vakapuna Sivile, 1990, 'oku fai ai 'e he Minisita ki he Folau Vakapuna Sivile, 'i he loto ki ai 'a e Kapineti, 'a e ngaahi tu'utu'uni ko 'eni -

1. 'E ui 'a e ngaahi tu'utu'uni ko 'eni ko e Ngaahi Tu'utu'uni ki he Folau Vakapuna Sivile (Ngaahi Totongi Mala'e Vakapuna) 1991.
2. 'Oku fakapekia heni 'a e Ngaahi Tu'utu'uni ki he Folau Vakapuna Sivile (Ngaahi Totongi Mala'e Vakapuna) 1984.
3. Kuopau ke totongi 'e he vakapuna kotoa pe 'a e ngaahi totongi 'oku fakamahino'i atu 'i he tepile ko 'eni tukukehe kapau 'e 'i ai ha tu'utu'uni ki ai 'i he tepile.

TEPILE NGAAHI TOTONGI TU'UTA

1. Fakatatau ki he ngaahi tu'utu'uni 'a e palakalafi 2 mo e 3 'o e tepile ni, ko e ngaahi totongi Tu'uta ki he toni 'e 1 (1016 kgs) fakatatau ki he sikeili mamafa ko 'eni kuopau ke hilifaki pea ke totongi 'i he tu'uta kotoa pe 'i he mala'e vakapuna 'a ha vakapuna uta pasese, koloa pe meili.
 - (a) Puna Fakalotofonua - T\$2.50 ki he 1016 kgs
 - (b) Puna Fakavaha'a Pule'anga - Fua'amotu T\$7.50 ki he 1016 kgs
 - (c) Puna Fakavaha'a Pule'anga - Vava'u, Niuatoputapu T\$5.50 ki he 1016 kgs
2. 'I hono fika'i 'o e ngaahi totongi ke hilifaki 'o fakatatau ki he sikeili kuo fokotu'u 'i he palakalafi kimu'a kuopau ko e mamafa 'o e vakapuna ko e mamafa ma'olunga taha ia 'oku ngofua ki he puna 'a e vakapuna 'a ia kuo fakamafai'i 'e he Tohi Fepuna'aki 'a e vakapuna pe ko ha tohi tatau mo ia 'oku fakafuofua ke ofi taha ki he 1016 kgs.
3. 'I he tu'uta ha vakapuna 'oku fe'unga pe lahi ange hono mamafa 'i he mamafa ma'olunga taha 'oku ngofua ki he puna 'a e vakapuna ko e kilokalami 'e 5000 lolotonga 'oku puna 'o taumu'a taha pe ki hono ako'i 'o e kau ngaue vakapuna, kuopau ko e totongi ko ia 'e hilifaki ko e vahe fa 'e taha 'o e totongi totonu kuo fokotu'u 'i he palakalafi 1 'o e tepile.

4. Ko e ngaahi totongi fakalahi 'eni 'e tanaki ki he ngaahi totongi 'oku haa 'i 'olunga 'i he taimi 'e puna ai 'a e vakapuna 'i he vaha'a e to 'a e la'aa mo 'ene hopo.

- a) Kapau 'e to 'a e vakapuna 'i he vaha'a 'a e hopo 'a e la'aa mo 'ene too kae puna 'i he vaha'a 'o e too 'a e la'aa mo 'ene hopo 'e totongi tanaki atu ki ai 'a e peseti 'e 25, ko e ma'ulalo taha ko e TS\$50.00.
- b) Kapau 'e too 'a e vakapuna 'i he vaha'a 'o e too 'a e la'aa mo e 'ene hopo pea to e puna pe 'i loto 'i he houa 'e taha 'e totongi tanaki atu ki ai 'a e peseti 'e 25, ko e ma'ulalo taha ko e TS\$40.00.
- c) Kapau 'e too 'a e vakapuna 'i he vaha'a 'o e too 'a e la'aa mo 'ene hopo pea puna 'i he hili pe 'a e houa 'e taha 'i he vaha'a 'o e too 'a e la'aa mo 'ene hopo 'e totongi tanaki atu ki ai 'a e peseti 'e 50, ko e ma'ulalo taha ko e TS\$70.00.

5. Ko e ngaahi totongi 'o e ngaahi to hifo kuo pau ke fai 'aki ia 'a e pa'anga Tonga 'i he founga ko 'eni.

- a) Ko e tokotaha kotoa pe 'oku ne fakalele 'a e ngaahi vakapuna 'oku fepuna'aki fakalotofonua kuopau ke ne 'oatu 'i loto 'i he 'aho 'e 30 'i he 'osi 'a e mahina kotoa pe 'a e fakamatala 'o 'ene ngaahi to hifo ki he mahina ko ia fakataha mo 'ene ngaahi totongi to hifo ki ai tukukehe kapau kuo 'osi 'i ai ha toe fokotu'utu'u kehe kuo loto ki ai 'a e Minisitaa.
- b) Ko e tokotaha kotoa pe 'oku ne fakalele ha ngaahi vakapuna 'oku fepuna'aki fakavaha'a pule'anga 'o fakataimi tepile kuo pau ke ne 'oatu 'i loto 'i he 'aho 'e 42 mei he 'osi 'a e mahina kotoa pe 'a e fakamatala 'o 'ene ngaahi to hifo ki he mahina ko ia fakataha mo e ngaahi totongi ki he 'ene ngaahi to hifo 'i he mahina ko ia tukukehe 'o ka 'i ai ha ngaahi fokotu'utu'u kehe kuo faka'ataa 'e he Minisitaa.
- c) Ko e tokotaha kotoa pe 'oku fakalele ha ngaahi vakapuna 'oku fepuna'aki fakavaha'a pule'anga ka 'oku 'ikai fakataimi-tepile kuo pau ke ne totongi 'ene ngaahi totongi to hifo ki mu'a pea ne toki puna tukukehe 'o ka 'i ai ha ngaahi fokotu'utu'u kehe kuo faka'ataa 'e he Minisitaa.

6. Ko e ngaahi totongi kuo pau ke holoki ke vahe ua 'e taha ki he vakapuna helikopeta.

7. Ko e ngaahi vakapuna 'eni kuo pau ke faka'ataa mei he ngaahi totongi to hifo.

- a) vakapuna fakakautau mei muli;
- b) vakapuna fakatipilometika;
- c) vakapuna fakapule'anga;

- d) vakapuna 'oku ngaue'aki ki he ngaahi katoanga fakapule'anga;
- e) vakapuna 'oku ne fai ha puna pe ngaahi puna 'ahi'ahi kimu'a pea ne toki mavahe atu;
- f) vakapuna 'oku ne fai ha ngaahi puna (fakahaofi mo'ui) 'i he 'ataa pe 'i tahi.

Ka kuo pau :-

- (i) Ko e puna takitaha ko ia 'oku fai ia 'i he taumu'a pe ke sivi 'a e vakapuna, mo e ngaahi misini pe ko e ngaahi naunau ngaue 'i he vakapuna;
- (ii) 'Oku 'oatu ki he tokotaha 'oku ne pule'i 'a e mala'e vakapuna ha fakahaa kimu'a 'i he puna ko ia pea 'oku ne tui ko e puna takitaha ko ia 'oku fiema'u ke fai;
- (g) vakapuna 'oku 'ikai puna fakataimi tepile 'a ia kuo faka'ataa 'i he mafai 'o e Minisitaa 'oku ne tokanga'i 'a e Folau Vakapuna Sivile 'i ha tohi kole ki he Minisita 'a e kautaha vakapuna (carrier) pe ko e taha 'oku ne fakalele (operator);
- h) vakapuna 'e fiema'u ke toutou fepuna'aki ki 'Eua, Ha'apai, Niuafo'ou, Niuaatoputapu mo Vava'u 'e fakamafai'i 'e he Minisitaa 'oku ne tokanga'i 'a e Folau Vakapuna Sivile.
- i) vakapuna 'oku faka'aonga'i ki hono vakai'i pe 'oku tonu e ngaahi me'angaue tokoni faifolau 'i Tonga ni.

NGAAHI TOTONGI TAIMI TAU

8. Fakatautu ki he ngaahi tu'utu'uni 'a e palakalafi 10 'o e tepile ni, kuopau ke hilifaki pea ke totongi 'a e ngaahi totongi ki hono tau 'o e vakapuna 'i ha mala'e vakapuna 'o laka hake 'i he houa 'e tolu pea kuopau ke totongi atu ia 'o fakatautu ki he sikeili ko 'eni:

TAIMI 'O E TAU MO E TOTONGI

Mamafa 'o e Vakapuna Laka 'i he houa 'e 6 Ki he houa pe
si'isi'i hifo ai 'i he
laka he houa 'e 6

	T\$	T\$
'Ikai mamafa ange he 10160 kgs	'Ikai ha totongi	0.50
Mamafa ange he 10160 kgs kae 'ikai mamafa ange he 25401 kgs	8.50	2.00
Mamafa ange he 25401 kgs kae 'ikai mamafa ange he 50802 kgs	18.50	4.00

Mamafa ange he 50802 kgs	36.50	7.50
kae 'ikai mamafa ange he 203208 kgs		

Mamafa ange he 203208 kgs	55.00	11.00
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9. Koe'uhi ko e ngaahi taumu'a 'o e palakalafi kuo toki hili ange ko e mamafa 'o ha vakapuna kuo pau ke fakafuofua ia 'o tatau mo ia 'oku haa 'i he tu'utu'uni 'o e palakalafi 2 'o e Tepile ko 'eni.

10. Ko e ngaahi vakapuna ko 'eni kuo pau ke faka'ataa mei he ngaahi totongi tau 'i mala'e vakapuna:-

- a) vakapuna fakakautau mei muli;
- b) vakapuna fakatipilometika;
- c) vakapuna fakapule'anga;
- d) vakapuna 'oku ngaue'aki 'i he ngaahi katoanga fakapule'anga;
- e) vakapuna 'oku ne fai ha ngaahi puna fakahaofi mo'ui 'i he 'ataa pe 'i tahi;
- f) vakapuna 'oku ngaue'aki pe mei he ngaahi mala'e vakapuna 'o e Pule'anga ni;
- g) vakapuna 'oku faka'aonga'i ki hono vakai'i pe 'oku tonu e ngaahi me'angaue tokoni faifolau 'i Tonga ni;
- h) vakapuna 'oku 'ikai ha 'i ha taimi tepile 'a ia kuo faka'ataa 'i he mafai 'o e Minisitaa 'oku ne tokanga'i 'a e Folau Vakapuna Sivile 'i he tohi kole ki ai 'a e kautaha vakapuna (carrier) pe taha 'oku ne fakalele (operator) ki he Minisitaa.

11. Ko e ngaahi totongi taimi tau kuo pau ke fai 'aki ia 'a e Pa'anga Tonga 'i he founga ko 'eni:-

- a) Ko e tokotaha kotoa pe 'oku ne fakalele ha ngaahi vakapuna 'oku fepuna'aki fakalotofonua kuopau ke ne 'oatu 'i loto 'i he 'aho 'e 30 'i he 'osi 'o e mahina kotoa pe 'a e fakamatala 'o 'ene ngaahi taimi tau 'i he mala'e 'i he mahina ko ia fakataha mo e totongi ki he totongi 'oku fiema'u ki he ngaahi taimi tau ko ia tukukehe 'o ka 'oku 'i ai ha ngaahi fokotu'utu'u makehe kuo faka'ataa 'e he Minisitaa.
- b) Ko e tokotaha kotoa pe 'oku ne fakalele ha ngaahi vakapuna 'oku fepuna'aki fakavaha'a pule'anga 'o fakataimi tepile kuo pau ke ne 'oatu 'i loto 'i he 'aho 'e 42 mei he 'osi 'a e mahina kotoa pe 'a e fakamatala 'o 'ene ngaahi taimi tau ki he mahina ko ia fakataha mo e ngaahi totongi 'oku fiema'u ki he taimi tau ko ia tukukehe 'o ka 'i ai ha ngaahi fokotu'utu'u makehe 'e faka'ataa 'e he Minisitaa.

- c) Ko e tokotaha kotoa pe 'oku ne fakalele ha ngaahi vakapuna 'oku fepuna'aki fakavaha'a pule'anga ka 'oku 'ikai fakataimi tepile kuopau ke ne totongi 'ene taimi 'oku tau ai kimu'a pea toki puna tukukehe 'o kapau 'oku 'i ai ha ngaahi fokotu'utu'u makehe kuo faka'ataa 'e he Minisitaa.

**TOHI FAKAMO'ONI 'O E VAKAPUNA MO LAISENI
'O KINAUTOLU 'OKU NAU FAKALELE 'A E VAKAPUNA**

1. Ko e totongi 'o hono 'uluaki 'oatu 'o ha Tohi Fakamo'oni Lesisita kuopau ke T\$200. Kuopau ke totongi 'a e T\$50 ki hono liliu 'o ha lesisita hili hono 'uluaki lesisita.
2. Ko e totongi 'o hono 'oatu 'o ha Tohi Fakamo'oni 'Aonga Fakalao 'o ha Tohi Fakamo'oni Taau ke Puna kuopau ke T\$200.
3. Ko e totongi ke hilifaki ki he tohi fakamo'oni Taau ke Puna pe tohi fakamo'oni paasi, kuopau ke tu'utu'uni ki ai 'e he Minisitaa, pea kuopau ke fakatefito ia, ka kuopau 'e 'ikai laka hake, 'i he totongi 'o hono fakatotolo'i 'o e fotunga mo e fa'unga 'o e vakapuna pe ngaahi kongokonga 'o e vakapuna 'o taumu'a ki hono fai 'o e tohi fakamo'oni.
4. Ko e totongi ki hono 'oatu 'o e hokohoko 'o e tohi fakamo'oni Taau ke Puna kuopau ke:
 - a) \$500, ki he vakapuna 'oku mamafa ange he 5700 kg;
 - b) \$200, ki he vakapuna 'oku mamafa ange he 2950 kg;
 - c) \$80, ki he vakapuna 'oku 2950 kg pe ma'ama'a ange ai.
5. Ko e totongi ki hono fakafo'ou 'o e hokohoko 'o e tohi fakamo'oni Taau ke Puna kotoa pe kuopau ke:
 - a) \$200, ki he vakapuna 'oku mamafa ange he 5700 kg;
 - b) \$80, ki he vakapuna 'oku mamafa ange he 2950 kg;
 - c) \$40, ki he vakapuna 'oku 2950 kg pe ma'ama'a ange ai.
6. Kuopau ke hilifaki ha totongi ko e T\$20 ki hono 'oatu ha Tohi Fakamo'oni 'Aonga Fakalao ki ha fa'ahinga laiseni pe fakakalakalasi. 'E ngofua ke hilifaki ha totongi ko e T\$15 ki ha fa'ahinga sivi 'e fakahoko 'o fakataumu'a ki hono 'oatu 'o ha Tohi Fakamo'oni 'Aonga Fakalao.
7. Kuopau ke totongi atu ha totongi ko e \$200 ki hono 'oatu 'o ha laiseni pe tohi fakamo'oni fefolau'aki vakapuna pea kuopau ke totongi atu 'a e totongi ko e \$50 ki hono liliu 'o e laiseni pe tohi fakamo'oni ko ia.
8. Kuopau ke totongi atu ha totongi ko e T\$20 ki hono 'oatu ha tatau 'o ha fa'ahinga laiseni pe tohi fakamo'oni kapau kuo mole pe kuo faka'auha 'a e 'uluaki laiseni pe tohi fakamo'oni.

Na'e fakahoko 'i he 'aho 1 'o Siulai 1991.

Minisitaa ki he Folau Vakapuna Sivile

**LAO KI HE FOLAU VAKAPUNA SIVILE
TU'UTU'UNI KI HE FOLAU VAKAPUNA SIVILE
(TOTONGI NGAUE KI HE PASESE) 1991**

'I hono ngaue'aki 'o e mafai 'oku foaki kiate ia 'e he Kupu 7 'o e Lao ki he Folau Vakapuna Sivile, 1990, 'oku fai ai 'e he Minisitaa ki he Folau Vakapuna Sivile, 'i he loto ki ai 'a e Kapineti, 'a e tu'utu'uni ni -

1. 'E ui 'a e tu'utu'uni ni ko e Tu'utu'uni ki he Folau Vakapuna Sivile (Totongi Pasese) 1991.

2. 'Oku fakapekia 'a e Tu'utu'uni ki he Folau Vakapuna Sivile (Totongi Ngaue ki he Pasese) 1977, na'e fakatonutonu.

3. Tukukehe ka faka'ataa 'e he Tu'utu'uni ni ko ha pasese 'e heka ki ha vakapuna 'i he mala'e vakapuna 'i Tonga ni ko 'ene folau ki ha feitu'u kehe mei Tonga ni kuo pau ke ne totongi ki he Pule'anga 'a e totongi ngaue ki he pasese ko e T\$15.00.

4. Ko e founa 'o hono totongi mo tanaki 'o e totongi ngaue ki he pasese pea mo e kotoa 'o e ngaahi sipinga mo e founa ngaue 'e ngaue'aki kuopau ke fakakaukau'i ia 'e he Minisitaa 'oku ne tokanga'i 'a e Folau Vakapuna Sivile.

5. Ko e kau pasese ko 'eni kuopau ke faka'ataa kinautolu mei he totongi ngaue ki he pasese:

- (a) Taki 'o ha Fonua;
- (b) Ko ha taha ngaue faka-tipilometika ki Tonga ni;
- (c) Ko e kau pasese 'oku hokohoko atu 'enau folau 'i he vakapuna tatau pe fetongi vaka 'o tatau ai pe pe 'oku nau mavahe mei he mala'e vakapuna pe 'ikai 'o a'u ki he fuoloa taha ko e houa 'e 12 hili 'ene tau ki he mala'e vakapuna;
- (d) Fanau 'oku si'i hifo honau ta'u motu'a 'i he ta'u ua 'oku folau fakataha mo ha pasese kuo ne 'osi totongi e ngaue ki he pasese pe kuo faka'ataa mei he totongi pasese 'i he tu'utu'uni ko 'eni;
- (e) Kau kauvaka 'i he vakapuna 'oku nau folau lolotonga 'enau fai fatongia pea mo e kau kauvaka kehe ko 'enau folau ke nau ngaue;
- (f) Kau pasese 'oku folau 'i ha vakapuna faka-Pule'anga pe ha vakapuna 'oku ngaue'aki ki he ngaahi katoanga faka-Pule'anga;
- (g) Kau pasese 'oku folau 'i ha vakapuna 'oku ngaue'aki ki hono vakai'i pe 'oku tonu mo taau 'a e ngaahi naunau tokoni faifolau 'a Tonga;
- (h) Kau pasese 'oku folau 'i ha vakapuna 'oku ne ngaue'aki ki he fekumi pe fakahaofi mo'ui;
- (i) Kau kauvaka 'i ha vakapuna fakakautau 'oku nau lolotonga ngaue;
- (j) Ko ha pasese kuo faka'ataa mahino 'i ha tohi 'e he Minisitaa 'oku ne tokanga'i e Folau Vakapuna Sivile.

6. 'I ha tu'uta ha vakapuna 'i ha mala'e vakapuna 'i Tonga ni koe'uhi ko ha me'a 'oku hoko fakafokifaa 'e 'ikai totongi 'e he pasese 'a e totongi ngaue ki he pasese 'i ha'ane mavahe 'a muiange kapau na'e tau mai 'a e pasese 'i he vakapuna ko ia tatau ai pe pe 'oku foki 'i he vakapuna ko ia pe 'ikai pea tatau ai pe pe 'e mavahe mei he mala'e vakapuna pe 'ikai.

7. Ko e pa'anga 'oku ma'u mei he totongi ngaue ki he pasese fakatata ki he Tu'utu'uni ni kuopau ke totongi atu ia ki he Pa'anga Huu Mai 'a e Pule'anga.

8. Ka 'i ai ha pasese 'oku ne 'ilo'i 'oku totonu ke ne totongi kae 'ikai te ne totongi 'a e totongi ngaue ki he pasese 'a ia 'oku fokotu'u 'e he Tu'utu'uni ni kuopau ke halala 'i he maumau lao pea 'e ala mo'ua 'i hano fakamaau'i ki he mo'ua pa'anga 'o 'ikai lahi hake 'i he pa'anga 'e teau pe ko e ngaue popula ki he vaha'a taimi 'o 'ikai lahi hake 'i he mahina 'e taha pe ko e mo'ua pa'anga mo e ngaue popula fakatou'osi.

9. 'E ngofua ki he Minisitaa 'oku ne tokanga'i 'a e Folau Vakapuna Sivile ke ne tuku atu hono mafai 'i he Tu'utu'uni ni 'i he founda 'oku tu'utu'uni 'e he Kupu 5 'o e Lao ki he Folau Vakapuna Sivile 1990.

10. Totongi 'o e ngaahi totongi - 'E ngofua ki he Minisitaa ke 'oua te ne fai ha ngaue, pe fakangofua ke fai ha ngaue, pe ke ma'u ha tohi ngaue kae'oua leva ke totongi 'a e totongi 'oku fiema'u 'e he Tu'utu'uni ni.

Na'e fakahoko 'i he 'aho 1 'o Siulai 1991.

Minisitaa ki he Folau Vakapuna Sivile

**LAO KI HE FOLAU VAKAPUNA SIVILE 1990
NGAAHI TU'UTU'UNI KI HE FOLAU VAKAPUNA SIVILE
(FAKANGATANGATA KI HONO NGAUE'AKI
'O E KELEKELE) 1991**

'I hono ngaue'aki 'o e mafai kuo foaki kiate au 'e he Kupu 14(1) 'o e Lao ki he Folau Vakapuna Sivile 1990, 'oku fai ai 'e he Minisita ki he Folau Vakapuna Sivile, 'i he loto ki ai 'a e Kapineti 'a e ngaahi Tu'utu'uni ko 'eni: -

1. 'E ui 'a e ngaahi tu'utu'uni ko 'eni ko e Ngaahi Tu'utu'uni ki he Folau Vakapuna Sivile (Fakangatangata ki hono ngaue'aki 'o e Kelekele) 1991 pea kuopau ke kamata ngaue'aki 'i he 'aho 'e kamata ngaue'aki ai 'a e Lao ki he Folau Vakapuna Sivile, 1990.

2. 'Oku tapui mo fakangata 'a e ngaahi me'a ko 'eni 'i he ngaahi 'elia 'oku fakamahino'i 'i he ngaahi Tepile 'Uluaki, Ua, mo e Tolu mo e ngaahi fakataataa 'oku 'uhinga ki ai -

(a) Fokotu'u 'o e ngaahi fale, ngaahi langa pe ngaahi me'a kehe

(b) Ko e too 'o e 'akau

- (c) Too pe fakatupu ha fa'ahinga 'akau pe ngoue tukukehe ka loto ki ai 'a e Minisitaa 'i he ngaahi 'elia 'e fakamahino 'i 'e he Minisita 'i he tohi.
- d) Tau ha ngaahi vaka pe saliate misini pe lii taula pe no'o ha fa'ahinga vaka pe tau ai ha saliate misini.

3. Ka 'i ai ha taha te ne maumau 'i 'a e ngaahi Tu'utu'uni ni 'oku ne fai ha hia pea kuopau ke ne mo'ua pa'anga 'o 'ikai laka hāke 'i he \$500 pe nofo popula ki he vaha'a taimi 'o 'ikai laka hake 'i he mahina 'e 6 pe fakatou'osi.

4. 'Oku fakapekia heni 'a e Tu'utu'uni Fakataha Tokoni 'o e 'aho 9 'o Ma'asi 1990 na'e pulusi 'i he Kasete Fakalahi Makehe 'a e 'i he 'aho 11 'o Siulai 1990.

TEPILE 1

FAKA'ATAA 'O E MALA'E VAKAPUNA FUA'AMOTU

'I he ongo tafa'aki fakatou'osi 'o e Mala'e Vakapuna 'oku lele fakahahake tonga-hahake pea mo hihifo tokelau-hihifo koe'uhi ko ha laine 'e kamata mei he poini pe 'i he funga kelekele 'i he ngata'anga 'o e to'anga vakapuna, pea 'a ia 'e mita 'e 79 mei he laine loto malie 'o e to'anga vakapuna, 'e ta fakatuliki hangatonu ki ai 'i he tahake hake ko e 1 'i he 7 mei he laine fakalava 'e faka'ata'ataa ia mei he ngaahi me'a faka'efi'efi kotoa pe.

'I he ongo tafa'aki fakatou'osi 'o e mala'e vakapuna 'oku lele fakatokelau-tonga koe'uhi ko ha laine 'e kamata mei ha poini pe 'i he funga kelekele 'i he ngata'anga 'o e to'anga vakapuna, pea 'a ia 'e mita 'e 57.5 mei he laine lotomalie 'o e to'anga vakapuna 'o ta fakatuliki hangatonu ki ai 'i he tahakehake ko e 1 'i he 7 mei he laine fakalava 'e faka'ata'ataa ia mei he ngaahi me'a faka'efi'efi kotoa pe.

Tafa'aki 'oku Fakatautauto ai 'a e Vakapuna:

'I he ongo tafa'aki pe 'i he ngata'anga fakatou'osi 'o e mala'e vakapuna 'oku lele fakahahake-tonga hahake pe mo hihifo-tokelau-hihifo 'oku 'i ai ha ngaahi konga 'a ia 'oku hange ha foneli honau fotunga 'o hange kuo ha 'i he Fakataataa 1 'i he Tepile ni pea 'a ia 'e faka'ata'ataa mei he ngaahi me'a faka'efi'efi kotoa pe. Ko e konga ko 'eni kuo fakangata kinautolu 'aki ha fo'i ngata'anga ki loto 'a ia 'oku mita 'e 150 hono loloa pea 'a ia 'oku fakatuliki hangatonu ki he laine lotomalie 'o e to'anga vakapuna 'o tu'u ia fakalavalava atu 'i he mita 'e 60 ki he feitu'u mahiki'anga mei he konga puna'anga ko ia 'o e to'anga vakapuna pea mavahevahe atu 'i he ongo tafa'aki fakatou'osi 'o fe'unga mo e peseti 'e 12.5. 'E hakehake atu 'a e ngaahi konga ko 'eni 'i ha tuliki ko e 1 'i he 50 (2%) ki he fakalavalava mei he ngata'anga ki loto, pea ko e ma'olunga 'o e hake ko ia 'e fakatuliki hangatonu atu ia ki he laine lotomalie 'o e to'anga vakapuna 'a ia ko e 1 'i he 7 mei he ngaahi ngata'anga 'o e konga ko 'eni.

'I he ongo ngata'anga fakatou'osi 'o e to'anga vakapuna 'oku lele fakatokelau-tonga 'oku 'i ai ha ngaahi konga 'a ia 'oku hange ha foneli honau fotunga 'o hange kuo ha 'i he Fakataataa 1 'i he Tepile ni 'e faka'ataa mei he ngaahi

me'a faka'efi'efi kotoa pe. Ko e ngaahi kongā ko 'eni kuo fakangata kinautolu 'aki ha fo'i ngata'anga ki loto 'a ia 'oku mita 'e 115 hono loloa 'a ia 'oku fakatuliki hangatonu ki he laine loto malie 'o e to'anga vakapuna 'o tu'u ia fakalavalava atu 'i he mita 'e 60 ki he feitu'u mahiki'anga mei he kongā puna'anga ko ia 'o e to'anga vakapuna pea mavahevahe atu 'i he ongo tafa'aki fakatou'osi 'e fe'unga mo e peseti 'e 10.0. 'E hakehake atu 'a e ngaahi kongā ko 'eni 'i ha tuliki ko e 1 'i he 40 (2.5%) ki he fakalavalava mei he ngata'anga ki loto, pea ko e ma'olunga 'o e hake ko ia 'e fakatuliki hangatonu atu ia ki he laine lotomalie 'o e to'anga vakapuna 'a ia ko e 1 'i he 7 mei he ngaahi ngata'anga 'o e kongā ko 'eni.

Kongā 'i loto 'o e 'Ataa Fakataata hifo ki he To'anga:

Ko e kongā 'ataa fakataata hifo ki he to'anga 'oku 'i loto 'i ha kongā kekelele fakalava 'oku tu'u fute 'e 150 (mita 'e 45) ki 'olunga 'i hono fika'i mei he funga mala'e vakapuna. Ko hono fakangatanga ki tu'a 'oku 'i he letiasi fakalava ko e si'isi'i taha ko e mita 'e 4000 'o fua mei he ngatangata'anga 'o e to'anga. Vakai ki he Fakataata 2.

TEPILE 2

FAKA'ATAA 'O E MALA'E VAKAPUNA KAUFANA

Tafa'aki Fakaloloa 'o e Funga To'anga:

'I he ongo tafa'aki fakatou'osi 'a e to'anga vakapuna 'oku lele fakatokelau-tonga koe'uhi ko ha laine 'e kamata mei ha poini 'i he funga kekelele 'i he ngata'anga 'o e to'anga vakapuna, 'a ia 'e mita 'e 45 mei he laine lotomalie 'o e to'anga vakapuna 'o to fakatuliki hangatonu ki ai 'i he tahakehake ko e 1 'i he 7 mei he laine fakalava 'e faka'ata'ataa ia mei he ngaahi me'a faka'efi'efi kotoa pe.

Tafa'aki 'oku Fakatautauto ai 'a e Vakapuna:

'I he ongo ngata'anga fakatou'osi 'o e to'anga vakapuna 'oku lele fakatokelau-tonga 'oku 'i ai ha ngaahi kongā 'a ia 'oku hange ha foneli honau fotunga 'o hange kuo haa 'i he Fakataata 1 'i he Tepile ni 'a ia 'e faka'ata'ataa mei he ngaahi me'a faka'efi'efi kotoa pe. Ko e ngaahi kongā ko 'eni kuo fakangata kinautolu 'aki ha fo'i ngata'anga ki loto 'a ia 'oku mita 'e 90 hono loloa 'a ia 'oku fakatuliki hangatonu ki he laine lotomalie 'o e to'anga vakapuna 'o tu'u ia fakalavalava atu 'i he mita 'e 60 ki he feitu'u mahiki'anga mei he kongā puna'anga ko ia 'o e to'anga vakapuna pea mavahevahe atu 'i he ongo tafa'aki fakatou'osi 'e fe'unga mo e 15%. 'E hakehake atu 'a e ngaahi kongā ko 'eni 'i ha tuliki ko e 1 'i he 40 (2.5%) ki he fakalavalava mei he ngata'anga ki loto, pea ko e ma'olunga 'o e hake ko ia 'e fakatuliki hangatonu atu ia ki he laine lotomalie 'o e to'anga vakapuna 'a ia ko e 1 'i he 7 mei he ngaahi ngata'anga 'o e kongā ko 'eni.

TEPILE 3

FAKA'ATAA 'O E MALA'E VAKAPUNA SALOTE PILOLEVU

Tafa'aki Fakaloloa 'o e Funga To'anga:

'I he ongo tafa'aki fakatou'osi 'o e to'anga vakapuna 'oku lele hahake-tonga-hahake - hihifo-tokelau-hihifo koe'uhi ko ha laine 'e kamata mei ha poini

'i he 'funga kelekele 'i he ngata'anga 'o e to'anga vakapuna, 'a ia 'e mita 'e 45 mei he laine lotomalie 'o e to'anga vakapuna 'o to fakatuliki hangatonu ki ai 'i he tahakehake ko e 1 'i he 7 mei he laine fakalava 'e faka'ata'ataa ai mei he ngaahi me'a faka'efi'efi kotoa pe.

Tafa'aki 'oku Fakatautauto ai 'a e Vakapuna:

'I he ngata'anga fakatokelau 'o e to'anga vakapuna 'oku 'i ai 'a e fo'i tokalelei 'oku fuo hange ha foneli 'o hange ko ia 'oku haa 'i he Fakataa 1 'i he Tepile ko 'eni 'e faka'ata'ataa ia mei he me'a faka'efi'efi kotoa pe. 'Oku mita 'e 90 'a e loloa 'o e tapa ki loto 'o e fo'i tokalelei 'o tuliki totonu ia mo e laine 'i he lotomalie 'o e to'anga vakapuna 'a ia 'oku lele fakalavalava mita 'e 60 mei he to'anga ki he mahiki'anga 'o e to'anga vakapuna pea faikehekehe 'aki 'a e 15% 'i he ongo tafa'aki. 'Oku tahakehake 'a e ongo fo'i tokalelei 'aki 'a e 1 'i he 40 (2.5%) mei he tapa ki loto ki he laine fakalava, pea 'oku na tahakehake fakatuliki totonu ki he laine 'i loto malie, 'i he to'anga vakapuna 'aki 'a e 1 'i he 7 mei he ongo tapa 'o e fo'i tokalelei ko 'eni.

Na'e fakahoko 'i he 'aho 1 'o Siulai, 1991.

Minisita 'o e Folau Vakapuna Sivile

FIG. 1 FUA'AMOTU AERODROME OBSTACLE LIMITATION

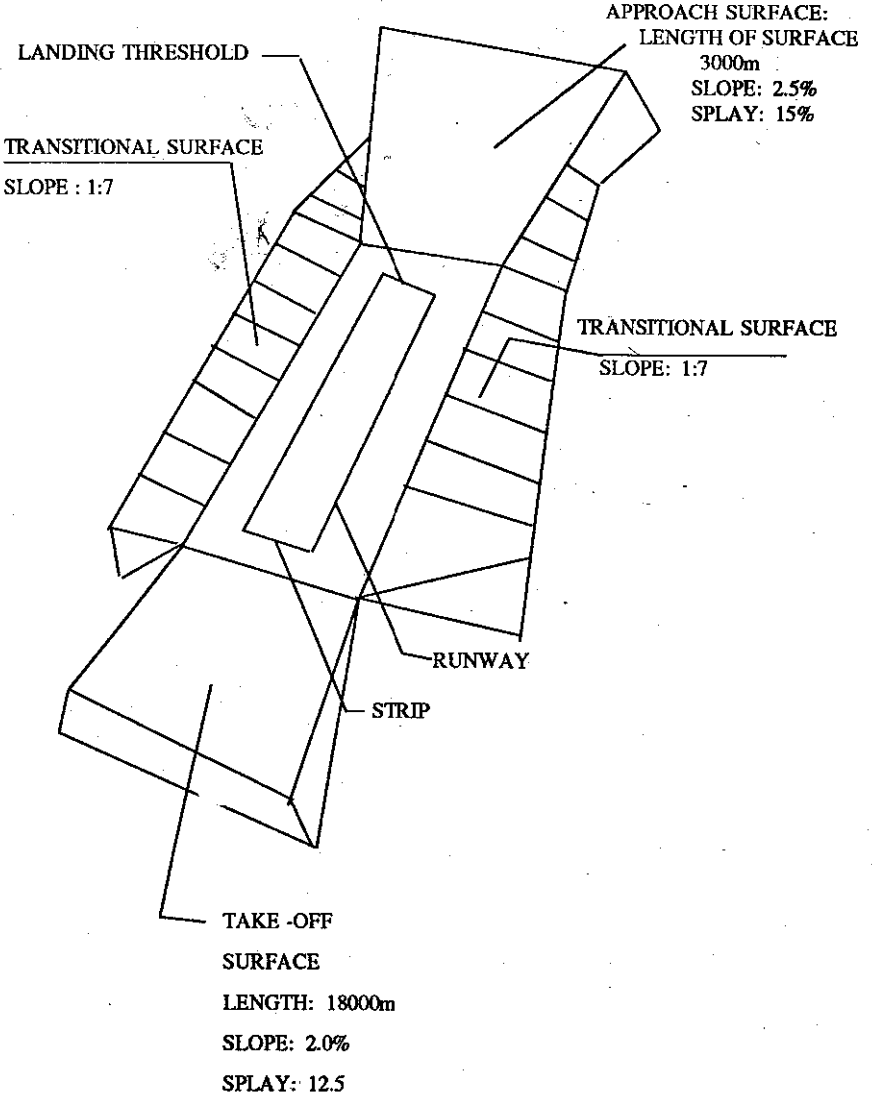


FIG. 1 KAUFANA AIRPORT ('EUA) OBSTACLE LIMITATION

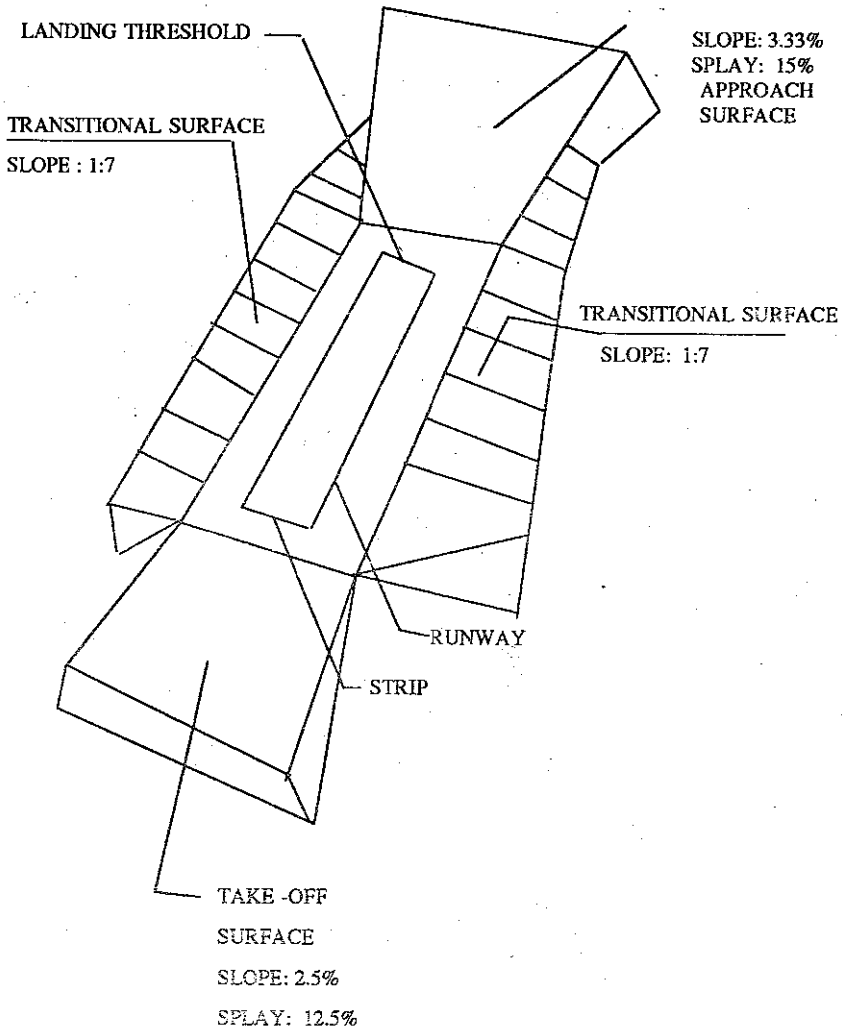


FIG. 1 SALOTE PILOLEVU AIRPORT (HA'APAI) OBSTACLE LIMITATION

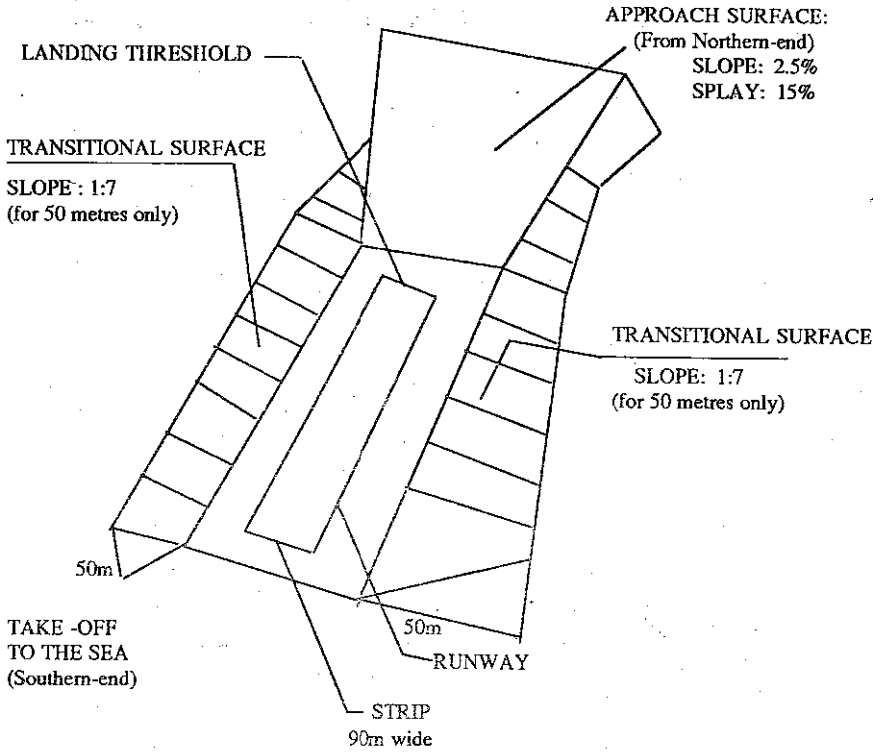


FIG. 2 FUA'AMOTU AERODROME LIMIT OF INNER HORIZONTAL SURFACE

