

TONGA

PUBLIC SERVICE ACT 2002

I assent,

TAUFA'AHAU TUPOU IV,
3rd April, 2003.

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No. 34 of 2002.

**AN ACT
TO REFORM THE LAW RELATING TO THE PUBLIC SERVICE AND TO
ESTABLISH THE PUBLIC SERVICE**

[20th November, 2002.]

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

PART I -PRELIMINARY

Short title and commencement

1. (1) This Act may be cited as the Public Service Act 2002.
- (2) This Act shall come into force on a day to be proclaimed by His Majesty in Council and different sections may be brought into force on different dates.

Exemption

2. All persons appointed under the King's prerogative powers and appointees under legislation set out in Schedule II are exempted from the provisions of this Act.

Interpretation

3. In this Act, unless the context otherwise requires:

"Chairman" means the Chairman of the Public Service Commission appointed under this Act;

"Commission" means the Public Service Commission established under this Act;

"Commissioner" means a member of the Public Service Commission;

"daily paid worker" means a person who is employed on a daily basis;

"employee" means all persons employed in the Public Service;

"Head of Department" means any person in charge of the administration of a Ministry, who is employed under a fixed contract of employment under this Act;

"Ministry" means any Ministry or Department listed in Schedule I;

"Public Service" means all persons employed in any Ministry listed in Schedule I.

Prime Minister to administer Act

4. (1) The Prime Minister shall be responsible for the Public Service and the administration of this Act.

PART II PUBLIC SERVICE COMMISSION

Establishment and operation of Commission

5. (1) There shall be established a Public Service Commission.

(2) The Commission shall comprise three members, one of whom shall be the Chairman.

(3) The Prime Minister, with the consent of Cabinet, shall appoint all the members of the Commission.

(4) The Chairman and each member shall serve for a term of 5 years and may be eligible for re-appointment.

(5) The Prime Minister may, with the consent of Cabinet, remove a member of the Commission from Office and appoint a successor for the balance of the term.

(6) The Commission may, with the consent of Cabinet, set its own procedures.

(7) The Minister of Finance shall, with the consent of Cabinet, fix the remuneration of the members of the Commission.

(8) The members of the Commission may serve on a part time basis.

(9) A Commissioner may resign by giving the Prime Minister 3 month's written notice.

(10) The quorum of the Commission shall be two members, one of whom shall be the Chairman.

(11) The Chairman shall be the head of the Public Service Commission and shall:

(a) be responsible for the efficient and effective operation of the Commission;

(b) call and attend regular meetings of the Commission; and

(c) preside over the meetings of the Commission.

Principal functions of the Commission

6. (1) The principal functions of the Commission, subject to this Act, shall be to:

- (a) act as the advisor to Government on the management of the Public Service;
- (b) set the guiding principles for the management and performance of the Public Service;
- (c) set standards for performance and manage any performance management system for the Public Service;
- (d) appoint, promote, confirm, discipline and dismiss employees and resolve employment disputes;
- (e) monitor and report to Government on matters relating to the efficiency and effectiveness of the Public Service;
- (f) fix with the approval of Cabinet salaries, allowances and other financial benefits for employees;
- (g) making recommendations to Cabinet relating to the process of appointment and removal of Heads of Department;
- (h) ensure the management and internal controls of each Ministry are regularly reviewed by the relevant Head of Department;
- (i) assist Ministers in assessing the performance and reviews of Heads of Department;
- (j) assist Ministries to improve management practices by providing support for planning, training and development;
- (k) formulate, with the consent of Cabinet, a code of ethics and standards of behaviour and conduct in the Public Service; and
- (l) undertake such other duties as may be directed by Cabinet.

(2) The Commission shall implement the written policies of Government as directed by Cabinet.

(3) The Commission may at anytime in respect of matters referred to in this section or on such other matters as the Prime Minister may request:

- (a) carry out necessary inquiries, investigations or inspections; or
- (b) require and receive reports and provide advice to a Head of Department.

Powers of Commission

7. (1) The Commission may:

(a) require free access at all times to all documents, books, accounts and records, of Ministries that relate to employment of employees and to inspect and inquire into and call for any information arising from those accounts and records;

(b) where it has reason to believe that an employee has been or may have been in contravention of this Act or any other Act, suspend that employee from all duties and responsibilities, pending an investigation;

(c) require any employee to supply any information or answer any questions relating to documents, books and accounts, money, or operations that relate to employees;

(d) by notice in writing, require any person having possession or control of any documents, books and accounts that relate directly to employees to deliver all or any of them, at a time and place and to such person specified in the notice; and

(e) enter any Government land or building (other than a dwelling-house) where employees are working.

(2) The Commission may appoint any person in writing, to inquire into and report on any matter or matters specified in the instrument of appointment.

(3) Any person who fails to comply with any direction given by the Commission, under this section commits an offence and is liable upon conviction to a fine not exceeding \$2000.

(4) The Commission may dismiss any employee convicted of an offence under this section.

Annual report and reporting obligations of Commission

8. (1) The Chairman shall within 90 days after the end of each calendar year furnish a report to the Prime Minister relating to the operations of the Commission and on the efficiency and effectiveness of the Public Service.

(2) The Prime Minister shall, with the approval of Privy Council, forward a copy of the report to the Legislative Assembly.

Delegation of powers

9. (1) The Commission may delegate in writing any of the employment functions of the Commission and the delegated is subject to the same duties and responsibilities as the Commission under this Act.

(2) When employment functions are delegated by the Commission under subsection (1), the delegate is subject to the same duties and responsibilities as are on the Commission under this Act.

Secretary of Commission

10. (1) The Commission shall appoint a Secretary as Head of Department, who will provide support services to the Commission.

(2) The Secretary shall be subject to the direction of the Chairman.

Employees of the Commission

11. The Commission may appoint such employees as may be necessary to enable it to carry out its functions and duties under this Act.

PART III PUBLIC SERVICE

Employee matters to be under Act

12. All appointments, promotions, disciplinary matters and terminations in respect of the Public Service shall be made in accordance with this Act and any written policies of Government as directed by Cabinet.

Appointment of Heads of Department

13. (1) The Commission, with the consent of Cabinet, shall make all appointments to the position of Head of Department.

(2) Subject to section 26, Heads of Department shall be employed under a fixed contract of employment for a term of up to 5 years and may be eligible for reappointment.

Appointments to the Public Service

14. (1) Subject to section 13 and section 18 any appointment of an employee to or within the Public Service is to be made by the Commission.

(2) The Commission shall prior to making an appointment under this section consult with and take into consideration the views and requirements of the relevant Minister.

Redundancy

15. The Commission may recommend to Cabinet that any post be made redundant.

Dismissal for cause

16. Every employee except those on contract wishing to resign from the Public Service shall give written notice of his resignation as prescribed by Regulation.

Notice of resignation

17. The Commission may dismiss an employee at any time for cause.

Daily paid workers

18. A Head of Department, with the consent of the relevant Minister, may engage such daily paid workers as may be required.

PART IV CODE OF CONDUCT, DISPUTE AND DISCIPLINARY PROCEDURE

Code of Conduct

19. The commission shall, within 12 months of the coming into force of this Act, publish in the Gazette a code of conduct for the Public Service.

Candidacy for Legislative Assembly

20. A Head of Department or employee in the Public Service shall take a leave of absence upon registering as a candidate for election to the Legislative Assembly and shall resign if elected.

Dispute resolution and disciplinary matters

21. (1) The procedure to determine disputes and disciplinary matters under this Act shall be prescribed by Regulation.

(2) A person who is dissatisfied with a determination may appeal to Cabinet.

PART V MISCELLANEOUS PROVISIONS RELATING TO THE PUBLIC SERVICE

Regulations

22. The Prime Minister may with the consent of Cabinet, make Regulations for the proper and efficient administration of this Act.

Policy Manual

23. Subject to the provisions of this Act the Commission may with the approval of Cabinet, publish in the Gazette a Public Service policy manual and issue instructions which shall be binding on all employees.

Obligation to report

24. A Head of Department or employee who has knowledge of any circumstance which may cause him to consider that a contravention of this Act or any other enactment has occurred shall report those circumstances to the Commission.

Transition

25. An employee in the Public Service holding office before the commencement of this Act shall, after the commencement of this Act continue to hold office in accordance with the provisions of this Act.

Transition for Head of Department

26. (1) Every Head of Department who was appointed before the coming into force of this Act shall continue in such employment under a 12 month written fixed contract of employment entered into with the Commission.

(2) The Commission may, with the approval of Cabinet, re-appoint a Head of Department on such terms and for such period as the Commission shall determine, but thereafter every Head of Department shall be appointed in accordance with section 13.

(3) A Head of Department who has not been re-appointed in accordance with subsection (2), shall be deemed to have resigned.

Act to prevail

27. Subject to the Constitution, the provisions of this Act shall prevail when any of its provisions conflict with the provision of any other law.

Passed in the Legislative Assembly this 20th day of November, 2002.

SCHEDULE I

1. Prime Minister's Office
2. Ministry of Finance
3. Ministry of Education
4. Ministry of Lands, Survey and Natural Resources
5. Ministry of Marine and Ports
6. Ministry of Agriculture, Food and Forestry
7. Ministry of Fisheries
8. Ministry of Works
9. Ministry of Labour, Commerce and Industries
10. Ministry of Health
11. Ministry of Foreign Affairs
12. Ministry of Civil Aviation
13. Ministry of Justice
14. Office of the Commissioner for Public Relations
15. Palace Office
16. Audit Department
17. Central Planning Department
18. Statistics Department
19. Department of Environment
20. Tonga Visitors Bureau
21. Printing Department
22. Crown Law Department
23. Revenue Services Department
24. Communications Department
25. Public Service Commission
26. Office of the Governor of Ha'apai
27. Office of the Governor of Vava'u

SCHEDULE II

Commissioner for Public Relations under the Commissioner for Public Relations Act 2001.
Magistrates under the Magistrates' Court Act (Cap. 11)
Police Act (Cap. 35)
Prisons Act (Cap. 36)
Tonga Defence Services Act (Cap. 55)

TONGA

KO E LAO KI HE NGAUE FAKAPULE'ANGA, 2002

'Oku ou loto ki ai,

TAUFA 'AHAU TUPOU IV,
3 'o 'Epeleli, 2003.

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1. Hingoa nounou mo e kamata'anga
2. Faka'ata kahoko 'o e Lao ni.
3. 'UHINGA'I LEA

KONGA II - KOMISONI NGAUE FAKAPULE'ANGA

4. Palemia ke ne fakahoko 'a e Lao
5. Fokotu'u mo e fakalele 'o e Komisoni
6. Tefito'i fatongia 'a e Komisoni
7. Ngaahi mafai 'a e Komisoni
8. Lipooti fakata'u mo e lipooti 'a e ngaahi taumu'a 'a e Komisoni
9. Vavae 'o e ngaahi mafai
10. Sekelitali 'o e Komisoni
11. Kau ngaue 'a e Komisoni

KONGA III - NGAUE FAKAPULE'ANGA

12. Ngaahi me'a fakangaue ke 'i he Lao
13. Fakanofu 'o e kau Pule Potungaue
14. Fakanofu ki he Ngaue Fakapule'anga
15. Lakanga 'ikai 'conga
16. Tohi fakaha fakafisi
17. Tuli 'i he 'uhinga lelei
18. Kau ngaue lau 'aho

KONGA IV - TU'UTU'UNI 'ULUNGAANGA, VA TAMAKI

MO E FOUNGA TAUTEA

19. Tu'utu'uni 'ulungaanga
20. Kanititeiti ki he Fale Alea
21. Fakalelei 'o e ngaahi va tamaki

KONGA V - NGAahi KUPU KEHE FELAVE'I MO E NGAUE FAKAPULE'ANGA

22. Ngaahi tu'utu'uni
23. Tohi Founga Ngaue
24. Fatongia ke lipooti
25. Fakataimi
26. Fakataimi ma'a e Pule Potungaue
27. Mafai ma'olunga 'a e Lao

Tepile I
Tepile II

Fika 34 'o e 2002.

KO E LAO KE FOKOTU'U HA FA'UNGA FAKALAO KI HE NGAUE FAKAPULE'ANGA PEA KE FOKOTU'U 'A E NGAUE FAKAPULE'ANGA

[20 Novema, 2002.]

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

KONGA I TALATEU

Hingoa nounou mo e kamata'anga

1. (1) 'E ui 'a e Lao ni ko e Lao ki he Ngaue Fakapule'anga, 2002.
- (2) Kuo pau 'e kamata ngaue'aki 'a e Lao ni 'i he 'aho 'e tu'utu'uni 'e he 'Ene 'Afio 'i he Fakataha Tokoni pea 'e malava ke kamata ngaue'aki 'a e ngaahi kupu kehekehe 'i he ngaahi 'aho kehekehe.

Faka'ata

2. Ko e taha kotoa 'oku fakanofu 'i he ngaahi mafai 'a e Tu'i mo kinautolu 'oku fakanofu 'i he ngaahi Lao 'oku fakaha 'i he Tepile II 'oku faka'ata mei he ngaahi kupu 'o e Lao ni.

Palemia ke ne fakahoko 'a e Lao

3. 'I he Lao ni, tukukehe ka toe 'i ai ha 'uhinga kehe-

"Sea" 'oku 'uhinga ki he Sea 'o e Komisoni Ngaue Fakapule'anga 'oku fakanofu 'i he Lao ni;

"Komisoni" 'oku 'uhinga ki he Komisoni Ngaue Fakapule'anga 'oku fokotu'u 'i he Lao ni;

"Komisiona" 'oku 'uhinga ki ha memipa 'o e Komisoni Ngaue Fakapule'anga;

"taha ngaue lau'aho" 'oku 'uhinga ki ha taha 'oku fakangaue'i faka'aho;

"taha ngaue" 'oku 'uhinga ki he taha kotoa 'oku fakangaue'i 'i he Ngaue Fakapule'anga;

"Pule Potungaue" 'oku 'uhinga ha taha 'oku ne pule'i 'a e fakalele 'o ha Potungaue, 'a is 'oku fakangaue'i 'i he Lao ni 'i he aleapau ngaue tu'unga pau;

"Potungaue" 'oku 'uhinga ki ha Potungaue pe Va'a 'oku lisi 'i he Tepile I;

"Ngaue Fakapule'anga" 'oku 'uhinga ki he taha kotoa 'oku ngaue 'i ha Potungaue 'oku lisi 'i he Tepile I;

Palemia ke ne fakahoko 'a e Lao

4. Kuo pau ki he Palemia ke tokanga'i 'a e Ngaue Fakapule'anga pea mo hono fakahoko 'o e Lao ni.

KONGA II KOMISONI NGAUE FAKAPULE'ANGA

Fokotu'u mo e fakalele 'o e Komisoni

5. (1) Kuo pau ke fokotu'u 'a e Komisoni Ngaue Fakapule'anga.

(2) Kuo pau ke kau he Komisoni 'a e kau memipa 'e 3, 'a is ko e a kuo pau ke Sea.

(3) Kuo pau ki he Palemia 'i he loto ki ai 'a e Kapineti ke fakanofu e kau memipa kotoa 'a e Komisoni.

(4) Ko e Sea mo e kau memipa takitaha kuo pau ke nau ngaue 'i ha vaha'a taimi ko e ta'u 'e 5, pea 'e ngofua ke toe fakanofu kinautolu.

(5) 'E ngofua ki he Palemia, 'i he loto ki ai 'a e Kapineti, ke to'o ha memipa 'o e Komisoni mei hono lakanga pea fakanofu hano fetongi ki he toenga 'o e teemi.

(6) 'E ngofua ki he Komisoni, 'i he loto ki ai 'a e Kapineti, ke fokotu'u 'a 'ene ngaahi founa ngaue.

(7) Kuo pau ki he Minisita Pa'anga, 'i he loto ki ai 'a e Kapineti, ke apapau'i 'a e vahenga 'a e kau memipa 'o e Komisoni.

(8) 'E ngofua ki he kau memipa 'o e Komisiona ke ngaue fakataimi.

(9) 'E ngofua ki ha Komisiona ke fakafisi 'aki hono 'ave 'a e tohi fakaha ki he Palemia 'i he mahina 'e 3 kimu'a.

(10) Ko e tokolahi fakalao ke fakahoko ha fakataha 'a e Komisoni kuo pau ko e toko ua pea ko e taha ai kuo pau ko e Sea.

(11) Ko e Sea kuo pau ke pule he Komisoni Ngaue Fakapule'anga pea kuo pau:

(a) ke ne tokanga'i 'a e fakalele lelei ange mo lava me'a ange, pule'i mo e ngaue 'a e Komisoni;

(b) ui mo kau ki he ngaahi fakataha anga maheni 'a e Komisoni; pea

(c) Sea 'i he ngaahi fakataha 'a e Komisoni.

Tefito'i fatongia 'o e Komisoni

6. (1) Ko e tefito'i fatongia 'a e Komisoni 'o fakatatau ki he Lao ni kuo pau, ke:

(a) ngaue ko e fale'i ki he Pule'anga ki hono fakalele 'o e Ngaue Fakapule'anga;

(b) fokotu'u 'a e ngaahi tefito taumu'a ke tataki 'aki hono fakalele mo e fakahoko 'o e Ngaue Fakapule'anga;

(c) fokotu'u ha ngaahi tu'unga ki he ngaue mo e fakalele 'o ha ngaahi ngaue fakalele ngaue ki he Ngaue Fakapule'anga;

(d) fakanofu, hiki hake, fakapapau'i, tautea'i mo tuli ha kau ngaue mo fakalelei'i ha ngaahi va tamaki fakangaue;

(e) siofi mo lipooti ki he Pule'anga 'a e ngaahi me'a felave'i mo e lelei ange mo toe lava me'a ange 'a e Ngaue Fakapule'anga;

(f) fokotu'u 'i hono fakangofua 'e he Kapineti 'a e vahenga, ngaahi pa'anga kehe mo e ngaahi moms fakapa'anga kehe ki he kau ngaue;

(g) fakahoko 'a e ngaahi fokotu'u ki he Kapineti fekau'aki mo e ngaue ki he fakanofu mo e tuli 'o e kau Pule Potungaue;

(h) fakapapau'i ko hono fakalele mo e pule'i fakaloto ngaue 'o e Potungaue takitaha 'oku vakai'i ma'u pe 'e he Pule 'o e Potungaue ko ia;

(i) tokoni ki he kau Minisita 'i hono vakai'i 'o e ngaue mo e toe sivi'i 'o e Kau Pule Potungaue;

(j) tokoni ki he ngaahi Potungaue ke langa'i hake 'a e ngaahi ngaue pule'i 'aki hono tuku atu 'a e tokoni ki he palani, ako'i mo e fakalalakaka;

(k) fa'u, 'i he loto ki ai 'a e Kapineti, ha ngaahi kouti ngaue mo e tu'unga faka'ulungaanga mo e to'onga ki he Ngaue Fakapule'anga; mo e

(l) fakahoko 'a e ngaahi fatongia 'e ngofua ke tu'utu'uni 'e he Kapineti.

(2) Kuo pau ke fakahoko 'e he Komisoni 'a e ngaahi tohi founa ngaue 'a e Pule'anga 'oku tu'utu'uni 'e he Kapineti.

(3) 'E ngofua ki he Komisoni 'i ha taimi felave'i mo e ngaahi me'a 'oku lave ki ai 'a e kupu ni pe ngaahi me'a kehe 'e fiema'u 'e he Palemia ke:

(a) fakahoko 'a e ngaahi faka'eke'eke, fakatotolo pe sivi fe'unga; pe

(b) fiema'u mo ma'u mai 'a e ngaahi lipooti pea tuku atu mo e fale'i ki ha Pule Potungaue.

Ngaahi mafia 'a e Komisoni

7. (1) 'E ngofua ki he Komisoni:

(a) ke fiema'u ke 'ata kakato 'i he taimi kotoa ki he ngaahi tohi ngaue, tohi, 'akauni, mo e lekooti, 'o ha Potungaue, 'oku felave'i mo hono fakangaue'i 'o e kau ngaue 'i he Ngaue Fakapule'anga pea ke sivi mo faka'eke'eke ki he pe fiema'u ha fakamatala 'oku 'o hake he ngaahi 'akauni mo e lekooti ko ia;

(b) 'okapau 'oku 'i ai 'a e 'uhinga ke tui ai kuo 'i ai ha taha ngaue kuo ne 'osi pe na'e malava ke ne maumau'i 'a e Lao ni pe ko ha Lao kehe, ke tuli fakataimi 'a e taha ngaue ko is mei he kotoa 'o hono ngaahi fatongia mo e ngaue, kae 'oua ke fai ha fakatotolo;

(c) ke fiema'u mei ha taha ngaue ke tuku mai ha fakamatala pe tali ha fehu'i felave'i mo e ngaahi tohi ngaue, tohi mo e 'akauni, pa'anga pe ngaahi ngaue 'oku felave'i mo e kau ngaue;

(d) 'i he tohi fakaha, ke fiema'u ha taha 'oku ne tauhi pe pule'i ha tohi ngaue, tohi mo e 'akauni 'oku felave'i hangatonu ki he kau ngaue ke tuku mai 'a e kotoa pe ha taha 'o e ngaahi me'a ko ia, 'i he taimi mo e feitu'u mo e taha 'oku fakaha 'i he tohi fakaha; mo e

(e) ke hu ki ha kong'a'api pe fale 'a e Pule'anga (tukukehe ha fale nofo'anga) 'a is 'oku ngaue ai ha kau ngaue.

(2) 'E ngofua ki he Komisoni ke fakanofu ha taha 'i he tohi, ke faka'eke'eke pea lipooti 'a e me'a pe ngaahi me'a 'oku fakaha 'i he 'uhinga fakanofu.

(3) Ko ha taha 'oku 'ikai fai pau ki ha tu'utu'uni 'a e Komisoni, 'i he kupu ni 'oku ne fakahoko 'a e hia pe 'e ala hilifaki ki ai 'o ka halaia 'a e mo'ua 'o 'ikai lahi hake he \$2000.

(4) 'E ngofua ki he Komisoni ke tuli ha taha ngaue 'oku halaia 'i ha hia 'i he kupu ni.

Lipooti fakata'u mo e lipooti 'a e ngaahi taumu'a 'a e Komisoni

8. (1) Kuo pau ki he Sea 'i loto he 'aho 'e 90 hili 'a e ta'u takitaha ke fa'u ke 'oatu ha lipooti ki he Palemia felave'i mo e ngaahi ngaue 'a e Komisoni mo e lava me'a mo e lelei ange 'o e Ngaue Fakapule'anga.

(2) Kuo pau ki he Minisita, 'i he fakangofua 'e he Fakataha Tokoni, ke fakahu ha tatau 'o e lipooti ki he Fale Alea.

Vavae 'o e ngaahi mafai

9. (1) 'E ngofua ki he Komisoni ke vavae ha kongā 'o hono ngaahi mafai fakangaue 'i ha tohi pea ko e taha 'oku vavae ki ai 'e hilifaki ki ai 'a e ngaahi ngafa mo e ngaahi fatongia 'o e Komisoni 'i he Lao ni.

(2) 'I hono vavae 'o e ngaahi fatongia 'o e Komisoni 'i he kupusi'i (2), ko ha taha 'oku vavae ki ai 'e hilifaki ki ai 'a e ngaahi fatongia mo e ngafa tatau 'a e Komisoni 'i he Lao ni.

Sekelitali 'o e Komisoni

10. (1) Kuo pau ke fakanofu ha Sekelitali ko e Pule Potungāue 'a is to ne fakahoko 'a e ngaahi ngaue tokoni ki he Komisoni.

(2) Kuo pau ke fai tatau 'a e Sekelitali mo e tu'utu'uni 'a e Sea.

Kau ngaue 'a e Komisoni

11. 'E ngofua ke fakanofu 'e he Komisoni 'a e kau ngaue ko is 'e fe'unga ai ke fakahoko 'a 'ene ngaahi ngaue mo e ngafa 'i he Lao ni.

KONGA III NGAUE FAKAPULE'ANGA

Ngaahi me'a fakakaungāue ke 'i he Lao

12. Ko e kotoa 'a e ngaahi fakanofu, hiki hake, 'a e ngaahi me'a fakatautea mo e ngaahi tuli felave'i mo e Ngaue Fakapule'anga kuo pau ke fakahoko fakatatau ki he Lao ni pea mo ha ngaahi tohi founga ngaue 'a e Pule'anga 'oku tu'utu'uni 'e he Kapineta.

Fakanofu 'o e kau Pule Potungāue

13. (1) Kuo pau ki he Komisoni, 'i he loto ki ai 'a e Kapineta ke fakahoko 'a e fakanofu kotoa ki he lakanga ko e Pule Potungāue.

(2) Fakatatau ki he kupu 26, kuo pau ke fakangaue'i 'a e kau Pule Potungāue 'i ha aleapau ngaue tu'unga pau 'o a'u ki he ta'u 'e 5 pea 'e ngofua ke toe fakanofu kinautolu.

Fakanofu ki he Ngaue Fakapule'anga

14. (1) Fakatatau ki he kupu 13 mo e kupu 18, ko ha fakanofu 'o ha taha ngaue ki he pe 'i loto he Ngaue Fakapule'anga 'e fakahoko 'e he Komisoni.

(2) Kuo pau ki he Komisoni kimu'a 'o ha Fakanofu 'i he kupu ni ke fakaha ki he pea fakakaukau'i fakataha mo e ngaahi vakai mo e fiema'u 'a e Minisita 'oku fekau'aki mo ia.

Lakanga 'ikai 'aonga

15. 'E ngofua ki he Komisoni ke fokotu'u ki he Kapineti ke tu'utu'uni 'oku 'ikai 'aonga ha lakanga.

Tohi fakaha fakafisi

16. Ko e taha ngaue kotoa tukukehe 'a kinautolu 'oku aleapau ngaue 'oku faka'amu ke fakafisi mei he Ngaue Fakapule'anga kuo pau ke ne 'ave 'a e tohi fakaha 'o 'ene fakafisi fakatatau ki he Ngaahi Tu'utu'uni.

Tuli 'i he 'uhinga lelei

17. 'E ngofua ki he Komisoni ke tuli ha taha ngaue 'i ha taimi 'i he 'uhinga lelei.

Kau ngaue lau 'aho

18. 'E ngofua ki ha Pule Potungaue, 'i he loto ki ai 'a e Minisita 'oku fekau'aki mo ia, ke fakangaue'i ha kau ngaue totongi faka'aho 'a is 'oku fiema'u.

KONGA IV TU'UTU'UNI 'ULUNGAANGA, VA TAMAKI MO E FOUNGA TAUTEA

Tu'utu'uni 'ulungaanga

19. Kuo pau ki he Komisoni, 'i loto he mahina 'e 12 mei he kamata ngaue'aki 'o e Lao ni, ke pulusi ha tu'utu'uni 'ulungaanga ki he Ngaue Fakapule'anga.

Kanititeiti ki he Fale Alea

20. Kuo pau ki ha Pule Potungaue pe taha ngaue 'i he Ngaue Fakapule'anga ke malolo he hili 'a 'ene lesisita ko ha kanititeiti ki he fili Fale Alea pea kuo pau ke fakafisi 'o ka fili.

Fakalelei 'o e ngaahi va tamaki

21. (1) Ko e founga ngaue ki he fakatonotonu va tamaki mo e tautea 'i he kupu ni kuo pau ke fokotu'u 'i he Tu'utu'uni.

(2) Ko ha taha 'oku 'ikai fiemalie mo ha fakatonotonu va tamaki pe tautea 'e ngofua ke tangi ki he Kapineti.

KONGA V NGAAHI KUPU KEHE FELAVE'I MO E NGAUE FAKAPULE'ANGA

Ngaahi Tu'utu'uni

22. 'E ngofua ki he Palemia 'i he loto ki ai 'a e Kapineti, ke fakahoko ha ngaahi tu'utu'uni ki hono fakahoko lelei mo lava me'a 'o e Lao ni.

Tohi Founa Ngaue

23. Fakatatau ki he ngaahi kupu 'o e Lao ni 'e ngofua ki he Komisoni 'i he fakangofua 'e he Kapineti, ke pulusi 'i he Kasete ha tohi founa ngaue ki he Ngaue Fakapule'anga pea fokotu'u ha ngaahi fakahinohino kuo pau ke ne ha'i 'a e kotoa 'a e kau ngaue.

Fatongia ke lipooti

24. (1) Ko ha Pule Potungaue 'a is 'oku 'ikai toe fakanofu 'o fakatatau ki he kupusi'i (2), kuo pau ke lau kuo 'osi fakafisi.

Fakataimi

25. Ko ha taha ngaue 'i he Ngaue Fakapule'anga 'oku ma'u lakanga kimu'a 'a e kamata ngaue'aki 'o e Lao ni kuo pau, hili hono kamata ngaue'aki 'o e Lao ni ke hoko atu 'i hono lakanga 'o fakatatau ki he ngaahi kupu 'o e Lao ni.

Fakataimi ma'ae Pule Potungaue

26. (1) Ko e Pule Potungaue kotoa na'e fakanofu kimu'a 'a hono kamata ngaue'aki 'o e Lao ni kuo pau ke hoko atu 'i he ngaue ko is 'i ha alepau ngaue tu'unga pau 'a e Komisoni he mahina 'e 12.

(2) 'E ngofua ki he Komisoni, 'i he ngofua mei he Kapineti, ke toe fakanofu ha Pule Potungaue ki he ngaahi tu'unga mo e vaha'a taimi ko is 'e fakapapau'i 'e he Komisoni, ka ko e hili is ko e Pule Potungaue kotoa kuo pau ke fakanofu fakatatau ki he kupu 13.

(3) Ko ha Pule Potungaue pe taha ngaue 'oku 'i ai ha'ane 'ilo ki ha ngaahi tu'unga 'a is 'e malava ke fakatupu ai ke ne vakai'i pe kuo maumau'i 'a e Lao ni pe ha Lao kehe kuo pau ke lipooti 'a e ngaahi tu'unga ko is ki he Komisoni.

Mafai Ma'olunga 'a e Lao

27. Fakatatau ki he Konisitutone kuo pau ke malohi 'a e ngaahi kupu 'o e Lao ni 'i ha fepaki 'o hano ngaahi kupu mo ha kupu 'o ha Lao kehe.

Na'e tali 'e he Fale Alea 'i he 'aho ni 20 'o Novema, 2002.

TEPILE I

1. 'Ofisi Palemia
2. Potungaue Pa'anga
3. Potungaue Ako
4. Potungaue Fonua, Savea mo e ngaahi Koloa Fakaenatula
5. Potungaue Malini mo e Ngaahi Taulanga
6. Potungaue Ngoue, Vaota mo e Me'akai
7. Potungaue Toutai

8. Potungaue Ngaue
9. Potungaue Ngaue, Fefakatau'aki mo e Ngaahi Ngaue 'a e Kakai
10. Potungaue Mo'ui
11. Potungaue ki Muli
12. Potungaue Fefolau'aki Sivile
13. Potungaue Fakamaau'anga
14. 'Ofisi 'a e Komisiona ki he Va Mo e Kakai
15. 'Ofisi Palasi
16. Potungaue 'Atita
17. Potungaue Palani
18. Potungaue Setisitika
19. Potungaue 'Atakai
20. Potungaue Takimamata
21. Potungaue Paaki
22. Potungaue Lao
23. Potungaue ki he Tanaki Pa'anga Hu Mai
24. Potungaue Fetu'utaki
25. Komisiona Ngaue Fakapule'anga
26. 'Ofisi 'o e Kovana Ha'apai
27. 'Ofisi 'o e Kovana Vava'u

TEPILE II

Komisiona ki he Va Mo e Kakai 'i he Lao ki he Komisiona ki he Va Mo e Kakai 2001.
Kau Fakamaau Polisi 'i he Lao ki he Fakamaau'anga Polisi (Vahe 11)
Lao ki he Polisi (Vahe 35)
Lao ki he Pilisone (Vahe 36)
Lao ki he Tau Malu'i Fonua 'o Tonga (Vahe 55)
