

- (4) *Ha'alaufulu District.* Holeva, Ha'alaufulu, Tu'anekivale, Ta'anea, Koloa, Ha'akio, Houma, Mangia and all bush lands belonging thereto.
- (5) *Neiafu District.* Neiafu, Fungamisi and Faleleu, Toulou, Makave, 'Utui, Okoa, Olo'ua and the island of Ofu and all bush lands belonging thereto.
- (6) *Pangaimotu District.* Pangaimotu, 'Utulei, 'Utungake, Nga'unofu and all bush lands belonging thereto.

Niua

- (1) *Niuaotupapu District.* The islands of Niuaotupapu and Tafahi.
- (2) *Niuafo'ou District.* The island of Niuafo'ou.

TONGA GOVERNMENT GAZETTE SUPPLEMENT EXTRAORDINARY

No. 8

Monday 6 July

2009

GOVERNMENT ACT (Section 26)

Districts (Animal Enclosure) Regulations 2009

IN EXERCISE of the powers conferred by section 26 of the Government Act (Cap. 3) the District Officers with the sanction of the Cabinet and confirmed by the signature of the Prime Minister, makes the following Regulations:

1. These Regulations may be cited as the Districts (Animal Enclosure) Regulations 2009. **Short title**
2. In these Regulations – **Interpretation**
 - "animal" means any pig, goat, horse or cow;
 - "Districts" means the Districts listed in the Schedule to these Regulations;
 - "public place" means any public way and any building place or vessel to which for the time being the public are entitled or permitted to have access either without condition or upon condition of making any payment; and
 - "public way" means any road or other way lawfully used by the public.
3. These Regulations shall apply to all residents of the Districts listed in the Schedule. **Application**
4. (1) Every animal owner in the Districts shall – **Animal enclosure**
 - (i) keep the animal in a secure enclosure;
 - (ii) secure such animal in an appropriate manner; and
 - (iii) ensure that the animal has sufficient food and water.

(2) Where an animal is secured in at enclosure, such enclosure shall be kept clean to the satisfaction of the District Officer.
5. Any animal owner who: **Offence**
 - (a) fails to provide a secure enclosure for such animal; and
 - (b) such animal is found on a public way or place, commits an offence.

- Occupier or owner of land** 6. The owner or occupier of any cultivated land or of any enclosed land may shoot or kill any animal found trespassing and damaging such land provided that the owner or occupier shall:
- (a) notify the owner of the animal, if known; or
 - (b) if the owner of the animal is not known after reasonable attempts to find him or does not claim the same within one hour after the animal is killed, the carcass may be disposed in a manner determined by the owner or occupier.
- Offence** 7. Any person who fails to comply with these Regulations shall upon conviction be subject to the penalties provided by section 26 of the Government Act (Cap. 3).
- Repeal** 8. (1) The Government (Hihifo District Villages) Regulations 2000 and the Leimatu'a, Feletoa and Mataika District Regulations 1958 are hereby repealed.
- (2) Regulations 3, 4 and 5 of the Niutopotapu Villages Regulations 2000 are hereby repealed.

Made this 23rd day of April 2009.

Hon. Dr. Feleti V. Sevele
Prime Minister.

SCHEDULE
(Regulation 3)

THE DISTRICTS

Tongatapu

- (1) *Hihifo District.* The island of 'Atata, the towns of Hihifo, Ha'atafu, Neiafu, Kanokupolu, 'Ahau, Kolovai, Ha'avakatolo, Fo'ui, Masilamea, Te'ekiu, Kala'au and Fahefa and all bush lands belonging thereto.
- (2) *Nukunuku District.* Nukunuku, Matahau, Vaotu'u, Houma, Lakepa, Fatai, Ha'akame and 'Utulau and all bush lands belonging thereto.
- (3) *Kolomotu'a District.* Kolomotu'a, Havelu, Tofoa and Koloua and Puke and all bush lands belonging thereto.
- (4) *Kolofo'ou District.* Kolofo'ou, Ma'ufanga and Siesia and all bush lands belonging thereto.
- (5) *Vaini District.* Vaini, Malapo, Longoteme, Folaha, Nukuhetulu, Veitongo, Ha'ateiho, Pea and Tokomololo and all bush lands belonging thereto.
- (6) *Tatakamotonga District.* Tatakamotonga, 'Alaki, Holonga, Havelu Liku, Fatumu, Lavengatonga, Ha'asini, Hamula, Nakolo and Fua'amotu and all bush lands belonging thereto.
- (7) *Lapaha District.* Lapaha, Hoi, Talasiu, Nukuleka, Talafo'ou, Navutoka, Manuka, Kolonga, Afa, Niutoua, the island of 'Eueiki and all bush lands belonging thereto.

Ha'apai

- (1) *Mu'omu'a District.* The islands of Nomuka, Mango, Fonoifua, Kelelesia and Tonumea.
- (2) *Lulunga District.* The islands of Ha'afeva, Tungua, Matuku, 'O'ua, Kotu and Fotuha'a, Kao and Tofua.
- (3) *'Uiha District.* The islands of 'Uiha and Lofanga.
- (4) *Lifuka District.* The island of Lifuka.
- (5) *Foa District.* The island of Foa.
- (6) *Ha'ano District.* The islands of Ha'ano and Mo'unga'one.

Vava'u

- (1) *Island District.* The islands of Lape, Kapa, Taunga, 'euakafa, 'Eueiki, Hunga, Ovaka, Niuapapu and Fua'amotu.
- (2) *Western District.* Tu'anuku, Longomapu, Tefisi, Vaimalo, Taoa and all bush lands belonging thereto.
- (3) *Leimatu'a District.* Leimatu'a, Feletoa, Mataika and Holonga and all bush lands belonging thereto.

- (4) *Ha'alaufulu District.* Holeva, Ha'alaufulu, Tu'anekivale, Ta'anea, Koloa, Ha'akio, Houma, Mangia and all bush lands belonging thereto.
- (5) *Neiafu District.* Neiafu, Fungamisi and Faleleu, Toulou, Makave, 'Utui, Okoa, Olo'ua and the island of Ofu and all bush lands belonging thereto.
- (6) *Pangaimotu District.* Pangaimotu, 'Utulei, 'Utungake, Nga'unofu and all bush lands belonging thereto.

Niua

- (1) *Niuaotuputu District.* The islands of Niuaotuputu and Tafahi.
- (2) *Niuafo'ou District.* The island of Niuafo'ou.

FAKALAHKI KI HE KASETE 'A E PULE'ANGA TONGA KASETE MAKEHE

Fika 8

Monite 6 Siulai

2009

LAO 'O E PULE'ANGA (Kupu 26)

Ngaahi Tu'utu'uni Fakavahefonua (Tuku 'aa 'o e Fanga Monumanu 2009)

'I HONO NGAUE'AKI 'a e ngaahi mafai kuo foaki 'e he kupu 26 'o e Lao 'o e Pule'anga (Vahe 3) 'oku fa'u 'a e Ngaahi Tu'utu'uni ni 'e he kau 'Ofisa Pule Fakavahefonua 'i hono fakamafai 'i 'e he Kapineti pea fakapapau 'i 'aki 'a e fakamo'oni hinga 'a e Palemia:

1. 'E ui 'a e Ngaahi Tu'utu'uni ni ko e Ngaahi Tu'utu'uni Fakavahefonua **Hingoa nounou**
(Tuku 'aa 'o e Fanga Monumanu Monumanu) 2009.
2. 'I he Ngaahi Tu'utu'uni ni – **'Uhinga' lea**

"monumanu" 'oku 'uhinga ki ha puaka, kosi, hoosi pe pulu;

"Ngaahi Vahefonua" 'oku 'uhinga ki he ngaahi Vahefonua 'oku ha ata 'i he Tepile ki he Ngaahi Tu'utu'uni ni;

"feitu'u fakapule'anga" 'oku 'uhinga ki ha hala pule'anga mo ha fale, feitu'u pe vaka, 'a ia 'oku lolotonga 'i ai 'a e totonu pe ngofua ke hu ki ai 'a e kakai 'o tata ai pe, pe 'oku tu'unga 'i ha totonu pe 'ikai; mo e

"hala pule'anga" 'oku 'uhinga ko ha fa'ahinga hala pe, pe ko ha 'alu'anga 'oku ngaue'aki fakalao 'e he kakai.
3. Kuo pau ke ngaue'aki 'a e Ngaahi Tu'utu'uni ni ki he kau nofo koloa **Ngaue'aki**
pe 'i he Ngaahi Vahefonua 'oku ha atu 'i he Tepile.
4. (1) Kuo pau ki he taha kotoa pe 'oku 'a'ana ha monumanu ke ne – **Tuku 'aa 'o e fanga monumanu**
 - (i) tauhi 'a e monumanu 'i ha 'aa 'oku malu;
 - (ii) tauhi malu 'a e monumanu ko ia 'i ha founa 'oku fe'unga; pea
 - (iii) fakapapau 'i ko e monumanu ko ia 'oku 'i ai 'a 'ene me'atokoni mo e vai 'oku lahi fe'unga.
- (2) 'I he taimi 'oku tauhi malu ai ha monumanu 'i ha 'aa, kuo pau ke tauhi ke ma'a 'a e 'aa ko ia ki he fiemalie 'a e 'Ofisa Pule Fakavahefonua.
5. Ka 'i ai ha taha 'oku 'o'ona ha monumanu pea 'oku: **Hia**
 - (a) 'ikai kene tauhi 'a e monumanu ko ia 'i ha 'aa malu; pea

(b) 'oku ma'u 'a e monumanu ko ia 'i ha hala pe feitu'u fakapule'anga,

'oku ne fakahoko 'a e hia.

Taha 'oku nofo 'i he pe taha 'a'ana 'a e kelekele

6. 'E ngofua ki ha taha 'oku 'o'ona pe taha 'oku nofo 'i ha kelekele kuo ngoue'i pe kelekele kuo 'aa'i ke ne fana'i pe tamate'i ha monumanu 'e ma'u 'oku hala loto'api mo maumau'i 'a e kelekele ko ia, ka kuo pau ki he taha 'oku 'o'ona pe taha nofo ko ia ke ne.

(a) fakaha ki he taha 'oku 'a'ana 'a e monumanu, 'o kapau 'oku 'ilo'i; pe

(b) 'o kapau ko e taha 'oku 'a'ana 'a e monumanu 'oku 'ikai 'ilo ia hili ha feinga fakapotopoto ke kumi pe 'ikai ke ne fakaha 'a 'ene totonu ki he monumanu 'i loto 'i he houa 'e taha hili hono tamate'i 'a e monumanu, 'e ngofua ke tukuatu 'a e 'anga'anga ko ia 'i ha feounga 'e loto ki ai 'a e taha 'a'ana pe taha nofo.

Hia 7. Ko ha taha 'oku 'ikai ke ne fai pau ki he Ngaahi Tu'utu'uni ni, pea 'i ha'ane halaia, kuo pau ke ne mo'ua 'i he ngaahi tautea 'oku ha atu 'i he kupu 26 'o e Lao 'o e Pule'anga (Vahe 3).

Fakapekia 8. (1) 'Oku fakapekia heni 'a e Ngaahi Tu'utu'uni 'o e Pule'anga (Ngaahi Kolo 'i he Vahenga Hihifo), Ngaahi Tu'utu'uni Fakavahefonua 'o e Vahefonua Leimatu'a, Feletoa mo Mataika 1958 pea mo e tu'utu'uni 3, 4 mo e 5 'o e Ngaahi Tu'utu'uni Fakakolo 'o Niuatoputapu 2000.

(2) Regulations 3, 4 and 5 of the Niuatoputapu Villages Regulations 2000 are hereby repealed.

Na'e fa'u 'i Nuku'alofa 'i he 'aho ni 23 'o 'Epeleli 2009.

Hon. Dr. Feleti V. Sevele
Palemia.

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(Regulation 3)

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