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Committee on Trade Facilitation

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**NOTIFICATIONS UNDER ARTICLES 1.4, 10.4.3 10.6.2 AND 12.2.2
OF THE AGREEMENT ON TRADE FACILITATION**

COMMUNICATION FROM TONGA

Revision

The following communication, dated 8 May 2023, is being circulated at the request of the delegation of Tonga.

Tonga hereby makes the following notifications based on Articles 1.4, 10.4.3, 10.6.2 and 12.2.2 of the Agreement on Trade Facilitation.

Article 1, paragraph 4

(a) The official place(s) where the items in subparagraphs 1.1(a) to (j) have been published

1.1(a) procedures for importation, exportation, and transit (including port, airport, and other entry-point procedures), and required forms and documents;

Ministry of Revenue and Customs	www.revenue.gov.to Customs and Excise Management Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct2007_1.pdf Customs and Excise Management Regulations 2008 https://tonga.tradeportal.org/media/CustomsandExciseManagementRegulations2008_2_2.pdf	Provides the legal framework guiding the importation, exportation and transit of goods
Ministry of Agriculture, Food and Forests	http://mafff.gov.to/ https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/1981/1981-0024/PlantQuarantineAct_2.pdf	Provides the legal framework for importation and exportation of plant related products
Ministry of Fisheries	Fisheries Management (Processing and Export) Regulations 2008 https://www.tongafish.gov.to/images/documents/Legislations/Regs/Gaz.Supp.No.24-2008.pdf	Information on requirements for processing and exportation of fisheries goods
Ports Authority Tonga	www.portsauthoritytonga.com	Provides the necessary regulations, forms and applications
Tonga Trade Portal	https://tonga.tradeportal.org/?l=en	Information on procedures for importation, exportation and transit, and on required forms and documents Registration procedure for importer or exporter

1.1(b) applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation;

Ministry of Agriculture, Food and Forests	http://mafff.gov.to/ Plant Quarantine Regulations	Fees payable in respect of plant quarantine.
Ministry of Revenue and Customs	www.revenue.gov.to Customs Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0005/CustomsAct_2.pdf Customs Tariff Schedule Excise Tax Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0006/ExciseTaxAct_2.pdf Excise Tax Schedule Customs and Excise Management Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf	Imposes, as taxes, charges relating to the export of goods, so far as those charges are duties of customs Imposes, as taxes, charges relating to the export of goods, so far as those charges are duties of excise Imposes, as taxes, charges relating to the export of goods, so far as those charges are neither duties of customs nor duties of excise

1.1(c) fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit;

Ministry of Revenue and Customs	Customs and Excise Management Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf Customs and Excise Management Regulations 2008 https://tonga.tradeportal.org/media/CustomsandExciseManagementRegulations2008_2_2.pdf Customs Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0005/CustomsAct_2.pdf Excise Tax Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0006/ExciseTaxAct_2.pdf	Imposes charges in relation to the licensing of depots, warehouses and customs brokers Imposes import processing charges in respect of certain goods imported into Tonga Provides for the collection of export charges
Ministry of Agriculture, Food and Forests Ministry of Fisheries	http://mafff.gov.to/ http://www.tongafish.gov.to	Fees and charges related to provision of import and export services for agricultural, fishery and forestry products
Tonga Trade Portal	https://tonga.tradeportal.org/?l=en	Procedures include related fees

1.1(d) rules for the classification or valuation of products for customs purposes;

Ministry of Revenue and Customs	Customs Act https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0005/CustomsAct_2.pdf Customs Tariff Schedule under the Customs Act 2007	Interpretive rules for classifying goods and valuation of products for customs purposes
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1.1(e) laws, regulations, and administrative rulings of general application relating to rules of origin;

Ministry of Revenue and Customs	Customs and Excise Management Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf	
	Customs and Excise Management Regulations 2008 https://tonga.tradeportal.org/media/CustomsandExciseManagementRegulations2008_2_2.pdf Customs (PACER Plus) Regulations 2020 https://ago.gov.to/cms/images/LEGISLATION/SUBORDINATE/2020/2020-0094/CustomsPACERPlusRegulations2020_1.pdf	Regulation 131 provides general information on applications for written administrative rulings Form C13 Import Entry requires declaration of Origin of import goods Implementation of PACER Plus Rules of Origin

1.1(f) import, export or transit restrictions or prohibitions;

Ministry of Revenue and Customs	Customs and Excise Management Act https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf Customs and Excise Management Act Order 2007 https://ago.gov.to/cms/images/LEGISLATION/SUBORDINATE/2007/2007-2101/CustomsandExciseManagementActOrder2007_2.pdf Customs and Excise Management Act (Amendment) Order 2020 https://ago.gov.to/cms/images/LEGISLATION/AMENDING/2020/2020-2102/CustomsandExciseManagementActAmendmentOrder2020.pdf Customs and Excise Management Act (Amendment) Order 2021 https://ago.gov.to/cms/images/LEGISLATION/AMENDING/2021/2021-0010/CustomsandExciseManagementActAmendmentOrder2021.pdf	Section 45 empowers the Minister to declare prohibited and restricted imports for Customs purposes This Order is a list of goods declared as prohibited or restricted under Customs law.
Ministry of Meteorology, Energy, Information, Disaster Management, Environment and Climate Change	https://tonga.tradeportal.org/media/OzoneLayerProtectionAct.pdf	Information on the restrictions on import or export of ozone depleting substances and synthetic greenhouse gases
Ministry of Agriculture, Food and Forests	https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/1981/1981-0024/PlantQuarantineAct_2.pdf https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2002/2002-0005/AgriculturalCommoditiesExportAct_1.pdf https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/1978/1978-0027/AnimalDiseasesAct_1.pdf	Information on requirements for live plant and animal specimens considered to be suitable for import into Tonga
Ministry of Fisheries	Tonga Marine Aquarium Fishery Management and Development Plan 2017-2019 https://www.tongafish.gov.to/images/documents/ManagementPlans/ApprovedTongaMarineAquariumPlanFinal2017-2019.pdf	Information on restricted and prohibited marine species for exportation

1.1(g) penalty provisions for breaches of import, export, or transit formalities;

Ministry of Revenue and Customs	<p>Customs and Excise Management Act https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf</p>	<p>Part 12 of Customs and Excise Management Act 2007 for Customs administrative penalties and offences</p> <p>Section 95 of the Customs and Excise Management Act 2007 Charges persons for importation of prohibited or restricted goods, some other legislation also have specific offences relating to goods that they regulate. For e.g. the Ozone Layer Protection Act section 22 contains specific offences relating to ODS</p>
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1.1(h) procedures for appeal or review;

Ministry of Revenue and Customs	<p>https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf</p> <p>https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2002/2002-0028/RevenueServicesAdministrationAct_2.pdf</p>	<p>Section 126 gives any person the right to appeal to the Tax Tribunal against any decision of Customs under Customs law</p>
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1.1(i) agreements or parts thereof with any country or countries relating to importation, exportation, or transit; and

Ministry of Trade and Economic Development	https://www.mted.gov.to	Agreements with any country relating to importation, exportation or transit
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(j) procedures relating to the administration of tariff quotas.

No tariff quotas are being imposed in Tonga.

(b) The Uniform Resource Locators of website(s) referred to in paragraph 2.1

Same as information notified under Article 1.4 (a) above.

(c) The contact information of the enquiry points referred to in paragraph 3.1

Contact information on enquiry points is:

Ministry of Revenue and Customs	<p>Mr. Michael Cokanasiga Chief Executive Officer Tel +676 7400660 Tel +676 7400652 Email: mcokanasiga@gmail.com Website: www.revenue.gov.to</p>	Import and Export Policy and Procedures
	<p>Mr. Michael Cokanasiga Chief Executive Officer Tel +676 7400660 Tel +676 7400652 Email: mcokanasiga@gmail.com Website: www.revenue.gov.to</p>	Rules of origin certification

	Mr. Michael Cokanasiga Chief Executive Officer Tel +676 7400660 Tel +676 7400652 Email: mcokanasiga@gmail.com Website: www.revenue.gov.to	Customs Clearance
	Mr. Michael Cokanasiga Chief Executive Officer Tel +676 7400660 Tel +676 7400652 Email: mcokanasiga@gmail.com Website: www.revenue.gov.to	Inspection of Goods Quality
	Mr. Michael Cokanasiga Chief Executive Officer Tel +676 7400660 Tel +676 7400652 Email: mcokanasiga@gmail.com Website: www.revenue.gov.to	Tariff Information
Ministry of Agriculture, Food and Forests	Mr. Viliami Manu Chief Executive Officer Tel +676 7401115 Tel +676 7401100 Email : viliamitoaleimanu@yahoo.com Website: www.mafff.we.bs/	SPS requirements
Ministry of Fisheries	Mr Tu'ikolongahau Halafihi Chief Executive Officer Tel +676 7401201 Email: thalafihi@tongafish.gov.to supi64t@gmail.com Website: http://www.tongafish.gov.to	Import and Export Policy and Procedures for Fisheries
Ministry of Trade and Economic Development	Chief Executive Officer Tel + 676 7400105 Email: ceo@mted.gov.to Website: www.mted.gov.to	TBT Enquiry Point

Article 10, paragraph 4.3

This measure has not yet been implemented, Tonga notified this as Category C and will be implemented upon receipt of technical assistance.

Article 10, paragraph 6.2

The use of customs brokers is stipulated in the Customs and Excise Management Act 2007 https://ago.gov.to/cms/images/LEGISLATION/PRINCIPAL/2007/2007-0004/CustomsandExciseManagementAct_2.pdf

Article 12, paragraph 2.2

Notification of details of contact point for the exchange of information set out in Article 12.6.1 (b) and/or (c).

Ministry of Revenue and Customs	Mr. Michael Cokanasiga Chief Executive Officer Tel.: +676 7400660/ +676 7400652 E-mail: mcokanasiga@gmail.com Website: www.revenue.gov.to
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