WORLD TRADE ORGANIZATION

Trade Facilitation Agreement Database

TFAD

Tonga

Ratified Agreement: No

Implementation Notifications (Categories A, B, C)			Due date	Status
Notified all category ABC designations			by 22 February 2017	Yes
A - 12.2%	B - 55.9%	C - 31.9%	**Not yet notified** - 0.0%	
Notified indicative dates in Category B			by 22 February 2017	Yes
Notified definitive dates in Category B			by 22 February 2018	Yes
Notified indicative dates in Category C			by 22 February 2017	Yes
Notified definitive dates in Category C			by 22 August 2019	Yes
Notified Technical Assistance requirements			by 22 February 2017	Yes
Notified arrangements on the provision of technical assistance support			by 22 February 2018	Yes
Notified progress in the provision of technical assistance support			by 22 August 2019	Yes

Transparency notifications

Notified Art. 1.4	Category B	Definitive implementation date 31 December 2020	Yes
Notified Art. 10.4.3	Category C	Definitive implementation date 31 December 2029	No
Notified Art. 10.6.2	Category A	Definitive implementation date 22 February 2017	Yes
Notified Art. 12.2	Category B	Definitive implementation date 31 December 2020	Yes

Information on Assistance and Capacity Building

Notified Art. 22.3	Yes

Legend: Yes Notification presented | No Notification due | No Notification not yet due

Implementation schedule			Indicative implementation date	Definitive implementation date
1.1	Publication	B E	by 22 February 2018	by 31 December 2020
1.2	Information available through internet	C	by 22 February 2019	by 31 December 2029
1.3	Enquiry points	B	by 22 February 2019	by 31 December 2020
1.4	Notification	B	by 22 February 2018	by 31 December 2020
2.1	Comments and information before entry into force	C	by 22 February 2020	by 31 December 2024
2.2	Consultations	B E	by 22 February 2018	by 31 December 2020
3	Advance rulings	C	by 22 February 2019	by 31 December 2024
4	Procedures for appeal or review	B E	by 22 February 2018	by 31 December 2020
5.1	Notifications for enhanced controls or inspections	B E	by 22 February 2018	by 31 December 2020
5.2	Detention	B E	by 22 February 2018	by 31 December 2020
5.3	Test procedures	C	by 22 February 2022	by 31 December 2029
6.1	General disciplines on fees and charges	B E	by 22 August 2017	by 31 December 2020
6.2	Specific disciplines on fees and charges	A		by 22 February 2017
6.3	Penalty Disciplines	A		by 22 February 2017
7.1	Pre-arrival processing	B E	by 22 February 2018	by 31 December 2020
7.2	Electronic payment	A		by 22 February 2017
7.3	Separation of release	A		by 22 February 2017
7.4	Risk management	C B»C	by 22 February 2018	by 31 December 2024

Implementation schedule			Indicative implementation date	Definitive implementation date
7.5	Post-clearance audit	C	by 22 February 2022	by 31 December 2024
7.6	Average release times	C	by 22 February 2022	by 31 December 2024
7.7	Authorized operators	C	by 22 February 2022	by 31 December 2024
7.8	Expedited shipments	B E	by 22 August 2017	by 31 December 2020
7.9	Perishable goods	B E	by 22 August 2017	by 31 December 2020
8	Border Agency Cooperation	C B»C	by 22 February 2018	by 31 December 2024
9	Movement of goods	B	by 22 August 2017	by 31 December 2020
10.1	Formalities	C	by 22 February 2020	by 31 December 2024
10.2	Acceptance of copies	C	by 22 February 2018	by 31 December 2024
10.3	Use of international standards	C	by 22 February 2022	by 31 December 2024
10.4	Single window	C	by 22 February 2022	by 31 December 2029
10.5	Preshipment inspection	A		by 22 February 2017
10.6	Use of customs brokers	A		by 22 February 2017
10.7	Common border procedures	A		by 22 February 2017
10.8	Rejected Goods	B E	by 22 February 2018	by 31 December 2020
10.9	Temporary admission of goods and inward and outward processing	B E	by 22 February 2018	by 31 December 2020
11	Transit	B	by 22 February 2018	by 31 December 2020
12	Customs cooperation	B E	by 22 February 2018	by 31 December 2020

Legend

A	Notified in Cat. A	Ap	Partially notified in A		
B	Notified in Cat. B	Bp	Partially notified in B	C»B	Shift from C to B
C	Notified in Cat. C	Cp	Partially notified in C	B»C	Shift from B to C
N	Not yet notified	E	Extension of time requested		

Notifications and other documents

Symbol	Date	Description
G/TFA/N/TON/2/Rev.3	2023-05-11	Article 22.3
G/TFA/N/TON/3/Rev.2	2023-05-11	Articles 1.4, 10.4.3, 10.6.2 and 12.2.2 - Revision
G/TFA/N/TON/4	2022-06-16	Arrangements and progress in the provision of technical assistance
G/TFA/N/TON/3/Rev.1	2021-10-28	Articles 1.4, 10.6.2 and 12.2.2 - Revision
G/TFA/N/TON/3	2021-09-16	Articles 1.4, 10.6.2,12.2.2
G/TFA/N/TON/1/Add.3	2021-02-19	Extension of definitive dates - Addendum 3
G/TFA/N/TON/2/Rev.2	2020-03-19	Article 22.3 - Revision 2
G/TFA/N/TON/1/Add.2	2019-08-23	Category C notification - Addendum 2
G/TFA/N/TON/2/Rev.1	2019-02-25	Art. 22.3 - Revision
G/TFA/N/TON/1/Add.1	2018-10-15	Category B notification
G/TFA/N/TON/2	2018-10-15	Article 22.3
G/TFA/N/TON/1	2017-04-12	Cat. A, B, C

Experience Sharing

7.8 - Expedited shipments

Date	Title
19 October 2021 - 21 October 2021	Implementation of TFA Article 7.8 expedited shipments for the importation of Covid-19 vaccine

Disaster Preparedness

Date	Title
21 March 2023	Tonga statement

1.2 Information available through internet

C

1.2.1 (a), (b), (c)
1.2.2
1.2.3

Indicative date of implementation
22 February 2019

Definitive date of implementation
31 December 2029

Assistance required for implementation

Support to amalgamate all information into a trade portal for purpose of complying with Article 1 sub articles 2.1 and 2.3.

Tags: *Information and communication technologies (ICT)*

Donor Members: Australia, New Zealand

Donor Agencies: to be determined

Progress reported

Tonga initially requested support to amalgamate all information into a trade portal for the purpose of complying with Article 1 sub articles 2.1 and 2.3. Tonga launched the Trade and Information Portal in 2019 with funding from the Governments of Australia and New Zealand and technical assistance from UNCTAD through the PACER Plus Agreement.
The Trade and Information Portal is an online system which allows all cross-border trade related information to be available. These cover applicable laws, administrative procedures, permits, forms and tariff information.

2.1 Comments and information before entry into force

C

2.1.1
2.1.2
2.1.3

Indicative date of implementation
22 February 2020

Definitive date of implementation
31 December 2024

Assistance required for implementation

Support to establish a consultation mechanism and provide with legal basis e.g. legislation.

Tags: *Legislative and regulatory framework, Institutional procedures*

Donor Agencies: to be determined

Progress reported

The Tonga Attorney General's office has published a Drafting Manual that requires consultation before implementing and enforcing new laws. TACB support is still required from Donors for the following:
1. There is still a need for the development of a border agency guideline for formal and regular consultation mechanisms that aligns with the Attorney General's Drafting Manual

3.1
3.2 (a), (b)
3.3
3.4
3.5
3.6 (a), (b), (c)
3.7
3.8
3.9 (a) (i), (ii), (i), (ii), (iii), (iv), (c), (d)

Indicative date of implementation
22 February 2019

Definitive date of implementation
31 December 2024

Assistance required for implementation

Customs need establishment of the Legal Framework and need Capacity Building for staffs.

Tags: *Legislative and regulatory framework, Human resources and training*

Donor Members: Australia, New Zealand

Donor Agencies: to be determined

Progress reported

Initial request: Customs need establishment of the Legal Framework and need Capacity Building for staff.
The funding from the Governments of Australia and New Zealand through the PACER Plus Agreement. The Oceania Customs Organisation provided technical assistance for the review of the Customs legislations and draft necessary legislation to enable implementation of the Trade in Goods and Customs Procedures Chapters of the PACER Plus Agreement.

TACB support is still required from Donors for the following:
1. Policy and procedure for advance rulings (2024-2025)
2. Publish a Fact Sheet/General Procedure Guide for Advance Rulings (2025-26)
3. Train Customs staff (2025-26)

5.3 Test procedures

C

5.3.1
5.3.2
5.3.3

Indicative date of implementation
22 February 2022

Definitive date of implementation
31 December 2029

Assistance required for implementation

Customs Discussed and agreed to C as there is no procedures set in place for that requirement.

Tags: *Legislative and regulatory framework, Institutional procedures*

Donor Agencies: to be determined

Progress reported

The Ministry of Fisheries and the Ministry of Agriculture, Food and Forests (MAFF) do not have sufficient laboratories for second tests.

TACB support is still required from Donors for the following:
1. Develop a guideline for requesting a second test for food safety, agriculture, or other regulatory purposes (2022)
2. Establish lab testing facilities and train officials (2029)
3. Train officials on HPLC machines (2022)

7.4.1
7.4.2
7.4.3
7.4.4

Indicative date of implementation
22 February 2018

Definitive date of implementation
31 December 2024

Assistance required for implementation

Legal/Policy:
• Technical assistance to develop a mechanism to ensure enhanced coordination and collaboration between border agencies on risk identification and application of risk management.
Procedures:
• Technical assistance to develop necessary procedures that ensures effective implementation of risk management system.
Human Resources/Training:
• Technical assistance to develop capacity in relevant border agencies to ensure understanding and application of risk assessment and risk management to allow for better risk identification, analysis, assessment and treatment.
ICT:
• Enhance technological capacity for border agencies necessary to implement the risk management system.
Infrastructure/Equipment:
• Provision of appropriate technology and equipment to support the implementation of a proper risk management system.

Tags: *Information and communication technologies (ICT), Legislative and regulatory framework, Infrastructure and equipment, Human resources and training, Institutional procedures*

Shift from Cat. B to Cat. C notification.

Donor Members: Australia, New Zealand

Donor Agencies: World Customs Organization

Progress reported

Procedures for risk management for customs control are in place. The Customs Automation System (CMS) selectivity criteria is used for the requisite assessment and compliance management thereof. WCO commenced a Mercator diagnostic assessment of Customs as part of its capacity building assistance under the Mercator Programme. This assistance stands to continue with in-country support missions once restrictions on international travel are lifted. This assistance with include RKC (Revised Kyoto Convention) Support.

Under the PACER Plus ASYCUDA Project, Customs is receiving technical assistance from UNCTAD to enable the migration from the use of the CMS to the ASYCUDA World system.

TACB support is still required from Donors for the following:
1. Develop Border Risk Management Strategy agreed between all border agencies (2022)
2. Undertake a risk management gap analysis (based on the Border Risk Management Strategy by agency) (2022)
3. Develop regulations (if applicable), policies and procedures based on the Border Risk Management Strategy (example of possible need for regulation could be access and sharing of information)
4. Create an operational common risk register and mitigation strategy (2023)
5. Identify technologies and interfaces to ASYCUDA World (e.g., x-ray) (2022)
6. Training to develop capacity in relevant border agencies to ensure understanding and application of border risk assessment and risk management (2024)

7.5 Post-clearance audit

7.5.1
7.5.2
7.5.3
7.5.4

Indicative date of implementation
22 February 2022

Definitive date of implementation
31 December 2024

Assistance required for implementation

Technical assistance will be needed to develop processes and procedures that incorporate the following in all aspects of risk management:
o Draft a cargo clearance policy and process incorporating a risk based framework and PCA using the RKC as a guide
o Draft terms of reference for the risk management committee
o Draft position description for staff involved in risk management and set up a risk management unit
o Train Customs and Quarantine staff on analysing available transaction data from CMS and identifying criteria for high risk cargo
o Develop risk profiles using available transaction data from CMS
o Train Customs and Quarantine staff on implementation of a risk based approach in the clearance of cargo

Technical assistance will be needed to develop processes and procedures that incorporate the following in all aspects of PCA:
o Draft position description for staff involved in PCA and strengthen the PCA unit
o Train Customs and Quarantine staff on analysing available transaction data from CMS and selecting entries/companies for desk audits and field audits
o Train Customs and Quarantine staff on PCA
o Draft and implement an awareness program to educate the trading community on the role of PCA and legislative requirements related to PCA

Tags: *Legislative and regulatory framework, Institutional procedures, Human resources and training, Awareness-raising*

Donor Agencies: World Customs Organization

Progress reported

Policies and procedures to manage customs risks through a post clearance audit process are operational, and the audit process has been automated within the customs system. The same principles were envisaged to be applied across all border agencies to ease border congestion and improve regulatory compliance across multiple border agencies. WCO to undertake diagnostic of Customs and pilot of advanced systems-based auditing package.

TACB support is still required from Donors for the following:
1. Support to review draft legislation including harmonization with legal framework of all relevant institutions
2. Capacity building in post clearance audit in all relevant agencies
3. Develop an audit programme for desktop and in-premises audit
4. Train on audit skills (e.g., WCO e-click)
5. Provide briefing sessions to trading community on the role of PCA and legislative requirements related to PCA
6. Train Quarantine staff on analysing available transaction data from ASYCUDA World and identifying criteria for high-risk cargo and post clearance audit techniques

7.6 Average release times

C

7.6.1
7.6.2

Indicative date of implementation
22 February 2022

Definitive date of implementation
31 December 2024

Assistance required for implementation

Technical assistance to be provided to Customs to develop capacity to undertake periodic Time Release Studies (TRS).

Tags: *Human resources and training*

Donor Agencies: World Customs Organization, World Bank

Progress reported

World Customs Organisation (WCO) and the World Bank Group (WBG) provided technical assistance to conduct Tonga's Time Release Study in 2020 which has been completed and is a baseline to measure the impact of reforms and initiatives. What remains is to adopt the recommendations of the Time Release Study (2021), schedule the reform actions (2021) and undertake the TRS after the implementation of the ASYCUDA World (2024).

TACB support is still required from Donors for the following:
1. Capacity building on designing, planning, and implementing Time Release Study for all relevant agencies
2. Stakeholder engagement to disseminate the results of the study

7.7.1
7.7.2 (a) (i), (ii), (iii), (iv), (i), (ii)
7.7.3 (a), (b), (c), (d), (e), (f), (g)
7.7.4
7.7.5
7.7.6

Indicative date of implementation
22 February 2022

Definitive date of implementation
31 December 2024

Assistance required for implementation

Technical assistance will be needed to develop processes and procedures that incorporate the following in all aspects of risk management:
o Draft a cargo clearance policy and process incorporating a risk based framework and PCA using the RKC as a guide
o Draft terms of reference for the risk management committee
o Draft position description for staff involved in risk management and set up a risk management unit
o Train Customs and Quarantine staff on analysing available transaction data from CMS and identifying criteria for high risk cargo
o Develop risk profiles using available transaction data from CMS
o Train Customs and Quarantine staff on implementation of a risk based approach in the clearance of cargo

Technical assistance will be needed to develop processes and procedures that incorporate the following in all aspects of PCA:
o Draft position description for staff involved in PCA and strengthen the PCA unit
o Train Customs and Quarantine staff on analysing available transaction data from CMS and selecting entries/companies for desk audits and field audits
o Train Customs and Quarantine staff on PCA
o Draft and implement an awareness program to educate the trading community on the role of PCA and legislative requirements related to PCA

Tags: *Legislative and regulatory framework, Institutional procedures, Human resources and training, Awareness-raising*

Donor Agencies: World Bank

Progress reported

The Heilala Programme (Authorised Operators) of the Ministry of Revenue and Customs (Customs) provides facilitated procedures for selected importers. With the assistance of the World Bank Group, the Customs Division of Customs is seeking to expand its Authorised Operator program by developing an AEO Programme targeting exporters.
Customs had previously received assistance from the Oceania Customs Organisation (OCO) to develop draft legislation to enable the implementation of an AEO Programme for exporters. This program was to be based on New Zealand's Approved Secure Export Scheme.
The World Bank Group is currently assisting Customs and Ministry of Trade and Economic Development (MTED) with the review of the draft AEO Policy.

TACB support is still required from Donors for the following:
1. Conduct Time Release Study for Export (2022)
2. Develop Customs AEO Policy and Guidelines for exporters (2022)
3. Review Customs Bill to ensure alignment with this article (2022)
4. Train Customs and Quarantine staff on implementation of a risk-based approach in the clearance of import & export cargo including measures for authorised operators (2023)
5. Publish transparent guidelines for Heilala Programme participation (2024)

8.1
8.2 (a), (b), (c), (d), (e)

Indicative date of implementation
22 February 2018

Definitive date of implementation
31 December 2024

Assistance required for implementation

Procedures:
• Support on developing a framework for border agency cooperation; draw up of a harmonized border procedures manual for border agencies.
• Preparation of texts establishing and organizing joint controls and one-stop border post control.
Human Resources/Training:
• Support for staff on border agency cooperation.
• Training in and awareness-raising of new cooperation practices for border agency officials.

Tags: *Legislative and regulatory framework, Institutional procedures, Human resources and training, Awareness-raising*

Shift from Cat. B to Cat. C notification.

Donor Agencies: World Customs Organization

Progress reported

WCO to support Customs by facilitating an interactive stakeholder engagement workshop, focusing on effective and meaningful private sector engagement.

TACB support is still required from Donors for the following:
1. Develop a framework and strategy for border agency cooperation (2022)
2. Implement one-stop-shop clearance Customs, MAFFF, and Port Authority (2022)
3. Implement a virtual one-stop-shop for customs, quarantine, and food clearances in ASYCUDA World (2023) - see Art. 10.1
4. Implement joint inspection procedures at the approved warehouses based on joint risk management (2024)

10.1.1 (a), (b), (c), (d)

Indicative date of implementation
22 February 2020

Definitive date of implementation
31 December 2024

Assistance required for implementation

Support to develop policy and legislative framework.

Tags: *Legislative and regulatory framework*

Donor Members: Australia, New Zealand

Donor Agencies: to be determined

Progress reported

The Governments of Australia and New Zealand will fund e-phyto training and will be facilitated by the SPC. Phase 1 of e-phyto TACB involves staff training and the test run to be completed by the end of June 2022.

TACB support is still required from Donors for the following:
1. Review documentary requirements as part of the Trade Facilitation Strategy and in preparation for implementing automation
2. Implement a virtual one-stop-shop for customs, quarantine, and food clearances in ASYCUDA World (2023) - As per Art. 8
3. Undertake a legal analysis and implement any required changes to enable offshore payment of duties, fees, and charges (2023)

10.2 Acceptance of copies

C

10.2.1
10.2.2
10.2.3

Indicative date of implementation
22 February 2018

Definitive date of implementation
31 December 2024

Assistance required for implementation

Support to develop policy and legislative framework.

Tags: *Legislative and regulatory framework*

Donor Agencies: to be determined

Progress reported

TACB support is still required from Donors for the following:
1. Review documentary requirements as part of Trade Facilitation Strategy and in preparation for implementing automation
2. Implement a virtual one-stop-shop for customs, quarantine and food clearances in ASYCUDA World (2023) - As per Art. 8
3. Undertake a legal analysis and implement any required changes to enable offshore payment of duties, fees, and charges (2023)

10.3 Use of international standards

C

10.3.1
10.3.2

Indicative date of implementation
22 February 2022

Definitive date of implementation
31 December 2024

Assistance required for implementation

Support to develop policy or procedure on the examination of relevant international standards and to enable Tonga to meet the recommendation of WCO to become RKC compliant.

Tags: *Legislative and regulatory framework*

Donor Agencies: World Customs Organization

Progress reported

As abovementioned, the assistance offered to Customs through the WCO Mercator Programme will also include RKC Accession Support. This will see Customs adopting Customs international standards and best practices of the Revised Kyoto Convention on the simplification and harmonisation of custom procedures.

TACB support is still required from Donors for the following:
1. Capacity building for agencies on relevant international standards, testing procedures and international best practices
2. Awareness campaigns on use of international standards

10.4 Single window

C

10.4.1
10.4.2
10.4.3
10.4.4

Indicative date of implementation
22 February 2022

Definitive date of implementation
31 December 2029

Assistance required for implementation

Support to for a feasibility study to investigate viability of a Single Window system and based on results further support to implement - if viable.

Tags: *Diagnostic and Needs Assessment*

Donor Members: Australia, New Zealand

Donor Agencies: to be determined

Progress reported

Tonga has yet to implement and set up a single window system, this will be considered upon when the ASYCUDA World is fully stood up and operational. ASYCUDA World is funded through the Governments of Australia and New Zealand and technical assistance from UNCTAD through the PACER Plus Agreement.

TACB support is still required from Donors for the following:
1. Implement one-stop-shop clearance Customs, MAFFF, and Port Authority (2021) - as per Art 8
2. Undertake a Single Window Visioning Worksop with public and private sector (2023)
3. Undertake a Single Window Feasibility Study (to be reviewed as a result of the visioning workshop) (2024)
4. Prepare a Single Window Blueprint (to be reviewed as a result of the Single Window Feasibility Study) (2026)

Legend

C	Notified in Cat. C	Cp	Partially notified in C	E	Extension of time requested
	Donor arrangement notified		Donor arrangement not yet notified		

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