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| **Konisitutone** |
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| **Siasi Uēsiliana Tau’atāina ‘o Tonga ‘i Aositelēlia**  ACN 607 984 243 |
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| A Public Company Limited by Guarantee |
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**17 Rose St**

**Smithfield**

**NSW 2164**

**SYDNEY**

**AUSTRALIA**

TALATEU

KE FAI HO FINANGALÓ

Fakafeʻiloaki ki he Taha Kotoa,

Ko e kaveinga ngāue ʻa e SUTT ʻi ʻAositelēliá ko e fekumi ki he ʻafio ʻa e Laumālie Mā‘oniʻoni´ koeʻuhi´ ke tau lava ʻo fai e finangalo ʻo e ʻOtuá. Ko e finangalo ʻo e ʻOtuá ‘oku mahu’inga taha ʻi heʻetau moʻui´. Kuo pau ke tau talangofua ki he finangalo ʻo e ʻOtuá ʻi ha fa‘ahinga me‘a pē te tau fai. ʻI he kotoa ʻo e moʻui ʻa Sīsuú, naʻá ne lau ko e finangalo ʻo e ʻOtuá ko e taumuʻa taupotu taha ia ʻo ʻene moʻui´. Kia Sīsū, ʻoku ʻikai ha meʻa ʻe mahuʻinga ke tulifua ki ai ka ko e finangalo ʻo e ʻOtuá, he ko e finangalo ʻo e ʻOtuá te tau lava ke mamata ai ki he moʻoni´ ʻi hono tuʻunga haohaoá. Ko hono moʻoni´, ko e finangalo ʻo e ʻOtuá te tau lava ʻo ‘ilo ai ʻa e māʻoniʻoni´ ʻi he ʻuhinga fakapotopoto ʻo e moʻui´.

(Rev. Dr. Siotame Havea - Faifekau Pule (ʻAokosi 2015))

Ngaahi Tala-Me’a Mahu’inga

Koe’uhi kuo fakapapauʻi ʻe he Siasi Uēsiliana Tauʻatāina ʻo Tongá ʻi he Puleʻanga Tongá ʻi heʻene ngaahi Konifelenisi Fakataʻú ko e Siasi ʻUēsilia Tauʻatāina ʻo Tonga ʻi Aositelēliá kuo hoko ko ha Vahefonua (pe District) ʻo e Siasi Uēsiliana Tauʻatāina ʻo Tonga ʻi Tongá pea ʻoku taau ke toe fakapapauʻi heni ʻa e tuʻutuʻuni ʻa e Konifelenisi´:

Pea koe’uhi ko e tui faka-Kalisitiane mo e ngaahi tefitoʻi moʻoni fakalotu ko ia ʻoku ngäue’aki mo muimui ki ai ʻa e Siasi Uēsiliana Tau’atina ʻo Tongá ʻi he Puleʻanga Tongá, ʻe ohi mai ia ʻe he Siasi ʻUēsiliana Tauʻatāina ʻo Tonga ʻi Aositelēliá mo hono ngaahi Vaʻá ʻi ʻAositelēlia kotoa;

Pea koe’uhi ko e tui faka-Kalisitiané, ngaahi tefitoʻi moʻoni fakalotú, ngaahi tu’utu’uni mo e ngaahi founga fakangāue ‘oku fakahā mahino ‘i he paaki fakamuimui taha ‘o e Konisitūtone ‘a e Siasi Uēsiiana Tau’atāina ‘o Tonga ‘i he Pule’anga Tongá (‘oku lau ko e Konisitutone moe Ngaahi Lao ’a e Siasi Uesiliana Tau’ataina ‘o Tonga, (koe paaki hono Nima, 2005) ‘e ohi mai ia ‘o ngāue kakato ’aki ia ‘e he ngaahi fai’angalotu ‘o e Siasi Uēsiliana Tau’atāina ‘o ‘Aositelēliá mo hono Ngaahi Va’a kuo fokotu’u ‘i ‘Aositelēlia kotoa.

(Ko e Faifekau kuo pekiá - Rev. Siosiua Fonua)

**Fakahokohoko ʻo e Tohi´**

Fakahokohokó

**1 Hingoa ‘o e Siasi´** 1

**2 Fa’ahinga kautahá** 1

**3 Ngaahi Tuʻutuʻuni ʻe lava ke fakafetongi** 1

**4 Ngaahi fakaʻuhingá mo e fakatonuleá** 1

4.1 fakaʻuhingá 1

4.2 fakatonuleá 3

**5 Ngaahi Taumu’á** 4

5.1Ngaahi Taumu’á 4

5.2 Pa’anga Hū-mai´ mo e koloaā 5

5.3 Totongi ‘o e Kau Talēkitá 5

**KĀINGALOTÚ**

5

6 Hū ko e Kāingalotu 5

6.1 ‘Atā ke hū ko e Kāingalotu 5

6.2 Ngaahi monū’iá 6

7 Ngaahi kalasi ‘o e Tokotaha-lotú 6

8 Ngaahi Tohi-kole Hū ko ha Tokotaha-lotu 6

9 ‘Ikai Feʻave’aki ʻa e Ngaahi Monū’ia ‘a e Tokotaha-lotú 7

10. Ngaahi\_Tokoni´ 7

10.1 Totongi Huú 7

10.2 Ngaahi Me’a’ofa Fakakuatá mo e Totongi Fakataʻú 7

11 Ngata ‘a e hoko ko ha Tokotaha-lotu 7

12. Ko hono Mapule’i ʻo e Tokotaha-lotú 8

12.1 Ko hono Mapule’i ʻo e Tokotaha-lotu 8

12.2 Totonu ki he Tangi ‘a e Tokotaha-lotu ‘oku Fakatonutonú 9

13 Fakaleleiʻi ʻo e Ngaahi Fakakikihi ʻi he Vahaʻa ʻo e Kāingalotú 10

**NGAAHI FAKATAHA LAHI**

14 Ko Hono Fakahoko ʻo e Ngaahi Fakataha Lahi´ 11

14.1 Fakataha ’a e VaheFonua ‘Aositelēliá (AGM) 11

14.2 Ko Hono Fakahoko ʻo e Ngaahi Fakataha Lahi´ 11

15 Fanongonongo ʻo e Fakataha Lahi´ 11

16 Kaniseli pe Toloi ʻo e Fakataha Lahi´ 11

**NGAAHI NGĀUE ‘I HE NGAAHI FAKATAHA LAHI´**

17 Tokolahi Fe’ungá (Quorum) 12

18 Tokotaha-sea ʻo e Ngaahi Fakataha Lahi´ 13

19 Ngaahi Toloi´ 13

20 Fai Tu’utu’uni ʻo e Ngaahi Fehuʻi 13

21 Ngaahi Pāloti Pepá 14

22 Ngaahi Totonu ki he Pāloti´ 14

23 Fakataʻe’aonga’i´ 14

24 Fakafepaki ki he Tuʻunga ke Pāloti´ 14

25 Kakai ʻoku ʻAtamaí Vaivai´ mo e Kau Ta’u-si’i 14

26 Pāloti ‘i ha Māhanga (Casting Vote) 15

27 Totonu ʻa e Kakai ʻoku ʻIkai Kau ‘i he KāingaLotú ke ʻAlu ki he Fakataha Lahi´ 15

**KAU FAKAFOFONGÁ**

28 ʻIkai ha Totonu ke Fokotu’u ha Kau Fakafofonga 15

**FOKOTU‘U MO E TO‘O ‘O E KAU TALĒKITÁ**

29 Tokolahi mo e Fokotuʻu ʻo e Kau Talēkitá 15

29.1 Tokolahi ‘o e Kau Talēkitá

29.2 Fa’yunga ‘o e Poaté

29.3 Kau Talēkita Kuo-Fokotu’ú

29.4 Kau Talēkita Kuo-Fili´

29.5 Kau Talēkita Tānaki´

29.6 Taimi-Ngāué

29.7 Kau Ma’u-lakangá

30 Totonu Fakalukufua ke Fokotu’u mpo To’o ‘a e Kau Talēkitá 17

31 ‘Atā ‘a e Tu’ungá 18

32 Ko hono fakafonu ʻo ha Ngaahi Lakanga ‘oku 18

33 Kau Ma’u Lakanga Le’ole’o 18

34 Kau Talēkita Fetongi´ 19

**NGAAHI MAFAI MO E NGAAHI FATONGIA ‘O E KAU TALĒKITÁ**

35 Ngaahi Fatongia ʻo e Kau Talēkitá 19

36 Ngaahi Mafai ʻo e Kau Talēkitá 19

37 Ngaahi Meʻangāue ʻe Lava ke Liliu 20

38 Foaki ʻo e Ngaahi Mafai´ 20

**FAKAHĀ ‘A E KAUNGA (interest) ‘A E KAU TALĒKITÁ**

39 Ngaahi Aleapaú 20

40 Ngaahi Fakataha ʻa e Kau Talēkitá 21

41 Tokolahi Fe’ungá (Quorum) 21

42 Tokotaha-sea ʻo e Poaté 22

43 Pāloti´ 22

44 Ngaahi Tu’utu’uni ʻa e Kau Talēkitá 23

45 Kōmiti´ 23

46 Faka’aonga’i ʻo e Ngaahi Ngāue ʻa e Kau Talēkitá 23

**NGAAHI MINITI´**

47 Ngaahi Miniti´ 24

**SEKELITALI´**

48 Fokotu’u mo e Lōloa ʻo e Taimi ‘i he Lakangá 24

**NGAAHI LAO FAKAKAUTAHÁ (BY-LAWS) FAKAHOKO ‘O E NGAAHI TOHI-NGĀUÉ**

50 Fakahoko ʻo e Ngaahi Tohi-ngāué 25

**NGAAHI ‘AKAUNI´ MO HONO SIVI ‘O E NGAAHI LEKOOTI´**

51 Ngaahi ʻAkauni´ mo hono SivI´ 25

52. Tufa ‘o e Ngaahi Fanongonongó 26

**TĀPUNI´ (WINDING UP)**

53 Tāpuni´ 27

**MALU’I´**

54 Malu’i 27

55 Totongi ‘o e Pa’anga-totongi-malu’i ‘o e Polosi´ malu’i´ 27

56 Hokohoko atu ‘o e Malu’i´ 27

**1 Hingoa ʻo e Siasi´**

Ko e hingoa ʻo e Siasi´ ko Siasi Uēsiliana Tauʻatāina ʻo Tonga ʻi ‘Aositelēliá

**2 Faʻahinga Kautahá**

(a) Ko e Siasi´ ‘oku ‘ikai ko ha kautaha fakatupu koloa pea ‘oku fakangatangata ‘a e mo’ua ‘o e kau mēmipá ki he lahi ‘oku nau loto ke foaki kapau ‘e tāpuni ‘a e siasi´

b) Fakafalala ki he Konisitūtone ni, ko e tokotaha taki taha ko ha Tokotaha-lotu mo e tokotaha taki taha na’e hoko ko ha Tokotaha-lotu lolotonga e ta’ú ‘o ngata ʻi he ʻaho ʻo e kamataʻanga ‘a e tāpuni ‘o e Siasi´, ‘oku nau fatongia’aki ke tokoni ki he koloa ʻa e Siasi´ ki he:

(i) totongi ʻo e ngaahi moʻua mo e ngaahi fatongia ʻo e Siasí´;

(ii) totongi ʻo e ngaahi totongi, ngaahi ‘eke pa’anga mo e ngaahi fakamole ʻo e tāpuni´; mo

(iii) ha faʻahinga liliu pē ʻo e ngaahi totonu ʻa e ngaahi tokoni ʻi he Kāingalotú.

(c) ko e lahi ʻo e paʻanga ʻoku fatongia’aki ‘e he Tokotaha-lotu takitaha pe Tokotaha-lotu ‘i he kuohili´ ke tokoni´ ‘oku fakangatangata ki he $1.00.

3 **Ngaahi Tuʻutuʻuni ’oku Lava ke Fetongi´**

ʻOku fetongi ʻe he Konisitūtone ni ʻa e Ngaahi Tu’utu’uni ‘oku Lava ke Fetongi´ ʻo aʻu ki ha tuʻunga ʻoku ʻikai fenāpasi mo ha faʻahinga Tu’utu’uni ‘oku Lava ke Fetongi.

4 **Ngaahi Fakaʻuhingá mo e Fakatonuleá**

**Ngaahi Fakaʻuhingá**

ʻI he Konisitūtone ni, tuku kehe kapau ʻoku ʻi ai ha meʻa ʻi he kaveingá pe tūkungá ʻoku ʻikai fenāpasi:

1. ʻOku ʻuhinga ʻa e ACNC ki he Komisoni ‘a ‘Aositelēlia ki he Ngaahi Kautaha Tokoni ʻOfá mo ‘Ikai-Fakatupu-Koloá.
2. ʻOku ʻuhinga ʻa e Lao ACNC ki he Lao 2012 (Kominiueli) Komisoni ‘a ‘Aositelēlia ki he Ngaahi Kautaha Tokoni ʻOfá mo ‘Ikai-Fakatupu-Koloá.

(c) ʻOku ʻuhinga ʻa e Tu’utu’uni ACNC ki he Tu’utu’uni Fakatonutonu 2013 (Cth) ki he Komisoni ‘a ‘Aositelēlia ki he Ngaahi Kautaha Tokoni ʻOfá mo ‘Ikai-Fakatupu-Koloá.

(d) ʻOku ʻuhinga ʻa e Kaungā-lotú ki ha Taha -lotu ʻi he fa’ahinga ‘oku lau ki ai ‘a e kupu 7(b).

(e) ‘Oku ‘uhinga ‘a e Fakataha Lahi ‘a e Vahefonuá (AGM) ki he

fakataha lahi fakata’ú.

(f) ʻOku ʻuhinga ʻa e Talēkita Fetongi´ ki ha taha ʻoku kau ʻi he Poaté ʻo fetongi ha Talēkita ʻi ha ʻikai lava ke ʻalu ʻa e Talēkitá ki ha fakataha.

(g) ʻOku ʻuhinga ʻa e Totongi Fakataʻú ki he totongi fakataʻu ʻoku lau ki ai ʻi he kupu 10.2.

(h) ‘Oku ‘uhinga ‘a e Talēkita Fakanofó (Talēkita Tuuʻtuniʻi mei he Siasi Uēsilia Tauʻatiāna ʻo Tonga ʻi Tongatapú Konifelenisi Kakato pe koe ui mei Tonga) ki ha taha kuo fokotuʻu ko ha Talēkita fakatatau ki he kupu 29.3

(i) ‘Oku ʻuhinga ‘a e Poaté ki he **poate** ʻa e Kau Talēkita ʻo e **Siasi´.**

(j) ʻOku ʻuhinga ʻa e ʻAho Ngāué (Business Day) ki ha ʻaho ʻoku ʻikai ko ha Tokonaki, Sapate pe ʻaho mālōlō fakapuleʻanga ‘i Niu Sauele

(k) ʻOku ʻuhinga ʻa e Ngaahi-Lao-Fakakautahá (By-Laws) ki he ngaahi lao fakakautaha kuo tali mo fakatonutonu ʻe he Poaté mei he taimi ki he taimi fakatatau ki he kupu 49.

(l) ʻOku ʻuhinga ʻa e **Seá** ki ha taha kuo fili ki he tuʻunga ko iá ‘o fakatatau ki he kupu 29.7 pea fakakau ki ai ha fa’ahinga tokoni pe Sea Leʻoleʻo, ʻi he Konisitūtone ni.

(m) ʻOku ʻuhinga ʻa e **Tokotaha-seá** ki he tokotaha ʻoku ne ma’u ʻa e lakanga ko iá ʻi he kupu 18 mo e kupu 42, kau ai ha fa’ahinga tokoni pe ha Tokotaha-sea le’ole’o, ʻi he Konisitūtone ni.

(n) ʻOku ʻuhinga ʻa e Siasi´ ki he Siasi Uēsiliana Tauʻatāina ʻo Tonga ʻi Aositelēliá. (ACN 607984 243).

(o) ʻOku ʻuhinga ʻa e **Kōmiti´** ki ha kōmiti naʻe fokotuʻu ʻo fakatatau mo e kupu 45

(p) ʻOku ʻuhinga ʻa e Sekelitali Fetu’utaki/Ofisa Fetu’utaki ‘a e Vahefonua ‘Aositelēliá (**Connexial & Public Officer**) ki he tokotaha naʻe fili ki he tu’unga ko iá ʻo fakatatau ki he kupu 29.4 (a)(ii), ‘o maʻu ‘a e ngaahi fatongia ʻo hangē ko ia ʻoku fakapapauʻi ʻe he Poaté mei he taimi ki he taimi.

(q) ‘Oku ‘uhinga ‘a e Konisitūtoné ki he konisitūtone ni ‘i hono fakatonutonu pe fakalahi mei he taimi ki he taimi.

(r) ‘Oku ʻuhinga ʻa e Talēkita Tānaki´ (Co-opted Director) ki ha taha kuo fokotuʻu ko ha Talēkita ‘o fakatatau ki he kupu 29.5.

(s) ‘Oku ‘uhinga ‘a e Lao Ngaahi Kautahá (Corporations Act) ki he *Lao Ngaahi Kautahá 2001 (Cth)*

(t) ‘Oku ‘uhinga ‘a e Kōmiti Fale’i´ (Council Committee) ki he Kōmiti kuo fokotu’u ‘o fakatatau ki he kupu 45(a)(ii)

(u) ‘Oku ‘uhinga ‘a e Talēkitá ki ha taha pē ‘oku ne ma’u ‘a e tu’unga ‘o ha talēkita ‘o e Siasi´ (pea kau ki ai ‘a e Kau Talēkita Fakanofo (Appointed Directors), Kau Talēkita Tānaki (Co-opted Directors) mo e Kau Talēkita Fili (Elected Directors) pea ko e Kau Talēkitá ‘oku ‘uhinga ia ki he kau talēkita ‘i he taimi ni ‘o e Siasi´ pē, ‘i he tūkunga ‘oku faka’ataá, tokolahi ko ia ‘o kinautolu ‘oku nau ma’u ‘a e mafai ke ngāue ma’ae Siasi´.

(v) ‘Oku ‘uhinga ‘a e Talēkita Ma’u-fakatahá (Director Present) ‘i he fekau’aki mo ha fakataha ‘a e Poaté, ko ha Talēkita ‘oku ‘i ai tonu pe fakatatau ki he kupu 40(d)

(w) ʻOku ʻuhinga ʻa e Kōmiti Fakatonutonú ki he kōmiti kuo fokotuʻu ʻi he kupu 12.2(a).

(x) ‘Oku ‘uhinga ‘a e Siasi ʻUēsiliana Tauʻatāina ʻo Tong Aositelēlia Vahefonua ʻAositelēliá (District Church) ki ha siasi fakavahefonua ʻo e Siasi Uēsiliana Tauʻatāiná ʻoku tuʻu ʻi ʻAositelēlia.

(y) ‘Oku ‘uhinga ‘a e Sekelitali ‘a e Siasí Uēsilia Tauʻatāina ʻo Tonga Vāhefonua ʻAositelēliá (District Seretary) ki he tokotaha naʻe fili ki he tu’unga ko iá ʻo fakatatau ki he kupu 29.4 (a)(i), ‘o maʻu ‘a e ngaahi fatongia ʻo hangē ko ia ʻoku fakapapauʻi ʻe he Poaté mei he taimi ki he taimi.

(z) ‘Oku ‘uhinga ‘a e Setuata Lahi ‘a e Siasí Uēsiliana Tauʻatāina ʻo Tonga ʻ i Aositelēliá (District Steward) ki he tokotaha naʻe fili ki he tuʻunga ko iá ‘o fakatatau ki he kupu 29.4 (a)(iii), ‘o maʻu ʻa e ngaahi fatongia ʻo hangē ko hono fakapapauʻi ʻe he Poaté mei he taimi ki he taimi.

(aa) ‘Oku ‘uhinga ‘a e Talēkita Fili´ (Elecxted Director) (Talēkita Fili ‘a e Vahefonua ‘Aositelēliá) ki ha taha kuo fili ko ha Talēkita ‘o fakatatau ki he kupu 29.4.

(bb) ‘Oku ‘uhinga ‘a e Kōmiti Talāsiti Lahi ‘a e Vahefonua Aositelēliá (Executive Committee) ki he Kōmiti kuo fokotuʻu ʻo fakatatau ki he kupu 45 (a)(i).

(cc) ‘Oku ‘uhinga ‘a e Kōmiti Pāʻangá (Financial Committee) ki he Kōmiti kuo faʻu ʻo fakatatau ki he kupu 45(a)(iii).

dd) ‘Oku ‘uhinga ‘a e Sekelitali Paʻangá (Financial Secretary) (Sekelitali Paʻanga ‘a e VaheFonua Aositelēliá) ki he tokotaha naʻe fili ki he tuʻunga ko iá ʻo fakatatau ki he kupu 29.4(a)(iv), ʻo maʻu ʻa e ngaahi fatongia hangē ko ia ʻoku fakapapauʻi ʻe he Poaté mei he taimi ki he taimi.

(ee) ʻOku ʻuhinga ʻa e Ngaahi Taumu’á ki he ngaahi taumu’a ʻa e Siasi´ ʻo hangē ko hono fokotuʻu ʻi he kupu 5.1.

(ff) ʻOku ʻuhinga ʻa e ʻŌfisi´ ki he ʻōfisi ‘o e Siasi´ kuo lesisita ki he taimi ni.

(gg) ʻOku ʻuhinga ʻa e Tokotaha Maʻu Lakangá ki ha taha ʻoku ne maʻu ha taha ʻo e ngaahi tuʻunga ʻoku fakamahinoʻi ʻi he kupu 29.7.

(hh) ʻOku maʻu ʻe he ʻŌfisá ʻa e ʻuhinga tatau mo ia ʻoku ʻoange ki he foʻi lea ko iá ʻi he konga 9 ʻo e Lao Ngaahi Kautahá.

(ii) ‘Oku ‘uhinga ‘a e Paʻanga ‘a e Kakai´ ({Public Fund) (Tala ʻo Save Trust)) ki he paʻanga ʻa e kakai´ kuo fokotuʻu ki he tefitoʻi taumuʻa ʻo hono tuʻuaki ʻo e ngaahi mūsika faka-Tonga, ngaahi ʻaati faivá mo e fakatataá.

(jj) ‘Oku ‘uhinga ‘a e Meaʻofa Faka-Kuatá (Quarterly Levy) ki he me’a’ofa faka-kuata ʻoku fakamatalaʻi ʻi he kupu 10.2.

(kk) ʻOku ʻuhinga ʻa e Tohi Lēsisitá ki he tohi lēsisita ‘o e Kāingalotú, ʻa ia ko e kau mēipa kinautolu ki he ngaahi taumuʻa ʻa e Lao Ngaahi Kautahá, ke tauhi ‘o fakatatau ki he Lao Ngaahi Kautahá

(ll) ʻOku ʻuhinga ʻa e Ngaahi Tuʻutuʻuni ‘oku Lava ke Fetongi´(Replaceable Rules) ki he ngaahi tuʻutuʻuni ‘oku lava ke fetongi ‘oku ngāue’aki ki ha kautaha ʻoku fakangatangata pē ʻa etotongi ‘oku fakapapauʻi´ ʻoku fokotuʻu atu ʻi he Lao Ngaahi Kautahá.

(mm) ‘Oku ‘uhinga ‘a e Sekelitali´ ki he tokotaha kuo fokotuʻu ko e sekelitali ʻo e Siasí´ pea fakakau ai ha faʻahinga tokoni pe sekelitali leʻoleʻo.

(nn) ʻOku ʻi ai e ʻuhinga ʻo e Tu’utu’uni Makehé (Special Resolution) ʻoku ʻoange ki ai ʻe he Lao Ngaahi Kautahá.

(oo) ʻOku ‘uhinga ʻa e Siasi faka-Tongá (Tongan Church) ki he Siasi Uēsiliana Tauʻatāina ʻo Tonga ʻi Tongá, pe Siasi UēsilianaTauʻatāina ʻo Tonga ʻi Tongatapú, ko e kautaha Tonga kuo lesisita ʻi he [fakahuu] mo e fika lesisita [fakahuu].

pp) ʻOku ʻuhinga ʻa e Tohi-ngaue Faka-Talāsiti´ (Trust Deed) ki he tohi-ngāue fakatalāsiti ki hono fokotuʻu ʻo e Pa’anga ‘a e Kakai´ (Public Fund)

(rr) ʻOku ʻuhinga ʻa e Tokotaha-lotú (Worshipper) ko ha mēmipa ʻo e Siasi´ ki he ngaahi taumuʻa ʻo e Lao Ngaahi Kautahá ʻo fakatatau ki he kupu 6 mo e kupu 7 (pea kau fakatouʻosi ki ai ‘a e Kāingalotu Pāloti´ (Voting Worshippers) mo e Kaungā-lotú (Affiliate Worshippers)

(ss) ʻOku ʻuhinga ʻa e Tokotaha-lotu Ma’u-Fakatahá (Worshipper Present), fekau’aki mo ha fakataha ʻa e Kāingalotú, ki ha Tokotaha-lotu Pāloti (Voting Worshipper) ’oku ʻi ai tonu.

(tt) ʻOku ʻuhinga ʻa e Lahi ʻo e Paʻanga ʻoku Fakapapauʻi ʻe he Tokotaha-lotú (Worshipper Guarantee Amount) ki he lahi ‘oku fakamatala ki ai ‘i he kupu 2(c)

4.2 **Fakatonuleá**

ʻI he Konisitūtone ni, tuku kehe kapau ʻoku ʻi ai ha me’a ʻi he taumu’á pe tūkungá ʻoku ʻikai fenāpasi:

1. ko e singulali´ (singular) ‘oku kau ai ‘a e palulali´ (plural) pea pehē ki hono fulihi´

(b) ʻoku kau ʻi he tuʻunga tangata pe fefine takitaha ʻa e ongo tu’unga tangata pe fefine koé;

(c) ko e foʻilea Tokotaha (Person) ʻoku ʻuhinga ia ki ha tokotaha fakanatula pea mo ha faʻahinga fengāue’aki, fekau’aki,

(d) ʻoku kau ʻi he ngaahi foʻi lea ko e tohi mo e kuo tohi ha toe faʻahinga founga kehe hono fakafofongaʻi pe Faʻu ha ngaahi foʻi lea, ngaahi mata’ifika, ngaahi tā-fakatātā pe ngaahi faka’ilonga ʻi ha fōtunga ʻoku hā maí;

(e) ʻi ha fakaʻuhingaʻi ‘o ha faʻahinga foʻi lea pe kupuʻi lea, ko ha faʻahinga fakalea pe tu’unga faka-kalama kehe ʻo e foʻi lea pe kupuʻi lea ko iá, ‘oku fāmili taha ‘a e ‘uhingá;

(f) ko ha fa’ahinga fakamatala ki ha faʻahinga kupu pe tēpile, ko e fai ia ki ha kupu pe tēpile ‘o e Konisitūtone ni;

(g) ko ha fakamatala ki ha faʻahinga lao, fanongonongo, tu’utu’uni pe fekau ʻoku kau ai ha fa’aninga fakatonutonu, fakatahataha’i, liliu, toe fakamo’ui ‘o ha lao, toe fakaleleiʻi pe toe paaki ia pe ko ha fa’ahinga lao, fanongonongo, tu’utu’uni pe fekau ʻo fetongi‘aki

h) ko ha fakalea ‘oku ngāue’aki ʻi ha Konga pau pe Vahe ‘o e Lao Ngaahi Kautahá ‘oku ‘oatu ‘e he Konga pe Vahe ko iá ha ‘uhinga makehe ki he ngaahi taumu’a ko ē ‘oku ma’u ‘e he Konga pe Vahe ko iá, tukukehe ka hā mai ‘oku kehe hono taumu’á, ‘e kei tatau pē ‘a e ‘uhingá ‘o hangē ko ia ‘oku ‘i he Kongá pe Vahé; pea

(i) ko e ngaahi ‘ulu’itohi´ ‘oku ‘ikai ko ha konga ia ‘oku kau pe kaunga ki he fa’unga pe fakatonulea’i ‘o e Konisitūtone ni.

**5 Ngaahi Taumu’á**

**5.1 Ngaahi Taumu’á**

(a) Ko e Siasí ko ha kautaha tokoni ʻofa ia kuo fokotuʻu ki hono paotoloaki ʻo e lotú mo e anga fakafonua faka-Tongá. ʻE lava’i ʻe he Siasi´ ʻene taumuʻá ʻaki hono:

(i) Poupouʻi ‘o e lotú mo hono paotoloaki ʻo e tui faka-Kalisitiané mo e akonaki faka-Kalisitiane ʻo e Tohi Tapú pe ko e Ngaahi Folofolá

(ii) Ko hono fokotuʻu ʻo e ngaahi fakatahaʻanga ʻo e, mo hono tataki ʻo e ngaahi meʻa ʻo e, Siasi Uēsiliana Tauʻataina ʻo Tonga ʻi ʻAositelēliá;

(iii) Ko hono ʻoatu ha feituʻu ke fai ai ʻa e lotu, ngaahi naunau, ngaahi tataki fakalaumālie mo fakatauhisipi maʻa e kā ingalotu ʻo e Siasi UēsilianaTauʻatāina ʻo Tonga ʻoku nau nofo ʻi ʻAosit elēliá, pea mo e komiunitii´ fakalukufua, pea ke lava mo poupouʻi ai a e ngaahi Siasi faka-Kalisitiane kehé

(iv) Ko hono tokoni’i ʻo e ngaahi polokalama fakaako, fakalaumalie mo fakafonua ki hono tuʻuaki mo fakakau ʻa e hokohoko atu ʻo e fāmili tuku fakaholó, ngaahi ʻulungāanga fakalotu mo fakasōsiale, ngaahi tui mo e ngaahi founga ngāue ʻa e Siasi Uēsiliana Tauʻatāina ʻo Tongá;

(v) Hoko ko ha senitā fakafonua maʻa e komiunitī Tonga hiki mai´ mo e komiunitii´ fakalukufua, ‘o fakapapauʻi hono fakahoko ʻo e ngaahi ouau fakalotu, ouau meʻafakaʻeiki, mali, ngaahi fakataha, papitaiso, ngaahi me’a fakafāmili pe ha faʻahinga fakatahaʻanga pē ʻe fimaʻu ke tokoni ki hono fakahoko ʻo e ngaahi tui fakalotu, ngaahi ʻulungāanga fakasōsiale, ngaahi founga ngāue mo e ngaahi ‘ulungāanga fakafonua angamaheni´;

(vi) Hoko ko ha Talāsiti ʻo ha Paʻanga ‘a e Kakai´

(vii) Kole ha Nō paʻanga kapau kuo tali ia ʻe he ngaahi Kōmiti ko ʻeni´:

(viii) Tali ʻe he Kōmiti Paʻangá, Kōmiti Fale’i´, Fakataha Kuatá, Kōmiti Konifelenisi ʻa e Siasi Uēsiliana Tauʻatāina ʻo Tongá ʻi Tongatapú (Kōmiti Konifelenisi)

(ix) Ko hono fakatupulekina e ngaahi vā fetuʻutaki ʻoku ola lelei mo e komiunitii´ fakalukufua, ‘o tatau pē pe ko e lēvolo fakalōkolo, fakasiteiti, fakafonua pe fakavahaʻapuleʻanga: mo

(x) Ha faʻahinga meʻa pē ʻoku fekauʻaki mo e ngaahi taumu’a ʻoku ʻuhinga ki ai ʻi he kupu 5.1(a)(i) ki he 5.1(a)(vii).

(b) ʻOku toki lava pē ʻe he Siasi´ ʻo ngāue’aki ʻa e ngaahi mafai ʻi he konga 124(1) ʻo e Lao Ngaahi Kautahá ke:

i. Fakahoko e ngaahi taumu’a ʻa e Siasi´; pea

ii. Fai ʻa e meʻa kotoa pē ʻoku hoko pe faingamālie fekauʻaki mo hono ngāue’aki ʻo e mafai ʻi he kupu 5.1(b)(i).

**5.2 Paʻanga Hū-Mai´ mo e Koloá**

(a) ʻoku fakafalala ʻa e kupu 5.2 ko ʻeni´ ki ha toe fa’ahinga fiemaʻu naʻe fai ʻe he Tohi-Ngāue Faka-Talāsiti´fekauʻaki mo e paʻanga hū-mai mo e koloa ʻa e Paʻanga ʻa e Kakai´ (Public Fund).

(b) ʻE toki ngāue’aki pē ‘a e paʻanga hū-mai mo e koloa ʻa e Siasi´ ki hono tuʻuaki ʻo e Ngaahi Taumu’a ʻa e Siasi´.

(c) He ʻikai ha paʻanga hū-mai pe koloa ʻa e Siasi´ ʻe totongi, ‘ave pe tufa, fakahangatonu pe ʻikai fakahangatonu, ʻo fakafou ʻi he ʻinasi, pōnasi pē ka ʻikai, ki ha fa’ahinga Tokotaha-Lotu ‘o e Siasí´. Kaekehe, he ʻikai ha meʻa ʻi he Konisitūtone taʻofi ai ha totongi, ʻi he funga ‘o e totonu mo lelei, ki ha Tokotaha-lotu.

(i) Ko e totongi ʻo ha faʻahinga ngāue na’e fakahoko pe koloa na’e ‘oatu, ʻi he founga angamaheni ‘i he ngāue ki he Siasi´;

(ii) ‘O e totongi tupu ‘i ha pa’anga na’a nō ki he Siasi´ ko

hono lahiʻ (rate) ‘oku ʻikai laka hake ia ‘i he ngaahi lahi (rates) ‘o e totongi tupu ʻa e pangikeé ‘i he taimi ko iá; pe

(iii) Totongi nofo fe’unga mo totonu ki ha ‘api naʻe lisi ʻe ha Tokotaha-lotu pē ki he Siasi´.

5.3 **Totongi ʻo e Kau Talēkitá**

He ʻikai fai ha totongi ki ha fa’ahinga Talēkita (tukukehe ha fa’ahinga Talēkita pule ʻi hono fatongia ko ha tokotaha ngāue ʻa e Siasi´) kehe mei ha totongi:

1. ‘O ha ngaahi fakamole naʻe fua ʻe he Talēkitá ʻi hono fakahoko ha faʻahinga fatongia pē ko eTalēkita pea ko e lahi ‘oku totongi´ ‘oku ‘ikai lahiange ia ʻi he lahi naʻe fakangofua ʻe he Poaté; mo

(b) Ha faʻahinga ngāue pē naʻe fai ki he Siasi´ ʻe he talēkitá ʻi ha tuʻunga fakapalofesinale pe fakatekinikale, kehe mei he tuʻunga ko e Talēkita, ʻa ia ko hono fakahoko ‘o e ngāué na’e mu’aki fakangofua ‘e he Poaté pea ko e lahi ko ia ʻo e paʻanga ʻoku totongi´ ‘oku tali ʻe he Poaté pea ʻoku ʻikai laka hake ia ‘i ha lahi ‘oku fe’unga fakakomēsiale ki he ngāué.

1. **Nō ʻo e Paʻangá**

Fakangofua ke nō paʻanga mei ha faʻahinga Kautaha Fakapaʻanga pē ʻi ʻAositelēlia pe ʻi Tuʻapuleʻanga kapau kuo ‘osi tali mei he Ngaahi Kōmiti Faka-Siasi ko’eni´.

(a) Kōmiti Paʻangá (Financial Committee)

(b) Kōmiti Faleʻi´ (Council Committee)\_

(c) Fakataha Kuatá (Quarterly Meeting)

(d) Poate ʻo e Kau Talēkitá

(e) Kōmiti Konifelenisi´ (Conference Committee)

1) Fakatatau ki he tali ‘e he Kautaha Fakapaʻangá pea feau foki ‘e he Siasi´ ‘a e Ngaahi Me’a ‘oku Fiema’u ‘e he Kautaha Fakapa’angá

**KĀINGALOTÚ**

6 Hū ko e Kāingalotu

6.1 **‘Atā ke hū ko e Kāingalotu**

ʻOku ʻi ai ‘a e totonu ha fa’ahinga taha fakafoʻituitui pē ke hoko ko ha Tokotaha-lotu kapau ko e tokotaha ko iá:

(a) ‘oku loto ke tali ‘a e moʻua ke totongi ʻaki ‘a e Lahi ʻoku

Fakapapauʻi ʻe he Tokotaha-lotú;

(b) feau ʻa e ngaahi fiema’u ki he kalasi ʻo e

Tokotaha-lotu ʻoku fekau’aki mo iá, ‘o fakatatau ki he kupu 7;

(c) poupou’i ʻa e Ngaahi Taumu’a ʻo e Siasi´ pea loto ke fai ki he ngaahi tu’unga ʻo e:

(i) Konisitutone ni;

(ii) Konisitutone ʻoe Siasi ʻUēsiliana Tauʻatāaina ʻo Tonga ʻi Tongatapú PAAKI 2005 mo

(iii) mo ha faʻahinga tu’utu’uni fakaʻulungāanga pē ʻe ala fa’u ʻe he Poaté mei he taimi ki he taimi;

(d) ʻi he fakakaukau ʻa e Poaté, ʻoku ʻulungāanga lelei; pea

(e) fakahū ha foomu kole ʻo fakatatau ki he kupu 8.

6.2 **Ngaahi Monūʻiá**

(a) ʻE ʻi ai e totonu ʻa e Tokotaha-lotu Pāloti takitaha ke pāloti ʻi he ngaahi fakataha lahi kotoa.

(b) ʻE fakapapauʻi ʻe he Poaté mei he taimi ki he taimi pe ko e hā mo ha toe ngaahi monū’ia ʻe fakapipiki ki he hoko ko ha Tokotaha-lotú, ‘o tānaki atu ia ki he totonu ‘a e Tokotaha-lotu Pāloti takitaha ke pāloti ʻi he ngaahi fakataha lahi kotoa pē

7 **Ngaahi kalasi ‘o e Tokotaha-lotú**

ʻE ʻi ai ʻa e ngaahi kalasi ko ʻeni ʻo e Tokotaha-lotú:

(a) **Kāingalotu Pāloti´**

Ko e Kāingalotu Pāloti´ kuopau:

(i) ko ha kakai fakanatula;

(ii) ma’u ha fatongia fakataki ʻi he Siasi Fakavahefonuá;

1. poupouʻi ʻa e Ngaahi Taumu’á pea
2. maʻu e totonu ke pāloti.

(b) **Kāingalotu Fekau’aki´**

Ko e Kāingalotu Fekau’aki´ kuopau:

(i) Ko ha kakai fakanatula;

(ii) Kau ʻi he Siasi Uēsiliana Tauʻatāiná;

(iii) Poupouʻi ʻa e Ngaahi Taumuʻá; pea

(iv) ʻikai ha totonu ke pāloti

1. **ʻE ala tu’utu’uni ʻa e Poaté**

mei he taimi ki he taimi ha ngaahi fiemaʻu fakalahi ki he hū ki he kalasi takitaha ʻo e Tokotaha-lotú pea mo e ngaahi totonu ‘oku fakapipiki ki he kalasi takitaha ‘o e Tokotaha-lotú

8 **Ngaahi Tohi-kole Hū ko ha Tokotaha-lotu**

8.1 **Ngaahi Tohi-kole Hū ko ha**

**Tokotaha-lotu**

(a) Ko ha tohi-kole hū ko ha Tokotaha-lotu ‘o e Siasi´ kuopau ke:

(i) fai ‘i he tohi ‘i he foomu kuo tuʻutuʻuni ʻe he Poaté mei he taimi ki he taimi;

(ii) fakamahinoʻi ʻa e faʻahinga ʻo e Tokotaha-lotu ‘oku kole ki ai ʻa e tokotaha kolé;

(iii) fakakau ai ha fakamoʻoni-hingoa, pe fakamo’oni tatau mo ia ʻe he tokotaha kolé ‘o fakahaaʻi ‘oku loto ‘a e tokotaha kolé ke talangofua ki he Konisitūtone ʻo e Siasi´ ʻi hono fakatonutonu ia mei he taimi ki he taimi; pea

(iv) fakahū ia ki he Sekelitali´.

(b) ‘I he ave taha hili hono maʻu ha tohi kole ke hū ko ha Tokotaha-lotú, ʻe ʻave ʻe he Sekelitali´ ‘a e tohi-kolé ki he Poaté ʻa ia te ne fakapapauʻi pe ʻe tali pe ‘ikai tali ʻa e tohi-kole B.

(c) ʻI he vave taha hili hono fakapapau’i ko ia ‘e he Poaté, kuopau ke hanga ‘e he Sekelitali´ ‘o:

(i) fakahā ki he tokotaha-kolé, ʻi ha tohi, naʻe tali pe ‘ikai tali ʻe he Poaté ʻa e tohi-kolé (ko e fē pē ʻoku kaunga ki ai´); pea

(ii) kapau naʻe tali ʻe he Poaté ʻa e tohi-kolé, fakahū ‘a e hingoa ‘o e tokotaha-kolé mo e kalasi ʻo e Tokotaha-lotú (ʻa ia ko ha kalasi mēmipa ia ki he ngaahi taumuʻa ʻa e Lao Ngaahi Kautahá) ʻi he Tohi-lesisitá pea, makatu’unga ‘i he Lao Ngaahi Kautahá, hoko ʻa e tokotaha ko iá ko ha Tokotaha-lotu ʻi he hingoa kuo fakahū ‘akí.

(d) Kapau ʻe tu’utu’uniu ʻe he Poaté ʻi he kupu 8.1 (b) ke ʻoua tali ha tohi-kole ke hū ko ha Tokotaha-lotu, kuopau ke tufa‘e he Sekelitali´ ki he tokotaha-kolé ha fanongonongo tohi ʻo fokotuʻu ai ʻa e tu’utu’uni ʻa e Pioaté. ʻOku ʻikai fiemaʻu ʻa e Poaté ia ke ne ʻoatu ha faʻahinga ʻuhinga ki heʻene tu’utu’uni´.

9 **ʻikai Feʻave’aki ʻa e Ngaahi Monū’ia ‘a e Tokotaha-lotú**

Ko ha totonu, monū’ia pe tufakanga ʻoku maʻu ʻe ha taha ʻi he tu’unga ʻo ʻene hoko ko ha Tokotaha lotú:

1. ‘oku ʻikai lava ia ke hiki pe ʻave ki ha taha kehe; pea

‘oku fakangata ia ʻi he ngata ʻa e hoko ‘a e tokotaha ko iá ko ha Tokotaha-lotu.

10. **Ngaahi\_Tokoni´\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

10.1 **Totongi Huú**

He ʻikai ke ʻi ai ha totongi hū ʻe ala totongi ‘e ha taha-kole ke hū ki he Siasi´ ko ha Tokotaha-lotu.

10.2 **Ngaahi Me’a’ofa Fakakuatá mo e Totongi Fakataʻú**

(a) ʻI he taʻu fakapaʻanga kotoa pē, ʻe fakapapauʻi ʻe he Poaté ʻa

e lahi ʻo ha Me’a’ofa Fakakuata mo ha Totongi Fakataʻu ke

kole mei he Tokotaha-lotu Pāloti takitaha ke hoko ko ha

me’a’ofa ki he Siasí´.

(b) ʻE kole ʻa e Me’a’ofa Fakakuatá mei he

Kāingalotú ʻi he māhina ʻe tolu (3) kotoa pē mei he

kamataʻanga ʻo e taʻu fakapaʻanga takitaha, pea ko e

Totongi Fakataʻú ‘e kole ia mei he Kāingalotú ʻi he

kamataʻanga ʻo e taʻu fakapaʻanga takitaha.

(c) ʻE fakapapauʻi ʻe he Poaté ʻa e lahi ʻo e Me’a’ofa Fakakuatá

mo e Totongi Fakataʻú ʻo makatuʻunga ʻi he:

(i) patiseti fakataʻú; mo e

(II) lahi ʻo e paʻanga ʻoku tui ‘a e Poaté ʻoku fiemaʻu ʻe he Siasi´ ke kumi kae lava ke feau kotoa ‘e ne fakamole ki hono fakalelé (kau ai hono feau kotoa hono ngaahi moʻuá kimu’a he taimi ‘oku ‘osi ki ai´), ‘o kau ‘i hono fakakaukauʻi´ ʻa e ʻi ai ha niʻihi ʻo e Kāingalotu Pāloti´’e ʻikai totongi ʻa e Me’a’ofa Fakakuatá mo e/pe ko e Totongi fakataʻú.

(c). ʻOku loto ʻa e Kāingalotú ke nau feinga ke totongi ʻa e Me’a’ofa Fakakuatá mo e Totongi Fakataʻú ʻa ia he ʻikai hanga ʻe hono fai iá ʻo ʻai ke nau faingataʻaʻia fakapaʻanga.

e) ʻOku ʻikai ko ha tu’utu’uni pau ʻa hono totongi ʻo e Me’a’ofa Fakakuatá mo e Totongi Fakataʻú.

(f) Kapau ʻoku fakapapauʻi ʻe he Kāingalotú ʻe ʻikai te nau totongi ʻa e Me’a’ofa Fakakuatá mo e/pe Totongi Fakataʻú, kuo pau leva ke nau aleaʻi ʻa e ngaahi ʻuhingá mo ha Talēkita.

**11.Ngata ‘a e hoko ko ha Tokotaha-lotu**

(a) ʻE ngata e hoko ko ha Tokotaha-lotu ha Tokotaha-lotu:

1. ʻi he ʻaho ʻoku maʻu ai ʻe he Sekelitali´ ha fanongonongo tohi ʻo e fakafisi´ mei he Tokotaha-lotu ko iá pe ʻoku fakapapau’i ia mei he Fakataha Kuatá

(ii) ʻi ha mate ʻa e Tokotaha-lotu ko iá;

1. ʻI ha ʻikai ke toe feau ʻe he Tokotaha-lotu ko iá ʻa e ngaahi tuʻunga ‘o e kalasi Tokotaha-lotu ‘oku kau ki ai´ (tuku kehe kapau ʻe hiki ia ‘e he Poaté ki ha kalasi Tokotaha-lotu ʻe taha;
2. kapau ʻoku tu’utu’uni ʻe he Siasi´ ʻi he fakataha lahi´ ha Tu’utu’uni Makehe ke fakangata ʻa e tuʻunga ko ha Tokotaha-lotu ‘a ha Tokotaha-lotu ʻa ia ko hono ‘ulungāangá pe ngaahi tūkungá ‘oku ‘ikai fe’unga ia ‘i he fakakaukau ‘a e Siasi´ ke hoko atu ‘a e Tokotaha-lotu ko iá ko ha Tokotaha-lotu ‘a e Siasi´. Kuopau ke ‘oange ki he Tokotaha-lotú ‘o ‘oua toe si’i hifo he ‘aho ‘e ua taha (21) ha fanongonongo ‘o e tu’utu’uni ‘oku fokotu’u atú pea kuopau ke ‘oange hano faingamālie ke fakamatala ‘i he fakataha ‘oku teu ke fokotu’u ai ‘a e tu’utu’uni.´

(b) ʻE ala fakafisi ha Tokotaha-lotu mei hono tu’unga ko ha Tokotah-lotu ʻi ha faʻahinga taimi pē, fakatatau ki he kupu **11 (a)(i),** ka kuopau ke kei hokohoko atu pē ʻene mo’ua ki ;

(i) ha faʻahinga pa’anga pē ‘oku fiema’u mei he Tokotaha-lotú ki he Siasi´; mo

(II) ha faʻahinga paʻanga pē ʻoku mo’ua’aki ‘e he Tokotaha-lotú ‘i hono tu’unga ko ha Tokotaha-lotu ‘o e Siasi´ ʻi he kupu 2(b).

(c) ʻI ha hoko ‘o tokotaha pē ʻa e Tokotaha-lotu Pāloti ‘o e Siasi´ pea ngata ‘a e hoko koe Tokotaha-lotu Pāloti ‘a e tokotaha ko iá ‘o fakatatau ki he kupu 11(a), ʻe ala fakahū ʻe he Poaté ha Tokotaha-lotu Pāloti foʻou ki he Siasi´, ʻa ia ko e fili ʻo e Tokotaha-lotu Pāloti foʻou ko iá ʻoku ʻi he fili kakato mo tauʻataina ‘a e Poaté.

**12. Ko hono Mapule’i ʻo e Tokotaha-lotú**

12.1 Ko hono mapule’i ʻo e kāinga-lotú

(a) ʻI ha fakaukau ʻa e Poaté kuo fai ʻe ha Tokotaha- lotu:

(ii) ha fakafisingaʻi taʻetuku pe taʻetokanga ke fai ki ha tu’utu’uni pe ngaahi tu’utu’uni ʻa e Konisitūtone ni pe ha faʻahinga tu’utu’uni fakaʻulungāanga;

(iii) ha vilitaki mo loto’aki ke ngāue ʻi ha founga fakamāuʻi kimu’a ‘a e ngaahi fiemaʻu ʻa e Siasí´, ʻe lava ʻa e Poaté ʻo:

iv) taʻofi fakataimi ʻa e totonu ʻa e Tokotaha-lotú ke kau ʻi he Ngaahi Kōmiti´ ‘o fakatatau ki he kupu 45.

(b) Ko ha tu’utu’uni ‘a e Poaté ʻoku fakatatau ki he kupu 12.1(a) ʻoku ʻikai hano ʻaonga tukukehe kapau ʻe fakapapauʻi ʻe he Poaté ʻo fakatatau ki he kupu 12.1(b) ʻi ha fakataha ʻa e Poaté naʻe ʻikai ke fai kimuʻa ʻi he ʻaho ʻe hongofulu mā fā (14) kae ʻikai kimuiange ʻi he ʻaho ʻe uofulu mā valu (28) hili e tufa ki he Tokotaha-lotú ha fanongonongo ‘o fakatatau ki he kupu 12.1(c)

(c) kapau ʻe tu’utu’uni ʻe he Poaté ʻi he kupu 12.1 ke mapule’i (discipline) ha Tokotaha-lotu, kuopau ke tufa ‘e he Sekelitali´ ki he Tokotaha-lotú ha fanongonongo ʻi ha tohi:

(i) ‘o fokotuʻutuʻu atu ‘a e tu’utu’uni ‘a e Poaté mo e ngaahi tu’unga ʻoku fakatefito aí´;

(II) ʻo fakahaaʻi ʻe lava ke lea ʻa e Tokotaha-lotú ki he Poaté ʻi ha fakataha ʻa e Poaté ‘o ʻoua naʻa fai kimuʻa ʻi he ʻaho ʻe hongofulu mā fā (14) pea ʻikai kimui ange ʻi he ʻaho ʻe uofulu mā valu (28) hili hono tufa ʻo e fanongonongó;

(iii) ʻo fakahaaʻi ai ʻa e ʻaho, feituʻu mo e taimi ʻo e fakataha ko iá: mo

(iv). fakahā ki he Tokotaha-lotú ʻe lava ke ne fai ha taha pe fakatouʻosi ʻo e ongo meʻa ni:

(a)ʻAlu pea lea ʻi he fakataha ko iá:

(b)Fakahū ki he poaté ʻi he, pe kimuʻa ‘i he, ʻaho ʻo e fakatahá, ha fakamatala tohi fekauʻaki mo e tu’utu’uni´

(c)Kapau ne ʻikai ke fai ha taha ‘o e (a) pe (b) ‘e he Tokotaha-lotú, ʻe lava ‘e he Poaté ‘o tu’utu’uni ke tali ‘a e ngaahi pāloti kotoa.

(d)ʻI ha fakataha ʻa e Poaté naʻe fakahoko ʻo hangē ko ia ‘oku lau ki ai ʻi he kupu 12.1(c), kuopau ke hanga ʻe he Poaté ‘o:

(i)ʻOange ha faingamālie ki he Tokotaha-lotú ke ne fai ha ngaahi fakamatala ngutu;

(II) Fai ha fakakaukau ki ha faʻahinga fakamatala tohi kuo fakahū ki he Poaté ʻe he Tokotaha-lotú ʻi he, pe kimuʻa ʻi he, fakataha ʻa e Poaté; pea

(iii) Fakapapauʻi pe te nau tali pe taʻofi ʻa e tu’utu’uni´,ʻi ha tu’utu’uni ‘a e kau Talēkita ʻoku kau ʻi he fakataha ʻa e Poaté, ʻoua siʻi hifo he pēseti ‘e fitu nima (75%),

(e) Kuopau ke fakahā ki he Tokotaha-lotú ʻi ha tohi ʻa e tuʻutuʻuni ʻa e Poaté ʻi loto ʻi ha ʻaho ʻe fitu (7). Kapau ʻe pehē ʻe he Poaté ke fakapapauʻi ʻa e tu’utu’uni´ ʻi he kupu 12.1 (a), kuopau ke toe fakahā foki ki he Tokotaha-lotú ʻa e faingamālie ‘o e totonu ki he tangi´ ʻi he kupu 12.2.

(f)Ko ha tu’utu’uni kuo fakapapauʻi ʻe he Poaté ʻi he kupu 12.1 (d) ‘oku ‘ikai fakahoko ia:

i kae ʻoua kuo ʻosi ʻa e vahaʻataimi ʻoku ʻi ai e totonu ʻa e Tokotaha-lotú ke tangi ai ‘i he tu’utu’uni´ ʻo ka ʻikai ngāue’aki ʻe he Tokotaha-lotú ʻa e totonu ko ia ke tangi´ ʻi he vahaʻataimi ko iá; pea

(II) ʻI he feituʻu, mo e vahaʻataimi ko iá, ʻoku ngāue’aki ʻe he Tokotaha-lotú ʻa e totonu ke tangi´ tuku kehe pea kae ‘oua kuo fakapapauʻi ‘e he Kōmiti Fakatonutonú (Disciplinary Committee) ʻa e tu’utu’uni´ ‘o fakatatau ki he kupu 12.2 (d) (ii).

**12.2 Totonu ki he Tangi ‘a e Tokotaha-lotu kuo Fakatonutonú**

**Tangi ‘a e Tokotaha-lotu kuo Fakatonutonú**

(a) ʻE fokotuʻu ʻe he Poaté ha kōmiti ki he taumuʻa ko hono fakahoko ha ngaahi ngāue fakatonutonu ki ha Tokotaha-lotu. ʻE kau ʻi he Kōmiti Fakatonutonú ha pēnolo tauʻatāina ʻo ha kau mataotao ʻe toko tolu, ʻa ia kuo fili kotoa ʻe he Poaté. ʻE fili ʻa e kau mataotaó ʻo makatuʻunga ʻi he natula ʻo e anga-taʻetaau na’e pehē naʻe fai ʻe he Tokotaha-lotú. ʻE lava ke kumi faleʻi ʻa e Kōmiti Fakatonutonú mei ha faʻahinga maʻuʻanga tokoni pē ‘oku ‘aonga

(b) ʻE ala tangi ha Tokotaha-lotu ki he Kōmiti Fakatonutonú ‘i ha tu’utu’uni ‘a e Poaté, ʻa ia ʻoku fakapapauʻi ʻi he kupu 12.1(d). ʻI he fanongonongo ʻo e faʻahinga tangi peheé, ʻe fakahū ia ki he Sekelitali´ ʻi loto ʻi he ʻaho ʻe fitu (7) mei he tufa ‘o e fanongonongó ʻoku fiemaʻu ʻi he kupu 12.1 (e).

(c) ‘I loto ʻi he ʻaho ʻe tolu-nima (35) hili hono maʻu ha fanongonongo ʻo ha tangi mei he Tokotaha-lotú fakatatau ki he kupu 12.2(b), ʻe fakahoko ʻe he Kōmiti Fakatonutonú ha fakataha.

(d) ʻi he fakataha ʻa e Kōmiti Fakatonutonu naʻe fai ʻi he kupu 12.2 (c):

(i) ʻe ʻoange ki he Tokotaha-lotú ʻa e faingamālie ke fakamatala ngutu pe tohi pe fakatou’osi ʻene tafa’aki´ pe ngāue’aki ha fa’ahinga tekinolosia pē (faingamālie ki he Poaté) ʻa ia ʻoku ne ʻoange ai ki he Tokotaha-lotú ha faingamālie lelei ke fai ia; pea

(ii) ʻe fili pepa ʻa e Kōmiti Fakatonutonú ʻi he fehuʻi pe ʻe fakapapauʻi ʻa e tu’utu’uni´

(e) Ko e tuʻutuʻuni ʻa e Kōmiti Fakatonutonú fakatatau ki he kupu 12.2(d)(ii), ‘oku aofangatuku.

ʻOku ʻikai ha totonu ʻa e Tokotaha-lotú ke tangi ‘i he tuʻutuʻuni ʻa e Kōmiti Fakatonutonú.

(f ) ʻOku ʻi ai e totonu ʻa e Tokotaha-lotu ‘i he ngaahi fakatonutonu ko ʻeni´ ke:

1. fakafalala ki he kupu 12.2(f)(ii), ʻomai ha tokotaha tokoni ki ha faʻahinga fakataha mo e Kōmiti Fakatonutonú pe ko e Poaté, ʻa ia ko e ngaahi fakatahá ʻoku fai fakatatau ki he kupu 12 ko ʻeni´; pea
2. kapau ʻoku paasi fakalao ʻa e tokotaha tokoni´, ʻe fakahā ʻe he Tokotaha-lotú ki he Kōmiti Fakatonutonú pe ko e Poaté (ʻo hange ko ia ʻoku hokó) ‘o ʻikai toe si’i hifo ‘i he ‘Aho Ngāue ‘e nima (5) kimuʻa ‘i he fakatahá, ʻoku paasi fakalao ʻa e tokotaha tokoni ʻe ʻi he fakatahá.

g ) ʻE ngāue’aki ‘a e totonu fakanatulá lolotonga e ngāue fakatonutonu kotoa pē ʻi he kupu 12 ko ʻeni ʻoku fiemaʻu ai ʻa e Poaté mo e Kōmiti Fakatonutonú ke ngāue totonu, loto hangamālie pea ʻikai ha filifilimānako pe fepakipaki ‘a e fiema’ú ʻi he taimi ʻoku fai ai ʻene tuʻutuʻuni´.

**13 Fakaleleiʻi ʻo e Ngaahi Fakakikihi ʻi he Vahaʻa ʻo e Kāingalotú**

a. Ko e ngaahi fakakikihi ʻi he vahaʻa ʻo e Kāingalotú (ʻi honau tu’unga ko e Kāingalotu), kau ai ha ngaahi fakakikihi fekauʻaki mo ha ngaahi meʻa felāve’i mo ha kumi paʻanga, kuopau ke ‘ave ia ki he Poaté ʻa ia kuopau ke nau fai e ngaahi ngāue ke fakaleleiʻi ʻa e fakakikihi´.

b. Kapau ʻoku ʻikai fakaleleiʻi ha fakakikihi pehē kuo ‘ave, ki he fiemālie ʻa ha fa’ahinga faʻahi ki he fakakikihi´ ʻi loto ʻi he ʻaho ʻe tolungofulu (30) mei hono ‘avé, ʻe ala ‘ave leva ‘e he faʻahi ko iá ‘a e fakakikihi´ ke fakalelei ‘e ha taha-tu’u-vaha’a (mediator) kuo fili ʻi he felotoi ‘a e ngaahi faʻahi´.

c. Ko e ta’e-felotoi ʻa e ngaahi faʻahi´ ki hono fokotuʻu ʻo ha taha-tu’u-vaha’a ʻi loto ʻi ha ʻaho ʻe taha-fā (14) mei hono fakahā ‘e ha fa’ahi ki he faʻahi ʻe tahá ʻa ʻene taumuʻa ke fakahoko ʻa e fakakikihi´ ki ha fakalelei´, kuopau ke fokotuʻu leva ‘a e taha-tu’uvaha’á ʻe he Palesiteni ʻo e Sōsaieti Lao ʻo Niu Sauelé.

d. Ko e fakamole ʻa e taha-tu’uvaha’a kuo fokotuʻú fakatatau ki he kupu 13(e) pe kupu 13 (f) (hangē ko ia ʻoku hokó) kuopau ke vahevahe tatau pē ia ʻi he vahaʻa ʻo e Kāinga-lotu ‘oku nau kau ki he fakakikihi´.

e. Ke kamata, ‘e fakafetongi fakamatala ʻa e ongo fa’ahi ‘oku fakakikihi´ ki he ngaahi me’a ko ia ʻoku fakakikihi’i´ pea ʻoatu ha tatau ki he tootaha-tu’uvaha’á ‘o ʻoua toe siʻi hifo ‘i he ʻaho ʻe fitu (7) kimuʻa ʻi ha fakataha fakalelei naʻe fokotuʻu ʻe ha tokotaha-tu’uvaha’á ‘o fakatatau ki he kupu 13 (b) pe clause 13 (f) (ʻo hange ko ia ‘e ala hokó).

**NGAAHI FAKATAHA LAHI´**

**14 Ko Hono Fakahoko ʻo e Ngaahi Fakataha Lahi´**

**14.1 Fakataha ’a e VaheFonua ‘Aositelēliá (AGM)**

Neongo ʻa e vahe 111L ʻo e Lao Ngaahi Kautahá (Corporations Act):

1. ʻi ha meʻa ʻoku fakaʻamu ʻa e Poaté ke fai, ʻe ala fakahoko ‘e he Poaté ha Fakataha Faka-Vahefonua (AGM); pea

(b) ka ʻi ai ha fa’ahinga Fakataha Faka-Vahefonua (AGM) ʻoku fakahoko, kuo pau ke fai ia ʻo fakatatau mo e ngaahi fiemaʻu ʻa e Lao Ngaahi Kautahá.

* 1. **Ko Hono Fakahoko ʻo e Ngaahi Fakataha Lahi´**

1. ʻE ala fakahoko ha fakataha lahi ʻa e Siasí´ ‘e ha ongo Talēkita ‘e toko ua (2) ʻi he taimi kotoa pē ʻoku fakakaukau ai e ongo Talēkita ko iá ʻoku taau.

b) Neongo ʻa e vahe 111L ʻo e Lao Ngaahi Kautahá:

* + 1. ‘e lava ke ui ʻe he Kāingalotú ha fakataha lahi; pea
    2. ʻe fai ia ʻe he Siasi´, ʻo fakatatau mo e ngaahi tu’utu’uni ʻo e Konga 2G.2 ʻo e Lao Ngaahi Kauutahá fekauʻaki mo e ngaahi totonu ʻa e Kāingalotú ke ui ha fakataha lahi.

1. ʻE ala fakahoko ha fakataha lahi ʻa e Siasí´ ʻi ha feituʻu ʻe ua (2) pe lahiange ʻo ngāue’aki ha faʻahinga tekinolosia pē ʻokú ne ʻoange ki he Kāingalotú ha faingamālie lelei ke nau kau ai ʻi he fakatahá.

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| --- | --- |
| **15 Fanongonongo ʻo e Fakataha Lahi´** | |
| **15 Fanongonongo ʻo e Fakataha Lahi´** |

1. **Fanongonongo ʻo e Fakataha Lahi´**

a) Neongo ʻa e vahe 111L ʻo e Lao Ngaahi Kautahá:

i. fakafalala ki he kupu 15(a)(ii), kuo pau ke fanongonongo ‘o ‘oua si’i hifo ʻi ha ʻaho ʻe ua-taha (21) ha faʻahinga fakataha lahi ‘o fakamahinoʻi ai:

A. ‘a e feituʻú, ʻaho mo e houa ʻo e fakatahá;

B. ‘a e natula fakalūkufua ʻo ha faʻahinga me’a pē ke fai ʻi he fakatahá;

C. kapau ʻoku ‘i ai ha Fokotu’u Makehe ke fokotu’u, ko hono ngaahi fakaikiiki´ mo e taumuʻá ke fokotuʻu atu;

D. ʻa e tekinolosia ʻe ngāue’aki ke fakafaingofuaʻiʻakí ‘eni´ kapau ʻe fakahoko ʻa e fakatahá ʻi ha feituʻu ʻe ua pe lahiange; mo

E. ha toe fakamatala kehe ʻoku fiemaʻu ʻe he Lao Ngaahi Kautahá; pea

ii. ‘e ala ‘oatu ha fanongonongo ‘oku siʻi hifo he ʻaho ʻe ua tahá (21) ʻo ha fakataha lahi ʻo fakatatau mo e konga 249H ʻo e Lao Ngaahi Kautahá.

b) He ʻikai fakataʻeʻaongaʻi ʻa e ngaahi meʻa naʻe faí pe ha fa’ahinga tu’utu’uni na’e tali ʻi he fakatahá ‘i ha ‘ikai fakatokanga’i ke fanongonongo ha fa’ahinga fakataha lahi ki ha taha pē ʻoku ʻi ai ʻene totonu ke maʻu ha fanongonongo pe ko e ‘ikai ke ma’u ‘a e fanongonongó

c) Fakafalala ki he kupu 15(e), ko e fanongonongo ‘o e fakataha lahi kotoa pē kuopau ke fai ia ʻi ha faʻahinga founga kuo fakamafai’i ʻe he Konisitūtone ni ki he:

1. Tokotaha-lotu kotoa
2. Talēkita kotoa; mo e
3. ‘Atita ‘a e Siasi ‘I he taimi ko ia (kapau ‘oku ‘o ai)
4. **Kaniseli pe Toloi ʻo e Fakataha Lahi´**

a) ‘E ala kaniseli ‘e he Poaté ha fakataha lahi ‘a e Siasi´ ‘o fakafalala ‘i he ngaahi tu’utu’uni ‘a e Lao Ngaahi Kautahá mo e Konisitūtone ni:

i. naʻe fai ʻe he Poaté; pe

II. naʻe fai ʻe ha Tokotaha-lotu pe Kāingalotu fakatatau ki he kupu 14.2 (b) ʻi ha ma’u ‘e he Siasi´ ʻo ha fanongonongo tohi ʻo toʻo ai ʻa e fiema’ú kuo fakamoʻoni hingoa ai ʻa e Tokotaha-lotu ko iá pe Kāinga-lotu ko iá.

b) ʻE ala toloi ʻe he Poaté ha fakataha lahi pe liliu ʻa e feituʻu ke fakahoko ai´. He ʻikai fakahoko ha me’a ʻi ha faʻahinga fakataha naʻe toloi kae ʻikai ko e ngāue naʻe fakamatalaʻi ʻi he fanongonongo ki he Kāingalotú fekauʻaki ko ia mo e ʻuluaki fakatahá.

c) ʻI he kaniseli pe toloi ‘o ha fa’ahinga fakataha lahi pe liliu ‘a e feituʻu ke fai ai ha fakataha lahi:

1. kuopau ke feinga lahi ʻa e Poaté ke fanongonongo ki he tokotaha takitaha ʻoku ʻi ai ʻene totonu ke ma’u ‘a e fanongonongo fakatahá, ʻo hono kaniseli, liliu ʻo e feituʻú pe toloi ʻo e fakatahá ʻaki ha faʻahinga founga ‘oku fakangofua ʻe he Konisitūtone ni pea ‘i he toloi ʻo ha fakataha, ko e feituʻu foʻou, ʻaho mo e taimi ki he fakatahá; pea
2. mo ha faʻahinga taʻe-malava ke fanongonongo ki ha taha pē ʻoku ʻi ai haʻane totonu ke ma’u ʻa e fanongonongo fakatahá pe ʻikai maʻu ʻe ha taha ha fanongonongo, he ʻikai uesia ai ʻa e moʻoni ʻo hono kaniseli, liliu ʻo e feituʻu pe toloi ʻo e fakatahá

**NGAAHI NGĀUE ‘I HE NGAAHI FAKATAH LAHI´**

**17 Tokolahi Fe’ungá (Quorum)**

a He ʻikai ala fai ha ngāue ʻi ha faʻahinga fakataha lahi tuku kehe ka ʻoku ʻi ai ha tokolahi-fe’unga ʻo e Kāinga-lotú ʻi he taimi kotoa pē lolotonga ‘a e fakatahá.

b ʻE ‘ikai toe si’i hifo ‘i he vaeua (1/2) ‘o e Kāingalotu Pāloti kotoa ‘oku ma’u fakatahá ‘a e hoko ko ha tokolahi-fe’unga ki he ngaahi fakataha lahi kotoa pē.

c Kapau ʻoku ʻikai ke ʻi ai ha tokolahi-fe’unga ʻi loto ʻi he miniti ʻe ono-noa (60) hili ʻa e taimi naʻe fokotuʻu ke fakahoko ai ha fakataha lahi:

1. ʻe tuʻu toloi ia ki ha faʻahinga ‘aho, taimi mo ha feituʻu kehe ʻo hange ko ia ʻe ala fokotu’u ʻe he Poaté ‘o fanongonongo ki he Kāinga-lotú; pea

2. kapau ʻoku ʻikai ke ʻi ai ha tokolahi-fe’unga ʻi ha fakataha toloi pehē ʻi loto ʻi he miniti ʻe ono-noa (60) hili ʻa e taimi kuo fokotuʻutuʻu ki hono fakahoko ʻo e fakatahá, ʻe veteki leva ʻa e fakatahá

**18** **Tokotaha-sea ʻo e Ngaahi Fakataha Lahi´**

a Kuopau ke hoko ‘a e Seá ko e Tokotaha-sea ʻi he fakataha lahi takitaha.

b ʻI ha fakahoko ‘o ha fakataha lahi pea:

i ʻoku ʻikai ke ʻi ai ha Sea; pe:

ii ʻoku ʻikai ke ʻi ai ʻa e Seá ʻi loto ʻi he miniti ʻe ono-noa (60) hili ʻa e taimi naʻe fokotuʻu ke fakahoko ai ʻa e fakatahá pē, kapau ʻoku ʻi ai, ʻoku ʻikai loto ia ke hoko ko e Tokotaha-sea ʻo e fakatahá,

pea kuopau ke hoko leva ʻa e tokotaha koʻeni´ ko e Tokotaha-sea ʻo fetongi ‘a e Seá ʻi he fakahokohoko ʻo e faingamālie ʻoku fokotuʻu atu ʻi laló, kehe pē ko e tokotaha ko iá ko ha Faifekau:

iii. ko ha Tokotaha-lotu Pāloti kuo fili ʻe he Seá

ko ha Tokotaha-lotu Pāloti kuo fili ʻe ha tokolahi taha ʻo e kau Talēkita ‘oku ʻi he fakatahá

v. ko ha Tokotaha-lotu Pāloti kuo fili ʻe ha tokolahi taha ʻo e Kāingalotu Ma’u-fakatahá

c ʻOku aofangatuku pea ‘ikai tali ha fokotu’u ta’eloto mei ha tu’utu’uni pehē ʻa e ngaahi tu’utu’uni ʻa e Tokotaha-sea ʻo ha fakataha lahi ʻi he ngaahi meʻa kotoa pē fekauʻaki mo e fakahokohoko ʻo e ngāue, founga ngāue mo e fakalele ʻo e fakatahá.

19 Ngaahi Toloi

a. Ko e Tokotaha-sea ʻo ha fakataha lahi ʻoku ʻi ai ha tokolahi-fe’unga:

te ne ala toloi ha fakataha ʻi hano fakangofua ʻe he fakatahá; pea

ii. kuopau ke ne toloi ʻa e fakatahá kapau ʻe tuʻutuʻuni pehē ʻa e fakatahá;

ki ha taimi mo ha feituʻu ʻo hangē ko ia kuo fakapapauʻi´.

* 1. He ʻikai ala fakahoko ha ngāue ʻi ha faʻahinga fakataha lahi na’e toloi tukukehe pē ʻa e ngāue taʻekakato ʻi he fakataha naʻe fakahoko mei ai ʻa e toloi.
  2. Ko ha tu’utu’uni na’e paasi ‘I ha fakataha na’e fakahoko hili hano toloi, ‘oku paasi ia ‘I he ‘aho na’e paasi ai.
  3. ʻOku ʻikai fiemaʻu ia ke fai ha fa’ahinga fanongonongo ʻo ha toloi ʻo ha fakataha lahi pe ko e ngāue ke fai ʻi he fakataha toloi´ tukukehe kapau ʻoku toloi ʻa e fakatahá ʻi ha ʻaho ʻe tolu-noa (30) pe lahiange ʻa ia kuopau ke fai ai ha fanongonongo ʻo e fakataha toloi´ ʻo hangē ko ia ‘i ha ʻuluaki fakatahá.

**20 Fai Tu’utu’uni ʻo e Ngaahi Fehuʻi**

a ‘I ha fa’ahinga fakataha lahi, ko ha tu’utu’uni ke fakakaukau’i ‘i he fakatahá kuopau ke fai ia ʻaki hano hikinima’i tuku kehe ka fiemaʻu ha pāloti la’ipepa ʻe he:

i. Tokotaha-seá; pe

ii. ‘ikai siʻi hifo he toko ua (2) ‘o e Kāinga-lotu Ma’u-fakatahá.

b Ko ha fakahā ʻe he Tokotaha-seá ʻo e ola ʻo ha pāloti ʻo ha tu’utu’uni ‘aki ha fakahā nima mo ha fakahū ‘o e me’a ko iá ʻoku ʻi he ngaahi miniti ʻo e ngaahi ngāue ʻa e Siasi´ ʻa ia kuo fakamoʻoni-hingoa ki ai ʻa e Tokotaha-sea ʻo e fakatahá pe ko e fakataha hokó, kuopau ke hoko ia ko ha fakamoʻoni aofangatuku ʻo e me’a na’e hokó taʻe ʻi ai ha fakamoʻoni ‘o e tokolahi pe fakahoa ʻo e ngaahi fili naʻe lekooti ʻi he loto pe ta’eloto ki he tu’utu’uni´.

**21 Ngaahi Pāloti Pepá**

a. ʻE ala fiemaʻu ha pāloti pepa:

i. kimuʻa pea fai ha pāloti ‘o ha tu’utu’uni;

ii. kimuʻa pea fakahā ʻa e ngaahi ola ʻi ha pāloti hiki nima; pe

iii ʻi he hili pē hono fakahā ʻa e ngaahi ola ‘i ha pāloti hiki nima.

b Kapaau ʻe fiemaʻu ha pāloti pepa, kuopau ke fai ia ʻi he founga pea ʻi he taimi mo e feituʻu ‘e tu’utu’uni ‘e he Tokotaha-seá ʻo fakafalala ki he **kupu 21(e).**

c

he taimi pē ko iá.

c Ko e ola ʻo e pāloti pepá kuopau ke hoko ia ko e tu’utu’uni

ʻo e fakataha naʻe fiemaʻu ai ʻa e pāloti pepá .

d Kuopau ke ‘oua taʻofi ʻe he fiemaʻu ke fai ha pāloti pepá ʻa

e hoko atu ʻo ha fakataha ki ha fa’ahinga ngāue kehe mei he

fehuʻi kuo fiemaʻu ki ai ha pāloti pepá.

e Ko ha pāloti pepa ‘oku fiemaʻu ʻi hono fili ʻo ha Tokotaha-sea

pe ha fehuʻi ki he toloi ʻa e fakatahá kuopau ke fai ia

he taimi pē ko iá.

f ʻE ala fakafoki ʻa e fiemaʻu ke fai ha pāloti pepa.

**22 Ngaahi Totonu ki he Pāloti´**

i. Ko e Tokotaha-lotu Pāloti´ ‘oku ‘i ai ‘ene pāloti ‘e (1), fakatou’osi ‘i ha fakahā nimá mo ha pāloti pepa..

**23 Fakataʻe’aonga’i´**

He ʻikai ha taha kehe mei ha Tokotaha-lotu Pāloti ʻe ʻi ai haʻane totonu ki ha pāloti ʻi ha fakataha lahi.

**24** **Fakafepaki ki he Tuʻunga ke Pāloti´**

Ko ha faʻahinga fehu’ia fekauʻaki mo e tu’unga ‘o ha taha ke pāloti ʻi ha fakataha lahi pe ko e moʻoni ʻo ha fa’ahinga pāloti kuo fai, ʻe toki lava pē ke ‘ohake ia ʻi he fakatahá pea kuopau ke fakapapauʻi ia ʻe he Tokotaha-seá ʻa ia ko ʻene tu’utu’uni´ kuopau ke faka’osi pea aofangatuku pea ko ha pāloti ʻe fakangofua ‘e he Tokotaha-seá ʻe ʻaonga ia ki he ngaahi taumuʻa kotoa.

**25 Kakai ʻoku ʻAtamaí Vaivai´ mo e Kau Ta’u-si’i´**

a Ko ha Tokotaha-lotu Pāloti:

i. ‘oku ʻatamai vaivai; pe

ii. ko hono sinó (person) pe koloá (estate) ʻoku fakalao ke fai ha ngāue ki ai ʻi ha faʻahinga founga pē ʻi he lao fekauʻaki mo e moʻui lelei fakaʻatamai´; pe

iii.ʻoku ta’u siʻi,

ʻe ala pāloti ʻi ha fakahā nima pe ʻi ha pāloti pepa ʻe he kōmiti ko ia ʻa e Tokotaha-lotu pāloti´pe ko ha taha kehe ʻo hangē ko ha tokotaha ʻoku ne tokangaʻi pe tauhi ʻa e koloa (estate) ʻa e Tokotaha-lotú Pāloti´pe ko e talāsiti ʻa e kakai´ (ʻo hangē ko ia ʻoku hokó).

b Ko ha taha pē ʻoku ne maʻu ʻa e totonu ke tokangaʻi pe tauhi ʻa e tokotaha (‘atamai vaivai pe ta’u si’i) pe koloa (estate) fekau’aki mo ha Tokotaha-lotu Pāloti ʻo hangē ko ia ‘oku fakamatalaʻi ʻi he kupu 25 (a) he ʻikai ke ne ngāue’aki ha fa’ahinga totonu ʻoku foaki ʻi he kupu ko iá tuku kehe pea kae’oua kuo ʻoatu ʻe he tokotaha ko iá ki he Poaté ha fakamoʻoni fakafiemālie ki hono fokotuʻu ʻo e tokotaha ko iá

**26** **Pāloti ‘i ha Māhanga (Casting Vote)**

i. ʻI ha tuʻunga tatau ʻo ha pāloti´ ʻo tatau ai pē pe ko ha fakahā nima pe ʻi ha pāloti pepa, ko e Tokotaha-sea ʻo e fakataha ʻoku fai ai ʻa e fakahā nimá pe ko ia ʻoku fiemaʻu ai ‘a e pāloti pepá ‘oku ‘i ai ‘e ne totonu ki ha pāloti ‘i ha māhanga (casting vote) ‘o tānaki atu ki ha pāloti pau (deliberative vote).

**27 Totonu ʻa e Kakai ʻoku ʻIkai Kau ‘i he KāingaLotú ke ʻAlu ki he Fakataha Lahi**

a ʻE ala fakaafeʻi ʻe he Tokotaha-sea ʻo ha fakataha lahi ha taha pē ʻoku ʻikai ko ha Tokotaha-lotu ke ma’u fakataha mo lea ʻi ha fakataha.

b ‘Oku ʻi ai ‘a e totonu ʻa ha ʻĀtita pē mo ha Talēkita pē ʻo e Siasi´ ke kau mo lea ʻi ha fakataha lahi.

**KAU FAKAFOFONGÁ**

**28 ʻIkai ha Totonu ke Fili ha Kau Fakafofonga**

ʻOku ʻikai ngofua ke fokotuʻu ʻe ha Tokotaha-lotu ha faʻahinga fakafofonga ke kau mo/pe pāloti maʻa e Tokotaha-lotu ko iá ʻi ha faʻahinga fakataha lahi.

**FOKOTU’U MO HONO TOʻO ʻO E KAU TALĒKITÁ**

**29 Tokolahi mo e Fokotuʻu ʻo e Kau Talēkitá**

**Tokolahi ʻo e Kau Talēkitá**

1. Ko e Poate ʻa e Kau Talēkitá ʻe ʻikai siʻi hifo ʻi he toko fitú (7) pea ʻikai laka hake ʻi he toko hivá (9).
2. ʻE ala tu’utu’uni ʻa e Poaté ke liliu ‘a e tokolahi ‘o e Kau Talēkita ma’u tu’ungá mei he meʻa ʻoku ʻuhinga ki ai ʻi he **kupu 29.1 (a) ‘**o fakafalala ki he konga 201P ʻo e Lao Ngaahi Kautahá.

**Fa’unga ʻo e Poaté**

ʻE kau ʻi he Poaté ʻa e:

c) kau Talēkita Fakanofo ‘e toko tolu (3) (fakafalala ki he **kupu 29.3(c));**

d) kau Talēkita Fili ‘e toko fā (4); mo e

e) a’u ki he toko ua (2) ‘a e Kau Talēkita Tānaki kuo fokotu’u ʻe he Poaté mei he taimi ki he taimi (ko e fiká ke fakapapauʻi ʻe he Poaté mei he taimi ki he taimi);

ka ‘e ʻikai laka hake ʻa e tokolahi fakakātoa ʻo e kau Talēkitá ‘i he tokolahi taha ‘oku tu’utu’uni ʻe he kupu 29.1.

**Kau Talēkita Fakanofó**

f) Ko e niʻihi fakafoʻituitui ʻoku nau maʻu ʻa e ngaahi lakanga ko ʻeni ʻe tolú (3) ko e Kau Talēkita Fakanofó (Appointed Directors) kinautolu:

i Palesiteni ʻo e Siasi Uēsiliana Tauʻataina ʻo Tongá;

ii. Sekelitali ʻa e Siasi Uēsiliana Tauʻatāina ʻo Tongá; mo e

iii. Faifekau Pule ʻo e Siasi Uēsiliana Tauʻatāina ʻo Tonga ʻi Aositelēliá.

g) Ko ha Talēkita Fakanofo, ‘oku lava pē ia ko ha Tokotaha-lotu ka ʻoku ʻikai fiemaʻu ia ke pehē.

h) Kapau ʻoku toʻo ha Talēkita Fakanofo ʻo fakatatau ki he kupu 203D ʻo e Lao Ngaahi Kautahá, ʻe kei tuku ʻatā pē ‘a e lakanga ko iá kae ʻoua kuo fokotu’u ha tokotaha foʻou ki he tu’unga ko iá ʻo hangē ko ʻene hā ʻi he kupu 29.3(a)(i), kupu 29.3(a)(ii) pe kupu 29.3(a)(iii), ʻo hangē ko ia ʻoku ala hokó.

i) Kapau ʻoku ʻikai ke toe maʻu ʻe ha Talēkita Fakanofo ʻa e tuʻunga ko iá ʻo hangē ‘oku lau ki ai ʻi he kupu 29.3(a)(i), kupu 29.3(a)(ii) pe kupu 29.3(a)(iii), ʻe ngata leva ʻa e hoko ‘a e tokotaha ko iá ko ha Talēkita Fakanofo pea ko e tokotaha foʻou ʻoku ne maʻu ʻa e tuʻunga ko ia ‘oku lau ki ai ‘i he kupu 29.3 (a)(i), kupu 29.3(a)(ii) pe kupu 29.3(a)(iii) ‘e hoko ia ko e Talēkita Fakanofo ‘o fetongi ‘a ia kuo mavahé

**Kau Talēkita Fili´**

j ‘E ma’u taki taha ‘e he Kau Talēkita Fili ʻe toko fā (4) ha taha ‘o e ngaahi lakanga koʻeni´:

i. Sekelitali ‘o e Vahefonuá;

ii. Sekelitali & ‘Ōfisa Fetu’utaki

iii. Setuata ‘o e Vahefonuá; mo e

iv. Sekelitali Paʻangá.

k. Fokotu’u ʻo e kau kanititeiti ki he fili ko e Kau Talēkita Fili´:

i. kuopau ke tohi ia ʻi ha foomu kuo ʻosi tu’utu’uni ʻe he Poaté, fakamo’oni-hingoa ki ai ha Tokotaha-lotu Pāloti 'e toko ua (2), ‘o fakamahinoʻi ai pe ko e fē ʻi he ngaahi lakanga ʻe fā (4) ʻoku fokotuʻu atu ʻi he kupu 29.4(a) ʻoku fokotu'u ki ai ʻa e tokotaha kanititeiti´ pea ke ʻave fakataha ia mo e tohi fakangofua ʻa e tokotaha kuo fokotu’ú (ʻa ia ʻe ala poupouʻi ʻi he fokotu’ú);

II. kuopau ke ʻave ia ki he Sekelitali´ (pe ko ha taha kehe kuo fakamafai’i ʻe he Poaté ki he fatongiá) ʻo ʻikai tōmuiange ʻi he tāpuni ʻa e ngāué ‘i he ‘Aho Ngāue ‘e ua (2) kimuʻa ‘i he ʻaho kuo fokotu’u ki hono fai ʻo e Fakataha Faka-Vahefonuá pe fakataha lahi kehe ʻa ia ʻe fakahoko ai ʻa e fili´; pea

iii. kuopau ke fakangofua ia ʻe he Tokotaha-sea ʻo e Fakataha Faka-Vahefonuá pe ko ha fakataha lahi kehe ʻa ia ‘e fakahoko ai ‘a e fili´ kae lava ke tali. ‘E ala fili ‘e he Tokotaha-seá ke ‘oua ‘e tali ha fa’ahinga fokotu’u ʻi heʻene fakakaukau tokotaha pē ʻaʻaná

l Kapau ʻoku ʻikai maʻu ha ngaahi fokotu’u tokolahi feʻunga ke fakafonu ʻa e ngaahi tuʻunga kotoa pē ʻoku fokotuʻu atu ʻi he kupu 29.4(a) ʻi he Poaté ʻa ia ʻe fakafonu ʻi he fili´, kuopau ke maʻu ha ngaahi fokotu’u lahiange ʻi he fakataha ʻe fakahoko ai ʻa e fili´. Kuopau ke fakangofua ʻe he Tokotaha-seá ʻa e ngaahi fokotu’u ko iá kae lava ke tali. ‘E ala fili ʻa e Tokotaha-seá ke ʻoua naʻa ne tali ha fokotu’u ʻi heʻene fakakaukau tokotaha pē ʻaʻaná.

m Kapau ʻoku ʻikai feʻunga ʻa e toe ngaahi fokotu’u ʻoku maʻú, ʻe lau leva ha fa’ahinga lakanga ʻoku kei toe ke fakafonu ʻi he Poaté ko ha ngaahi lakanga ‘oku ava.

n Kapau ko e fokotu’u pe ʻe taha ʻoku maʻu ki ha tuʻunga pau ʻoku fokotuʻu ‘i he kupu 29.4 (a), ʻe lau ʻa e tokotaha naʻe fokotu’ú kuo fili.

o Kapau ko e lahi ʻo e ngaahi fokotu’u kuo maʻu ki ha lakanga pau ʻoku fokotuʻu ʻi he kupu 29.4(a), ʻoku laka hake ʻi he taha (1), ʻe fakahoko leva ha pāloti.

p ʻOku fiemaʻu ‘a e Talēkita Fili´ ko ha Tokoraha-lotu Pāloti ʻi he taimi kotoa pē ʻoku ne maʻu ai ha tuʻunga ko ha Talēkita Fili.

**Kau Talēkita Tānaki´ (Co-Opted Directors**

q ʻE ala fokotuʻu ʻe he Poaté ha kau Talēkita Tānaki ki he Poaté ʻi ha faʻahinga taimi pē ke fakafonu ʻa e ngaahi tuʻunga ʻoku ʻoatu ʻi he kupu 29.2(c).

r ʻE hoko ʻa e Talēkita Tānaki´ ko ha taha te ne ʻomi ʻa e ngaahi pōtoʻi ngāue mo e taukei ki he Poaté ke lava ʻe he Poaté ʻo fakalakalaka ʻa e Ngaahi Taumu’á.

s ‘E ala hoko pē ha Talēkita Tānaki ko ha Tokotaha-lotu, ka ‘oku ‘ikai fiema’u ia ke pehē.

**Taimi-Ngāué (Term)**

t ʻE maʻu ʻe he Kau Talēkita Fili´ ‘a e ngāué ki he taimi-ngāue ko e ta’u ʻe taha (1), ka ʻe lava ke toe fili, ʻo fakafalala ki he kupu 29.6(c).

u ‘E maʻu ʻe he Kau Talēkita Tānaki´ ‘a e ngāué ki he taimi-ngāue ʻoku aʻu ki he taʻu ʻe taha (1), ka ʻe lava ke toe fokotu'u ki ha toe ngaahi taimi ʻo aʻu ki he ta’u ‘e taha (1) takitaha, ʻo fakafalala ki he kupu 29.6(c).

v Ko e Kau Talēkita Fili´ kuopau ke ‘oua na’a nau ma’u ‘a e tuʻungá ʻo laka hake ʻi he taʻu ʻe nima (5) hohoko, pea he ʻikai maʻu ʻe he kau Talēkita Tānaki´ ha lakanga ʻo laka hake ʻi he taʻu hokohoko ʻe tolu (3).

w ʻi he taimi pē kuo ngāueʻaki ai ʻe ha Talēkita Fili pe Talēkita Tānaki ʻa e taimi-ngāue lahi taha ‘oku fokotuʻu atu ʻi he kupu 29.6 (c), ʻoku toki ‘atā pē ʻa e Talēkitá ke toe fokotu’u pe toe fili ki he Poaté ‘i ha ‘osi ha vahaʻataimi ʻoku ‘ikai toe si’iange he taʻu ʻe ua (2) mei he ‘osi ʻo e taimi-ngāue kimuʻa ʻa e Talēkitá ʻi he Poaté.

x Ko e Kau Talēkita Fakanofó te nau ma’u ‘a e lakangá ʻi he lōloa taha te nau ʻi he tuʻunga ko ia ‘oku fokotuʻu atu ʻi he kupu 29.3 (a).

**Kau Maʻu Lakangá**

ʻE maʻu ʻe he Talēkita Fakanofó ʻa ia ko e Palesiteni ʻo e Siasi Uēsiliana Tauʻatāina ʻo Tongá ʻa e tu’unga ʻo e Seá lolotonga ʻene hoko ko e Palesiteni ʻo e Siasi Uēsiliana Tauʻatāina ʻo Tongá.

**30 Totonu Fakalukufua ke** **Fokotu’u mo Toʻo e Kau**

**Talēkitá**

ʻE ala ngāue ʻa e Poaté neongo ha faʻahinga ʻatā (vacancy) ʻi he Poaté ka ʻo kapau ʻe tō ʻa e fiká ʻi lalo ʻi he fika siʻisiʻi taha kuo fokotu’u ʻo fakatatau ki he kupu 29.1, ʻe ala ngāue ʻa e Poaté:

a. ki he taumuʻa ʻo:

i. hono fakalahi e tokolahi ʻo e Kau Talēkitá ki he siʻisiʻi tahá;

pe

ii hono fakahoko ha fakataha lahi; pe

b. ʻi he ngaahi meʻa fakatuʻupakeé, ka ʻoku ʻikai ki ha toe taumuʻa kehe.

**31 ‘Atā ‘a e Tu’ungá**

* + - * 1. ʻE ala fakafisi ha Talēkita pē mei he lakangá ʻi haʻane ‘ave ha fanongonongo tohi ki he Siasi´ ʻi he ʻŌfisi´ ʻo ʻene taumuʻa ke fakafisi´ pea ʻe fakahoko ʻa e fakafisi´ ʻi he taimi naʻe fakahā ʻi he fanongonongó (kapau pē ko e taimi ko iá ‘oku ‘ikai ke kimuʻa ia ʻi he ʻaho naʻe ʻave ai ʻa e fanongonongo tohi´ ki he Siasi´).

b ʻE ʻatā ʻa e lakanga ʻo ha Talēkita ʻo kapau ko e

Talēkitá:

i. ‘oku pekia;

ii. ʻi he tuʻunga ʻo ha Talēkita Fili, ʻoku ngata ‘e ne hoko ko ha Tokotaha-lotu Pāloti;

iii. ʻi he tuʻunga ʻo ha Talēkita Fakanofo, ʻoku ngata ‘e ne maʻu ʻa e lakanga ko ia ʻoku ʻuhinga ki ai ʻi he kupu 29.3(a);

iv. ʻoku ʻikai malava totongi hono mo’uá (bankrupt[) pe fai ha faʻahinga fokotuʻutuʻu pe felotoi mo kinautolu ʻoku moʻua ki ai´;

v. ʻoku ʻikai ngofua ke hoko ko ha talēkita pe pule ‘o ha kautaha koeʻuhí ko ha faʻahinga tu’utu’uni na’e fai ʻi he malumalu ʻo e Lao Ngaahi Kautahá;

vi, kuo fakataʻeʻaongaʻi ia ʻe he Komisona ‘o e Ngaahi Kautaha Tokoni ʻOfa mo ‘Ikai Fakatupu Koloa ʻa ʻAositelēliá, ʻi ha faʻahinga taimi pē lolotonga e māhina ʻe taha-ua (12) kimuʻa mei heʻene hoko ko ha taha falalaʻanga ʻo ha kautaha kuo lesisita ʻi he konga 45.20 (4) ʻo e Tu’utu’uni ACNC;

1. hoko ko ha ʻatamai vaivai pe ko ha taha ko’ene koloa fakatautahá ‘e ala fai ha ngāue ki ai ʻi ha faʻahinga founga pē ʻi he lao fekauʻaki mo e moʻui lelei fakaʻatamai´;
2. toʻo mei he lakangá ʻe he Siasi´ ʻi ha fakataha lahi;
3. fakafisi ʻi ha fanongonongo tohi ki he Siasi´; pe
4. ʻoku mama’o ta’e maʻu ha ngofua mei he Poaté mei ha fakataha hokohoko ʻe tolu (3) ʻa e Poaté, tuku kehe kapau ʻe tu’utu’uni ʻe he Poaté he ʻikai mavahe ʻa e Talēkitá mei he lakangá.

**32 Ko hono fakafonu ʻo ha Ngaahi Lakanga ‘oku ‘atā ʻi he Poaté**

a. ʻI ha hoko ʻo ʻatā ha lakanga ʻi he Poaté:

i. ʻo fekauʻaki mo ha lakanga Talēkita Fakanofo ʻoku ʻatā, ʻe tuku ʻatā pē ʻa e lakangá kaeʻoua kuo fokotu’u ha tokotaha foʻou ki he lakanga ko iá ʻoku ʻuhinga ki ai ʻi he kupu 29.3(a);

ii. ʻo fekauʻaki mo ha lakanga Talēkita Fili ‘oku ‘atā, ko e Poaté te ne:

A. fokotuʻu ha Tokotaha-lotu Pāloti; pe

B. fakahoko ha fakataha lahi ke fili ha Tokotaha-lotu Pāloti ke fakafonu ʻa e tuʻunga ʻoku ʻataá; pea

iii. ʻi heʻene fekauʻaki mo ha lakanga Talēkita Tānaki ʻoku ʻatā, ʻe ala fokotuʻu ʻe he Poaté ha taha ʻo fakatatau ki he kupu 29.5 (a).

b.

i Ko ha Talēkita pē kuo fokotu’u pe fili ‘o fakatatau ki he kupu 32(a)(ii), te ne maʻu ‘a e lakangá ki he kakato ‘o e taimi-ngāue ʻa e Talēkita ‘oku mavahé.

ii Ko ha Talēkita pē kuo fokotuʻu ‘o fakatatau ki he kupu 32(a)(iii) te ne maʻu ‘a e lakangá ki ha taimi-ngāue kakato foʻou ‘o fakatatau ki he kupu 29.6(b).

iii ʻOku ʻikai lau ʻa e taimi ʻoku ngāue ai ʻi he kupu 32(b) ki he taimi-ngāue lahi taha ʻoku fokotuʻu atu ʻi he kupu 29.6(c).

**33 Kau Ma’u Lakanga Le’ole’ó**

a ʻI ha hoko ha ʻatā ʻi he tuʻunga ʻo e Seá, ‘e ma’u ‘a e tu’unga ko e Sea Leʻoleʻo kae ʻoua kuo fokotuʻu ha Talēkita Fakanofo foʻou fakatatau ki he kupu 29.3(a)(i), ‘e ha Talēkita Fakanofo ʻe taha (fili ʻe he Kau Talēkitá ʻi he fakataha hono hoko ʻa e Poaté) ʻa ia ʻoku ʻikai ko e Sea, fakapapauʻi ia ʻe he Poaté

b Kapau ʻoku mama’o fakataimi ʻa e Seá pe ʻikai lava fakataimi ke fakahoko hono ngaahi fatongiá, ʻe ala fakamafai’i ʻe he Poaté ha Talēkita ʻe taha ke ngāue ʻi he tuʻunga ʻoku ʻataá lolotonga ʻa e mama’o pe taʻe-malava ʻa e Seá.

**34 Kau Talēkita Fetongi´**

ʻE ʻikai ngofua ke ʻi ai ha Kau Talēkita Fetongi.

**NGAAHI MAFAI MO E NGAAHI FATONGIA ʻO E KAU TALĒKITÁ**

**35** **Ngaahi Fatongia ʻo e Kau Talēkitá**

a. ʻOku fakafalala ʻa e Talēkita takitaha, pea kuopau ke ne muimui ʻi he taimi kotoa pē ki he ngaahi fatongia ʻoku fokotuʻu atu ʻi he Tuʻunga Pule 5 (Governance Standard 5) ʻi he konga 45.25 ʻo e Tu’utu’uni ACNC.

b. Fakatatau ki he konga 45.20 ʻo e Tu’utu’uni ACNC, ʻe fakahoko ʻe he Poaté ha ngaahi sitepu lelei ke fakapapauʻi ʻoku ʻikai ke kau ʻi he Poaté ‘i ha fa’ahinga taimi, ha Talēkita ʻoku fakataʻeʻaongaʻi mei hono tokangaʻi ʻo ha kautaha ʻi he malumalu ʻo e Lao Ngaahi Kautahá pe mei heʻene hoko ko ha taha falalaʻanga ʻi he kupu-si’i 45.20(4) ʻo e Tu’utu’uni ACNC

**36** **Ngaahi Mafai ʻo e Kau Talēkitá**

a. Makehe mei he ngaahi meʻa ko ia ʻoku fokotuʻu atu ʻi he kupu 36(b), ko e kotoa ʻo e puleʻi, tokanga’i mo e fakalele ʻo e Siasi´ ʻoku foaki ia ki he Poaté ‘a ia te nau ngāueʻaki ʻa e ngaahi mafai pehē kotoa pē ʻo e Siasi´ ʻo hangē ko ia ʻoku ʻikai fiemaʻu ʻe he Lao Ngaahi Kautahá pe ʻe he Konisitūtone ko ʻeni´ oku fiema’u ke ngāue’aki ʻi ha toe founga kehe.

b Kapau ʻoku fiema’u ʻe he Poaté ke paasi ha tu’utu’uni fekauʻaki mo e fakatau atu, nofo totongi pe maʻu mai ‘o ha kelekele mo e/pe koloa kelekele mo e ngaahi me’a ‘oku ‘i ai´ (real estate), pea:

i. kuopau ke paasi ʻa e tu’utu’uni ko iá ʻi he lototaha ki ai ʻa e kotoa ‘o e Kau Talēkitá; pea

ii. kimuʻa pea hoko ‘o ngāue’aki´, ʻoku fiemaʻu ha faʻahinga tu’utu’uni pē ʻoku ʻuhinga ki ai ʻi he **kupu 36(b)(i)** ke tali ʻi ha Tu’utu’uni Makehe ‘a e Kāingalotu Pāloti´ ʻi ha fakataha lahi ʻa e Siasi´ kae lava ke ‘aonga.

**37 Ngaahi Meʻangāue ʻe Lava ke Liliu**

1. ʻE fakamoʻoni-hingoa, toho, tali, poupouʻi pe fakahoko ‘o hangē ko e fiema’ú, ‘e ha toko-ua kuo fakamafai’i ‘e ha tu’utu’uni ‘a e Poaté, ‘i he kotoa ‘o e ngaahi sieké, ngaahi tohi fekau ke totongi´ mo e ngaahi meʻangāue kehe ʻoku lava ke alea’i´, ngaahi kole kotoa pe ngaahi fokotuʻutuʻu ki he fe’ave’aki paʻanga fakaʻilekitulōniká mo e ngaahi talitotongi kotoa pē ki he ngaahi paʻanga naʻe totongi ki he Siasi´. ʻE ala fakamafai’i ʻe he Poaté

a. ha (kau) Talēkita);

b. ‘a e Sekelitalí´; pe

c. ha mēmipa ʻe taha ʻo e kau ngāue ʻa e Siasi´,

ke fakamoʻoni-hingoa ʻi ha fa’ahinga meʻangāue pehē.

**38 Foaki ʻo e Ngaahi Mafai**´

a. ʻE ala foaki ʻe he Poaté mei he taimi ki he taimi ki ha Talēkita ki he taimi ko iá pe ko ha toe taha kehe te nau ala fili, ha ngaahi mafai ‘oku ala ngāue’aki ʻi he Konisitūtone ni ʻe he Poaté ʻo hangē ko ʻene fakakaukau ʻoku feʻunga mo e fa’ahinga taimi ko iá pea ke ngāue’aki ia ki he ngaahi taumuʻa peheé pea ‘i he ngaahi taimi-ngāue mo e ngaahi tu’unga peheé pea moe ngaahi fakangatangata ‘o hangē ko ʻene fakakaukau ʻoku fakapotopotó .

b Ko e ngaahi mafai ‘oku foaki ʻi he kupu 38 ‘e ala

ngāue’aki ‘i he taimi tatau mo e ngaahi mafai ʻo e Poaté

ʻi he tu’unga ko iá pea ʻe ala to’o, kaniseli pe liliu ‘e he Poaté mei he taimi ki he taimi ‘a e kotoa pe ha fa’ahinga mafai pehē.

**FAKAHĀ ʻO E KAUNGA (INTEREST) ‘A E KAU TALĒKITÁ**

**39 Ngaahi Alepaú**

a. ʻE ala fakahoko ʻe he Siasi´ ha ngaahi aleapau pe fokotuʻutuʻu mo ha ngaahi kautaha pe ngaahi sino kehe ʻa ia ʻoku ʻi ai ha kaunga (interest) ai ʻa ha Talēkita, ʻo kapau ʻe fai ia ʻo fakatatau ki he ngaahi tuʻutuʻuni mo e ngaahi tuʻunga fakakomēsiale angamaheni ʻoku fekauʻaki mo e faʻahinga aleapau pe fokotuʻutuʻu ko iá.

b Ko ha fa’ahinga kaunga (interest) ʻa ha Talēkita, ʻe fakahoko e ngāue ki ai ʻo fakatatau mo e lao ʻoku fekau’aki mo iá, ʻa ia ko e:

i. Lao Ngaahi Kautahá; pe

ii. Tu’utu’uni ACNC,

ʻa ia ʻe kau ai hano fakahaaʻi ha kaunga ki ai pea ʻai ke lekooti ʻe he Sekelitali´ ʻa e ngaahi fakamatala kotoa pē ʻi he ngaahi miniti ʻo e fakataha ‘oku fekau’aki mo iá.

‘oua na’a lau ʻi hono fakapapauʻi pe ʻoku tokolahi fe’unga pe ʻikai ʻi ha faʻahinga fakataha ʻa e Kau Talēkitá ʻo fakakaukauʻi ʻa e aleapau ko iá pe fokotuʻutuʻú pe aleapau pe fokotuʻutuʻu fakaangaangá;

ʻoua na’a fakamoʻoni-hingoa pe kaungā-fakamo’oni ha faʻahinga tohi-ngāue fekauʻaki mo e aleapau pe fokotuʻutuʻu ko iá pe aleapau pe fokotuʻutuʻu fakaangaangá; pea

v. ʻoua naʻa pāloti fekau’aki mo ha fa’ahinga me’a ʻoku ‘alu hake mei he aleapaú pe fokotuʻutuʻú pe aleapau pe fokotu’utu’u fakaangaangá.

**NGAAHI MEʻA ‘OKU FAKAHOKO ʻE HE KAU TALĒKITÁ**

**40 Ngaahi Fakataha ʻa e Kau Talēkitá**

c Ko e fanongonongo ‘o ha fakataha ʻa e Poaté ʻoku ʻikai fiemaʻu ia ke hiki tohi.

d Fakafalala ki he kupu 40(e), ʻe lava ke ui pe fakahoko ha fakataha ’a e Poaté ‘o ngāue’aki ha fa’ahinga tekinolosia pē ‘oku loto ki ai ha tokolahi taha ʻo e Kau Talēkitá. ‘E ala tu’u ma’u ‘a e fakangofuá. ʻE ala fakafoki ʻe ha Talēkita ʻe ne fakangofua ki hono ngāue’aki ʻo ha tekinolosia pau ʻi loto ʻi ha vahaʻataimi feʻunga kimuʻa ʻi ha fakataha ʻa e Poaté.

e Ko e tekinolosia pau ‘oku ngāue’aki ke ui pe fakahkoʻaki ha fakataha ʻa e Poaté, ʻo fakatatau ki he kupu 40(d), kuopau ke faingamālie mo maʻu ia ʻe he Kau Talēkita kotoa ʻoku nau fie kau ki he fakataha ʻa e Poaté.

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f Ko e ngaahi tu’utu’uni kotoa ‘a e Kau Talēkitá na’e paasi ‘i ha fakataha ‘a e Poaté ʻa ia ʻoku ʻi ai ha tokolahi fe’unga ka na’e teʻeki fai ha fanongonongo ʻo e fakatahá ‘o hangē ko e fiemaʻu ki he Talēkita takitaha, pe ko ha faʻahinga ngāue naʻe fai ‘o fakatatau ki ha fa’ahinga tu’utu’uni pehē, ‘e ʻaonga ia ʻo hangē pē naʻe ʻosi ʻoange moʻoni ʻa e fanongonongo ʻo e fakatahá ki he Kau Talēkita kotoa, kapau na’e loto kimui ‘a e Talēkita takitaha ne ‘ikai ‘ave ki ai ‘a e fanongonongó kenau faka’atā ia. Ko e maʻu-fakataha ʻa ha Talēkita ʻi ha fakataha ʻa e Kau Talēkitá ‘oku ne tukuange ai ha faʻahinga fakafepaki pē ne ala ma’u ʻe he Talēkita ko iá ki ha ta’e fanongonongo ʻo e fakatahá.

**41** **Tokolahi Fe’ungá (Quorum)**

a Ko e tokolahi fe’unga ʻoku fiemaʻu ki he fakahoko ʻo e ngāue ʻa e Poaté ko e Kau Talēkita Ma’u-fakataha ʻoku nau fakafofongaʻi ha tokolahi taha ʻo e fakakātoa ʻo e Kau Talēkitá.

b Kuopau ke ʻi ai ha tokolahi fe’unga ʻi he taimi kotoa pē lolotonga e fakatahá.

c Kapau ʻoku fai ha fakataha ʻa e Poaté pea ko e Tokotaha-seá ʻoku:

**42** **Tokotaha-sea ʻo e Poaté**

a. Ko e Seá ‘a e Tokotaha-seá.

b Ko e Tokotaha-seá, kapau ʻe ʻi ai, ʻe hoko ko e Tokotaha-sea ʻo e fakataha kotoa pē ʻa e Poaté.

c Kapau ʻoku fai ha fakataha ʻa e Poaté pea ko e Tokotaha-seá ʻoku:

i. ʻikai ke ʻi ai ʻi he miniti ʻe taha-nima (15) hili ʻa e taimi kuo ʻosi fokotuʻu ki hono fakahoko ʻo e fakatahá; pe

ii. kapau ʻoku ʻi ai, ʻoku ʻikai fie sea he fakatahá, pea ʻe hoko leva ʻa e Talēkita ko ʻeni´ ko e Tokotaha-sea ‘o fetongi ‘a e Seá ʻi he fakahokohoko ʻo e faingamālie ʻoku fokotuʻu atu ʻi laló:

iii. Talēkita ʻe taha naʻe fili ʻe he Seá; mo e Talēkita ʻe taha naʻe fili ʻe he Kau Talēkita Ma’u-fakatahá.

**43 Pāloti´**

a. ‘E paasi ha tu’utu’uni ‘a e Poaté ʻe ha tokolahi taha ʻo e ngaahi pāloti ‘a e Kau Talēkita ʻoku ʻi he fakatahá ʻoku nau pāloti ʻi he tu’utu’uni´. Ko ha tu’utu’uni kuo paasi ‘e he tokolahi taha ‘o e ngaahi pāloti kuo fai ‘e he Kau Talēkitá, ‘e hoko ia ko e tu’utu’uni ‘a e Poaté ki he taumu’a kotoa,

b. Ko e Talēkita takitaha ‘oku ne ma’u ha pāloti ‘e taha (1)

c. Telia naʻa ʻi ai ha tuʻunga tatau ʻo e pāloti´ ʻi ha fakataha ʻa e Poaté, ʻoku ʻi ai e totonu ʻa e Tokotaha-seá ki ha pāloti makehe ‘o tānaki atu ki ha pāloti paú.

**44 Ngaahi** **Tu’utu’uni ʻa e Kau Talēkitá**

a. ʻE ala paasi ʻe he Poaté ha tu’utu’uni taʻe fai ha fakataha ʻa e Poaté kapau ʻe fakamoʻoni hingoa ‘a e kotokotoa ʻo e Kau Talēkitá ʻi ha tohi-ngāue ʻoku ʻi ha fakamatala ʻoku nau loto kotoa ki he tu’utu’uni ‘oku fokotuʻu atu ʻi he tohi-ngāue ko iá. Ki he taumuʻa ko ʻeni´, ʻe lava ke maʻu ʻa e ngaahi fakamoʻoni hingoá ʻi ha tohi-ngāue ʻoku lahi hake he tohi-ngāue ‘e taha.

b. Ko ha tatau ʻo ha fetu’utaki fekesi (fax) ‘a ia ʻoku maʻu ʻe he Siasí´ pea ʻoku pehē ne fakamoʻoni hingoa ki ai ha Talēkita, ‘e lau ia ki he ngahi taumuʻa ʻo e kupu 44 ko’eni´, kuo fai ia ʻi ha tohi mo fakamoʻoni-hingoa ki ai ʻa e Talēkita ko iá ʻi he taimi ko ia ‘oku maʻu ai ʻe he Siasi´ ʻa e fetu’utaki fekesi´ (fax) ’i he founga ‘oku mahino ngofua.

c. Ko ha fetu’utaki ʻīmeili ʻa ia ʻoku maʻu ʻe he Siasi´ pea ʻoku pehē ne ʻoatu ia ʻe ha Talēkita, ‘e lau ia, ki he ngaahi taumuʻa ʻo e kupu 44 ko’eni´, kuo fai ia ‘i ha tohi mo fakamoʻoni-hingoa ki ai ʻa e Talēkita ko iá, ʻi he taimi ko ia ʻoku ma’u ai ʻa e fetu’utaki ʻīmeili´ ʻe he Siasi´.

d. Ko ha pāloti naʻe fai ʻe ha Talēkita ʻo ngāue’aki ha founga ʻi he ʻInitaneti´ ʻoku fakalele pe fakamafaiʻi ʻe he Siasi´, ‘e lau ia, ki he ngaahi taumuʻa ʻo e kupu 44 ko ʻeni´, kuo fai ia ‘i ha tohi pea fakamoʻoni-hingoa ki ai ʻa e Talēkita ko iá ʻi he taimi ko ia naʻe maʻu ai ʻa e pāloti´ ʻi he ʻinitaneti´.

**45 Kōmiti´**

a. ʻE faʻu mo foaki ʻe he Poaté hano fa’ahinga mafai ki he ngaahi kōmiti ko ʻeni ʻoku kau ki ai ha Kau Talēkita mo ha niʻihi kehe ʻi haʻane fakakaukau ʻoku feʻunga ke fai pehē pea ʻe lava pē ke fakapekia mei he taimi ki he taimi ha faʻahinga foaki mafai pehē:

* + 1. Kōmiti Pulé;
    2. Kōmiti Fale’i´;

iii. Kōmiti Paʻangá; mo

iv ha fa’ahinga kōmiti kehe ʻoku fiema’u ʻe he Poaté ke faʻu mo foaki ki ai hono ngaahi mafai´ mei he taimi ki he taimi

b. ʻE fakakaukauʻi mo fai ʻe he Kōmiti Pulé ha ngaahi fokotuʻu ki he Poaté ʻi he ngaahi me’a kotoa pē fekau’aki mo ha kelekele mo e koloa maʻá e Siasi´.

c. ʻE fakakaukauʻi mo fai ʻe he Komiti Fale’i´ ha ngaahi fokotuʻu ki he Poaté fekauʻaki mo hono tauhi fakalukufua ʻo ha ngaahi siasi ʻoku fakalele ʻe he Siasi´.

d. ʻE fakakaukauʻi mo fai ʻe he Komiti Paʻangá ha ngaahi fokotuʻu ki he Poate fekauʻaki mo e fakamole ʻa e Siasi.

e. ʻOku maʻu ʻe he Poaté ʻa e mafai ke ne fiemaʻu ke ne fakapapau’i ʻa e ngaahi tuʻutuʻuni kotoa pē kuo fai ʻe ha fa’ahinga Kōmiti.

f. I ha ngāue’aki ʻe ha kōmiti ʻa e ngaahi mafai kuo foaki kiate iá, ‘e muimui ʻo fakatatau ki ha faʻahinga fakahinohino mo ha ngaahi fakangatangata ʻe ala fai ki ai ʻe he Poaté. Ko ha mafai kuo ngāue’aki peheé ‘e lau ia kuo fai ʻe he Poaté.

g. ʻE puleʻi ʻa e ngaahi fakataha mo e ngaahi ngāue ʻa ha kōmiti ʻoku kau ki ai ha tokolahiange ʻi he tokotahá ‘e he ngaahi tu’utu’uni ki hono tokangaʻi ʻo e ngaahi fakatahá mo e ngaahi ngāue ʻa e Poaté ʻoku ʻi he Konisitūtone ni.

h. ʻE ‘ai ha miniti ʻo e ngaahi ngāue kotoa mo e ngaahi tuʻutuʻuni ʻa e Kōmiti kotoa pē, ‘o fakahū pea fakamoʻoni-hingoa ai ʻi he founga tatau pē mo e ngaahi miniti ʻo e ngaahi ngāue ʻa e Poaté ʻoku fiemaʻu ia ʻe he Lao Ngaahi Kautahá mo e Konisitūtone ni ke ‘ai, fakahū mo fakamoʻoni-hingoa ki ai. ʻE fakahū ha tatau ʻo ha miniti pehē ʻa ha Kōmiti ʻi he fakataha hono hoko ‘a e Poaté

**46**  **Faka’aonga’i ʻo e Ngaahi Ngāue ʻa e Kau Talēkitá**

i. Ko e ngaahi ngāue kotoa pē kuo fai:

a. ʻi ha faʻahinga fakataha pē ʻa e Poaté; pe

b. ʻe ha taha pē ʻoku fai ko ha Talēkita,

ii. ʻe tatau ai pē kapau ʻe toki ʻiloʻi kimui naʻe ʻi ai ha fehālaaki ʻi hono fokotu’u pe hokohoko atu ʻi he lakanga ʻo ha fa’ahinga Talēkita pe ha taha pehē pe naʻe fakataʻeʻaongaʻi kinautolu pe ha taha ʻo kinautolu pe ‘ikai ha totonu ke pāloti, ‘e’aonga pē ia ʻo hangē pē ko e tokotaha pehē kotoa pē ne ʻosi fokotuʻu pe hokohoko atu ʻi he lakangá pea naʻe feʻunga moʻoni pē ke hoko ko ha Talēkita pea naʻe ʻi ai ʻene totonu ke pāloti.

**MINITI´**

**47 Miniti´**

a. Neongo ʻa e vahe 111L ʻo e Lao Ngaahi Kautahá, ʻe fiema’u ʻe he Poaté ‘a e ngaahi miniti´ ke tauhi ʻi ha founga ʻo hangē ko ia ʻoku fiemaʻu ʻe he Lao Ngaahi Kautahá ki he ngaahi taumuʻa ʻo hono lēkooti:

i. ‘a e ngaahi hingoa ʻo e kau Talēkita ʻoku ʻi he fakataha takitaha ‘a e Poaté mo e Kau Talēkitá ʻi he fakataha takitaha ʻa ha fa’ahinga Kōmiti;

ii. kātoa ‘a e ngaahi fekau, tuʻutuʻuni, mo e ngaahi ngāue ʻa e ngaahi fakataha lahi´ pea mo e ngaahi fakataha ʻa e Poaté mo e Ngaahi Kōmiti´; mo e

* + 1. ngaahi meʻa hangē ko ia ʻoku fiemaʻu ʻe he Lao Ngaahi Kautahá ke lekooti ʻi he ngaahi tohi lekooti ʻa e Siasi´ kau ai ʻa e ʻikai fakangatangata ʻa e ngaahi fakamatala kotoa pē naʻe fai pe ngaahi fanongonongo naʻe fai ʻe ha fa’ahinga Talēkita ʻo ʻene kaunga ‘i ha fa’ahinga aleapau pe aleapau fakaangaanga pe ma’u ‘o ha faʻahinga tuʻunga pe koloa ʻe ala hoko ai ha fepakipaki ʻi he fatongiá pe meʻa ʻoku mahuʻingaʻia ai´.

b. ʻE fakamoʻoni-hingoa ʻa e Tokotaha-sea ʻo e fakatahá ʻi he ngaahi miniti peheé pe ko e Tokotaha-sea ʻo e fakataha hono hokó pea ko e ngaahi miniti ʻoku lau ne fakamo’oni-hingoa pehē ai´,

‘e tali ia ko e fakamoʻoni, ta’e fiema’u ha toe fakamo’oni lahiange, ko ha fakamo’oni fe’unga ia ko e ngaahi meʻa ko ia ʻoku lekooti ʻe he ngaahi miniti peheé na’e hoko mo’oni pe na’e hoko ‘o hangē ko hono lekooti´ pea mo e angamaheni ʻo e ngaahi meʻa peheé pea naʻe hoko ‘a e me’a tatau ʻi ha fakataha naʻe ui pea fakahoko.

**SEKELITALI´**

**48 Fokotu’u mo e Lōloa ʻo e Taimi ‘i he Lakangá**

a. ʻE ʻikai toe si’i hifo ‘i he Sekelitali ‘e tokotahá ‘e fokotu’u ʻe he Poaté ki ha foʻi taimi-ngāue (term) pea ʻi he ngaahi tuʻunga kuo tu’utu’uni ʻe he Poaté.

b. Ke fakaʻehiʻehi mei he veiveiuá, ʻe lava ke hoko faktaha pē ʻa e Sekelitalí ko ha Talēkita.

c. ʻE lava ke toʻo ʻe he Poaté ha fa’ainga Sekelitali pē na’e fokotuʻu pehē.

**NGAAHI LAO-FAKAKAUTAHÁ (BY-LAWS)**

**49 Ngaahi Lao-Fakakautahá (By-Laws)**

d. ʻE lava ke faʻu ʻe he Poaté mei he taimi ki he taimi ha faʻahinga Lao Fakakautaha ‘a ia ‘i he’ene fakakaukaú ʻoku fiemaʻu mo lelei ki hono puleʻi lelei, fakalele mo tokangaʻi ʻo e ngaahi ngāueʻ a e Siasi´, ngaahi fakahoko ngāué, ngaahi meʻa fakapaʻangá, ngaahi meʻa ʻoku tokanga ki ai´, ngaahi olá mo e koloá pea ke fakalelei’i mo fakapekia ʻa e ngaahi Lao Fakakautaha ‘oku fiema’ú mei he taimi ki he taimi.

e. ʻE fakafalala ha Lao Fakakautaha ki he Konisitūtone ni pea he ʻikai ke fepaki ia mo ha faʻahinga tu’utu’uni ʻoku ʻi he Konisitūtone ni.

f. ʻI he taimi ʻoku ngāue’aki ai´, ʻoku haʻi fakalao ‘e he Lao Fakakautahá ʻa e kotoa ‘o e Kāingalotú pea ʻoku ne maʻu ʻa e kaunga tatau mo e Konisitūtone ni.

g. ʻE ngāue’aki ʻe he Poaté ʻa e ngaahi founga ko ia ʻoku ne pehē ‘oku taau ke ʻomai ai ki he tokanga ʻa e Kāingalotú ʻa e kotoa ’o e ngaahi Lao Fakakautahá, ngaahi fakatonutonú mo e ngaahi fakapekiá.

**FAKAHOKO ʻO E NGAAHI TOHI-NGĀUÉ**

50 Fakahoko ʻo e Ngaahi Tohi-ngāué

h. ‘E ala fakahoko ʻe he Siasi´, ‘o ʻikai fakangatangata ʻa e founga ʻe lava ke ne fakahoko ai ha fa’ahing aleapau, kau ai, ʻo hangē ko hano fakangofua ʻi he konga 126 ʻo e Lao Ngaahi Kautahá, ha fa’ahinga felotoi, ngāue pe tohi-ngāue kehe, ʻaki e:

i. fakamoʻoni-hingoa ‘a e ongo Talēkita ‘e toko-ua (2) ‘i he me’a tatau; pe

ii fakamo’oni-hingoa ‘a e Talēkita ‘e toko-taha (1) mo e Sekelitali ‘e toko-taha (1) ‘i he me’a tatau.

i. ʻOku ʻikai ha meʻa ʻi he Konisitūtone ní ʻoku ne fiemaʻu ‘a e Siasi´ ke fakahoko ha faʻahinga felotoi, ngāue pe ha toe tohi-ngāue kehe ʻi he sitapa ʻa e Siasi´ (common seal) kae ‘aona hono fakahoko ʻe he Siasi´.

N**GAAHI ʻAKAUNI´ MO HONO SIVI ʻO E NGAAHI LEKOOTI´**

**51 Ngaahi ʻAkauni´ mo hono SivI´**

ʻE hanga ʻe he Poaté ʻo:

(c) ʻai ke tauhi ʻa e ngaahi lekooti fakapaʻanga totonu pea, kapau ʻe fiemaʻu ʻe he Lao ACNC pe ko e Tu’utu’uni ACNC, ’e teuteu mo tufa ‘a e ngaahi tatau ʻo e ngaahi lipooti fakapaʻanga ʻa e Siasi´ mo ha lipooti ʻa e Kau Talēkitá;

(d) ʻi he feituʻu ʻoku fiemaʻu ai ʻe he Lao ACNC, ʻai ke ʻātitaʻi pe vakaiʻi ʻa e ngaahi lekooti fakapaʻangá ʻe ha tokotaha ʻātita ʻoku paasi moʻoni pe ha taha kehe kuo fakamafai’i ʻe he Lao ACNC; pea

(e) fakapapauʻi mei he taimi ki he taimi pe ko e hā hono lahi pea mo e ngaahi taimi mo e ngaahi feituʻu pea mo e ngaahi tuʻunga pe ngaahi tuʻutuʻuni ʻe ʻatā ai ʻa e lipooti fakapa’anga mo e ngaahi lekooti kehe ʻa e Siasi´ pe ko ha taha pē ʻo kinautolu ki hono vakai’i ʻe he Kāingalotú.

**NGAAHI FANONGONONGÓ**

52 Tufa ‘o e Ngaahi Fanongonongó

* + - * 1. ʻE ala ʻoatu ʻe he Siasi´ ha fanongonongo ki ha fa’ahinga Tokoaha-lotu pē ‘aki hono:

i. tufa fakafakahangatonu ia ki he Tokotaha-lotú;

II. ʻave meili ia ki he Tokotaha-lotú pe ko hono tuku ia ʻi he tu’asila ʻo e Tokotaha-lotú ʻoku hā ʻi he Tohi-lesisitá pe ko e tuʻasila naʻe ʻoatu ʻe he Tokotaha-lotú ki he Siasi´ ki hono ‘oatu ʻo e ngaahi fanongonongó;

iii. ‘ave fekesi (fax) ki he fika fekesi naʻe ʻoatu ʻe he Tokotaha-lotú ki he Siasi´ ki hono ‘oatu ʻo e ngaahi fanongonongó; pe

iv. ʻave ia ki he tuʻasila fakaʻilekitulōnika naʻe ʻoatu ʻe he Tokotaha-lotú ki he Siasi´ ki hono ‘oatu ʻo e ngaahi fanongonongó.

b. Ko ha fa’ahinga Tokotaha-lotu pē kuo teʻeki ai ke ne tuku pe ʻave ki he ʻŌfisi´ ʻa hono tuʻasilá ke fakakau ʻi he Tohi-lesisitá ko e feituʻu ia ʻe ala ʻave ki ai ʻa e ngaahi fanongonongó ki he Tokotaha-lotú, he ʻikai ha’ane totonu ke maʻu ha fa’ahinga fanongonongo.

c. ʻI hano ʻave meili ‘o ha fanongonongo, ʻe lau kuo fakahoko ‘a e tufa ‘o e fanongonongó ʻaki hano fakatu’asila fakalelei, tomuʻa totongi pea meili’i ha tohi ʻoku ʻi ai e fanongonongó pea ʻe lau kuo fakahoko ia ʻi he ʻaho hono ua hili hono meili’i´. Ko e tufa ‘o e fanongonongó ki ha Tokotaha-lotu ‘oku ‘i tu’apule’angá, ʻe lau kuo fai ia ʻi he hala angamaheni ʻo e meili´.

d. ʻI hano ʻave fekesi (fax) pe ‘i ha ngaahi founga fakaʻilekitulōnika kehe ha fanongonongo, ʻe lau kuo fakahoko ‘a e tufa ʻo e fanongonongó ʻaki hano fakatu’asila fakalelei mo hono ʻave ʻa e fanongonongó pea ‘i he me’a peheé, ʻe lau kuo fakahoko ia ʻi he ʻAho Ngāue hili hono ʻavé.

e. ʻE ala ‘ave ʻe he Siasi´ ha fanongonongo ki he kakai ʻoku ʻi ai ʻenau totonu ke ‘inasi ʻi ha iku’anga ʻo ha pekia, faha pe mo’ua hulu ‘o ‘ikai lava totongi (bankruptcy) ʻa ha Tokotaha-lotu ʻaki e:

i. tufa fakahangatonu ki he Tokotaha-lotú ;

ii. ʻave meili ia ‘o fakatu’asila ki he tokotaha ko ia ‘oku hā hono hingoá pe ʻi he hingoa ʻo e fakafofonga ʻo e pekiá pe fahá pe ko e tokotaha ʻoku hiki fakalao ki ai ‘a e mo’uá pe ha faʻahinga fakamatala tatau pē ʻi he tuʻasilá, kapau ʻoku ʻi ai, ʻi ʻAositelēlia, naʻe ʻoatu ki he taumuʻa ko iá ‘e he tokotaha ʻoku ne tala ʻoku ʻi ai ʻene totonu ki ai´;

* + 1. fai ʻo e fanongonongó ʻi ha faʻahinga founga pē ‘a ia naʻe mei fai pehē ʻi ha meʻa tatau kapau naʻe ʻikai hoko ʻa e pekiá, fahá pe mo’ua hulu ‘o ‘ikai lava totongi´ (bankruptcy).

**53 KO HONO TĀPUNI´**

* + - * 1. ʻOku fakafalala ‘a e kupu 53 ni ki ha toe fa’ahinga fiemaʻu ʻoku fokotu’u ʻe he Tohi-Ngāue Faka-Talāsiti´ fekauʻaki mo e koloa ʻa e Paʻanga ʻa e Kakai
        2. Kapau ʻoku kei toe ha koloa hulu hili hono tāpuni ʻa e Siasi´, he ʻikai totongi pe tufa ʻa

i. ‘oku ngāue-‘ofa;

ii. ʻoku faitatau ‘e ne ngaahi taumu’á mo e Ngaahi Taumuʻá;

iii. ko ha tohi-ngāue ki hono pule’i´ ʻoku fiemaʻu ai ke ngāue’aki ʻene paʻanga hū-mai´ mo ʻene koloá ʻi hono paotoloaki ʻene ngaahi taumu’á; pea

iv. ‘oku ‘i ai ‘e ne konisitūtone ʻoku ne taʻofi ia mei hono totongi pe tufaki ʻene paʻanga hū-mai´ mo e koloá ʻi hono kau mēmipá ʻo aʻu ki ha tuʻunga ʻe ‘ikai si’iange ʻo hangē ko hono fokotu’u ʻi he Siasi´ ʻe he kupu 5.2 (c).

**MALU’I´**

**54 Malu’i´**

Ki he tu’unga ‘oku faka’atā ‘e he laó, ʻe malu’i ʻa e ʻŌfisa kotoa pē (mo e ʻŌfisa kimuʻa) ʻo e Siasi´ mei he paʻanga ʻa e Siasi´ mei he ngaahi totongi, ngaahi fakamole mo e ngaahi moʻua kotoa pē kuo fai ʻo hangē ko ha ʻŌisa pe tokotaha ngāue (pe ʻŌfisa pe tokotaha ngāue kimuʻa). Kaekehe, he ʻikai malu’i ha ʻōfisa pehē (pe ʻōfisa kimuʻa) mei he paʻanga ʻa e Siasi´ ʻi he kupu ko ʻeni´ tukukehe:

a. ʻoka fekauʻaki ia mo ha moʻua ki ha tokotaha ‘e taha (kehe mei he Siasi´ pe ko ha sino fauʻaki mo e Siasi´) ʻa ia ko e moʻua ki he tokotaha ko eé ‘oku ‘ikai tupu ia koeʻuhi ko ha ʻulungāanga ʻoku kau ai ha loto ‘oku ‘ikai hanga-mālie; pe

b. ʻoku fekauʻaki ia mo ha moʻua ki he ngaahi totongi mo e ngaahi fakamole kuo fai:

i. ʻi hono taukapoʻi ʻo ha ngaahi hopo, tatau pē pe ko e sivile pe hia, ʻa ia ʻoku fai ai ʻa e tu’utu’uni ‘oku mālohi ʻa e ʻŌfisá (pe ʻōfisa kimuʻá) pe ʻoku hao ʻa e ʻōfisá (pe ʻōfisa kimuʻá); pe

II. ‘i he’ene fekauʻaki mo ha tohi kole, fekauʻaki mo e ngaahi hopo pehē, ʻa ia ʻoku foaki ai ʻe he fakamaauʻangá ha huhu’i ki he ʻŌfisá (pe ʻōfisa kimuʻa) ʻi he Lao Ngaahi Kautahá.

**55 Totongi ʻo e Pa’anga-totongi-malu’i ‘o e Polisi´**

**Malu’i´**

a. Ki he tu’unga ‘oku faka’atā ‘e he laó, ʻe lava ke fakahoko ʻe he Siasi´ ʻi he fakakaukau ʻa e Poaté, ke kau mo/pe totongi ha pa’anga totongi maluʻi fekau’aki mo ha polisi´ malu’i ʻokú ne maluʻi ha ʻŌfisa (pe ʻŌfisa kimuʻa) ʻo e Siasi´ ‘i ha faʻahinga moʻua ʻoku fai ʻe ha taha pehē ‘i he tu’unga ko iá (tatau ai pē pe ‘oku fekau’aki mo e fai pe ta’e fai ‘o ha ngaahi ngāue kimuʻa pe kimui ʻi he ʻaho hono ‘oatu ‘o e polisii´ pe fakatouʻosi) tuku kehe pē:

i. ha moʻua ʻoku tupu mei ha ʻulungāanga ʻoku kau ai hano maumauʻi ‘i he loto’aki, ʻo ha fatongia fekauʻaki mo e Siasi´; pe

II. ha maumau’i ʻo e tuʻunga pule 5 ʻi he konga 45.25 ʻo e Tu’utu’uni ACNC.

b. ʻE maʻu ʻe he Poaté ʻa e tau’atāina ke fili ke tali ʻa e ngaahi tuʻutuʻuni mo e ngaahi tuʻunga ʻo ha faʻahinga polisi´ malu’i pehē.

c. ʻI ha maʻu ʻe ha ʻōfisa (pe ʻōfisa kimuʻa) ‘a e monū ʻo ha maluʻi fakatatau ki ha polisi´ malu’i fekau’aki mo’ene fai pe ta’e fai (o ha ngāue), he ʻikai fiemaʻu ke malu’i ʻe he Siasi´ ʻa e ʻŌfisá ʻi he kupu 54 tukukehe kapau ʻoku ʻikai fakakau kakato ʻe he polisi´ maluʻi´ ʻa e mo’ua ‘o e tokotaha ko iá.

**56 Hokohoko atu ‘o e Malu’i**

i. Ko e malu’i kuo foaki ʻe he Siasi´ ʻoku ʻi he kupu 54 mo e 55, ʻe kei hokohoko atu pē ʻi he mālohi kakato mo e iku’anga, neongo hono tāmateʻi pe liliu ʻo e kupu ko iá, ʻi he fekau’aki mo e ngaahi ngāue naʻe fai mo ʻikai fai kimuʻa ʻi he ʻaho ʻo hono tāmateʻi´ pe liliú.