



Tonga

BUILDING CONTROL AND STANDARDS REGULATIONS

Chapter 8.01.01

2020 Revised Edition



BUILDING CONTROL AND STANDARDS REGULATIONS

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BUILDING CONTROL AND STANDARDS REGULATIONS

Made under section 19 of the Building Control and Standards Act¹

Commencement [17th October 2005]

PART I - PRELIMINARY

1 Short title

These Regulations may be cited as the Building Control and Standards Regulations.

2 Interpretation

In these Regulations, unless the context otherwise requires —

“**Act**” means the Building Control and Standards Act²;

“**Applicant**” means any person who has the authority and intends to undertake building work and who has requested the Building Controller for any permit or approval under these Regulations;

“**permitted work**” means work for which a building permit has been issued under these Regulations;

“**building work**” includes erecting any building, any preparatory work, “**erection of a building**” and “**permitted work**” as defined in the Act;

“**Referral Authority**” means any one or more of the following authorities —

- (a) Minister responsible for Fire Services;

- (b) Minister of Lands, Survey and Natural Resources;
- (c) Minister of Health; and
- (d) any other authority required by law to be consulted.

3 Written communication

All orders, notices, applications, requests and such other communication shall be in writing.

PART II - OPERATION OF THE BUILDING CONTROL DIVISION

4 Application for a building permit

- (1) Any person who wishes to erect a building shall apply to the Building Controller in the form prescribed in Schedule 1 with the proof of payment of the appropriate building permit fee prescribed in Schedule 4.
- (2) The Building Controller may require the following documents —
 - (a) a certified copy of the deed of grant or deed of lease of land;
 - (b) a site plan drawn to scale to —
 - (i) enable the Building Controller to locate the site and to assess the layout of the site in relation to the streets, public places, private access ways, location of nearby power poles and power cables and immediate surroundings; and
 - (ii) show details of water supply to the buildings;
 - (c) complete working drawings showing details of —
 - (i) the structure;
 - (ii) plumbing;
 - (iii) electrical works; and
 - (iv) earthworks;
 - (d) complete architectural drawings showing —
 - (i) the layout of all the rooms with their intended use;
 - (ii) fire exits; and
 - (iii) escape routes;
 - (e) a summary of the structural design criteria used such as wind, seismic and other design loading and properties of materials, as well as the assumptions made in performing the design;
 - (f) structural design calculations and diagrams;

- (g) fire engineering calculations and assumptions, based on test reports or reports from well recognised authorities;
 - (h) test reports on the materials and methods of construction as well as on the relevant soil properties at the site; and
 - (i) detailed specifications for carrying out the work.
- (3) Except as otherwise approved by the Building Controller the plans and drawings in sub-regulation (2) shall be to the following sizes and scales —
 - (a) site plan to A3 or A4 size and scale to 1:200;
 - (b) structural and architectural drawings to A1, A2 or A3 size and to a scale of 1:100 for layout and 1:20 for details; and
 - (c) details shall be shown to a larger scale in the plans and drawings as may be required by the Building Controller.
- (4) The Building Controller may require that a site plan be certified by a qualified land surveyor.

5 Exemptions

An Applicant may be exempted from the provisions of these Regulations and the Code where there is satisfactory evidence that such exemption does not have substantial adverse effects on the users of the building or the public:

Provided that any request under this regulation for exemption from or variation of specific provisions of the Code shall be referred by the Building Controller to the Authority.

6 Evidence of compliance

- (1) The Applicant shall provide satisfactory evidence to the Building Controller that the building work will comply with the performance requirements of the Code.
- (2) All documents attached to the building application shall be submitted in triplicate:

Provided that the Building Controller may require the submission of further copies for submission to Referral Authorities.

7 Consultation with Referral Authorities

- (1) The Building Controller shall refer the application to a Referral Authority where —
 - (a) he deems the Referral Authority to have an interest and responsibility; or
 - (b) it is required by law.

- (2) The Referral Authority shall be deemed to have consented to the application if its comments are not received by the Building Controller within 10 working days:

Provided that the Referral Authority may apply for an extension of time not exceeding a period of one month.

8 Provision for supervision on behalf of the Applicant

The Building Controller may require that an application under regulation 4(1) be accompanied by details of supervision on behalf of the Applicant as prescribed in Schedule 2.

9 Documents to be signed

All applications shall be signed by the Applicant and each supporting document shall be signed on each page by the person responsible for its preparation.

10 Documents filed

- (1) One copy of the documents lodged under regulations 4 and 6 shall be retained by the Division.
- (2) Where a building permit is issued —
 - (a) two copies of the documents connected with the application under regulation 4(1) shall be returned to the Applicant; and
 - (b) the Applicant shall keep one copy of the documents at the building site during construction and make them available to the Building Controller during his inspections.
- (3) The building permit issued shall be *prima facie* evidence of compliance with the requirements of these Regulations.
- (4) Any of the documents retained by the Division under this regulation shall be made available to the public for examination within the premises of the office of the Building Controller on payment of the fee prescribed in Schedule 4.
- (5) Documents retained under this regulation shall be kept either in electronic or written form by the Division for at least the life of the building plus a minimum period of 7 years.

11 Issue of a building permit

- (1) The Building Controller shall issue a building permit in the form prescribed in Schedule 3 within 21 days of receipt of the application or any required supplementary documentation where he is satisfied that —

- (a) the application under regulation 4(1) and the documents comply with these Regulations;
- (b) the proposed building work complies with the requirements of the Code; and
- (c) all Referral Authorities to which the Building Controller has referred the application have consented:

Provided that the Building Controller may delay the issue of a building permit beyond the limit under these Regulations, and shall give reasons for the delay within 5 days of receipt of the application and all documents under regulations 4 and 6.

- (2) The Building Controller may issue a building permit with conditions.

12 Reasons for decisions

- (1) The Building Controller shall have due regard to the safety, health, and amenity of the users of the building and of the public before reaching a decision.
- (2) The Building Controller shall give written reasons for his decision.

13 Refusal to issue a building permit

- (1) The Building Controller may refuse to issue a building permit if he considers that —
 - (a) the information given is inadequate;
 - (b) the proposed building work does not comply with the Code;
 - (c) a Referral Authority has objected to the issuing of a building permit; or
 - (d) any other legal requirement has not been complied with.
- (2) The Building Controller shall advise the Applicant of his refusal with written reasons within 21 days after the last date of receipt of the application and any required documents under regulations 4 and 6.

14 Effect of building permit

A building permit shall allow a building work to proceed on the site, in accordance with the conditions of the permit.

15 Security deposits

The Building Controller shall —

- (a) require the Applicant to deposit a sum of money as security where he considers the building work may cause damage to any Government property;
- (b) require the Applicant to pay additional sums of money where it appears that any damage under this regulation may exceed the amount of money deposited as security; and
- (c) refund any unspent sum paid under this regulation within 90 days of completion of the permitted work.

16 Assessment of proposed work

The Building Controller may —

- (a) assess any application to determine the complexity of the proposed building work; and
- (b) require the Applicant to provide certification from qualified independent consultants that such work complies with the provisions of the Code.

17 Deviation from permitted work

- (1) No deviation or omission shall be made from the approved documents during the execution of the work after a building permit has been issued, unless —
 - (a) amended particulars clearly describing the intended deviation or omission have been submitted to the Building Controller; and
 - (b) the Building Controller has approved the amendment.
- (2) Documents used for the purpose of sub-regulation (1), shall be subject to regulation 10.

18 Currency of building permits

- (1) Subject to these regulations —
 - (a) permitted work shall commence within one year of the date of issue of the building permit;
 - (b) permits for buildings classified as Class 1 or Class 10 as defined under Part A3 of the Code are valid for 2 years from the date of approval unless the permit is renewed in accordance with sub-regulation (2); or
 - (c) permits for all other classes of buildings under Part A3 of the Code are valid for 3 years from the date of approval unless the permit is renewed in accordance with sub-regulation (2).
- (2) An application to renew a building permit shall be made to the Building Controller with evidence that the fee prescribed in Schedule 4 has been paid before the validity of the permit has lapsed.

- (3) The maximum period of each renewal shall be one year.

19 Inspection

- (1) An Applicant shall give 36 hours notice of the following being available for inspection —
 - (a) excavation for foundations in final form before concrete, steel or other construction material placed in the foundation;
 - (b) reinforcing steel, foundation bolts and any other construction material placed in the foundation, and before they are embedded in concrete or other construction material;
 - (c) all framing materials, whether load-bearing or not, prior to covering with other materials;
 - (d) plumbing and sanitary work before such work is covered over by earthwork, concrete or other construction material;
 - (e) any other part or stage of work that the Building Controller may require with prior notice.
- (2) Where the Building Controller suspects on reasonable grounds that the Applicant has contravened these Regulations or the Code he may require the Applicant to open, cut into, demolish or otherwise reveal any work.
- (3) The Applicant shall comply forthwith with any requirements under sub-regulation (2) and bear all costs.

20 Stop-work notices

- (1) The Building Controller may serve notice on the Applicant in the form prescribed in Schedule 5 to stop the permitted work where he is satisfied that the work contravenes these Regulations or the Code.
- (2) Where the work is stopped, neither the Applicant nor any other person shall have any claim against the Division or any of its officers.

21 Remedial action

- (1) The Building Controller shall require and inform in writing any person who owns any completed building which is damaged or deteriorated other than Class 1 as defined under Part A3 of the Code, to carry out remedial action.
- (2) Where remedial action is required, the Building Controller shall re-inspect the work upon receipt of notice that the remedial work has been completed.

22 Inspection on completion of work

- (1) The Applicant shall give notice to the Building Controller upon completion of any permitted work.
- (2) The Applicant shall provide evidence to the Building Controller that the fee prescribed in Schedule 4 have been paid.
- (3) In the case of large works, notice under sub-regulation (1) may, with the prior agreement of the Building Controller, be given progressively in separate well-defined portions of the work.
- (4) The Building Controller shall inspect the work or portions of the work within 7 days of receipt of the notice and determine whether the building work complies with these Regulations and the Code.

23 Certificate of completion

- (1) The Building Controller shall issue a certificate of completion where he is satisfied in an inspection under regulation 22(4) that the building work complies with these Regulations.
- (2) A certificate of completion under sub-regulation (1) shall be in the form set out in Schedule 6 in duplicate and the original copy shall be sent to the Applicant within 7 days of the inspection.

24 Display of Certificate of Completion

The Building Controller shall nominate in writing a location where a copy of the certificate of completion shall be prominently displayed in a building classified under class 3, 5, 6, 7, 8 or 9 of the Code.

25 Certificate of completion not representation of compliance

A certificate of completion shall not constitute a representation by the Building Controller that the work complies with —

- (a) these Regulations or the Code in any respect that would reasonably have been apparent from the inspection under regulation 22(4); or
- (b) any other existing law.

26 Other certificates, registration, license or permits

The issuance of a certificate of completion shall not exempt an Applicant from obtaining any other certificate, registration, licence or permit required under any other laws.

27 Condition of use or occupancy

A person shall not use or occupy a building or any part of it where —

- (a) a certificate of completion has not been issued; or
- (b) the purpose of occupancy is contrary to the purpose stated in the certificate of completion.

PART III - GENERAL SAFETY PROVISIONS

28 General requirements for building work

- (1) A person who uses a public place for the purposes of this Part shall be responsible for providing the necessary safeguards to protect the members of the public from any danger.
- (2) An Applicant shall take all necessary precautions during the validity of a building permit to ensure the safety and health of all persons who have access to the site, adjoining allotments and public places.

29 Application for permission to use public places

A person who —

- (a) has been granted a building permit to carry out work adjacent to a public place; and
- (b) needs to enclose or use a public place in carrying out his work, shall apply to the Building Controller for permission to use the public place in the form prescribed in Schedule 7 and pay the fee prescribed in Schedule 4.

30 Supporting documents

The application for permission to use public places shall be accompanied by —

- (a) details for the consideration of public safety, convenience, and any likely property damage;
- (b) details of the notices, warning devices, screens, scaffold or barricades that the Applicant undertakes to provide in order to ensure public safety and convenience and to prevent any likely damage to property;
- (c) the estimated time and duration over which the public place will be affected; and
- (d) the details of the public liability insurance policy that the Applicant agrees to take before permission can be given.

31 Consultation with Government Departments

The Building Controller, in considering the application under regulation 29 shall —

- (a) consult relevant Government departments in whose jurisdiction the public safety, convenience, and likely property damage may rest; and
- (b) have due regard for public safety, convenience, and any likely property damage.

32 Further details needed

Upon receipt of an application, the Building Controller shall advise in writing the Applicant where further details are needed.

33 Approval

The Building Controller shall grant approval in the form prescribed in Schedule 8 where the Applicant has —

- (a) submitted all details required under regulation 30; and
- (b) provided evidence of a valid insurance policy to cover liability.

34 Direction of occupants to safe exits in emergency

Any person in charge of the use of a building shall assign one or more of his employees to be responsible for directing the occupants of a building to safe exits in the case of an emergency.

PART IV - CHANGE IN THE USE OF EXISTING BUILDINGS**35 Change of use**

A person shall not change the use of a building unless a certificate for change of use in the form prescribed in Schedule 10 for the proposed new use has been obtained from the Building Controller.

36 Application for Certificate for Change of Use

Any person who intends to change the use of a building shall —

- (a) complete the application in the form prescribed in Schedule 9;
- (b) pay the fee prescribed in Schedule 4; and
- (c) provide any further details needed by the Building Controller.

37 Issuance of Certificate for Change of Use

The Building Controller shall issue a certificate for change of use where —

- (a) he is satisfied that the proposed new use will not endanger the safety and health of the public or of the users of the building; and
- (b) the fee prescribed in Schedule 4 has been paid

38 Display of Certificate for Change of Use

The Building Controller shall nominate in writing a location where a copy of the certificate for change of use shall be prominently displayed when the building is classified as class 3, 5, 6, 7, 8 or 9 of the Code.

39 Non-issuance of certificate

- (1) The Building Controller shall not issue a certificate for change of use unless he is satisfied that the building complies with the requirements of the proposed new use.
- (2) The Building Controller shall advise the Applicant in writing of the reasons why he shall not issue a certificate for change of use.

PART V - DELEGATION OF FUNCTIONS OF THE BUILDING CONTROLLER

40 Delegation of functions of the Building Controller

The Building Controller shall, for the purposes of determining a particular matter where it is reasonably necessary to exercise specialist professional skills and judgement that he does not possess —

- (a) delegate to a qualified person the powers, duties, authorities, and jurisdiction of the Building Controller that are relevant to the specialised aspects of that particular matter; or
- (b) follow the procedure for the acceptance of design and construction given in Part A2 of the Code.

41 Matters to take into consideration

The Building Controller when examining an application under these Regulations shall consider the following —

- (a) established principles of engineering, building design, construction and good trade practices;

- (b) whether any material or proprietary products not specifically covered under the Code have established records of satisfactory performance in their intended use over a considerable time; or
- (c) whether the manufacturer has —
 - (i) specifically designated them for the intended use;
 - (ii) supplied to their potential users clear and adequate technical information on their relevant properties, method of installation and the intended use; and
 - (iii) provided to the Building Controller relevant test information and assessments of their performance in the intended use, by an authority acceptable to the Building Controller.

PART VI - DEMOLITION

42 Voluntary demolition

A person who wants to demolish or pull down a building or part of a building shall apply in the form prescribed in Schedule 11 to the Building Controller with details of the method proposed, safety precautions that will be taken, and precautions against nuisance and pollution.

43 Consideration of Application

Where the Building Controller is considering an application for a demolition permit he may request from the Applicant —

- (a) any further documents; or
- (b) any appropriate additions and alterations to his proposal.

44 Issuance of certificate

The Building Controller shall examine the application with all the supporting documents and if he is satisfied that the demolition will not endanger safety or health or create any undue nuisance or pollution, he shall issue a demolition permit in the form prescribed in Schedule 12.

45 Demolition permit not required

A demolition permit shall not be required where —

- (a) the building area to be demolished does not exceed 10 square metres and no other demolition of the building has occurred within a period of 2 years;

- (b) it is a non-habitable outbuilding of 15 square metres or less;
- (c) it is a traditional Tongan building such as a fale of 25 square metres or less and built substantially using traditional methods and materials; or
- (d) it is a structure such as a mast or antenna of less than 15 metres height; or
- (e) it is a fence, retaining wall or free-standing wall or the like less than three metres in height.

46 Demolition Notice

The Building Controller shall, where a building is being erected or has been erected without a building permit, serve a demolition notice in the form prescribed in Schedule 13 on the owner of the building.

47 Content of Demolition Notice

A demolition notice shall order the owner of the building to stop forthwith any use or occupancy and further work on the building and either —

- (a) apply in the form prescribed in Schedule 1 for a building permit and pay the fee prescribed in Schedule 4;
- (b) provide any further details required by these Regulations; or
- (c) demolish the building within the period specified in the notice.

48 Failure to carry out work

Where any person has failed to —

- (a) lodge an application for a building permit or pay the prescribed fees; or
- (b) comply with a demolition notice within 5 days of receiving it,

the Building Controller shall take steps to demolish the building, within the period stated in the notice to demolish, at the risk and expense of the owner.

49 Imminent danger to public

- (1) The Building Controller may declare any structures associated with a building whether erected before or after the Act, to be dangerous where it does not comply with any provisions of the Code concerning safety.
- (2) The Building Controller shall —
 - (a) declare a structure as dangerous under sub-regulation (1) to be imminent if it relates to the safety of the public; and
 - (b) forthwith arrange for its immediate demolition.

- (3) The Building Controller shall treat the cost and associated expenses of such demolition as a debt due.

50 Danger not imminent

- (1) The Building Controller shall, where the dangerous structure declared under regulation 49(1) is not imminent, serve a notice in the form prescribed in Schedule 13 on the owner of the structure requiring him to demolish the structure within 15 working days of receipt of the demolition notice.
- (2) The Building Controller shall treat a non-imminent dangerous structure as imminent where demolition has not been completed within the period stated in a demolition notice under regulation 46.

PART VII - THE AUTHORITY

51 Appointment

- (1) The Minister shall, with the consent of Cabinet —
 - (a) appoint a chairman from the members of the Authority appointed under the Act; and
 - (b) appoint a secretary on such terms and conditions as he deems appropriate.
- (2)
 - (a) Members of the Authority shall hold office for a term of 3 years.
 - (b) The Minister may, with the consent of Cabinet, re-appoint a member of the Authority at the expiry of his term of office.

52 Resignation, removal and replacement

- (1) A member of the Authority may resign from office by giving notice in writing to the Minister.
- (2) The Minister may, with the consent of Cabinet, remove a member who is —
 - (a) insolvent;
 - (b) convicted of a criminal offence punishable by imprisonment for more than 2 years;
 - (c) certified by a registered medical practitioner and verified by the Director of Health as mentally incapable of fulfilling his duties; or
 - (d) convicted of any offence under the Act or these Regulations.

- (3) The Minister may, with the consent of Cabinet, appoint a person to replace a member of the Authority who —
 - (a) dies;
 - (b) resigns; or
 - (c) is removed from office.

53 Advisory Body

The Authority may appoint competent persons to constitute an Advisory Body to deal with matters submitted to the Authority that require detailed technical vetting.

54 Meetings of the Authority

- (1) The chairman shall preside at every meeting of the Authority, and in his absence the members present shall appoint one of their members to act as chairman of that meeting.
- (2) The chairman has a deliberative vote and in the event of an equality of votes, also has a casting vote.
- (3) The quorum of every meeting of the Authority shall be three.
- (4) The majority decision shall prevail.
- (5) Decisions of the Authority shall record —
 - (a) the reasons for those decisions; and
 - (b) any contrary view to the decision of the majority.

55 Disqualify on conflict of interest

Any member of the Authority who has a personal or financial interest in any matter coming before the Authority shall —

- (a) declare that interest to the chairman; and
- (b) take no further part in the deliberations on that matter.

56 Resolutions by circulation

- (1) A resolution by circulation signed by a majority of the Authority shall be deemed to have been duly passed at a meeting of the Authority.
- (2) Decisions of the Authority by circulation shall record —
 - (a) the reasons for those decisions; and
 - (b) any contrary view to the decision of the majority.

57 Effects and notice of requests

- (1) The Building Controller shall report to the Authority where there have been 4 or more Applicants exempted within a 12-month period from a particular provision of these Regulations or Code.
- (2) The Authority shall —
 - (a) consider the detailed implications of such requests on the practicality of the subject provisions of the Code; and
 - (b) examine whether there is a need to alter or delete the provisions.

58 Examination and amendment

- (1) The Authority shall periodically examine the operation of the Code and these Regulations to determine if any provisions —
 - (a) allow sub-standard work to be done on buildings; or
 - (b) adversely affect the safety, health or amenity of the public and of the users of the building.
- (2) Any proposed amendment to the Code or these Regulations determined by the Authority due to examinations under these Regulations shall consider —
 - (a) the safety, health and amenity of the public and users of the building; and
 - (b) implications on other provisions of the Code and these Regulations.

59 Allowances

The Minister may, with the approval of Cabinet, determine remuneration for members of the Authority.

PART VIII - APPEALS

60 Determination and cost of appeals

- (1) Appeals sent to the Authority or the Minister shall be lodged within 28 days from the date of the decision and accompanied by a non-refundable fee of \$50.
- (2) Any evidence called by the Authority under section 16(2) of the Act shall be given within the period required by the Authority.
- (3) All costs relating to an appeal may be awarded in the cause of the proceedings to the successful party.

SCHEDULE 1

BUILDING PERMIT APPLICATION

SCHEDULE 1
TEPILE 1(Regulation 4(1) and 47(a))
(Tu'utu'uni 4(1) mo e 47(a))BUILDING PERMIT APPLICATION
TOHI KOLE HA FAKANGOFUA KE LANGA

The Building Controller
Pule Langa
Building Control Division
Va'a 'o e Pule Langa
Ministry of Works
Potungau'e Ngaue
P.O. Box 52
Puha 52
NUKU'ALOEA

Dear Sir,
Tangata'eiki,

I, of
Ko au (Applicant) 'o (address)
(Taha kole) (tu'asila)

apply for a permit to construct/alter
'oku ou tohi kole ki ha ngofua ke langa/liliu

(brief description of building and use or occupancy)
(fakamatala nounou 'o e fale mo hono ngaue'aki pe nofo'i)

Owner's Name..... Postal Address.....
Hingoa 'a e taha 'a'ana Puha meili

Site Details**Ngaahi Fakaiiki 'o e Feitu'u tu'u'anga**

Road Name..... Village.....
Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
Motu Vahefonua

*I attach 3 of the following details for your reference-

*'Oku ou 'oatu fakataha mo e tatau 'e 3 'o e ngaahi fakaiiki 'o e ngaahi me'a ni ki ha'o fiema'u.

- (a) Locality plan and site plan.
Palani 'o e feitu'u mo e palani 'o e feitu'u tu'u'anga.
- (b) Working drawings showing details of structure, plumbing, electrical work and earthworks.
Ngaahi mape ngaue fakaiiki ai 'a e ngaahi fakamatala 'o e fa'unga, ngaue fakapalama, ngaue faka'uila mo e ngaahi ngaue ki he kekekele.
- (c) Architectural drawings including the use of each room.
Ngaahi mape faka'akiteki ki he langa fale kau ai mo e taumu'a hono ngaue'aki 'o e loki taktiaha.
- (d) Structural design method used.
Ngaahi tu'unga na'e ngaue'aki ki hono tisaini 'o e fa'unga.
- (e) Design calculations and diagrams.
Ngaahi fika'i mo e ngaahi fakatata 'o e tisaini.
- (f) Fire engineering calculations.
Ngaahi fika'i faka'enisinia ki he veda.
- (g) Test reports and certificates.
Ngaahi lipooti sivi mo e tohi fakamo'oni.

- (h) Specifications.
Ngaahi tu'utu'uni pau.

*Delete as appropriate

*Tamate'i ki he'ene tonu

My builder is (Complete if known)

Ko 'eku taha langa ko (Fakafonu kapau 'oku 'ilo'i)

(name and address)

(hinga mo e tu'asila)

as is the holder of Ministry of Labour, Commerce and Industries Trade Licence No.

pea ko e taha ia 'oku ne ma'u 'a e Laiseni Fefakatau'aki 'a e Potungāue Ngāue 'a e Kakai, Fefakatau'aki mo e Ngaahi Ngāue'anga Fika

Cost of Building Work \$..... Building Permit Fee \$..... Receipt No.
Mahu'inga 'o eNgāue Langa \$ Totongi 'o e fakangofua ke langa \$ Fika 'o e Talitotongi

Yours faithfully

Faka'apa'apa atu.

.....
(Signature of Applicant)
(Fakamo'oni hinga 'o e Taha kole)

...../...../20.....
(Date)
(Aho)

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa pe kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia naua 'oku totonu 'i loto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 2

DETAILS OF SUPERVISION ON BEHALF OF APPLICANT

SCHEDULE 2

TEPILE 2

(Regulation 8)

(Tu'utu'uni 8)

DETAILS OF SUPERVISION ON BEHALF OF APPLICANT

NGAAHI FAKAIKIKI 'O E TOKANGA'I 'O E NGAUE MA'A E TAHA KOLE

The Building Controller
Pule Langa
 Building Control Division
Va'a 'o e Pule Langa
 Ministry of Works
Potungaue Ngaue
 P.O. Box 52
Puha 52
NUKU'ALOEA

Dear Sir,
Tangata'eiki,

With reference to my application dated

'O fekau'aki mo 'eku tohi kole 'i he 'aho

for building.....
ki he fale (brief description of building)
(fakamatala nounou 'o e fale)

Located at
Tu'u 'i

Road Name..... Village.....
Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
Motu Vahefonua

I have arranged for the following person to supervise and direct the work on my behalf:
Kuo u 'osi fokotu'utu'u ki he tokotaha 'oku ha 'i lalo ke ne tokanga'i mo fakahinohino 'a e ngaue ma'aku:

Name and Address
Hingoa mo e Tu'asila

Position
Tu'unga ngaue

Qualifications.....
Ngaahi poto'i ngaue

Experience.....
Taukei ngaue

I undertake to carry out all lawful instructions given by you and your officers to
'Oku ou fakapapau ke fakahoko 'a e ngaahi tu'utu'uni fakalao kotoa pe 'oku ke 'omai pea mo ho'o kau 'ofisa kia

.....
 (name and position)
(hingoa mo e tu'u'anga)

as if they are instructions given by you to me.
'o hange pe ha tu'utu'uni kuo fakahoko mai 'e koe kia au.

Yours faithfully
Faka'apa'apa atu,

..... //20.....
 (Signature of Applicant) (Date)
(Fakamo'oni hingoa 'o e Taha kole) ('Aho)



SCHEDULE 3

BUILDING PERMIT

SCHEDULE 3

TEPILE 3

(Regulation 11(1))

(Tu'utu'uni 11(1))

BUILDING PERMIT

TOHI FAKANGOFUA KE LANGA

Permit No.: _____

Date of Issue: _____

Fika 'o e Tohi Fakangofua: _____

'Aho Foaki

Construction must
commence before _____Kuo pau ki he langa
ke kamata kimu'a 'i

To: _____

Kia: _____

Dear Sir/Madam
Tangata'eiki/Fine'eiki

Please refer to your building permit application dated supporting documents provided by you, and further correspondence between us. You are hereby permitted to erect on the land described as Katakai 'o vakai hifo ki ho'o tohi kole fakangofua ke langa 'i he 'aho ngaahi tohi ngaue poupu na'a ke 'omai, mo e to e ngaahi fetohi'aki 'i hota va. Ko ia ai 'oku fakangofua koe ke ke fokotu'u 'i he konga kelekele 'oku fakamatala'i koe

Road Name Village
Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed Folio No.
Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island District
Motu Vahefonua

The following structure for use as Class
'A e fa'unga ni ke ngaue'aki ki he Kalasi

CONDITIONS OF THIS PERMIT

NGAAHI TU'UTU'UNI 'O E TOHI FAKANGOFUA NI

1. You shall erect the building to the complete detail shown on the documents as finally approved by me and conforming to all the relevant requirements of the Building Control and Standards Act 2002, the Building Control and Standards Regulations 2005 and the National Building Code of the Kingdom of Tonga.
Kuo pau ke ke fokotu'u 'a e fale 'o fakatatau ki he fakamatala kotoa kuo fakaha 'i he ngaahi tohi ngaue 'a ia na'e fakangofua fakamuimui taha 'e au pea muimui ki he ngaahi fiema'u 'a e Lao ke Pule'i mo Tu'utu'uni ha Ngaahi Tu'unga ki he Langa Fale 2002, Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 pea mo e Tu'utu'uni Fakafonua 'o e Langa Fale 'a e Pule'anga Tonga.
2. In case you intend to make any change to the approved details or to the intended use or occupancy of the building, you are required to have my prior approval.
'I he taimi 'oku ke taumu'a ai ke fai ha liliu ki he ngaahi fakaikiiki kuo fakangofua pe ki he taumu'a ki hono ngaue'aki pe nofo'i 'o e fale, 'oku fiema'u ke ke mu'aki ma'u ha'aku fakangofua.
3. This building permit will expire at the end of 12 months from the date of issue unless work is on the site before the end of 12 months from the date of issue.
Ko e tohi fakangofua ke langa ko 'eni 'e 'osi hono 'aonga hili 'a e mahina 'e 12 mei he 'aho na'e foaki ai tuku kehe kapau ko e ngaue kuo 'osi kamata 'i he feitu'u tu'u'anga kimu'a he 'osi 'a e mahina 'e 12 mei he 'aho na'e foaki ai.
4. A building permit shall be deemed to include the following conditions-
Kuo pau ki he tohi fakangofua ke langa ke pehe 'oku fakakau atu ki ai 'a e ngaahi tu'unga ko 'eni-

- (a) that the Building Controller is entitled during normal working hours, and at other times when the permitted work is in progress, to enter the premises and inspect the whole or any part of the work; and
'oku fakamafai'i 'a e Pule Langa lolotonga 'a e houa ngaue angamaheni, pea mo ha to e taimi kehe pe 'i he taimi 'oku fakahoko ai 'a e ngaue, ke ne hu ki he loto 'api mo sivi fakakatoa pe ha fa'ahinga konga 'o e ngaue; pea
- (b) that the Applicant, his contractors and workers engaged in carrying out the permitted work shall provide all assistance required for the inspection of the work.
kuo pau ki he Taha kole mo 'ene kau ngaue alcapau mo 'ene kau ngaue 'oku nau kau 'i hono fakahoko 'o e ngaue kuo fakangofua kenau 'oatu 'a e tokoni kotoa pe 'oku fiema'u ki hono fakahoko 'o e sivi 'o e ngaue.

OTHER CONDITIONS

Ngaahi Tu'utu'uni kehe

Enclosed are two copies of the documents connected with your application and approved by me with alterations as required. One copy shall be maintained by you at the building site and shall be available during my inspections.

'Oku 'oatu fakataha heni 'a e tatau 'e ua 'o e ngaahi tohi ngaue fekau'aki mo ho'o tohi kole pea fakangofua 'e au mo ha ngaahi liliu 'a ia na'e fiema'u. Kuo pau ki he tatau 'e taha ke tauhi 'e koe 'i he feitu'u tu'u'anga 'o e langa pea kuo pau ke ala ma'u lolotonga 'eku ngaahi taimi sivi.

Yours faithfully

Faka'apa'apa atu,

Building Controller

Pule Langa

SCHEDULE 4

FEES

SCHEDULE 4

TEPILE 4

(Regulations 4(1), 10(5), 15(1), 18(2), 22(2), 29, 37(2)(b) and 47(a))
(Ngaahi Tu'utu'uni 4(1), 10(5), 15(1), 18(2), 22(2), 29, 37(2)(b) and 47(a))

FEES

NGAAHI TOTONGI

The following shall be the fees for applications and requests made to the Building Controller.
Kuo pau ko e totongi 'o e ngaahi tohi kole mo e ngaahi kole 'oku fai ki he Pule Langa 'oku hā 'i lalo.

1. Regulation 4(1) Building permit fee <i>Tu'utu'uni 4(1) Totongi ki he Fakangofua ke Langa</i>	
(a) Classes 1, 2, 4 and 10 buildings and structures the floor area of which can be measured. <i>Ko e Kalasi 1, 2, 4 mo e 10 ko e ngaahi fale mo e ngaahi fa'unga 'a ia ko e 'elia 'a hono faliki 'e ala lava 'o fua</i>	Up to 50 square metres \$ 10.00 <i>A'u ki he sikuea mita 'e 50 \$ 10.00</i> From 51 to 75 square metres \$ 20.00 <i>mei he sikuea mita 'e 51 ki he 75 \$ 20.00</i> From 76 to 130 square metres \$ 50.00 <i>Mei he sikuea mita 'e 76 ki he 130 \$ 50.00</i> From 131 to 200 square metres \$100.00 <i>Mei he sikuea mita 'e 131 ki he 200 \$100.00</i> Over 200 square metres \$100.00 plus \$1 per square metre in excess of 200 square metres <i>Hulu hake 'i he sikuea mita 'e 200 \$100.00 tanaki ki ai 'a e \$1 ki he sikuea mita takitaha 'e hulu hake mei he sikuea mita 'e 200</i>
(b) Class 10 structures, which require a building permit and which cannot be measured by floor area, such as retaining walls and fences. <i>Ngaahi fa'unga Kalasi 10, 'a ia 'oku fiema'u ha fakangofua ke langa pea 'a ia ko e 'elia 'o e faliki 'e 'ikai lava 'o fua, 'o hange ko e ngaahi holisi ta'ofi mo e ngaahi 'aa.</i> - water tanks and solar water heaters <i>'u tangike vai mo e 'u hita vai 'aki e ivi mei he la'a</i> - fences, antenna, swimming pool, masts or the like <i>ngaahi 'aa, 'anitena, vai kaukau, fanaa pe hano tatau</i>	\$2 per square metre of vertical face area <i>\$2 ki he sikuea mita 'o e 'elia hanga mai</i> Exempt from fees <i>Faka'ata mei he ngaahi totongi</i> \$10.00 <i>\$10.00</i>
(c) Class 3 buildings <i>Ngaahi Fale Kalasi 3</i>	\$4 per square metre of the total floor area of the buildings <i>\$4 ki he sikuea mita 'o e fakakatoa 'o e 'elia 'o e faliki 'o e ngaahi fale</i>
(d) Class 5, 6, 7, 8 and 9 buildings <i>Ngaahi Fale Kalasi 5, 6, 7, 8 mo e 9</i>	\$5 per square metre of the total floor area of the buildings <i>\$5 ki he sikuea mita takitaha 'o e 'elia kotoa 'o e faliki 'o e fale</i>

Notes

Fakamatala

- The classifications of buildings correspond to the Code classification.
Ko e fakakalakalasi 'o e ngaahi 'oku hoa mo e fakakalakalasi 'i he Tu'utu'uni Langa.
 - Total floor area of a building means the sum of the floor areas of all the storeys in the building measured externally.
Ko e fakakatoa 'o e 'elia 'o e faliki 'o ha fale 'oku 'uhinga ki he katoa 'o e 'elia 'o e faliki 'o e 'u fungavaka kotoa 'i hono fua 'o e fale 'i tu'a.
2. Regulation 10(4)–Fee for examination to documents
Tu'utu'uni 10(4)–Totongi ki hono sivi 'o e ngaahi tohi ngaue
- The fee for the examination of documents under sub-regulation 10(4) shall be 10 percent of the building permit fee paid for the building concerned, subject to a minimum of \$10.
Kuopau ko e totongi ki hono sivi 'i 'o e ngaahi tohi ngaue 'i he tu'utu'uni si'i 10(4) ko e peseti 'e 10 'o e totongi 'o e fakangofua ke langa ki he fale ko ia, fakatatau ki he totongi si'isi'i taha ko e \$10.

3. Regulation 18(2)–Application to renew a building permit
Tu'utu'uni 18(2)–Tohi kole ke fakafu'ou ha tohi fakangofua ke langa
 The fee for the renewal of a building permit shall be 20 percent of the fee that was paid to get the permit originally.
Kuo pau ko e totongi ki hono fakafu'ou 'o ha tohi fakangofua ke langa ko e peseti 'e 20 'o e totongi na'e totongi ke ma'u 'aki 'a e fuofua tohi fakangofua ke langa.
4. Regulation 22–Request for inspection of the completion of work
Tu'utu'uni 22–Kole ke sivi 'a e ngaue kuo lava kakato
 The fee for the inspection of a building or work shall be 10 percent of the fee paid for the building under regulation 4(1), subject to a minimum of \$10 for each inspection.
Kuopau ko e totongi ki hono sivi 'o ha fale pe ngaue ko e peseti 'e 10 'o e totongi na'e totongi ki he fale 'i he tu'utu'uni 4(1), fakatatau ki he totongi si'isi'i taha ko e \$10 ki he sivi takitaha.
5. Regulation 29–Permission to use public places
Tu'utu'uni 29–Fakangofua ke ngaue'aki 'a e ngaahi feitu'u fakapule'anga
 The fee shall be \$100 for each application.
Kuopau ko e totongi ko e \$100 ki he tohi kole takitaha.
6. Regulation 37–Application for certificate for change of use
Tu'utu'uni 37–Tohi kole ki ha tohi fakamo'oni liliu hono ngaue'aki
 The fee shall be 20 percent of the building permit fee under regulation 4(1) for the building concerned as if it was being built for the proposed new use.
Kuopau ko e totongi ko e peseti 'e 20 'o e totongi ki he fakangofua ke langa 'i he tu'utu'uni 4(1) ki he fale ko ia 'o hange pe 'oku langa ki he taumu'a fo'ou 'oku fokotu'u atu.
7. Regulation 47(a)–Application for a building permit resulting from a demolition notice
Tu'utu'uni 47(a)–Tohi kole ki ha tohi fakangofua ke langa ko e ola 'o e tohi fakaha holoki
 The fee accompanying an application for a building permit which has resulted from the service of a demolition notice under section 14 of the Act shall be four times the corresponding fee that would otherwise be applicable against item one of this Schedule under Regulation 4(1).
Ko e totongi 'oku 'oatu fakataha mo ha tohi kole ki ha tohi fakangofua ke langa 'a ia ko e tupu mei hano 'oatu 'o ha tohi fakaha holiki 'i he kupu 14 'o e Lao kuo pua ke liunga fa 'a e totongi fehoanaki 'e ala ngaue'aki ki he me'a 'uluaki 'oku ha 'i he tepile ko 'eni 'i he Tu'utu'uni 4(1).

SCHEDULE 5

STOP-WORK NOTICE

SCHEDULE 5

TEPILE 5

(Regulation 20(1))

(Tu'utu'uni 201))

STOP-WORK NOTICE

TOHI FAKAHA TA'OFI NGAUE

To:

Kia:

Date.....

'Aho

Dear Sir/Madam

Tangata 'ciki/Fine 'ciki

Reference:.....

Fika:

I have been informed that the work you are carrying out on the land located at

Kuo fakahoko mai kiate au ko e ngaue 'oku lolotonga fakahoko 'i he konga kekelele 'oku tu'u 'i

Road Name..... Village.....

Hingoa 'o e Hala..... Kolo

Lot No. Plan of Subdivision Deed..... Folio No.

Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....

Motu..... Vahefonua

does not comply with the Building Control and Standards Act 2002, the building Control and Standards Regulations 2005 and the National Building Code. I understand that -

'oku 'ikai faipau ki he Lao ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2002, Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 pea mo e Tu'utu'uni Langa Fakafonua. 'Oku ou mahino'i ko e-

Therefore I instruct you under regulation 20 to stop work forthwith to the extent

Ko ia ai 'oku ou tu'utu'uni kiate koe 'i he tu'utu'uni 20 ke ta'ofi leva 'a e ngaue 'i he taimi ni pe ki ha

for a period of.....

vaha'a taimi ko e

During the period that the work is stopped under this notice you shall submit

Lolotonga 'a e vaha'a taimi 'oku ta'ofi ai 'a e ngaue 'i he tohi fakahaa ni, kuo pau ke ke 'omai

On receipt of these details you may be allowed to resume work on the condition that you shall meet all of the relevant requirements of the Building Control and Standards Regulations 2005 and the National Building Code. 'I hono ma'u 'a e ngaahi fakaikiiki ko 'eni, 'e ngofua ke to e hoko atu 'a e ngaue 'i he tu'unga te ke fakahoko kotoa 'a e ngaahi feima'u 'a e Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 pea mo e Tu'utu'uni Langa Fakafonua.

Yours faithfully

Faka'apa'apa atu

Building Controller

Pule Langa

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia naua 'oku totonu 'i lotu 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 6

CERTIFICATE OF COMPLETION

SCHEDULE 6

TEPILE 6

(Regulation 23(2))

(Tu'utu'uni 23(2))

CERTIFICATE OF COMPLETION

TOHI FAKAMO'ONI 'O E LAVA KAKATO

To:
 Kia: Certificate No.
 Tohi Fakamo'oni Fika
 Date
 'Aho

Dear Sir/Madam
 Tangata'eiki/Fine'eiki

Reference: Building Permit No.
 Fika: Tohi Fakangofua ke Langa Fika

I have inspected.....situated at
 Kuo u sivi..... 'a ia 'oku tu'u 'i

(brief description of building)
 (fakamatala nounou 'o e fale)

Road Name..... Village.....
 Hingoa 'o e Hala..... Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
 Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
 Motu Vahefonua

on..... I have determined within the limitations imposed by the completed nature of
 'i he (insert date) Kuo u fakapapau'i 'i loto 'i he ngaahi fakangatanga na'e hififaki 'e he natula
 (fakafo'u 'a e 'aho)

the work and of my responsibilities, that the building complies with the Building Control and Standards Regulations 2005 and the National Building Code.

'o e ngaue kuo lava kakato pea mo hoku ngaahi fatongia, ko e langa 'oku faipau ki he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 pea mo e Tu'utu'uni Langa Fakafonua.

Part of Building.....	Permitted Use.....	Class.....
Konga 'o e Fale	Ngaue'aki kuo fakangofua	Kalasi
Allowable Floor Loading*.....	Number of people deemed accommodated*	
Uta 'e malava 'e he faliki*	Tokolahi 'o e kakai 'oku lau tenau nofo'i*	

Part of Building.....	Permitted Use.....	Class.....
Konga 'o e Fale	Ngaue'aki kuo fakangofua	Kalasi
Allowable Floor Loading*.....	Number of people deemed accommodated*	
Uta 'e malava 'e he faliki*	Tokolahi 'o e kakai 'oku lau tenau nofo'i*	

*Not required for Classes 1, 2, 4 or 10

*Ikai fiema'u ki he kalasi 1, 2, 4 pe 10

You shall not use or occupy nor allow nor suffer any other person to use or occupy the building for any other purpose than what is permitted by the classification given in this certificate.

Kuo pau ke 'ou na'a ke ngaue'aki pe nofo'i pe fakangofua pe tuku ha to e tokotaha ke ngaue pe nofo'i 'a e fale ki ha to e fa'ahinga taumu'a kehe mei he me'a 'oku fakangofua 'i hono fakakalalasi 'oku 'oatu 'i he tohi fakamo'oni ni.

If any change in use is contemplated, you are required to submit an application under regulation 36 of the Building Control and Standards Regulations 2005 for my consideration.

'I ha to e fa'ahinga liliu 'oku fakakaukau'i, 'oku fiema'u koe ke 'omai ha tohi kole 'i he tu'utu'uni 36 'o e Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 keu vakai'i.

Where the building is either of Class 3, 5, 6, 7, 8 or 9 this certificate will be prominently displayed at
 'I he taimi 'oku kalasi 3, 5, 6, 7, 8 pe 9 'a e fale, ko e tohi fakamo'oni ni kuo pau ke fakahaha mahino 'i he

(specify location in the building)
 (fakaha ha tu'u'anga 'i he fale)

Yours faithfully
 Faka'apa'apa atu

.....
 Building Controller
 Pule Langa

SCHEDULE 7

APPLICATION FOR PERMISSION TO USE PUBLIC PLACES

SCHEDULE 7

TEPILE 7

(Regulation 29)

(Tu'utu'uni 29)

APPLICATION FOR PERMISSION TO USE PUBLIC PLACES

TOHI KOLE FAKANGOFUA KE NGAUE'AKI 'A E NGAHI FEITU'U FAKAPULE'ANGA

To: The Building Controller
 Kia: Pule Langa
 Building Control Division
 Va'a 'o e Pule Langa
 Ministry of Works
 Potungaue Ngaue
 P.O. Box 52
 Puhu 52
 NUKU'ALOFA

Dear Sir
 Tangata'eiki

Reference: Building Permit No. _____

Fika: Tohi Fakangofua ke Langa Fika

The following work is in "progress/proposed".....at

Ko e ngaue ni 'oku lolotonga fakahoko/fokotu'u atu 'i

Road Name..... Village.....

Hingoa 'o e Hala..... Kolo.....

Lot No. Plan of Subdivision..... Deed..... Folio No.

Fika 'o e Konga Palani 'o e Vahe Si'i..... Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....

Motu..... Vahefonua

Details of work.....

Ngaahi fakakiiki 'o e ngaue

Permit No. (if applicable).....

Fika Ngofua ('o ka ma'u)

In order to carry out the work there is a need to use the public "place/road/street known

Koe'uhi ke malava 'o fakahoko 'a e ngaue 'oku 'i ai 'a e fiema'u ke ngaue'aki 'a e "feitu'u/hala/hala loto kolo

fakapule'anga 'oku 'iloa

as.....for the period from.....to.....

ko.....ki he vaha'a taimi mei he.....ki he

The reasons for this request are:-

Ko e ngaahi 'uhinga ki he kole ni ko e:

I enclose the following details and undertakings for your reference and consideration:-

'Oku 'oatu fakataha mo e tohi ni 'a e ngaahi fakamatala mo e ngaahi me'a ke fai ki ai ha'o vakai mo ha'o fakakaukau:

I request permission under regulation 29 of the Building Control and Standards Regulations 2005 for my proposal.

'Oku ou kole ha ngofua 'i he tu'utu'uni 29 'o e Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa

Fale 2005 ki he'eku fokotu'u na'e fai atu.

Yours faithfully

Faka'apa'apa atu

...../...../20.....

(Signature of Applicant)

(Date)

(Fakamo'oni Hingoa 'o e Taha Kole)

('Aho)

Application Fee \$.....

Receipt No.

Totongi 'o e Tohi Kole \$.....

Fika 'o e Tali Totongi.....

*Delete as appropriate

*Tamate'i ki he'ene tonu

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene tononu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia nana 'oku tononu 'i loto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 8

PERMISSION TO USE PUBLIC PLACES

SCHEDULE 8

TEPILE 8

(Regulation 33)

(Tu'utu'uni 33)

PERMISSION TO USE PUBLIC PLACES

FAKANGOFUA KE NGAUE'AKI 'A E NGA'HI FEITU'U FAKAPULE'ANGA

To:

Kia:

Date:

'Aho

Dear Sir/Madam
Tangata'eiki/Fine'eiki

Reference: Building Permit No.

Fika: Tohi Fakangofua ke Langa Fika:

Please refer to your application dated.....regarding the use of.....
Kataki 'o vakai ki ho'o tohi kole 'i he 'aho fekau'aki mo hono ngaue'aki 'o.....from.....to.....
.....mei he.....ki he.....

(date)

(date)

('aho)

('aho)

Permission is hereby granted to your request following consideration that:-

'Oku foaki atu heni ha ngofua ki ho'o kole hili 'a e fakakaukau:

(a) You have deposited \$.....as security against
Kuo ke tipositi 'a e \$.....ko ha malu'i mei he

(b)

(c) You have taken public liability insurance to a cover of
Kuo ke ma'u ho'o malu'i ki he mo'ua ki he lahi ko e

\$.....with.....

(insert value of insurance policy)

(insert name of insurance company)

(fakahu 'a e mahu'inga 'o e malu'i)

(fakahu hingoa 'o e kautaha malu'i)

for the period for which permission is required.
ki he vaha'a taimi 'a ia 'e fiema'u ki ai 'a e ngofua.(d) You have undertaken to:-
Kuo ke fakapapu ke:-

(i)

(ii)

(iii)

(iv)

This permission is valid unless if any of your undertakings are not fulfilled or if the insurance policy lapses.
Ko e ngofua ko 'eni 'e 'osi 'a hono 'aonga 'o kapau ko e taha 'a e ngaahi me'a na'a ke fakapapu ki ai 'oku
'ikai ke fakakakato pe 'o kapau kuo ta'e'aonga 'a e founga malu'i.Yours faithfully
Faka'apa'apa atu

.....

Building Controller

Pule Langa

SCHEDULE 9

APPLICATION FOR CERTIFICATE FOR CHANGE OF USE

SCHEDULE 9

TEPILE 9

(Regulation 36)

(Tu'utu'uni 36)

APPLICATION FOR CERTIFICATE FOR CHANGE OF USE

TOHI KOLE KI HA TOHI FAKAMO'ONI LILIU HONO NGAUE'AKI

To: The Building Controller
 Kia: Pule Langa
 Building Control Division
 Va'a 'o e Pule Langa
 Ministry of Works
 Potungaue Ngaue
 P.O. Box 52
 Puha 52
 NUKU'ALOFA

Date:.....
 'Aho:

Dear Sir
 Tangata'eiki

The building to the following particulars is currently used for.....

Ko e fale 'i he ngaahi fakaikiiki 'oku ha 'i lalo 'oku lolotonga ngaue'aki ki he

Title Description

Fakamatala'i 'o e Hingoa

Address

Tu'asila

I hereby request a certificate for change of use of the building to.....

'Oku ou kole kiate koe ke ke fakakaaukau'i ange 'a e lilii hono ngaue'aki 'o e fale ki he

In support of my request I enclose the following particulars:

Ke poupou ki he'eku kole, 'oku 'oatu heni 'a e ngaahi me'a ni:

- (a)
- (b)
- (c)
- (d)

Yours faithfully
 Faka'apa'apa atu

.....
 (Signature of Applicant)
 (Fakamo'oni Hingoa 'o e Taha Kole)

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisitā pe ko fe pe 'ia naua 'oku totonu 'i loto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 10

CERTIFICATE FOR CHANGE OF USE

SCHEDULE 10

TEPILE 10

(Regulation 37)

(Tu'utu'uni 37)

CERTIFICATE FOR CHANGE OF USE

TOHI FAKAMO'ONI LILIU HONO NGAUE'AKI

To:

Kia:

Certificate No.

Tohi Fakamo'oni Fika

Date

'Aho

Dear Sir/Madam
Tangata'eiki/Fine'eiki

Please refer to your Application dated.....for a certificate for change of use in
 Katak'i 'o vakai ki ho'o tohi kole 'i he 'aho ki ha tohi fakamo'oni ke liliu hono ngaue'aki 'i he'ene
 relation to.....located at
 felave'i mo e 'a ia 'oku tu'u 'i

Road Name..... Village.....
 Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
 Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
 Motu Vahefonua

I hereby authorise you to use the building or part of the building for the following purposes:

'Oku ou fakangofua heni koe ke ke ngaue'aki 'a e fale pe ha konga 'o e fale ki he ngaahi taumu'a ko 'eni:

Part of Building.....	Permitted Use.....	Class.....
Konga 'o e Fale	Ngaue'aki kuo fakangofua	Kalasi
Allowable Floor Loading*.....	Number of people deemed accommodated*	
Uta 'e malava 'e he faliki*	Tokolahi 'o e kakai 'oku lau tenau nofo'i*	

Part of Building.....	Permitted Use.....	Class.....
Konga 'o e Fale	Ngaue'aki kuo fakangofua	Kalasi
Allowable Floor Loading*.....	Number of people deemed accommodated*	
Uta 'e malava 'e he faliki*	Tokolahi 'o e kakai 'oku lau tenau nofo'i*	

Where the building is either of Class 3, 5, 6, 7, 8 or 9 this certificate will be prominently displayed at
 'I ha kalasi 3, 5, 6, 7, 8 pe 9 'a e fale, ko e tohi fakamo'oni ko 'eni 'e fakahaha mahino 'i

.....
 (specify location in the building)
 (fakaha ha tu'u'anga 'i he fale)

Yours faithfully
 Faka'apa'apa atu

.....
 Building Controller
 Pule Langa

SCHEDULE 11

APPLICATION FOR DEMOLITION PERMIT

SCHEDULE 11
TEPILE 11(Regulation 42)
(Tu'utu'uni 42)APPLICATION FOR DEMOLITION PERMIT
TOHI KOLE KI HA TOHI FAKANGOFUA KE HOLOKI

To: The Building Controller
 Kia: Pule Langa
 Building Control Division
 Va'a 'o e Pule Langa
 Ministry of Works
 Potungaue Ngaue
 P.O. Box 52
 Puka 52
 NUKU'ALOFA

Date:.....
 'Aho:.....

Dear Sir
 Tangata'eiki

I hereby request a Demolition Permit in order to demolish.....
 'Oku ou kole kiate koe ke ke foaki mai ha tohi fakangofua ke holoki ke lava ai ke holoki 'a e
 (description of building)
 (fakamatala ki he fale)

located at
 'oku tu'u 'i

Road Name..... Village.....
 Hingoa 'o e Hala..... Kolo.....

Lot No. Plan of Subdivision Deed..... Folio No.
 Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
 Motu Vahefonua

I undertake to take precautions according to the following details:
 'Oku ou fakapapau ke fakahoko 'a e ngaahi ngaue tokanga 'o fakatatau ki he ngaahi fakamatala ni:

Yours faithfully
 Faka'apa'apa atu

.....
 (Signature of Applicant)
 (Fakamo'oni Hingoa 'o e Taha Kole)

NOTICE: All Applicants have a right of appeal against any decision of the Building Controller or the Authority made under the Building Control and Standards Regulations 2005. Appeals should be lodged with the Authority or the Minister as the case may be within 28 days from the date of the decision together with a non-refundable fee of \$50.

FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia naua 'oku totonu 'i loto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

SCHEDULE 12

DEMOLITION PERMIT

SCHEDULE 12 TEPILE 12

(Regulation 44)
(Tu'utu'uni 44)

DEMOLITION PERMIT TOHI FAKANGOFUA KE HOLOKI

To:
 Kia: Permit No.
 Ngofua Fika
 Date
 'Aho

Dear Sir/Madam
 Tangata'eiki/Fine'eiki

Please refer to your Application dated.....for the demolition of.....
 Kataki 'o vakai ki ho'o tohi kole 'i he 'aho ki hono holoki 'o e

.....located at
 'oku tu'u 'i

Road Name..... Village.....
 Hingoa 'o e Hala Kolo

Lot No. Plan of Subdivision Deed..... Folio No.
 Fika 'o e Konga Palani 'o e Vahe Si'i Tohi fakamo'oni ma'u 'api Fika Folio

Island..... District.....
 Motu Vahefonua

You are hereby permitted to demolish the building by the method proposed by you and as approved by me subject to the following conditions:

'Oku fakangofua heni ke ke holoki 'a e fale 'i he founga na'a ke fokotu'u mai pea kuo u fakangofua 'o fakatatau ki he ngaahi tu'unga ko 'eni:

.....

You shall take all of the agreed precautions.
 Kuo pau ke ke fakahoko kotoa 'a e ngaahi ngaue tokanga na'e fai ki ai 'a e felotoi.

Yours faithfully
 Faka'apa'apa atu

.....
 Building Controller
 Pule Langa

SCHEDULE 13

DEMOLITION NOTICE

SCHEDULE 13

TEPILE 13

(Regulation 46, 50(1))

(Tu'utu'uni 46, 50(1))

DEMOLITION NOTICE

TOHI FAKAHA KE HOLOKI

To:

Kia:

Notice No.

Tohi Fakaha Fika

Date

'Aho

Dear Sir/Madam

Tangata 'eiki/Fine'eiki

It has come to my attention that:-

'Oku ou fakatokanga'i 'a e:

(a) You have *commenced/erected.....

Kuo ke *kamata/fokotu'u

located at

'a ia 'oku tu'u 'i

Road Name..... Village.....

Hingoa 'o e Hala

Kolo

Lot No. Plan of Subdivision Deed..... Folio No.

Fika 'o e Konga

Palani 'o e Vahe Si'i

Tohi fakamo'oni ma'u 'api

Fika Folio

Island..... District.....

Motu

Vahefonua

(b)located at
tu'u 'i

Road Name..... Village.....

Hingoa 'o e Hala

Kolo

Lot No. Plan of Subdivision Deed..... Folio No.

Fika 'o e Konga

Palani 'o e Vahe Si'i

Tohi fakamo'oni ma'u 'api

Fika Folio

Island..... District.....

Motu

Vahefonua

is in a dangerous condition and that you are its owner.

'oku 'i ha tu'unga fakatu'utamaki pea ko e taha koe 'oku 'o'ona

You are hereby required under regulation 46 of the Building Control and Standards Regulations 2005 to stop all work and/or any occupancy forthwith, and-

'Oku fiema'u koe heni 'i he tu'utu'uni 46 'o e Ngaahi Tu'utu'uni ki he Pale'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005 ke ta'ofi 'a e ngaue kotoa mo e/pe ha fa'ahinga nofo'i, pea-

(a) either submit an application for a building permit along with all relevant details and the prescribed fee, within five working days of the date of service of this notice; or
fakahu ha tohi fakangofua ke fakataha mo e ngaahi fakaiiki fe'unga mo e ngaahi totongi 'oku tu'utu'uni 'i loto 'i he 'aho ngaue 'e nima mei he 'aho na'e tufa ai 'a e tohi fakaha ko 'eni; pe(b) start to demolish the building taking all necessary precautions within 15 working days of the service of this notice, and complete demolition by the.....day of.....20.....
kamata hono holoki 'a e fale 'o fai 'aki 'a e tokanga kotoa pe 'oku fiema'u 'i loto 'i he 'aho ngaue 'e 15 mei he 'aho na'e tufa ai 'a e tohi fakaha, pea fakakato hono holoki 'i he 'aho20.....

Unless I receive a satisfactory response from you to this notice, I shall take steps to demolish the building at your entire risk, cost and connected expenses, as well as take any other action available under law.

Tuku kehe ka kuo ma'u ha tali fakafiemalie meia koe ki he tohi fakahaa ni, kuo pau keu fai ha ngaue ke holoki 'a e fale pea ke fatongia'aki kakato koe ha totongi mo e ngaahi fakamole felave'i, pehe ki hono fakahoko 'o ha toe 'eke kehe 'oku faka'ata 'e he lao.

Yours faithfully (*Faka'apa'apa atu*)

.....
Building Controller (*Pule Langa*)

***Delete as appropriate**

***Tamate'i ki he'ene tonu**

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FANONGONONGO: Ko e Taha kole kotoa 'oku 'i ai 'ene totonu ke tangi fekau'aki mo ha tu'utu'uni 'a e Pule Langa pe ko e Ma'u Mafai kuo fakahoko 'i he Ngaahi Tu'utu'uni ki he Pule'i mo e Ngaahi Tu'unga 'o e Langa Fale 2005. Ko e tangi kotoa kuo pau ke 'oatu ki he Ma'u Mafai pe ko e Minisita pe ko fe pe 'ia naua 'oku totonu 'i loto 'i he 'aho 'e 28 mei he 'aho 'o e tu'utu'uni fakataha mo e totongi 'e 'ikai fakafoki ko e \$50.

ENDNOTES

¹ GS 9/2005

² Cap. 22.02