



Tonga

**CUSTOMS AND EXCISE MANAGEMENT
ACT ORDER 2007 – LIST OF PROHIBITED
AND RESTRICTED GOODS**

Chapter 26.22

2016 REVISED EDITION



CUSTOMS AND EXCISE MANAGEMENT ACT ORDER 2007¹

In exercise of the powers conferred by section 45 of the Customs and Excise Management Act 2007, the Chief Commissioner, with the approval of His Majesty in Council, makes the following Order:

Commencement [21st January 2008]

- (1) That the goods specified in Schedule 1 of this Order shall be prohibited and restricted from importation into Tonga.
- (2) That the goods specified in Schedule 2 of this Order shall be prohibited and restricted from exportation from Tonga.
- (3) For the purposes of this Order, “cash” means –
 - (a) the coin and paper money of the Kingdom or of a foreign country that is designated as legal tender which is used customarily and accepted as a medium exchange in the country of issue;
 - (b) monetary instruments that may be exchanged for money (such as travelers cheques, money orders, negotiable instruments in a form in which the title thereto passes on delivery;
 - (c) jewellery, precious metals and precious stones, or pearls; or
 - (d) where the context permits, cash includes cash in electronic form.²

SCHEDULE 1**PROHIBITED AND RESTRICTED IMPORTS****LIST OF PROHIBITED IMPORTS**

1. Base or counterfeit or imitation currency or bank note or fictitious postage or revenue stamps of any country and any dye, plate, instrument, or materials capable of making any such coin, currency or bank note or any such revenue or postage stamps.
2. Counterfeit goods.
3. Indecent or obscene books, paintings, drawings, cards, lithographic or other engravings, photographs, prints, films or other indecent products which depict child pornography.
4. Goods bearing the Royal Arms of the Kingdom or arms so closely resembling such arms as to be calculated to deceive unless the importer of such goods hold His Majesty's written authority to use them in connection with his trade, business, calling or profession.
5. All books, written or printed matter and sounds and visual recordings which the Chief Commissioner shall by notice declare to be prohibited imports on account of any copyright or intellectual property right laws which apply in the Kingdom.
6. All books and any written or printed matter and sound and visual recordings which the Chief Commissioner shall by notice declare to be seditious or which advocate violence, lawlessness or disorder.
7. All toxic or hazardous wastes.
8. Goods the importation of which is prohibited by any other law in force in the Kingdom.

LIST OF RESTRICTED IMPORTS

1. Firearms and ammunition except with a licence issued in accordance with the law.
2. Explosives or all kinds including fuses and detonators except with a licence issued in accordance with the law.
3. Noxious, stupefying or tear gas in any form and all weapons and instruments or appliances for firing or using such gases and gas containers or cartridges for such weapons or other instruments for appliances except in accordance with the law.
4. The amount of \$10,000 pa'anga (or equivalent) or more in cash.

5. Goods, the importation of which is restricted by any other law in force in the Kingdom except in accordance with such law.

SCHEDULE 2

PROHIBITED AND RESTRICTED EXPORTS

LIST OF PROHIBITED EXPORTS

1. The following articles of Tongan culture –
 1. Tao
 2. Tao-Fotoi (Tao Foto'i Fai) (barbed spear)
 3. *repealed*
 4. Likuvalu ('Akau Ta Tapavalu) (club)
 5. Tao Niu (spear of coconut)
 6. Kolo (throwing club)
 7. Kaufana (bow)
 8. Ngahau (arrow)
 9. Ualulu (club) (Tao uluilulu) (spear with owl's head)
 10. Tuipapanu (club)
 11. Mo'ungalaulau (club)
 12. Makata (club)
 13. Tuitapavalu ('Akau Ta-Tapavalu mo eni) (club)
 14. Malumulekeleka (Kolo) (throwing club)
 15. Tui (club)
 16. Tutanga'akau (Pota'i 'Akau Ta) (club)
 17. Soki (spikes in ground)
 18. Tokotoko (club)
 19. Povai (club)
 20. Falevatu (axe)
 21. Vulaono (axe)
 22. Tao Ngututokotoko (bayonet)
 23. Paletu'a (shield)
 24. Meleihe ('Akau Ta) (short stick)
 25. Fala Vala
 26. Fala Fatu
2. Raw coral (including unprocessed black coral) except with the written permission of the Chief Commissioner following approval by Cabinet.

3. Goods the exportation of which is prohibited by any other law in force in the Kingdom.

LIST OF RESTRICTED EXPORTS

1. Goods the exportation of which is restricted under any other law in force in the Kingdom except in accordance with such law.
- 2.³
 - (a) The amount of \$10,000 or more in cash, except with the written permission of the Governor of the National Reserve Bank of Tonga.
 - (b) This amount may be made up in the currency of any country in any combination that is equal to or exceeds the value of \$10,000 cash.

ENDNOTES

¹ GS 3/2008

² Inserted by Order 5/6/2012

³ Inserted by Order 5/6/2012