

TONGA GOVERNMENT GAZETTE SUPPLEMENT EXTRAORDINARY

No. 1

20 February,

2003

**MINISTRY OF CIVIL AVIATION
TONGA
CIVIL AVIATION REGULATIONS 1992
INSTRUMENT OF DELEGATION**

Pursuant to Regulation 169 of the Civil Aviation Regulations 1992, I, HRH Prince 'Ulukalala Lavaka Ata, Prime Minister and Minister of Civil Aviation hereby delegate to:

holders of the Office of:

SECRETARY FOR CIVIL AVIATION

DIRECTOR OF SAFETY

in the Ministry of Civil Aviation the powers exercisable by me under the Civil Aviation Regulations 1992 those Regulations and associated limitation as specified in the attached schedule.

All previous delegations under the Civil Aviation Act or Regulations is revoked effective from the date of Gazetting of this Instrument of Delegation.

Signed: 'Ulukalala Lavaka Ata

Minister of Civil Aviation

Date: 19 February, 2003.

MINISTRY OF CIVIL AVIATION**DELEGATION OF PERSONS SCHEDULE**

The Minister of Civil Aviation under the power vested by Regulation 169 of the Civil Aviation Regulations 1992 may delegate any power or duty conferred or imposed to any person

This Schedule indicates those persons and their delegated powers as approved by the Minister of Civil Aviation. No power shall be exercised by the person except in relation to the specific power delegated. The delegation is also subject to any limitation specified in the Schedule

No amendments or alterations to the Schedule are permitted by other than the Minister of Civil Aviation

General Notes:

1. Where "PR MCA" appears in the Limitation column, prior reference to the Minister shall be made.
2. Where the note "TAR" is shown, then a technical assessment is required with the results placed on file.
3. Where no delegation is shown, it indicates that the particular power remains with the Minister.
4. Some delegations provides for either the Secretary for Civil Aviation or Director for Safety to receive and process applications for various documents and licences. As it is obvious that in most cases this is an administrative function only, limited sub-delegations may be made.
5. When exercising a delegation of power, both the attached Schedule and the relevant Regulation itself should be referred to.

Signed: 'Ulukalala Lavaka Ataa

Minister of Civil Aviation

CIVIL AVIATION REGULATIONS 1992

Delegation of Powers

List of abbreviations used in the attached Schedule.

MCA	-	Minister of Civil Aviation
SCA	-	Secretary for Civil Aviation
DOS	-	Director of Safety
PMO	-	Principal Medical Officer
APM	-	Airport Manager
SFSO	-	Senior Flight Service Officer
Ref MCA	-	Refer matter to Minister of Civil Aviation
Copy MCA	-	Copy decision made to Minister of Civil Aviation

CIVIL AVIATION REGULATIONS 1992
DELEGATION OF POWERS SCHEDULE

Regulation	Precis of Power	Delegation	Limitations
2	Authorised person	SCA DOS	
4	Aircraft registration	SCA DOS	TAR
5	Certificate of registration	SCA DOS	TAR
6	Application for registration	SCA DOS	
7	Register of aircraft	SCA DOS	
8	Change of ownership	SCA DOS	
9	Aircraft destroyed or withdrawn from use	SCA DOS	TAR
10	Nationality and registration marks	SCA DOS	
11	Position and size of markings	SCA DOS	TAR
13	Certificate of airworthiness	SCA DOS	
14	Issue and renewal of certificate of airworthiness	SCA DOS	TAR
15	Certificates of fitness for flight	SCA DOS	TAR
16	Certificate of maintenance	SCA DOS	TAR
17	Inspection, overhaul, repair, replacement and modification of aircraft	SCA DOS	TAR
18	Exits and break-in markings, public transport aircraft	SCA DOS	TAR
19	Weighing of aircraft	SCA DOS	TAR
21	Aircraft equipment on Tongan aircraft	SCA DOS	TAR
22	Aircraft radio equipment	SCA DOS	TAR
23	Equipment to be carried on aircraft	SCA DOS	TAR

CIVIL AVIATION REGULATIONS 1992
DELEGATION OF POWERS SCHEDULE

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10	Nationality and registration marks	SCA DOS	
11	Position and size of markings	SCA DOS	TAR
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23	Equipment to be carried on aircraft	SCA DOS	TAR

Regulation	Precis of Power	Delegation	Limitations
27	Minimum navigation performance	SCA DOS	TAR
29	Carriage of weapons	SCA DOS	
30	Carriage of dangerous goods	SCA DOS	
31	Composition of aircraft crew and licensing	SCA DOS	
35	Air Operators Certificate of Competency issue	SCA DOS	TAR Copy MCA
35(3)	To direct an operator to make seat available	SCA DOS	Copy of direction to Minister
36	Duties of pilots in command	SCA DOS	TAR
38	Airport operating minima public transport operations	SCA DOS	
39	As above - foreign aircraft	SCA DOS	
41	Computation of quantities of fuel and oil, public transport	SCA DOS	TAR
42	Aircraft loading and suspended loads	SCA DOS	
43	Aircraft weighs and performance	SCA DOS	TAR
44	Operations manual - public transport operators	SCA DOS	TAR
45	Training manual - public transport operators	SCA DOS	TAR
46	Crew training and tests - public transport operations	SCA DOS	TAR
48	Records relating to training	SCA DOS	or authorised person

Regulation	Precis of Power	Delegation	Limitations
50	Approve of flight time limitations	SCA DOS	
53	Reporting on exceeding flight time limitations	SCA DOS	
54	Personnel Lincensing	SCA DOS	
55	Conditions for issue or renewal of licenses	SCA DOS	Ref PMO
58	Checks tests and examinations	SCA DOS	
60	Validation of foreign licence	SCA DOS	Ref PMO
63, 64	Aircraft Maintenance engineer licence	SCA DOS	
67	Issue of flying training permit	SCA DOS	TAR
68	Compliance with rules of the Air	SCA DOS	Copy MCA
73	Exemption to wearing of seat belts	SCA DOS	
78	Operation of gliders, kites and airships	SCA DOS	TAR
79	Towing, picking up articles or persons	SCA DOS	TAR
81	Dropping of articles and descent by parachute	SCA DOS	TAR
82	Operation of pilotless aircraft	SCA DOS	TAR
83	Prescribe conditions for aeroatic flight	SCA DOS	TAR
84	Approval of air pageants, displays or races	SCA DOS	Copy MCA
86	Right of way rules, on or near surface of water	SCA DOS	TAR

Regulation	Precis of Power	Delegation	Limitatio
88	Notification of prohibitive, restricted or danger areas and temporary restrictions	SCA DOS	Copy MCA
89	Approved of simulated flight equipment	SCA DOS	
90	Lights to be displayed by aircraft	SCA DOS	TAR
91	To notify and specify visual signals	SCA DOS	TAR
92	Distress and emergency signals	SCA DOS	
93	Visual grounds signals	SCA DOS	
94	Minimum altitudes for safe flight	SCA DOS	TAR
95	Unlawful interference	SCA DOS	
96	Interception	SCA DOS	
102	To specify alternative cruising levels	SCA DOS	TAR
103	Aircraft communications	SCA DOS	
105	Visual flight rules - Meteorological minima	SCA DOS	
106	Flight below VFR - minima	SCA DOS	
107	Operation of VFR flights	SCA DOS	
112	Instrument flight rules	SCA DOS	
114	Change from IFR to VFR flight	SCA DOS	
115	Air traffic control service	SCA DOS	Ref MCA
116	Aeronautical information service	SCA DOS	
121	Production of documents	SCA DOS	
124	Form of Logbooks and records	SCA DOS	

Regulation	Precis of Power	Delegation	Limitatio
125	Use of airports	SCA DOS	
126	Licensing of airports	SCA DOS	Ref MCA
127	Use of aerodromes	SCA DOS	
131	Government airports, prohibitive conduct	SCA DOS APM	Copy MCA
132	Government airports, entry to designated areas	SCA DOS APM	
134	Government airports, use of motor vehicles	SCA DOS APM	
135	Refueling of aircraft	SCA DOS	
137	Designation of ATS routes and airways	SCA DOS SFSO	
138	Dangerous lights	SCA DOS	
139	Issue instructions to secure safety of aircraft	SCA DOS	
158	Use of aircraft for advertising	SCA DOS	Copy MCA
159	To permit aerial photography or survey	SCA DOS	Copy MCA
161	Mandatory reporting of incidences and occurrences	SCA DOS	
165	Revocation, suspension, variation of certificates licences and other documents	SCA DOS	Ref MCA
171	Application of regulations to Tongan controlled foreign aircraft	SCA DOS	Copy MCA
175	Restriction on carriage for hire and reward by foreign aircraft	SCA DOS	Copy MCA

FAKALAHİ KI HE KASETE 'A E PULE'ANGA TONGA KASETE MAKEHE

Fika 1

20 Fepueli,

2003.

POTUNGAUE FEFOLAU'AKI SIVILE

TONGA

NGAAHI TU'UTU'UNI FEFOLAU'AKI SIVILE 1992

TOHI TUKU ATU 'O E MAFAI

Fakatatau ki he Tu'utu'uni 169 'o e Ngaahi Tu'utu'uni Fefolau'aki Sivile 1992, Koau, Pilinisi 'Ulukalala Lavaka Ata, Palemia mo e Minisita 'o e Fefolau'aki Sivile 'oku ou tuku atu 'a e mafai kia:

kinautolu tenau ma'u 'a e lakanga koe:

SEKELITALI KI HE FEFOLAU'AKI SIVILE

TALEKITA 'O E MALU'I

'i he Potungaue 'o e Fefolau'aki Sivile 'a e ngaahi mafai 'oku malava Keu ngaue'aki 'i he Ngaahi Tu'utu'uni 'o e Fefolau'aki Sivile 1992 ko e ngaahi Tu'utu'uni ko ia pea mo e ngaahi fakangatangata 'oku kaunga ki ai 'a ia 'oku ha 'i he Fakalahi ki he Tohi ni.

Ko e kotoa 'o e ngaahi mafai ne tuku atu kimu'a 'a ia ne fakahoko 'i he Lao pe Ngaahi Tu'utu'uni 'o e Fefolau'aki Sivile 'oku tamate'i ia 'o kamata mei he 'aho 'e Kasete'i ai 'a e Tohi Tuku Atu 'o e Mafai ni.

Fakamo'oni: 'Ulukalala Lavaka Ata Minisita 'o e Fefolau'aki Sivile

'Aho: 19 Fepueli, 2003.

POTUNGAUE 'O E FEFOLAU'AKI SIVILE

FAKALAHİ MA'A E TUKU ATU 'O E MAFAI KI HE NI'IHI

'Oku 'i ai 'a e mafai 'a e Minisita ki he Fefolau'aki Sivile 'i he Tu'utu'uni 169 'o e Ngaahi Tu'utu'uni fefolau'aki Sivile 1992 ke ne tuku atu ki ha taha pe ha mafai pe kuo foaki pe hilifaki kiate ia.

'Oku ha 'i he Fakalahi ni 'a kinautolu pea mo 'enau ngaahi mafai kuo tali 'e he Minisita 'o e Fefolau'aki Sivile. 'Oku 'ikai ngofua ke hanga 'e ha taha 'o ngaue'aki ha mafai tukukehe 'o ka ngaue'aki fakahangatonu ki he mafai kuo tuku atu. Ko e mafai 'oku tuku atu 'e fakatatau ia ki he ngaahi fakangatangata 'oku ha 'i he Fakalahi.

Ngaahi Me'a Fakalukufua:

1. Kapau 'e 'asi 'a e "PR MCA" 'i he kolomu Fakangatangata, kuo pau ke fai 'a e fetu'utaki kimu'a ki he Minisita.
2. Kapau 'e 'asi 'a e "TAR", kuo pau ke fakahoko ha sivi fakatekinikale pea tuku 'a e ola 'i he faile.
3. Kapau 'e 'ikai 'asi ha mafai kuo tuku atu, 'oku mahino leva koe mafai ko ia 'oku kei 'i he Minisita.
4. 'Oku 'i ai 'a e ngaahi mafai kuo tuku atu 'oku fiema'u ki he Sekelitali ki he Fefolau'aki Sivile pe ko e Talekita 'o e Malu'i ke ne tali pea ngaue ki he ngaahi tohi kole ki he ngaahi tohi pe ngaahi laiseni. 'Oku mahino foki ko e lahi 'o e ngaahi keisi ko e fatongia fakangaue (administrative) pe, ko ia ai 'e malava ke tuku atu faka-konga 'a e ngaahi mafai.
5. 'I he taimi 'e ngaue'aki 'a e mafai kuo tuku atu, kuopau ke ngaue'aki 'a e fakalahi pea mo e Tu'utu'uni.

Fakamo'oni: 'Ulukalala Lavaka Ata Minisita 'o e Fefolau'aki Sivile

NGAAHI TU'UTU'UNI FEFOLAU'AKI SIVILE 1992

Tuku Atu 'o e Ngaahi Mafai

Lisi 'o e ngaahi Fakanounou 'oku ngaue'aki 'i he Fakalahi:

- MCA - Minisita 'o e Fefolau'aki Sivile
- SCA - Sekelitali ki he Fefolau'aki Sivile
- DOS - Talekita 'o e Malu'i
- PMO - 'Ofisa Mo'ui Pule
- APM - Pule Mala'e Vakapuna
- SFSO - 'Ofisa Ma'olunga ki he Ngaue ki he Fefolau'aki Vakapuna
- Ref MCA - Fakaha 'a e me'a ni ki he Minisita 'o e Fefolau'aki Sivile
- Copy MCA - Hiki hano tatau 'a e tu'utu'uni kuo fai ki he Minisita 'o e Fefolau'aki Sivile

NGAAHI TU'UTU'UNI KI HE FEFOLAU'AKI SIVILE 1992
 FAKALAHİ MA'A E NGAHI MAFAI 'OKU TUKU ATU

Tu'utu'uni	Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata
2	Tokotaha Fakamafai	SCA DOS
4	Lesisita 'o e Vakapuna	SCA DOS TAR
5	Tohi fakamo'oni 'o e lesisita	SCA DOS TAR
6	Kole ke lesisita	SCA DOS
7	Lesisita 'o e vakapuna	SCA DOS
8	Fetongi 'o e taha 'oku ho'ona	SCA DOS
9	Faka'auha 'o e vakapuna pe to'o mei hono ngaue'aki	SCA DOS TAR
10	Koe ngaahi faka- 'ilonga 'o e pule'anga mo kau ki ai 'a e lesisita	SCA DOS
11	Tu'unga mo e fua 'o e ngaahi faka'ilonga	SCA DOS TAR
13	Tohi fakamo'oni 'o e malu ke puna	SCA DOS
14	'Oatu mo fakafo'ou 'o e tohi fakamo'oni 'o e malu ke puna	SCA DOS TAR
15	Tohi fakamo'oni 'o e fe'unga ke puna	SCA DOS TAR
16	Tohi fakamo'oni tauhi	SCA DOS TAR
17	Sivi, veteki, monomono, fetongi mo fakalelei'i 'o e vakapuna	SCA DOS TAR

Tu'utu'uni	Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata
18	Ngaahi hu'anga ki tu'a mo e faka'ilonga 'i he ngaahi feitu'u 'e ala fakaava mei tu'a, vakapuna uta pasese pe uta koloa	SCA DOS TAR
19	Mamafa 'o e vakapuna	SCA DOS TAR
21	Naunau ngaue 'o e vakapuna 'i ha vakapuna Tonga	SCA DOS TAR
22	Naunau fakaletio 'i he vakapuna	SCA DOS TAR
23	Naunau ngaue 'i he vakapuna	SCA DOS TAR
27	Fiema'u taupotu taha ki he ngaue faifolau	SCA DOS TAR
29	Uta 'o e naunau fakakautau	SCA DOS
30	Uta 'o e ngaahi koloa fakatu'utamaki	SCA DOS
31	Kau kauvaka 'o e vakapuna mo e laiseni	SCA DOS
35	Tohi fakamo'oni taukei 'o e tokotaha 'oku ne fakalele 'a e vakapuna	SCA DOS TAR Copy MCA
35(3)	Ke tu'utu'uni ki ha kautaha ke faka'ata ha sea	SCA DOS hiki ha tatau 'o e tu'utu- uni ki he Minisita
36	Ngaahi fatongia 'o e pailate pule	SCA DOS TAR
38	Tu'unga taupotu 'o e 'ea 'e kei lava 'o ngaue'i ha mala'evakapuna, folau uta pasese pe uta koloa	SCA DOS

Tu'utu'uni	Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata
39	Tu'unga taupotu 'o e 'ea 'e kei lava 'o ngaue'i ha mala'evakapuna, vakapuna muli	SCA DOS
41	Fakafuofua 'o e lahi 'o e penisini, kalasini mo e lolo, folau uta pasese mo uta koloa	SCA DOS TAR
42	Fakaheka mo e ngaahi uta 'oku fakahifo fakataimi	SCA DOS
43	Mamafa mo e ngaue 'o e vakapuna	SCA DOS TAR
44	Tohi fakahinohino ngaue'i 'o e vakapuna, folau uta pasese pe uta koloa	SCA DOS TAR
45	Tohi ako, folau uta pasese pe uta koloa	SCA DOS TAR
46	Ako'i mo sivi'i 'o e kau kauvaka, folau uta pasese mo uta koloa	SCA DOS TAR
48	Ngaahi lekooti felave'i ki he ako	SCA DOS pe taha ma'u mafai
50	Tali 'o e ngaahi fakangatangata 'o e taimi puna	SCA DOS
53	Lipooti 'i he lahi hake he ngaahi fakangatangata 'o e taimi puna	SCA DOS
54	Ngaahi Laiseni ki he kau ngaue	SCA DOS

Tu'utu'uni	Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata
55	Ngaahi makatu'unga ki hono foaki pe fakafo'ou 'o ha ngaahi laiseni	SCA DOS Ref PMO
58	Vakai'i, tesi mo e sivi	SCA DOS
60	'Aonga fakalao 'o e ngaahi lasiseni muli	SCA DOS Ref PMO
63, 64	Laseni 'Enisia Tauhi Vakapuna	SCA DOS
67	Ko hono foaki 'o e ngofua ako puna	SCA DOS TAR
68	Fakatatau ki he ngaahi lao 'oku 'ataa	SCA DOS Copy MCA
73	Faka'ataa mei hono ngaue'aki 'o e leta malu'i	SCA DOS
78	Ngaue'aki 'o e ngaahi kalaita, ngaahi lofa, mo e ngaahi vaka 'ea	SCA DOS TAR
79	Taulani, to'ohake mo e hiki hake ha taha	SCA DOS TAR
81	Fakato 'o ha ngaahi 'atikolo, mo e 'alu hifo fakamalu'ea	SCA DOS TAR
82	Fakalele 'o ha vakapuna ta'e pailate	SCA DOS TAR
83	Fakaha 'a e ngaahi tu'utu'uni ki he ngaahi puna faifaiva	SCA DOS TAR
84	Fakangofua 'a e fakahaha, faka'ali'ali pe lova 'i he 'ata	SCA DOS Copy MCA

Tu'utu'uni	Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata
86	Totonu ke puna 'i he pe ke ofi ki he fukahi vai	SCA DOS TAR
88	Tohi fakatokanga ki he ngaahi feitu'u 'oku tapui, faka- ngatangata mo e fakatu'utamaki mo e ngaahi fakatangata fakataimi	SCA DOS Copy MCA
89	Fakangofua 'o e me'angaue ako fakatautau 'o e puna	SCA DOS
90	Ngaahi maama ke fakahaha 'i he vakapuna	SCA DOS TAR
91	Fakaha mo fakahinohino 'o e ngaahi faka'ilonga fakahaha	SCA DOS TAR
92	Ngaahi faka'ilonga ui tokoni mo fakavavevave	SCA DOS
93	Ngaahi faka'ilonga 'oku lava 'o mamata ki ai 'i he funga mala'evakapuna	SCA DOS
94	Ko e ma'olunga si'isi'i taha ki he puna	SCA DOS TAR
95	Kaunoa'ia ta'efakalao	SCA DOS
96	Fakafetaulaki	SCA DOS
102	Fakahinohino 'o e ngaahi levolo kehe ki he ngaahi levolo	SCA DOS TAR

Tu'utu'uni	lolotonga 'o e puna Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata	
103	Fetu'utaki fakavakapuna	SCA DOS	
105	Lao ki he puna fai'aki 'a e sio (VFR), tu'unga ma'ulalotaha 'o e 'ea	SCA DOS	
106	Puna 'i he ma'ulalo ange 'i he ma'ulalotaha 'o e VFR 'i loto 'i he 'ataa	SCA DOS	
107	Fakalele 'o e ngaahi puna VFR	SCA DOS	
112	Lao ki he ngaahi puna fakame'angaue (IFR)	SCA DOS	
114	Liliu mei he puna IFR ki he VFR	SCA DOS	
115	Ngaue ki he pule'i 'o e fefolau'aki 'o e 'ataa (ATC)	SCA DOS	Ref MCA
116	Fakamatala 'o e 'ataa (AIS)	SCA DOS	
121	'Oatu 'o e ngaahi tohi	SCA DOS	
124	Fotunga 'o e ngaahi tohi loka mo e ngaahi lekooti	SCA DOS	
125	Ngaue'aki 'o e ngaahi mala'e vakapuna	SCA DOS	
126	Laiseni 'o e ngaahi mala'e vakapuna	SCA DOS	Ref MCA
127	Ngaue'aki 'o e mala'evakapuna	SCA DOS	
131	Ngaue mala'e vakapuna faka- Pule'anga 'ulungaanga 'oku tapui	SCA DOS APM	Copy MCA
132	Ngaahi mala'e vakapuna faka- Pule'anga, hu atu ki he ngaahi faitu'u	SCA DOS APM	

	kuo fakahingoa Kakano 'o e Mafai	Tuku Atu Kia Fakangata- ngata
134	Mala'e vakapuna faka-Pule'anga, ngaue'aki 'o e ngaahi saliate misini	SCA DOS APM
135	'Utu lolo 'o e vakapuna	SCA DOS
137	Fakahingoa 'o e ngaahi halanga 'i he 'ataa tauhi (ATS), mo e ngaahi halanga 'i he 'ataa kuo tu'utu'uni	SCA DOS SFSO
138	Ngaahi maama fakatu'utamaki	SCA DOS
139	Foaki 'o e ngaahi fakahinohino ke fakapapau 'i 'a e malu 'a e vakapuna	SCA DOS
158	Ngaue'aki 'o ha vakapuna ki he tu'uaki	SCA DOS Copy MCA
159	Ke fakangofua 'a e faita mei he 'ataa mo e savea	SCA DOS Copy MCA
161	Lipooti 'i he fiema'u 'e he lao 'o e ngaahi me'a na'e hoko 'o mei fakatu'utamaki mo e ngaahi me'a kuo hoko	SCA DOS
165	Tamate'i, to'oku fakataimi mo e liliu 'o e ngaahi tohi fakamo'oni, ngaahi laiseni mo e 'u tohi kehe	SCA DOS Ref MCA
171	Ngaue'aki 'o e ngaahi tu'utu'uni ki he vakapuna muli	SCA DOS Copy MCA
175	'oku pule'i 'i Tonga Fakangatangata 'o e uta ki he no pe ma'u me'a'ofa 'o ha vakapuna muli	SCA DOS Copy MCA

BY AUTHORITY:

Siale V. Pahulu, Acting Government Printer,
2003.