



CUSTOMS AIRPORTS REGULATIONS

Chapter 23.02.01

2020 Revised Edition



CUSTOMS AIRPORTS REGULATIONS¹

Made under the Civil Aviation Act²

Commencement [17th October 1960]

1. These Regulations may be cited as the Customs Airports Regulations.
2.
 - (1) The Prime Minister with the consent of Cabinet may, subject to such conditions as he may think fit, by order designate any aerodrome to be a place of landing or departure of aircraft for the purpose of the enactments relating to Customs.
 - (2) Any aerodrome so designated is in these regulations referred to as a “customs airport”.
 - (3) The Prime Minister with the consent of Cabinet may by order declare that a customs airport shall no longer be a customs airport.
3. Every person shall comply with such of the provisions contained in the Schedule to these regulations as may be applicable to that person in the circumstances of the case.
4. The provisions of the following Statutes and all regulations, orders and proclamations made thereunder shall apply mutatis mutandis to any goods or persons landed or arriving at any aerodrome in the Kingdom—
 - (a) the Customs and Excise Act;
 - (b) the Rhinoceros Beetle Act;
 - (c) the Plant Quarantine Act.

5. The penalty for a breach of these regulations where no penalty is otherwise provided, shall be imprisonment for any period not exceeding 3 months or a fine not exceeding \$100, or both fine and imprisonment.³

SCHEDULE

1 Interpretation

For the purposes of this Schedule, unless the context otherwise requires—

“**officer**” means officer of Customs;

“**proper officer**” means the appropriate officer at an aerodrome and includes a person acting for that officer and also any officer superior in matters of Customs;

“**commander**” means the person having or taking the charge or command of an aircraft;

“**crew**” includes any person having or taking the charge or command of an aircraft;

“**abroad**” means outside the Kingdom of Tonga;

“**approved**” means approved by the Controller of customs;

“**examination station**” means a part of, or a place or space at, a Customs airport approved as an examination station.

2 Arrival in and Departure from the Kingdom

- (1) The commander of an aircraft entering the Kingdom of Tonga from abroad shall not, without special permission in writing of the Controller of Customs, cause or permit it to land for the first time after its arrival therein at any place other than a Customs airport.
- (2) The commander of an aircraft engaged in a flight from the Kingdom of Tonga to a place abroad shall not, without the special permission in writing of the Controller of Customs, cause or permit it to take off at any place in the Kingdom of Tonga other than a Customs airport specified in the application for clearance required by paragraph five of this Schedule.
- (3) The requirements of this paragraph shall not apply if the aircraft has been compelled to land owing to accident, stress or weather or other unavoidable cause.

3 Arrival from Abroad

- (1) Upon the arrival from abroad of an aircraft at a Customs airport, the commander shall—
 - (a) immediately take the aircraft to the examination station at that airport, or cause it to be so taken;