



*Tonga*

# **ENVIRONMENTAL IMPACT ASSESSMENT ACT**

**Chapter 21.04**

**2020 Revised Edition**





# ENVIRONMENTAL IMPACT ASSESSMENT ACT

## Arrangement of Sections

### Section

<b>PART I - PRELIMINARY</b>	<b>5</b>
1 Short title.....	5
2 Interpretation.....	5
3 Binding the Crown.....	6
<b>PART II - FUNCTIONS AND POWERS</b>	<b>6</b>
4 Powers of Minister.....	6
5 Delegation.....	6
<b>PART III - ENVIRONMENTAL IMPACT ASSESSMENT</b>	<b>7</b>
6 Environmental impact assessment .....	7
7 Major project assessment.....	7
8 Minister to determine assessment .....	7
9 Major projects defined .....	8
10 Application.....	8
11 Minister to advise applicant.....	8
12 Referral to Environmental Assessment Committee .....	8
13 Environmental Assessment Committee established .....	8
14 Functions of Committee.....	9
15 Environmental impact assessment report.....	9
16 Environmental impact assessment approval .....	9
<b>PART IV - OFFENCES</b>	<b>9</b>
17 Non-compliance with environmental conditions .....	9
18 Supplying false information.....	9
19 Penalty for carrying out any activity or project without approval .....	10

20	Activity to cease forthwith .....	10
21	Review of licence due to conviction .....	10
22	Offences by corporations .....	10
<b>PART V - MISCELLANEOUS</b>		<b>11</b>
23	Transitional .....	11
24	Regulations.....	11
<b>SCHEDULE</b>		<b>12</b>
MAJOR PROJECTS		12
<b>ENDNOTES</b>		<b>14</b>



# ENVIRONMENTAL IMPACT ASSESSMENT ACT

## AN ACT TO PROVIDE FOR THE APPLICATION OF ENVIRONMENTAL IMPACT ASSESSMENT TO THE PLANNING OF DEVELOPMENT PROJECTS WITHIN THE KINGDOM AND MATTERS RELATED THERE TO<sup>1</sup>

Commencement [18th November, 2003]

### PART I - PRELIMINARY

#### 1 Short title

This Act may be cited as the Environmental Impact Assessment Act.

#### 2 Interpretation

In this Act unless the context otherwise requires —

“**Chief Executive Officer**” means the Government chief executive officer responsible for the environment;<sup>2</sup>

“**Committee**” means the Environmental Assessment Committee established by the Minister under this Act;

“**determining authority**” means any authority which is responsible for issuing of a licence or approval before any development activity proceeds;

“**development activity**” means any new project, including extensions and additions to existing projects, undertaken in the private or government sectors which requires any licence or other government approval and which accords