



**National Reserve Bank of Tonga**

Exchange Control Unit

Financial Markets Department

# **EXCHANGE CONTROL DIRECTIVE**

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## A. INTRODUCTION

Exchange Control covers the regulation of foreign exchange transactions between Tonga and the rest of the world including dealings in gold or foreign exchange or foreign securities. This is to support the maintenance of the Kingdom's Foreign Reserves, and matters connected therewith.

### **Statutory Requirement**

The powers, duties and functions relating to Exchange Control are administered by the National Reserve Bank of Tonga under the Foreign Exchange Control Act 2018.

### **Delegation of Authority**

The National Reserve Bank of Tonga may further delegate the powers conferred to it under the Foreign Exchange Act 2018 to authorised persons which includes Banks and Foreign Exchange Dealers. These are referred to as Delegated Authority.

### **Processing of Applications**

The National Reserve Bank of Tonga has delegated the authority to Authorised persons (Banks and Foreign Exchange Dealers) to approve applications for customers that are within the specified delegated limits outlined in Attachment 1: Exchange Control Policy Guidelines.

Any application that is outside of the delegated limits requires an Exchange Control approval from the Reserve Bank.

In cases where an applicant/customer is unable to provide documentary requirements, the authorised persons should refer the customer to the Reserve Bank with a letter stating why they cannot provide these documentary requirements.

Authorised persons are required to sight, stamp and retain a copy of the supporting documents that have been presented and paid.

If authorised persons are unsure of any transaction, please contact the Exchange Control Unit of the Reserve Bank for confirmation.

### **Licensed Authorised Persons**

Anyone who wishes to deal in gold foreign exchange or foreign securities require the approval of the Reserve Bank. A list of authorised persons who have been licensed by the Reserve Bank to conduct such transactions according to their various license type is found in Attachment 3 and is made available in the Reserve Bank's website. The list is subject to change when new licenses are granted or when licenses are removed.

### **Application for Exchange Control Approval**

Applicants must complete the exchange control application form and attach all relevant supporting documents for approval. Applications lodged at the Reserve Bank before 12 noon may be approved and available for pickup on the same day if all documentary requirements are in order. If application is urgent please inform staff of the Exchange Control Unit. The Reserve Bank at this time does not provide telephone approvals.

For the export of cash (hand carry/airfreight), applicants are required to lodge their applications with the Reserve Bank, 3 working/business days prior to departure date.

The specific payments types, delegated limits, and documentary requirements are referred to in the Attachment 1: Exchange Control Policy Guidelines.

### **Exchange Control Approval**

Approval on the exchange control application form will appear as an EC number and signed by an Authorised Reserve Bank Signatory and stamped with the Reserve Bank's official stamp.

Approved applications by the Reserve Bank normally expire after 30 days, except for blanket approvals. The Reserve Bank provides blanket approvals for up to a year on outward payments that are to be made on a monthly or quarterly basis (eg. expatriates' salaries, loan repayments, education expenses etc.). Applicants are required to complete and submit an exchange control application form and relevant documents to reflect the amount to be remitted for the year e.g. loan agreement / schedule, letter stating estimated expenses or funds to be remitted for the year.

The expiry date of the exchange control approval is stated on the approval form for reference, and the approval is no longer valid after this date. If the approval is not yet utilised after the expiry date, the applicant can request in writing to the Reserve Bank for an extension of the approval.

The Reserve Bank reserves the right to conduct due diligence checks on applicants, require further information, and may not approve any application that does not comply with its Anti-Money Laundering and Counter Terrorist Financing.

Authorised persons are required to report all Exchange Control approvals that have been paid to the Reserve Bank before the end of the next working/business day.

### Exchange Control Forms

Form A	General Applications
Form B	Application for payment of Imports
Form C	Export of Currency
Form D	Travel
Form E	Offshore Investment
Form F	Export Declaration Form
Form G	Transfer/Issue of Securities
Form H	Foreign Currency Accounts

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All forms are in Attachment 2 and they are available from the Reserve Bank upon request or can be accessed from the Reserve Bank's website.

## B. DETERMINATION OF RESIDENCY

For Exchange Control purposes,

- i. **A person resident in Tonga means –**
  - a. A person residing in Tonga for more than one year<sup>1</sup> ;
  - b. Any person or body corporate registered or incorporated in Tonga;
  - c. A person licenced to carry on a business in Tonga;
  - d. An office, branch or agency in Tonga owned or controlled by a person resident outside Tonga; or
  - e. An office, branch or agency outside Tonga owned or controlled by a person resident in Tonga;
- ii. **A person resident outside Tonga means a person who is not resident in Tonga.**

## C. GENERAL POLICY OUTLINE

Exchange Control is one of the tools used by the Reserve Bank for the implementation of monetary policy and management of foreign reserves. Its primary objective is to ensure that Tonga has a comfortable level of foreign reserves to meet the country's foreign currency obligations and support macro-economic stability.

To implement the requirements of the Foreign Exchange Control Act 2018, the Reserve Bank in accordance with sections 6(2) and 32 of the Foreign Exchange Control Act 2018, prescribes the exchange control requirements in this Directive and the Exchange Control Policy Guidelines in Attachment 1.

The Exchange Control Policy Guidelines provide a level playing field in the foreign exchange market, improve consistency of the exchange control process in the financial system, improve the accuracy of balance of payments statistics and assist with the protection of the country's foreign reserves. The Guidelines are reviewed annually to reflect the latest developments in the market.

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<sup>1</sup> Revised down from 2 years to be in line with the International Monetary Fund (IMF) definition for Balance of Payments.

The following sections highlight the specific exchange control policy guidelines relating to:

1. Transfer or Issue of Security
2. Types of Bank Accounts
3. Credit Facilities
4. Export Receipts
5. Repatriation of Capital and Income
6. Offshore Investment
7. Migration Allowance
8. Travel Facilities
9. Advance Import Payments
10. Exchange Control Transactions and Delegated Limits
11. Other Requirements

## 1. Transfer or Issue of Security<sup>2</sup>

The following transfers or issuances of securities require prior approval from the Reserve Bank:

- i) Transfer or issue of any foreign security by a person resident in Tonga;
- ii) Transfer or issue of any security by a non-resident in Tonga;
- iii) Transfer or issue of any security by any branch, office or agency in Tonga of a person resident outside Tonga

The applicant must submit a completed Form G to the Reserve Bank with supporting documents to determine the purpose of such issue and the proposed terms and conditions and holders of such securities.

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<sup>2</sup> includes sale, purchase, exchange, mortgage, pledge, gift, loan or any other form of transfer of right, title, possession or lien as per Foreign Exchange Control Act 2018.

## 2. Types of Bank Accounts

### Foreign Currency Accounts

These are deposit accounts maintained in foreign currencies e.g. US dollar or Australian dollar, with the local banks. The opening of all foreign currency accounts requires the prior approval of the Reserve Bank except for accounts of regional, international organization and Foreign missions, which are fully delegated to the commercial banks. These include but are not limited to foreign embassies, the Asian Development Bank, World Bank, Japan International Cooperation Agency, and foreign missions who are here to assist the Government of Tonga. Applicants who wish to open a foreign currency account are to provide a completed Form H with supporting documents.

The following requirements are applicable for all foreign currency deposit accounts:

1. Foreign currency deposit accounts should be for operational purposes only and not for investments.
2. Limits on the foreign currency accounts will be imposed based on the cash flow and other supporting documents to be provided by the applicant.
3. Banks must ascertain the credibility of account holder and legitimacy of offshore funds and all transactions on the foreign currency account.
4. Prior approval of the Reserve Bank is required for all funding of a foreign currency deposit account from local sources except for payment of bank fees. The applicant (either the bank or the deposit holder) must submit a letter of request to the Governor stating the purpose of the account and the reason and source of the local funding of the foreign currency account, with supporting documents.
5. All inwards/outwards transfer of funds from foreign currency accounts must be reported to the Reserve Bank by the banks within one working/business day, both the Foreign currency and Tongan pa'anga amounts.
6. List of foreign currency accounts are to be reported to the Reserve Bank by the banks in FID 3 within 15 working/business days from the end of the quarter.

All outward payments from the foreign currency account do not need Reserve Bank's approval. Foreign currency accounts maybe credited with funds sourced as follows:

- Local payments in foreign currency under the delegated authority to authorised banks or under an approval granted by the Reserve Bank
- Payments in foreign currency by non-residents
- Funds received from external sources
- Unutilised balance of travel funds purchased
- Interest payable on the account

### **Retained Foreign Currency Accounts**

The Reserve Bank imposes a limit on the amount to be retained in a foreign currency account. This is based on the foreign exchange earnings / receipts to the account which are to be offset against anticipated outflows / liabilities (e.g. import payments).

There are no limits to the actual credits to the account, as long as the limit on the balance of the account is adhered to at all times. Any excess on the ceiling should be cleared within 72 hours (3 working/business days). Authorised banks are allowed to make payments from the accounts within delegated limits for raw materials and other liabilities. Banks are also allowed to transfer surplus funds from the foreign currency accounts to the account holder's TOP account after the expiry of 72 hours if the account is still holding funds in excess of the approved ceiling.

### **Offset of Expenses against Foreign Exchange Earnings**

Authorised persons may approve up to T\$100,000 to offset expenses incurred offshore against foreign exchange earnings due to be received in Tonga.

The exporter and other foreign exchange earners are required to submit to the bank, original customs import entry as evidence of the receipt of goods in Tonga and other relevant documents e.g. invoices for service related expenses (depending on the type of payment). Applications above the delegated limit should be referred to the Reserve Bank.

### **Non-Resident Accounts**

Non-resident individuals and business entities may open Tongan pa'anga accounts in Tonga without the approval by the Reserve Bank. Such accounts may also be maintained in joint names if all the persons concerned are non-residents. This is subject to the banks' requirements for opening of an account, including their due diligence checks, Anti-money Laundering and Counter terrorist financing requirements.

## **3. Credit Facilities**

The Foreign Exchange Control Act 2018 defines business entities that are incorporated and licenced to carry out business in Tonga as residents in Tonga.

A non-resident business can borrow locally for its working capital requirements and purchase of fixed assets but are subject to the banks' loan requirements.

### **Local Borrowing**

Lending institutions in Tonga have been delegated authority to lend to non-resident businesses without the prior approval of the Reserve Bank.

#### **a. Foreign currency loans**

The facility does not require the prior approval of the Reserve Bank but are subject to the lenders' loan requirements and is conditional on the borrower receiving sufficient foreign exchange income to service the loan. Repayment of foreign currency loans from locally sourced funds need the approval of the Reserve Bank. In addition, such loans are to be financed from offshore. Lenders cannot buy foreign currency from local financial institutions including the Reserve Bank to finance such loans, and local borrowing by customers to fund profit remittances is prohibited.

#### **b. Local borrowing or lending & Guarantees to non-residents:**

Local borrowings by non-residents from commercial banks are fully delegated to the commercial banks and are subject to the banks' loan requirements.

#### **c. Forward Foreign Exchange Contract**

The contract allows the exporter or importer to fix his costs and incorporate this into the pricing of his/her goods. This eliminates the currency risks as the foreign currency costs are determined up front, hence, protects the exporter or importer from the possibility that the foreign currency would become cheaper or expensive in the future.

Currently, banks are allowed to write forward exchange contracts up to their individual bank limits as determined by the Reserve Bank. The purchase of foreign currency from the Reserve Bank to fund the forward exchange contracts is not permitted. Authorised persons may approve underlying transactions for the forward exchange contracts up to T\$100,000 and any transactions above T\$100,000 shall require the Reserve Bank's approval.

### **Repayment of Offshore Loans**

For repayment of the principal sum and interest due, authorised persons may approve scheduled payments up to the delegated limit. For scheduled amounts that exceed the delegated limit, applications must be referred to the Reserve Bank for approval.

## **4. Export Receipts**

### **Declaration**

Every exporter of goods, either directly or indirectly, to any place outside Tonga, shall furnish a completed declaration form as outlined in Form F in Attachment 2. This shall be supported by supporting documents to establish that:

- the exporter is a person resident in Tonga and has a place of business in Tonga
- the destination stated on the declaration is the final place of the destination of the goods exported
- the value stated in the declaration represents – the full export value of the goods

The Form F shall be submitted in duplicates to the responsible Customs officer at the border.

After duly verifying and authenticating the declaration form, the responsible Customs officer shall forward the original declaration form/data to the Reserve Bank and hand over the duplicate form to the exporter to be submitted to the authorised person where the funds will be repatriated to.

For every exporter of services, either directly or indirectly, to any place outside Tonga, the exporter may export such services without furnishing any declaration, but shall comply with the reporting requirements as imposed by relevant authorities.

### **Realisation and repatriation**

An exporter of goods is required to repatriate back to a Tongan pa'anga account with a bank that is licenced in Tonga, within 6 months from the date of export, at least 60% of foreign exchange earnings from the sale of goods, unless approval has been granted by the Reserve Bank for an extension of this period, or for retention of funds in a foreign currency account with a local bank or overseas. Refer to the requirements for foreign currency accounts for more details.

Exporters are responsible for providing the Reserve Bank with certification that foreign exchange earnings have been received in Tonga and deposited into the exporter's Tongan pa'anga account.

### **Exemptions**

The following exports are exempted from the requirements for declaration and realisation and repatriation back to Tonga:

- trade samples of goods and publicity material supplied free of payment
- personal effects of travellers, whether accompanied or unaccompanied
- ship's stores, trans-shipment cargo and goods supplied under the orders of Government or of such officers as may be appointed by the Government on its behalf or of the military, naval or air force authorities in Tonga for military, naval or air force requirements
- goods accompanied by a declaration by the exporter that are not more than T\$20,000 in value

- by way of gift of goods accompanied by a declaration by the exporter that they are not more than T\$20,000 in value
- aircrafts or aircraft engines and spare parts or other defective goods for overhauling and/or repairs abroad subject to their reimport into Tonga after overhauling / repairs, within a period of six months from the date of their export
- goods imported free of cost on re-export basis
- the following goods which are to be re-exported, namely:
  - imported goods found defective, for the purpose of their replacement by the foreign suppliers/collaborators;
  - goods imported from foreign suppliers/collaborators on loan basis;
  - goods imported from foreign suppliers/collaborators free of cost, found surplus after production operations.
- goods sent outside Tonga for testing subject to re-import into Tonga;
- any other export permitted by the Reserve Bank, on application made to it, subject to the terms and conditions, if any, as stipulated in the permission

### **Confirmation of Receipt**

The following are acceptable forms of confirmation of receipt of export proceeds for reconciliation purposes by the Reserve Bank

1. Bank Confirmation
2. Bank Statements
3. Verification by a practicing Chartered Accountant

## **5. Foreign Investment and Repatriation of Capital and Income**

All foreign investment businesses in Tonga must hold a registration certificate from Ministry of Trade and Economic Development (MTED).

Approval is readily given to foreign investors to repatriate funds invested in Tonga. Authorised persons may approve the repatriation by companies of operating and capital profits, including the

withdrawal of investments, up to the delegated limit per applicant per annum.

Applications that fall outside the delegated limits are to be made on Form A and submitted to the Reserve Bank with the following documents:

- a. The latest audited accounts of the business entity
- b. Director's resolution approving the dividend payment
- c. Original bank confirmation that funds originated from offshore, where applicable
- d. Signed Sale & Purchase Agreement for share transfers or sale of Tongan assets, where applicable

## **6. Offshore Investment**

For the purpose of this directive, offshore investment by a resident, which the realisation and repatriation requirements under Section 8 of the Foreign Exchange Control Act 2018 would be applicable to, includes acquiring / purchasing and transferring / selling of any foreign exchange, foreign security, or gold, from funds that are sourced locally. Applicants for the Reserve Bank's approval must complete Form E on Attachment 2.

Authorised persons may approve applications for offshore investment by business entities, Retirement Funds, Individuals or any other applicant, up to the delegated limit of T\$100,000 per application. All applications outside of the delegated limit must be approved by the Reserve Bank.

All applications are to be accompanied by details of the proposed investment offshore, evidence of source of fund and other relevant supporting documents.

### **Realisation and Repatriation**

As per section 8 of the Foreign Exchange Control Act 2018, should the Reserve Bank direct the return of investments from offshore, the investor will take all reasonable steps to realise and repatriate back to Tonga any amount of foreign exchange, foreign security or gold that is due or has been accrued

within such period and in such manner as may be specified by the Reserve Bank.

## 7. Migration Allowance

Authorised persons may approve applications for migration funds up to the delegated limit per applicant. Applications that fall outside the delegated limit must be referred to the Reserve Bank for approval.

All applications must be accompanied by evidence of the source of funds where applicable, valid original passports and permanent resident visas together with the airline tickets.

## 8. Travel Facilities

### Travel Allowance

Authorised persons may issue to travellers, foreign exchange facilities up to the delegated limit per traveller per travel. Requests for additional travel allowance must be made to the Reserve Bank on Form D in Attachment 2.

All applications must be accompanied by valid original passports and return airline tickets to Tonga.

The applicant can choose to transfer funds by telegraphic transfer, to a credit card, debit card, traveller's cheques, foreign currency account, or it can be converted to foreign currency cash (but only up to T\$10,000).

### Export of Currency

The export of currency<sup>2</sup> either by hand carrying by travellers abroad or by airfreighting or other means, of T\$10,000 and above, or its equivalent in foreign currency cash, requires the prior approval of the Reserve Bank. Applications may be made to the Reserve Bank in Form C in Attachment 2.

Authorised persons are to conduct the transaction of selling foreign currency notes to customers and they must advise those who are purchasing foreign currency cash of an equivalent T\$10,000 and above, that a Reserve Bank approval must be obtained for the removal of cash across the border. For all

purchases of foreign notes below the delegated limit (equivalent T\$20,000 for travel and equivalent T\$100,000 for other current payments) the authorised persons are to apply the relevant documentary requirements for that type of payment.

### Import of Currency

A person may send into Tonga without limit foreign exchange in any form, other than currency notes, bank notes and traveller's cheques, and gold. Similarly, a person may bring into Tonga from any place outside Tonga without limit foreign exchange cash, and shall be subject to the condition that such person makes, on arrival in Tonga, a declaration to the Custom authorities if the total amount carrying is equivalent to T\$10,000 or above. If the imported currency is to be held in Tonga, then refer to the requirements for holding of foreign currency and gold below.

### Holding of Foreign Currency and Gold

The following are limits for holding of foreign currency and gold:

- an authorised person may possess without limit foreign currency within the scope of its authority
- no limit for the possession of gold by any person
- retention by a person resident in Tonga of foreign currency notes, bank notes and foreign currency travellers' cheques not exceeding T\$20,000 or its equivalent in aggregate, provided that such foreign exchange in the form of currency notes, bank notes and travellers cheques
  - was acquired by him while on a visit to any place outside Tonga by way of payment for services not arising from any business in or anything done in Tonga; or
  - was acquired by him, from any person not resident in Tonga and who is on a visit to Tonga, as honorarium or gift or for services rendered or in settlement of any lawful obligation; or
  - was acquired by him by way of honorarium or gift while on a visit to any place outside Tonga; or

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<sup>2</sup> As defined in the Foreign Exchange Control Act 2018

- represents unspent amount of foreign exchange acquired by him from an authorised person for travel abroad.
- a person resident in Tonga but not permanently resident therein<sup>3</sup> may possess without limit foreign currency in the form of currency notes, bank notes and travellers cheques, if such foreign currency was acquired, held or owned by him when he was resident outside Tonga and, has been brought into Tonga in accordance with the requirements of the applicable laws in Tonga.

## 9. Advance Import Payments

### Advance payments

Authorised persons are required to follow up on the custom import entries for advance import payments. The total amount of advanced import payment per applicant with custom import entry document that has yet to be supplied to the Authorised persons should not exceed T\$500,000 at any one time.

Payments for amounts over the delegated limit must be referred on Form B in Attachment 2 to the Reserve Bank for approval and must be accompanied by a pro-forma invoice from the supplier.

## 10. Exchange Control

### Transactions and Delegated Limits

Attachment 1 highlights the Exchange Control Policy guidelines that are currently in place. It includes overseas payments that are delegated to authorised persons and those that still require Reserve Bank approval.

Payments that are not delegated to authorised persons or fall outside the delegated authority limits must be referred to the Reserve Bank together with the relevant documentation for processing.

The Reserve Bank reserves the right to conduct due diligence checks on applicants, require further

information, and may not approve any application that does not comply with its Anti-Money Laundering (AML) and Counter Terrorist Financing (CTF) requirements.

It should also be noted that tax clearance requirements for payments are imposed and monitored by the Ministry of Revenue and Customs.

### Exemption List

The Reserve Bank reserves the right to exempt persons from applying for an exchange control approval. Such persons, who the Reserve Bank deems “fit and proper”, will be included in an “Exemption List” which would be issued to authorised persons and updated on a monthly basis. The Reserve Bank will update the list by analysing the application history of applicants who are consistently compliant with the exchange control requirements and passes its due diligence checks. However, such persons may still be subjected to each authorised person’s own due diligence checks and requirements.

### Partial payments of invoices

For invoices that are paid in instalments/partially paid, the authorised persons are required to stamp the original invoice and note the amount that has been paid. If the customer goes to another authorised person for subsequent payments of partially paid invoices, they should refer to the amount that has already been paid under the invoice and should not pay any amount that exceeds the remaining balance.

### Gift List

Gift payments require no documentary requirements for amounts up to T\$50,000 per remitter per beneficiary per annum. The Reserve Bank issues a monthly Gift List to the authorised persons on applicants who have breached the annual limit. These applicants can no longer send gift payments for that current year. They are however, still allowed to do other payment types but must provide the documentary requirements.

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<sup>3</sup> a person resident in Tonga for employment of a specified duration (irrespective of length thereof) or

for a specific job or assignment, the duration of which does not exceed three years

### **Travel List**

Travel allowance is limited to T\$20,000 per traveller per travel. The Reserve Bank issues a monthly Travel List of all travellers who have breached the travel allowance limit. These travellers are to be referred to the Reserve Bank for prior approval of all their overseas payments regardless of the amount.

## **11. Other requirements**

### **Exchange Rate Spread**

The Reserve Bank has placed limits on the spreads of the exchange rates offered by authorised persons in Tonga to their customers. This limit is the maximum spread or difference between the buy rate and the sell rate that each authorised person offer and are required to display at their premises on a daily basis.

### **Payments to third parties**

Beneficiary name on invoice and name of beneficiary account should be the same. If it is a third party payment, authorised persons must sight a letter from the supplier of the invoice that the funds are to be paid to the stated beneficiary account.

There are also some cases where the applicant may not have an overseas account and is sending the money to a beneficiary account of another person for shopping/import of goods. Authorised persons should facilitate the payment if their customer due diligence or Know Your Customer policies have been satisfied. That is, they must establish the stated relationship between the beneficiary and the applicant for anti-money laundering and terrorist financing purposes.

### **OET Codes**

This information is to assist the authorised persons to ensure accurate reporting of OET data to the Reserve Bank. It is used:

- i. As a preliminary indication of Tonga's Balance of Payments position
- ii. To enable the Reserve Bank to monitor and forecast movements in the Kingdom's foreign exchange holdings

- iii. To enable the Department of Statistics to compile Tonga's official balance of payments statistics.

### **Confidentiality**

The applicants or customers are assured that the Reserve Bank treats the information provided confidentially. The Reserve Bank will not inform anyone outside of the Reserve Bank unless authorised by the applicant or customer, except to the extent the Reserve Bank is required to by law.

### **Complaints**

An applicant or customer has the right to complain to the Reserve Bank in writing regarding its services. A complaint received is welcomed as it gives the Reserve Bank the opportunity to improve and maintain confidence in its services.

## **D. BREACH OF THE EXCHANGE CONTROL DIRECTIVE**

For the purpose of ensuring compliance with the Exchange Control Directive, the Reserve Bank in accordance with Section 11(3) of the Foreign Exchange Control Act 2018, may impose administrative penalties on an authorised person which may not exceed \$10,000, and in the case of continuing contravention, an additional penalty which may not exceed \$2,000 for every day during which such contravention continues.

Furthermore, in accordance with Section 29 of the Foreign Exchange Control Act 2018, a person who contravenes provisions of this Act and any Directive or Guidelines issued under this Act, commits an offence and shall be liable on conviction (a) in the case of an individual to a fine not exceeding \$10,000 (or, if the offence is a continuing one, to a fine not exceeding \$1,000 for every day during which the offence continues) or imprisonment for a term not exceeding 3 years or both (b) in the case of a body corporate to a fine not exceeding \$200,000 or, if the offence is a continuing one, to a fine not exceeding \$2,000 for every day during which the offence continues.

# ATTACHMENT 1: EXCHANGE CONTROL POLICY GUIDELINES

Revised January 2023

No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
1.	<b>Airline Ticket Sales</b> Ticket sales & earning (P211) (Applicable only to overseas airlines with offices or agents in Tonga)	1. Fax copy/Letter from head office requesting transfer of funds and note that proceeds are sourced from airline ticket sales	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
2	<b>Charges/Fees/Services</b> a. Freight & Shipping - Airfreight (P212); Shipping freight (P215) b. Other Transport Charges OET Code – By planes (P213); By ships (P216); By post (P220) c. Royalty & Commission (P255) d. Patents & Copyright (P257) e. Brokerage & Other Charges to agents and representatives outside country (P260) f. Movie/Film Hire & News (P253; P259) g. Repair - domestic air/shipping & others (P252) h. Technical, Professional & Management Fees (P258) i. Advertising/Licence (P256) j. Office expenses (P258) k. Software, etc (P256) l. Visa application Fees (P232) m. Re-imbursement (OET code will depend on what the reimbursement is for (you may also refer to 'Refund payments') n. Other	1. Invoice or statement on payment due	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
3.	<b>Court Order Payments</b> (OET code will depend on the purpose of payment) a. Alimony b. Collection of debt c. Out of court settlement d. Other	1. Original court order 2. Documents verifying that payments are due  <b>Note : Beneficiary must be a non-resident</b>	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.

No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
4.	<b>a. Credit Card Payments</b> i. Corporate Card (P231) ii. Personal Credit Card (P232) <b>b. Debit Card Payments</b> i. Business (P231) ii. Personal (P232) <b>c. Cash Drawings</b>	1. Original current month's statement of account.  <b>Note:</b> <i>In the case of prepayments, applicant is required to submit statement when it is received.</i>	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
5.	<b>Deposits into Overseas Bank Accounts</b> <b>Sources of funds:</b> a. Salaries & Wages from employment in Tonga Long term (P310); Short term (P410) b. Interest payable on the account (P430) c. Proceeds of sales of assets/personal effects/claims Non-resident (P850); Resident (P760) d. Retirement Fund Proceeds (P540) e. Tax refund from local sources (P450) f. Proceeds from sales of foreign currency sourced from external sources or remaining from travel funds uplifted (P850) g. Income from rental/directors fees/gratuity (P420) h. Donations/Contributions by non-profit organisation (P520) i. Other funds from local sources (living allowances, bonds, rental, funds from own local account etc.)	a. Original pay slip (to verify salary) which should indicate tax has been deducted OR letter from employer or employment contract confirming status of employment. b. Documentary evidence of source of funds (e.g. Statement of Account). c. Signed Sale & Purchase agreement and proof of transfer of ownership where applicable d. Retirement Fund cheque. e. Ministry of Revenue and Customs cheque f. Documentary evidence of source of funds g. Documentary evidence of source of funds; Rental agreement if its income from rent OR Letter from the company for payment of directors fees/gratuity. h. Documentary evidence of source of funds (e.g. Bank statement or audited financial accounts or accounts submitted to Ministry of Revenue and Customs). i. Documentary evidence of source of funds  <b>Note:</b> <i>In the case of expatriates workers' salary payments, commercial banks or applicants may submit a letter from their respective employers with name of expatriate, term of employment and fortnightly salary; NRBT can issue a blanket approval for a specified period.</i>	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
6.	<b>Education/Training Expenses (P232)</b> a. Paid directly to the education institution or directly to the students/ guardians b. Scholarship payments to a recognized institution c. Other (Student living allowance etc.)	a. i. Offer letter from the education institution or valid student ID. ii. Statement/invoices of tuition fees and other school expenses	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.

No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
		iii. Letter from applicant stating the relationship of student and guardian (where applicable) b. Confirmation letter by the issuer of scholarship. c. Offer letter from the education institution or valid student ID & letter from applicant  <b>Note:</b> <i>An applicant may submit a letter stating estimated expenses for the month; NRBT can issue a blanket approval for student allowance up to a specified period.</i>	
7.	<b>Gifts</b> Transfer overseas for personal reasons ( <i>Unrequited transfers</i> ) (P530)	1. No documentary requirements for amounts up to T\$50,000 per applicant per beneficiary per annum. 2. If above T\$50,000, the documentary requirements for relevant payments will apply e.g. education, medical expenses.  <b>Note:</b> <i>Beneficiary must be an individual</i>	Up to T\$50,000 per applicant per beneficiary per annum with no supporting documents
8.	<b>Government Department Payments/Transfers including the following payments:</b> a. Funding of Offshore accounts b. Payment of allowances for Government officials on overseas attachments c. Payments for Public Enterprises d. Other government payments (except payment of pension/ gratuity/ superannuation) ( <i>OET Code will depend on the purpose of the payments</i> )	1. Original invoice for amount due or relevant approval/documents from the relevant Ministry  <b>Notes:</b> 1. <i>Refer to 'Loan Repayments' if Government payments are for loan repayments.</i>	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
9.	<b>Hedging Payments</b>	1. Signed hedging agreement 2. Evidence of amount owed on the hedging agreement with rates/prices applied	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
10.	<b>Import Payments</b> Direct to Tonga (P110); <i>Via overseas ports</i> (P120)	All import payments are subject to the provision of Custom Import Entry documents once goods have been cleared from Customs with the exception of Government and public enterprises.	
	a. Goods on board ship or aircraft or goods landed but awaiting Customs clearance	1. Suppliers invoice showing value of goods imported 2. Original Bill of lading or Airway Bill confirming details of the current shipment or cargo	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.

No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
		3. Original Custom import entry document upon receipt of goods in Tonga	
	b. Goods already landed and cleared by Tonga customs	1. Supplier's invoice 2. Original Custom import entry document once goods have been cleared from Customs	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
	c. Prepayment of term bills for goods already landed & cleared by Tonga Customs	1. Supplier's invoice 2. Supplier's demand for immediate payment 3. Customs import entry document once goods have been cleared	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
	d. House Materials – Shopping	1. Evidence of source of funds to renovate/build a house; furniture etc. e.g. bank confirmation stating that they have approved a housing loan and amount to be sent overseas. 2. Invoices and Custom import entry document to be submitted to authorised persons when shipment arrives.	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
	e. Oil Import Payments	1. Supplier's invoice 2. Custom import entry documents 3. Projected payments for ensuing quarter	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
	f. Advance Import Payments prior to shipment of goods	1. Pro-forma invoice from supplier including request of payment prior to shipment of goods 2. Customs import entry document to be provided proving goods have arrived in Tonga	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents with accumulation of total advanced imports per applicant should not exceed T\$500,000.
11.	<b>Insurance/ Re-insurance Payments Offshore</b> Premiums (P241); Claims/benefits (P242)	1. All relevant documents relating to insurance payments	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
12.	<b>Land and/or House purchase for residential</b> (P630 & P730)	1. Copy of purchase agreement e.g. original copy of agreement to sell 2. Evidence of source of funds	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
13.	<b>Lease Payments</b> a. Aircraft (P258) b. Fishing or cruise vessels (P258) c. Machinery (P258) d. Other lease payments (Land –P450; Financial – P255; Operational – P258)	1. Original signed lease agreement	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.

No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
14.	<b>Loan Payments</b> a. Gov't & Business payments for loan principal (P840 & P820) b. Individual's payment for loan principal (P840) c. Interest on External loans excluding up-front fees (P440)	1. Original loan agreement & repayment schedule  <b>Note:</b> An applicant may submit a letter requesting for a blanket approval. NRBT can issue a blanket approval for up to a specified period where applicant needs to make regular loan repayments.	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
15.	<b>Medical Expenses/Reimbursements</b> a. Paid directly to the Medical Institution (P232) b. Paid directly to the Patient/Individuals (P232)	1. Original invoice or letter from the medical institution stating the amount due 2. Letter from the applicant stating the relationship between the patient and the beneficiary if it is a person other than the patient (where applicable)	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
16.	<b>Migrant transfers</b> Source of funds: a. Sale of personal assets (P850) b. Maturity of life insurance (P242) c. Death benefits (P530) d. Rental/Directors fees (P420) e. Savings (P850); Retirement Fund/Refund (P540) f. Estate Funds (P630)	1. Valid passport and permanent visa (including family members) 2. Evidence of the source of funds where applicable – Original retirement fund cheque or letter of withdrawal from Retirement fund 3. Airline Ticket  <b>Note:</b> Travel allowance in payment type #23 is not applicable for migrants	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
17.	<b>Offshore Investment</b> a. Individuals (P630 & P730) b. Companies (P710 & P740) c. Retirement Fund (P540) d. Other	1. Details and evidence of proposed investment – (eg: shares/equity or prospectus, or bank deposit confirmations etc) 2. Original purchase and sales agreement for investment in Land/properties overseas 3. Valid identification of applicant 4. Evidence of the source of funds - e.g. Audited Financial Statements or financial statements submitted to the Inland Revenue Department (for businesses), bank statements etc. 5. Letter from the Ministry of Public Enterprise endorsing the application if applicant is a Public Enterprise	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
18.	<b>Pensions/Superannuation/Gratuity</b> a. Payment by Retirement Fund (P540) b. Payment by companies (P540)	1. Retirement Fund Cheque 2. Evidence of payment due from the paying institution	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents

No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
19.	<b>Profit declared and distributed to non-resident shareholders/partners/sole proprietors</b> a. Capital (P420) b. Dividend or operating Profit (P420)	1. Audited accounts for amount above T\$100,000 per amount distributed 2. Unaudited accounts for amounts of T\$100,000 and below; 3. Director's Resolution approving profit distribution	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.
20.	<b>Reduction of Funds by Foreign Companies</b> (e.g. insurance companies & immigration offices )	1. Letter from head office to advise source of funds and decision to reduce funds 4. Evidence of source of funds (eg. bank statements)	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
21.	<b>Refund</b> a. Hotel bookings cancelled b. Tax Refund (beneficiary must be non-resident) c. Other (OET usually reverse these refunds to the codes that were initially received - e.g. Hotel refunds would just be a reverse to P232 or P231)	1. Bank confirmation of receipt of funds from offshore or evidence of payment due – For (a), (b) & (c) 2. Application by Ministry of Revenue and Customs or original Cheque - For (b) only 3. Letter from the donor or Ministry of Finance & National Planning for return of funds where applicable – For (c) only	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
22.	<b>Subscriptions to clubs/magazines, societies and trade organizations including entrance fees.</b> (P520 or P259)	1. Invoice or statement for the amount due	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
23.	<b>Travel Allowance</b> Business (P231); Personal (P232)	1. Valid passport 2. Valid airline ticket or e-ticket, or copy of email confirmation of airline bookings 3. Government Official Travel: In the absence of any travel documents a supporting letter from the Ministry of Finance or relevant government ministry. <b>Note: A traveller can only hand carry cash up to T\$10,000.</b>	Up to T\$20,000 per traveler per travel or up to T\$5,000 per transaction without supporting documents
24.	<b>Wages Paid in foreign currency cash to foreign crew members</b> (P410)	1. Documentary evidence of receipt of funds from offshore	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents
25.	<b>Withdrawal of Investment by non-resident Investors</b> a. Sales of Shares/Assets (P810) b. Shareholders' Funds (P810)	1. Signed sale & Purchase Agreement (or original documentary proof of sale) for (a) 2. Audited Financial Accounts for (b) for amounts above T\$100K. 3. Original bank confirmation that funds originated from offshore (where applicable) 4. Evidence that the beneficiary is non-resident	Up to T\$100,000 per application or up to T\$5,000 per transaction without supporting documents.



No	Type	Documentary Requirements (originals to be sighted and stamped by authorised persons)	Delegated Limit
		<ol style="list-style-type: none"> <li>Local borrowing by customers to fund profit remittances is prohibited</li> <li>All new Foreign Currency Loans to be reported in FID1-12 within 15 working days from end of month</li> <li>List of Foreign Currency Loan to be reported to the NRBT in FID 3 within 15 working/business days from end of quarter.</li> </ol>	
29.	<b>Forward Exchange Contracts (FEC)</b>	<ol style="list-style-type: none"> <li>Banks can write forward exchange contract for genuine exporters and importers up to the individual bank limits as determined by the NRBT</li> <li>Banks to lodge application above the delegated limit and individual bank limit for forward exchange contracts on behalf of customer with supporting documents</li> <li>Due date(s) must be shown on application</li> <li>FECs are to be reported to the NRBT in FID 1_14 within 15 working days from end of month.</li> </ol>	<p>Banks can write forward exchange contracts up to the individual bank limits as determined by the NRBT without NRBT approval.</p> <p>Underlying payment transactions up to T\$100,000 per application.</p>
30.	<b>Local borrowing or lending &amp; Guarantees to non-residents</b>	<p>Requirements:</p> <ol style="list-style-type: none"> <li>If the loan is in foreign currency, refer to payment type # 28</li> <li>If the loan is in Tongan pa'anga then subject to the bank's loan requirements</li> </ol>	Fully delegated subject to the banks' loan requirements
31.	<b>Transfer or issue of any security</b> <ol style="list-style-type: none"> <li>By non-residents transferring or issuing any security denominated in Tongan pa'anga or in foreign currency in Tonga</li> <li>Residents transfer or issue of any foreign security</li> </ol>	<ol style="list-style-type: none"> <li>Letter of request to the NRBT</li> <li>Valid passport or business license (where applicable)</li> <li>Details of the security outlining purpose, terms and conditions, security holders (prospectus etc.)</li> </ol>	Requires prior approval from the NRBT
32.	<b>Exchange Rate Offered by authorized persons (Spread)</b>	<ol style="list-style-type: none"> <li>Exchange rates should be displayed visibly at the premises</li> </ol>	<p>The maximum spread per currency as follows:</p> <ol style="list-style-type: none"> <li>USD/TOP: 220 basis points</li> <li>AUD/TOP – 300 basis points</li> <li>NZD/TOP – 350 basis points</li> </ol>

## **ATTACHMENT 2: EXCHANGE CONTROL APPLICATION FORMS**

FORM  
AForeign Exchange Control Act 2018 (*Lao ki he Pule'i 'o e Fetongi Pa'anga Muli 2018*)

## GENERAL

Application for Permit to remit money overseas (*Kole Ngofua ke totongi ha pa'anga ki muli*)

To be used for all transfers except imports, export of currency, travel and offshore investment.

*Ke ngaue'aki ki he totongi pa'anga kotoa pe ki muli tukukehe ange 'a e totongi koloa, hū atu 'o ha pa'anga, folau pe ko e 'inivesi pa'anga'i muli.*

I/We, the undersigned, hereby apply for permit to remit money overseas as per details given below.

*Koau/Ko Kimautolu 'oku fakaha atu 'i lalo, 'oku ou/mau kole ha ngofua ke totongi ha pa'anga ki muli 'o fakataata ki he fakamatala 'oku 'oatu 'i lalo.*

FULL NAME OF APPLICANT <i>HINGOA KAKATO 'O E TOKOTAHA KOLE</i>		
RESIDENTIAL ADDRESS <i>TU'ASILA</i>		
TELEPHONE NUMBER <i>FIKA TELEFONI</i>	(676)	
FULL NAME AND ADDRESS OF BENEFICIARY <i>HINGOA KAKATO MO E TU'ASILA 'O E TOKOTAHA 'I MULI 'OKU FAI KI AI 'A E TOTONGI</i>		
AMOUNT APPLYING TO REMIT OVERSEAS <i>LAHI 'O E PA'ANGA KE TOTONGI KI MULI</i>	CURRENCY ( <i>PA'ANGA</i> )	AMOUNT ( <i>LAHI</i> )
BANK/AUTHORISED DEALER TO USE <i>PANGIKE PE TAHA KUO FAKAMAFAI 'E NGAUE'AKI</i>		
EXPECTED DATE(S) OF THE TRANSACTION(S) <i>'AHO 'OKU FIEMA'U KE FAKAHOKO AI 'A E TOTONGI</i>	/ / 20	
PURPOSE OF PAYMENT <i>TAUMU'A 'O E TOTONGI PA'ANGA</i>		

Please attach original supporting document(s) relevant to this application  
*Kataki 'o 'omai 'a e ngaahi tohi fakamo'oni kotoa pe felave'i mo e kole ngofua ko eni*

## DECLARATION BY APPLICANT

(Fakapapau 'a e Tokotaha kole ngofua)

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

*Ko au/Ko Kimautolu 'oku ha atu 'i 'olunga 'oku ou/mau, fakapapau 'oku mo'oni mo totonu 'a e fakamatala kotoa pe kuo fai 'i 'olunga pea 'e 'ikai ke ngaue'aki 'a e pa'anga ko ia ki ha toe 'uhinga kehe mei he taumu'a 'oku fakaha atu.*Signature of Applicant (Print Name)  
*Fakamo'oni hingoa 'o e Tokotaha Kole*Date  
*'Aho: \_\_\_\_/\_\_\_\_/20\_\_*

[Company Stamp]

## FOR OFFICIAL USE ONLY

NRBT Authorised Official  
*'Ofisa Fakamafai 'a e NRBT*Date  
*'Aho: \_\_\_\_/\_\_\_\_/20\_\_*You are hereby authorised to remit in terms of the above application as follows  
*'Oku fakangofua heni ke ke/mou totongi atu 'a e pa'anga 'o hange ko ia kuo fai ki ai 'a e kole 'i 'olunga 'o pehe ni*

Total amount approved <i>Fakakatoa 'o e pa'anga 'oku fakangofua</i>	\$	EC No:
Valid Until <i>'E ngata 'a e ngofua he 'aho</i>	/ / 20	OET Code: P

FORM  
B

## Foreign Exchange Control Act 2018

## IMPORTS

## Application to Remit Money Overseas to pay for Imports

I/We, the undersigned, hereby apply for permit to remit money overseas as per details given below.

FULL NAME AND ADDRESS OF APPLICANT		
TELEPHONE NUMBER	(676)	
FULL NAME AND ADDRESS OF BENEFICIARY		
AMOUNT APPLYING TO REMIT OVERSEAS	CURRENCY	AMOUNT
BANK/AUTHORISED DEALER TO USE		
EXPECTED DATE(S) OF THE TRANSACTION(S)	/ / 20	
DESCRIPTION OF GOODS		
To pay for goods <u>*imported</u> into Tonga *to be imported	Country of Origin	Country of Consignment
EXPECTED DATE OF ARRIVAL OF GOODS IN TONGA FOR ADVANCE IMPORTS	/ / 20	

Please attach original invoices(s) and Custom import entries relevant to this application

## DECLARATION BY APPLICANT

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

Signature of Applicant (Print Name) \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/ 20\_\_\_\_  
[Company Stamp]

**FOR OFFICIAL USE ONLY**

NRBT Authorised Official \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/ 20\_\_\_\_

You are hereby authorised to remit in terms of the above application as follows

Total amount approved	\$	EC No:
Valid Until	/ / 20	OET Code: P

FORM  
CForeign Exchange Control Act 2018  
**EXPORT OF CURRENCY**

Application for export of currency

I/We, the undersigned, hereby apply for permit to remit money overseas as per details given below.

FULL NAME OF APPLICANT	
RESIDENTIAL ADDRESS	
TELEPHONE NUMBER	(676)
COUNTRY TO WHICH CURRENCY(IES) ARE TO BE EXPORTED	
<u>DESCRIPTION OF ITEMS</u>	<u>VALUE/AMOUNT</u>
AIRLINE/FLIGHT NUMBER	
DEPARTURE DATE AND TIME	

If cash is to be carried by a traveller, please submit airline ticket and valid passport of traveller.

**DECLARATION BY APPLICANT**

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

Signature of Applicant (Print Name) \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_  
[Company Stamp]**FOR OFFICIAL USE ONLY**

Permission is given for the export of the items listed above	Approval no:
This is subject to the condition that the applicant will submit the reimbursement documents within one month	Due: ____/____/20____

*This must accompany the items to which it relates when are sent by post, OR surrendered to the Customs Officer when the items are sent other than by post*

NRBT Authorised Official \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_

**FORM  
D****Foreign Exchange Control Act 2018****TRAVEL****Application for Foreign Exchange facilities for travel outside Tonga**

I/We, the undersigned, hereby apply for permit to remit money overseas as per details given below.

FULL NAME OF TRAVELLER (S)		
RESIDENTIAL ADDRESS		
TELEPHONE NUMBER	(676)	
IF PURPOSE OF JOURNEY IS FOR: (a) Holiday (b) Official (c) Education (d) Other (specify below)	DATE OF DEPARTURE FROM TONGA _____/_____/20____	
AMOUNT APPLYING TO REMIT OVERSEAS	CURRENCY	AMOUNT
AIRLINE/FLIGHT NUMBER		

Please submit your confirmed airline ticket(s) and valid passport(s)

**DECLARATION BY APPLICANT**

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

Signature of Applicant (Print Name) \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_  
[Company Stamp]

**FOR OFFICIAL USE ONLY**

NRBT Authorised Official \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_

You are hereby authorised to remit in terms of the above application as follows

Total amount approved	\$	EC No:
Valid Until	/ / 20	OET Code: P

FORM  
E

Foreign Exchange Control Act 2018

## OFFSHORE INVESTMENT

Application to remit money overseas for Investment purposes

I/We, the undersigned, hereby apply for permit to remit money overseas as per details given below.

FULL NAME OF APPLICANT		
RESIDENTIAL ADDRESS		
TELEPHONE NUMBER	(676)	
FULL NAME AND ADDRESS OF BENEFICIARY		
TYPE OF INVESTMENT OFFSHORE	<input type="checkbox"/> Shares/Equity <input type="checkbox"/> Bank deposits <input type="checkbox"/> Foreign securities (eg. bonds, bills) <input type="checkbox"/> Land/Property for investment purpose <input type="checkbox"/> Land/Property for residential purpose <input type="checkbox"/> Other (please specify).....	
AMOUNT APPLYING TO REMIT OVERSEAS	CURRENCY	AMOUNT
BANK/AUTHORISED DEALER TO USE		
EXPECTED DATE(S) OF THE TRANSACTION(S)	/ / 20	

Please attach original supporting document(s) relevant to this application

## DECLARATION BY APPLICANT

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

Signature of Applicant (Print Name) \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_  
[Company Stamp]**FOR OFFICIAL USE ONLY**

NRBT Authorised Official \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_

You are hereby authorised to remit in terms of the above application as follows and subject to the attached approval letter:

Total amount approved	\$	EC No:
Valid Until	/ / 20	OET Code: P



File #:

Date:

John Smith  
Chief Executive Officer  
Company X  
Nuku'alofa

Dear Sir/Madam,

**Approval of Application for Offshore Investment**

The Reserve Bank in accordance with sections 4 and 8 of the Foreign Exchange Control Act 2018, has approved your application dated 12<sup>th</sup> September 2018 for investment offshore with Overseas Company ABC Ltd, New Zealand. This approval is subject to the following conditions:

1. Should the level of the foreign reserves fall to critical levels of 2 months equivalent of imports of goods and services, Local Company DEF Ltd will be required to take all reasonable steps to realise this investment and any amount that is due or has been accrued on this investment and repatriate it back to Tonga;
2. The Reserve Bank shall contact Local Company DEF Ltd at the address and phone number provided and should there be any change to this contact phone number and address, you are required to notify the Reserve Bank immediately;
3. The repatriation of funds is to be conducted within 2 months from the date of notification from the Reserve Bank, and funds shall be transferred and held in an account with a bank that is licensed in Tonga.

Failure to comply with such requirements is an offence under the Foreign Exchange Control Act 2018, and shall be liable upon conviction to a fine not exceeding \$10,000 in the case of an individual, OR a fine not exceeding \$200,000 in a case of a body corporate.

Should you agree with the above approval and conditions then please sign below.

Yours sincerely

Sione Ngongo Kioa

**Governor**

---

**DECLARATION BY APPLICANT**

**I/We**, agree with the conditions of the above approval of my/our offshore investment.

\_\_\_\_\_  
Signature of Applicant 1(Print name)  
Position:

\_\_\_\_\_  
Signature of Applicant 2 (Print name)  
Position:

*In the case of an individual, 1 signature will suffice. In the case of a company, 2 authorised signatures is required.*

Verified by:

\_\_\_\_\_  
NRBT Authorised Official

EC No:\_\_\_\_\_



NRBT Building  
Salote Road  
Nuku'alofa,  
Kingdom of Tonga, South Pacific  
Private Bag No. 25, Post Office

FORM  
F

Foreign Exchange Control Act 2018

No. \_\_\_\_\_

## EXPORT DECLARATION

(To be submitted to the Ministry of Revenue & Customs, Tonga, in respect of all exports from Tonga except the exempted exports)

1. ....  
Country of Final Destination of the goods  
Invoiced value of shipment in Tonga currency  
(including Freight and Insurance where applicable)
2. ....  
Name and address of purchaser/consignee
3. ....  
Proposed method of payment - (e.g.. draft, telegraphic transfer in foreign currency)
4. ....  
Bank or Foreign Exchange Dealer in Tonga & bank account name through which payment is to be effected
5. Concise description of the goods for export to be supported by production of relative shipping documents to the Bank (4 above)

No. of Packages, or net weight	Marks	Origin of goods	Description

(Additional particulars can be inserted on the table overleaf)

6. To be shipped per ..... on or about .....  
(name of shipping/airline company) (date of export)

I/We declare that the foregoing particulars are true and correct and I/We undertake to secure the due delivery to the Bank or foreign exchange dealer (4 above) of at least 60% of the foreign exchange resulting from the export of the goods (hereinbefore described) in terms of the conditions of approval of the licence and not later than six (6) months from the date of export of goods.

.....  
Signature of Exporter

Verified by:

.....  
for Ministry of Revenue & Customs

FORM  
GForeign Exchange Control Act 2018 (*Lao ki he Pule'i 'o e Fetongi Pa'anga Muli 2018*)

## TRANSFER AND ISSUE OF SECURITY

Application to issue or transfer securities (*Kole Ngofua ki hono tuku atu pe 'oatu 'o ha malu'i*)

I/We, the undersigned, hereby apply for permit to issue/transfer securities as per details given below.

*Koau/Ko Kimautolu 'oku fakaha atu 'i lalo, 'oku ou/mau kole ha ngofua ke tuku atu pe 'oatu 'o ha malu'I 'o fakataata ki he fakamatala 'oku 'oatu 'i lalo.*

FULL NAME OF APPLICANT <i>HINGOA KAKATO 'O E TOKOTAHA KOLE</i>	
RESIDENTIAL ADDRESS <i>TU'ASILA</i>	
TELEPHONE NUMBER <i>FIKA TELEFONI</i>	(676)
FULL NAME AND ADDRESS OF ISSUER/TRANSFEROR (if different from above) <i>TU'ASILA 'O E TOKOTAHA TUKU ATU KAPAU 'OKU KEHE MEI 'OLUNGA</i>	
FULL NAME AND ADDRESS OF BENEFICIARY <i>HINGOA MO E TU'ASILA 'O E TOKOTAHA 'OKU TUKU KI AI</i>	
TYPE OF SECURITY <i>KALASI 'O E MALU'I</i>	
DETAILS OF SECURITY (Fill in where applicable) <i>FAKAIKIIKI 'O E MALU'I (Fakafonu pe 'a e me'a felave'i mo e kole ni)</i>	a. Currency <i>Pa'anga</i> _____ b. Value <i>Fiha</i> _____ c. Interest/Rate <i>Totongi Tupu/fakafetongi</i> _____ d. Duration <i>Loloa</i> _____
EXPECTED DATE(S) OF THE TRANSACTION(S) <i>'AHO KE FAKAHOKO AI 'A E FAKAFETONGI</i>	/ / 20
PURPOSE OF ISSUANCE/TRANSFER <i>TAUMU'A 'O E TUKU ATU 'O E MALU'I</i>	

Please attach original supporting document(s) relevant to this application  
*Kataki 'o 'omai 'a e ngaahi tohi fakamo'oni kotoa pe felave'i mo e kole ngofua ko eni*

## DECLARATION BY APPLICANT

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

*Ko au/Ko Kimautolu 'oku ha atu 'i 'olunga 'oku ou/mau, fakapapau 'oku mo'oni mo totonu 'a e fakamatala kotoa pe kuo fai 'I 'olunga pea 'e 'ikai ke ngaue'aki 'a e pa'anga ko ia ki ha toe 'uhinga kehe mei he taumu'a 'oku fakaha atu.*

Signature of Applicant

*Fakamo'oni Hingoa 'oe Tokotaha Kole* \_\_\_\_\_

Date

*'Aho* \_\_\_\_/\_\_\_\_/ 20\_\_\_\_

[Company Stamp]

**FOR OFFICIAL USE ONLY**

NRBT Authorised Official

'Ofisa Fakamafai 'a e NRBT \_\_\_\_\_

Date

'Aho \_\_\_\_/\_\_\_\_/ 20\_\_\_\_

You are hereby authorised to issue/transfer the securities in terms of the above application as follows:

*'Oku fakangofua heni ke ke/mou tuku atu pe 'oatu 'a e malu'i 'o hange ko ia kuo fai ki ai 'a e kole 'i 'olunga 'o pehe ni*

ISSUER/TRANSFEROR (TAHA TUKU ATU)	
BENEFICIARY (TAHA TAUMU'A KI AI)	
TYPE OF SECURITY (KALASI 'O E MALU'I)	
AMOUNT (FIHA)	\$
INTEREST RATE (TOTONGI TUPU)	
DURATION (LOLOA)	
OTHER DETAILS (NGAAHI FAKAIKIIKI KEHE)	
EC NO. (FIKA NGAUE)	

Foreign Exchange Control Act 2018 (*Lao ki he Pule'i 'o e Fetongi Pa'anga Muli 2018*)

## FORM

## FOREIGN CURRENCY ACCOUNT

H

Application to open and maintain Foreign Currency Account(s) with the Commercial Banks in Tonga  
*Kole Ngofua ki hono fakaava mo hono tauhi 'o ha 'akauni muli mo e ngaahi pangike fakakomesiale 'i Tonga*

I/We, the undersigned, hereby apply for a permit as per details given below.

*Koau/Ko Kimautolu 'oku fakaha atu 'i lalo, 'oku ou/mau kole ha ngofua 'o fakatatau ki he fakamatala 'oku 'oatu 'i lalo.*

FULL NAME OF APPLICANT <i>HINGOA KAKATO 'O E TOKOTAHA KOLE</i>	
RESIDENTIAL ADDRESS <i>TU'ASILA</i>	
TELEPHONE NUMBER <i>(FIKA TELEFONI)</i>	(676)
PURPOSE <i>TAUMU'A 'O E 'AKAUNI</i>	
SOURCE(S) OF FUNDING <i>HA'U 'A E PA'ANGA MEI FE</i>	
ACCOUNT(S) TYPE AND ANNUAL AMOUNT(S) <i>KALASI 'O E 'AKAUNI MO E LAHI 'O E PA'ANGA FAKATA'U KE HU KIAI</i>	<input type="checkbox"/> USD\$ _____ <input type="checkbox"/> AUD\$ _____ <input type="checkbox"/> NZD\$ _____ <input type="checkbox"/> Other (specify) _____
DURATION OF ACCOUNT(S) <i>LOLOA HONO NGAUE'AKI 'A E 'AKAUNI</i>	

## DECLARATION BY APPLICANT

I/We, the above named applicant(s) declare that the above statements are true and that the funds will be used solely for the purpose stated.

*Ko au/Ko Kimautolu 'oku ha atu 'i 'olunga 'oku ou/mau, fakapapau 'oku mo'oni mo totonu 'a e fakamatala kotoa pe kuo fai 'I 'olunga pea 'e 'ikai ke ngaue'aki 'a e pa'anga ko ia ki ha toe 'uhinga kehe mei he taumu'a 'oku fakaha atu.*

Signature of Applicant

*Fakamo'oni Hingoa 'oe Tokotaha Kole* \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/ 20\_\_\_\_

[Company Stamp]

## FOR OFFICIAL USE ONLY

NRBT Authorised Official

*'Ofisa Fakamafai 'a e NRBT* \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/ 20\_\_\_\_

You are hereby authorised to open and maintain foreign currency account(s) within the specified conditions as follows:

*'Oku fakangofua heni ke ke/mou fakaava mo tauhi ha 'akauni muli 'o hange ko ia kuo fai ki ai 'a e kole 'i 'olunga 'o pehe ni*

Limit on Account Balance <i>Fakangatangata ki he pa'anga 'i he 'akauni</i>	\$	Any excess of this limit should be cleared within 72 hours and transferred to the customer's TOP account. <i>Kuo pau ke fakahu 'a e hulu 'i he fakangatangata ki he 'akauni 'i loto 'i he houa 'e 72 ki he 'akauni pa'anga Tonga 'o e Tokotaha Kole</i>
Valid Until <i>'E ngata 'a e Ngofua he 'aho</i>	/ / 20	FCA No:

<p>Other Conditions Ngaahi Fakangatangata makehe</p>	<ol style="list-style-type: none"> <li>1. Accounts are for operational use only and not for investment <i>'Oku fakataumu 'a 'a e 'akauni ki he ngaahi ngaue totongi angamaheni ka e 'ikai ke inivesi.</i></li> <li>2. Prior approval of the Reserve Bank is required for all funding of a foreign currency deposit account from local sources, except for payment of bank fees. <i>Kuo pau ke kole 'a e ngofua mei he Pangike Pule kapau 'e fakahu ha pa'anga ne fakatupu 'i Tongani ki he 'akauni tukukehe kapau ko e ngaahi totongi tupu mei he pangike.</i></li> <li>3. Banks must ascertain the credibility of the account holder and legitimacy of offshore funds and all transactions on the foreign currency account. <i>Kuo pau ke fakapapau 'i he ngaahi pangike 'oku taau 'a e tokotaha ha'ana 'a e 'akauni, 'oku ha'u 'a e pa'anga mei muli pea taau mo totonu 'a e ngaahi fehu'aki kotoa pe 'i he 'akauni</i></li> <li>4. All inwards/outwards transfer of funds from the account must be reported to the Reserve Bank in the Daily Movement in FCA reports. <i>'Oku lipooti faka'aho 'a e ngaahi fehu'aki kotoa pe kotoa pe 'i he 'akauni 'i he lipooti 'o e fenga'unu'aki 'i he 'akauni pa'anga muli.</i></li> </ol>
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Tel: (676) 24057

Fax: (676) 24610

Website: [www.reservebank.to](http://www.reservebank.to)

## ATTACHMENT 3: AUTHORISED PERSONS

### 1. Banks

- Australia and New Zealand Banking Group Ltd
- Bank of South Pacific Limited
- MBf Bank Ltd
- Tonga Development Bank

### 2. Foreign Exchange Dealers – Type A (outward/payment & inward/receipts)

- Fexco (Tonga) Ltd
- Klickex Ltd
- Rowena Finance Services
- Manatu 'Ofa Ltd
- T&T Money Transfer
- Island Flexi Transfer
- Frank Money Transfer
- Toumu'a Money Transfer
- 'Ave Pa'anga Pau TDB
- Maka Mo'ui Trading Services & Financial Institutions Limited

### 3. Foreign Exchange Dealers – Type B (inward/receipts only)

- Digicel Tonga Ltd t/a Digicel Mobile Money
- Nikua Money Transfer
- Tonga Post Ltd
- Joy Trading Company Limited
- Tokowireless Limited

### 4. Money Changers – Type C

- Jones Travel Ltd