

## MANDATE OF THE DEPARTMENT OF ENVIRONMENT

### Environmental Regulatory Regime

<b>Environmental Legislation</b>	<b>Year Passed</b>	<b>Last amended</b>	<b>Objective</b>
Environmental Impact Assessment Act 2003	2003		To provide for the application of environmental impact assessment to the planning of development in Tonga
Waste Management Act 2005	2005		To manage and oversee the function of the Waste Management Board
Parks and Reserves Act 1976	1976	1979 & 1988	To provide for the establishment of Parks and Reserves Authority and for the establishment, preservation and administration of Parks and Reserves
Biosafety Act 2009	2009		To regulate living modified organisms and applications of modern biotechnology consistent with Tonga's obligations and rights under the Convention on Biological Diversity and the Cartagena Protocol
Environmental Management Act 2010	2010		To establish Tonga's Environment & Climate Change
Environmental Impact Assessment Regulation 2010	2010		Regulation under the Environmental Impact Assessment Act 2003
Hazardous Waste and Chemical Act 2010	2010		To provide for the regulation and proper management of Hazardous Wastes and Chemicals in accordance with accepted international practices and the international conventions applying to the use, transboundary movement and disposal of Hazardous substances, and for related purposes.
Environment Management (Litter)	2016		Regulation under the Environment Management Act 2010.

and Waste Control) Regulations			
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## Policy Decisions

Similarly, policy decisions approved by Cabinet or Privy Council also determine the mandate of the Department of Environment (DoE). Examples of such decisions are as follows:

- Cabinet and Privy Council Decisions recommended the establishment of a Department of Environment (PCD No. 9, 24 January 2001 and No. 618, 11 April 2001) as it would reflect the high priority accorded by Government to environment as its core function;
- A National Environmental Monitoring Committee was established by Cabinet. This Committee would function as the principal adviser to Government on environmental monitoring needs and activities (CD No. 1326, 7 August 2001);
- DoE coordinates the activities of the Fanga’uta Lagoon System Management Plan (CD No. 1326, 7 August 2001);
- DoE was given the mandate to coordinate the implementation of the Management of Persistent Organic Pollutants in Tonga, (C.D. No. 340, 6 March 2002).
- DoE is the Focal Point for the Stockholm Convention, (C.D. 341, 6 March 2002). Benefits to Tonga would be support to reduce levels and removal of toxic chemicals, provide access to technical assistance, secure assistance, enable access to funding, and further measures to implement sustainable development;
- DoE is the Competent Authority and Focal Point for the Waigani Convention, (C.D. 342, 6 March 2002). It may take appropriate legal, administrative and other measures to ban the import of all hazardous wastes and radioactive wastes from outside the Convention area, and from non-parties within the Convention Area, and to control the trans-boundary movement and management of hazardous wastes within the region;
- DoE is the Executing agency for the Sustainable Land Management Project (C.D. No 195 of February 2005). Tonga ratified to the UNCCD in 25 September 1998;
- Cabinet Decision (CD No.1324, 5 December 2007) approved the establishment of the Cabinet Committee on Climate Change and Honourable Minister for Environment to be the chair of the committee;
- DoE is the Executing agency for the Programme of Work on Protected Areas (C.D.No 215 of April 2009). The POWPA’s ultimate objective is the establishment and maintenance of comprehensive, effectively managed and ecologically representative national and regional systems of protected areas;
- DoE is the National Implementation agency for the Japanese Technical Cooperation Project for Promotion of Regional Initiative on Solid Waste Management in Pacific Island Countries (JPRISM). This regional project is funded by the Government of Japan through Japan International Cooperation Agency (JICA). The goal of the project is Sustainable management of solid waste in the Pacific Region is enhanced.
- The Parks and Reserves Authority declare by Gazette notice the following sites as protected: ‘Out Motu Lalo Island Reserve (Maninita, Taula and Lualoli Islands), Fonualei Island Reserve,

Talehele (Leimatu'a), Vai'utukakau (Ha'alaufuli), Mount Talau National Park and Popua Sia Heu Lupe Mounds (CD No. 791)

- Accession to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their utilisation (ABS) was approved on 21 October 2016 (CD No. 1154) with the National focal point be the Ministry responsible for Environment.

### **Multilateral Environmental Agreements (MEAs)**

Tonga is a Party to several international environmental agreements of which the Department of Environment is the National Operational Focal Point or an Implementing/Partner Agency:

- Waigani Convention
- Agreement establishing SPREP
- Marine Pollution Convention
- United Nations Convention on Biological Diversity
- United Nations Framework Convention on Climate Change
- Kyoto Protocol
- United Nations Convention to Combat Desertification
- Stockholm Convention on Persistent Organic Pollutants
- Protocol to the Convention on the Prevention of Marine Pollution by Dumping Wastes and other Matters
- Cartagena Protocol on Biosafety
- Convention on Migratory Species
- Basel Convention
- Rotterdam Convention
- Convention on International Trade of Endangered Species (CITES)
- Nagoya Protocol (to be acceded to in 2017)
- Minamata Convention (to be acceded to in 2017)