



Starting a Business in Tonga

Ministry of Labour, Commerce & Industries

Obtaining a Licence as an Electrician

1.0 Overview

A person, whether employed by a firm, or in business as an individual, seeking to engage in performing electrical services (including wiring) is required by the Business Licence Regulations to obtain a "letter of approval from the Tonga Electric Power Board (TEPB)" (since 25 July 2008, named the Electricity Commission or EC). For a firm or an individual wishing to provide electrical services, an electrical contractor's licence must be obtained from the Commission: thereafter a letter of approval issued by the Commission must be produced to the Ministry of Labour, Commerce & Industries (MLCI, which administers the Business Licence Regulations) to obtain a Business Licence.

The EC is responsible for assessing the technical competence of applicants for an electrical contractor's licence. For the time being, they do so under By-Laws made in terms of the old TEPB Act, but they intend by 2010 to have promulgated new regulations under the Electricity Act of 2007 (which be not dissimilar from the current By Laws).

2.0 Powers of the Electricity Commission

2.1 General Powers

The Electricity Commission (formerly TEPB) is vested with the legal powers to receive, process, and consider applications for a licence to engage in business as an electrical contractor (i.e. as an electrician). If the applicant is found satisfactory, the Commissioners, by resolution of the EC, may authorize the issue of the licence.

2.2 Licensing

An application form, several pages long, can be obtained from the EC, and requires information primarily about the technical expertise and qualifications of the applicant. This form must be used for all first-time applicants.

Any licence granted is valid until the end of the calendar year in which it is issued. A simple one-page renewal application form is then required, which is processed by the EC, and renewal licences issued by the Chairman and Secretary EC acting under powers delegated

to them by the Commission. When a licence application or renewal is approved, the EC will issue to MLCI a letter of approval to facilitate the issue by the MLCI of a Business Licence.

2.3 Fees

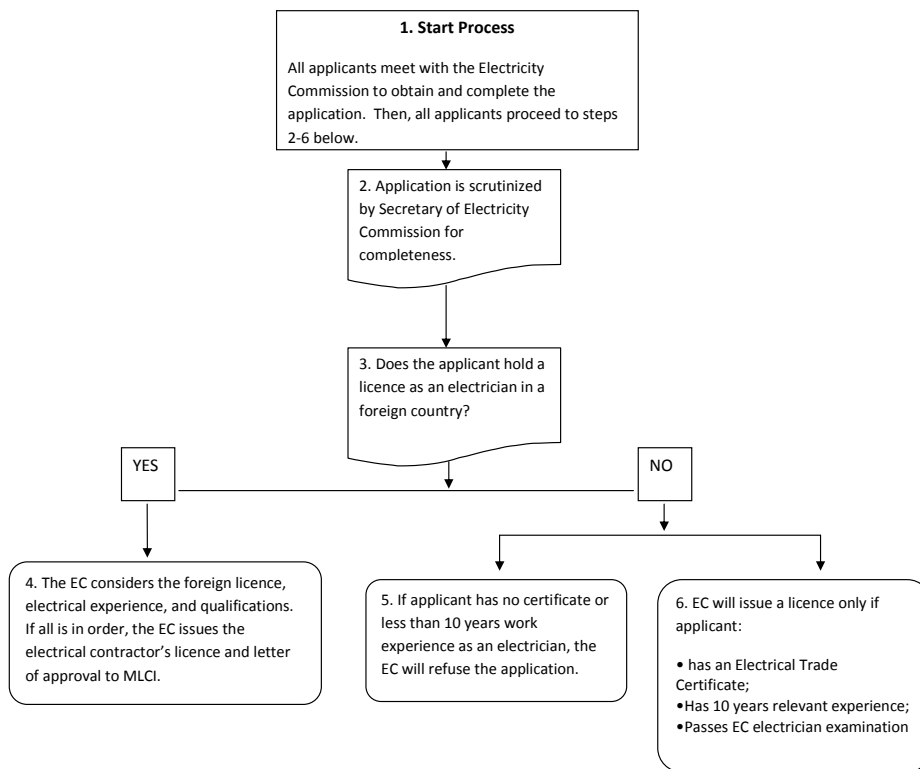
No fees are charged for the letter of approval. The EC previously charged 10 pa'anga plus consumption tax for processing a first-time or renewal of an electrical contractor's licence application. The level of the fee was set in 1988 and is likely to rise when the new regulations referred to in Section 1.0 are brought into effect. If the applicant is required to sit an examination (see Section 3.3), they will need to pay a fee of 75 pa'anga plus consumption tax.

3.0 Licence Application Process

3.1 Overview

Applications are processed at the Electricity Commission office in Tu'atakilangi. Applications may be made in person, through an agent, or by post. However, the applicant must sign the original application form. The application process

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is largely unchanged since the 1988 By-Laws authorising the TEPB to oversee electrical works and electricians in the Kingdom of Tonga.

3.2 Process Flow

The chart above shows the steps that an applicant must follow in order to obtain approval from the Electricity Commission.

3.3 Narrative Accompanying Process Flow

The following provides a box-by-box narrative related to the flow chart above.

3.3.1 – Box 1. Any person may apply to the EC for an application form in person, through an agent, or by fax. An original signed application (and all supporting papers) must be lodged at the EC office together with the fee payable.

3.3.2 – Box 2. This process is to ensure that the application has been completed properly, the prescribed fee paid, all necessary documentation produced and that the question posed in Box 3 can be answered. Additionally, foreign applicants must possess (or have the offer of) a visa from the Ministry of Foreign Affairs.

3.3.3 – Box 3. The track which the EC follows hereafter depends on whether or not the applicant has an overseas registration as

an electrician.

3.3.4 – Box 4. If the answer to the question posed in Box 3 is YES, the Commission will consider the foreign licence (and any other qualifications), the standards imposed, and the examinations required by the foreign jurisdiction before issuing the licence. The EC holds a list of countries whose licences are acceptable, and checks the applicant's certification against this list. At this stage, the EC will satisfy itself with the applicant's work experience and take up references from the applicant's referees.

3.3.5 – Box 5. By law, the EC is forbidden to issue an electrical contractor's licence to anyone who does not meet the following requirements:

- a) possession of an Electrical Trade Certificate (issued by an institution in Tonga or overseas and approved by the EC); and
- b) at least 10 years relevant experience as an electrician.

3.3.6 – Box 6. If an applicant has an Electrical Trade Certificate and 10 years relevant experience as an electrician, he / she must apply to be examined by the EC, pay the examination fee (presently 75 pa'anga, plus tax per paper), and thereafter sit and pass two examinations (pass is defined as receiving a mark of 60 per

cent or greater). The two examinations are in electrical theory and electrical practice, and a pass must be obtained on each before a licence is issued (the EC employs an external examiner and the exam content and marking is similar to exams that face candidate electricians in New Zealand). Candidates who fail an exam may re-sit – there is no limit on how often an exam can be re-taken.

4.0 Renewals

The renewal process coincides with the Business Licence renewal and, in general, is a formality. However, as public safety is a paramount consideration, the Electricity Commission uses the renewal process to review any complaints that have been lodged against the person seeking the renewal, and can ask the applicant to respond to these complaints.

This is not a legal document and is provided solely for reference. Processes are subject to change.

Contact Information

In order to obtain application forms (or a letter of approval for MLCI) from the Tonga Electricity Commission, contact:

Miss Meleseini V. Folau
Secretary and General Administrator
Tonga Electricity Commission

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