



I assent,

PRINCESS PILOLEVU TUITA,

28th October, 2008.

## **AN ACT**

### **TO AMEND THE CONSTITUTIONAL AND ELECTORAL COMMISSION ACT 2008**

[28 October, 2008]

**BE IT ENACTED** by the King and the Legislative Assembly of Tonga in the Legislature of the Kingdom as follows:

1. This Act may be cited as the Constitutional and Electoral Commission (Amendment) Act 2008.
2. The Constitutional and Electoral Commission Act 2008 is in this Act referred to as the Principal Act.
3. Clause 1 of Schedule 1 of the Principal Act is amended by -
  - (a) in sub-clause (1),-
    - (i) in the Tongan version only of the preamble, deleting the word “fokotu‘u” and replacing with “fakanofa”;
    - (ii) in the Tongan version only of the proviso immediately after paragraph (d), deleting the word “fokotu‘u” and replacing with “fakanofa”; and
    - (iii) inserting a new paragraph (e) immediately after paragraph (d) as follows-

“(e) all recommendations under paragraphs (a) to (d) shall be accompanied by a nomination of an alternate member to the Commission.”;

- (b) in sub-clause (3), in the Tongan version only-
    - (i) on the fourth line, deleting the word “fokotu‘u” and replacing with “fakanofu”;
    - (ii) inserting “Fakataha Tokoni ‘i he fokotu‘u atu” after “ ‘e he”;
    - (iii) in paragraph (a), deleting the word “fokotu‘u” and replacing with “fakanofu”; and
    - (iv) in paragraph (b), deleting the first appearance of the word “fokotu‘u” and replacing with “fakanofu”;
  - (c) in sub-clause (5), in the Tongan version only, deleting the word “fakangau‘e‘i” and replacing with “fakanofu”; and
  - (d) adding a new sub-clause (6) immediately after sub-clause (5) as follows -
    - “(6) (a) All recommendations made under Clause 1(1) shall be officially submitted in writing to the Clerk to Privy Council by 1st November 2008.
    - (b) On receipt of recommendations, the Clerk to Privy Council shall submit the same to Privy Council and notify the Legislative Assembly, Cabinet and the Judicial Services Commission.
    - (c) The appointment of Commissioners under sub-clause (1) shall be made within 7 days of the receipt of recommendations under paragraph (b).”
4. Clause 5(2) of Schedule 1 of the Principal Act is amended, in the Tongan version only, by deleting the word “fokotu‘u” and replacing with “fakanofu”.
5. Clause 8(1) of Schedule 1 of the Principal Act is amended, in the Tongan version only, by deleting the word “fokotu‘u” and replacing with “fakanofu”.
6. Clause 3(2) of Schedule 2 of the Principal Act is amended, in the Tongan version only, by deleting the word “fokotu‘u” and replacing with “fakanofu”
7. Schedule 3 of the Principal Act is amended by, in the Tongan version only,-
- (a) in the preamble, deleting the word fokotu‘u” where ever it appears and replacing with “fakanofu”; and
  - (b) on the first column of the Table, deleting the word “fokotu‘u” where ever it appears and replacing with “fakanofu”;