



Tonga

**CRIMINAL OFFENCES (AMENDMENT)
(NO.2) ACT 2022**

Act 3 of 2022



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Act 3 of 2022

AN ACT TO AMEND SECTION 119 OF THE CRIMINAL OFFENCES ACT [CAP 4.04]

I assent,
TUPOU VI,
26th January 2023.

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

1 Short Title and Interpretation

- (1) This Act may be cited as the Criminal Offences (Amendment) (No.2) Act 2022.
- (2) In this Act, the Criminal Offences Act [Cap 4.04], as amended, shall be referred to as the “Principal Act”.

2 Section 119 amended

Section 119 of the Principal Act is amended by deleting subsection (1) and replacing it with the following –

- “(1) Where an accused is charged with an offence mentioned in sections 118 to 137 of this Act or for any other offence of a sexual nature under any other Act, the presiding Judge or Magistrate may, or if application therefor is made by the complainant or the Prosecutor, make an order directing that –

- (a) the identity of the complainant or any vulnerable witness, and their evidence taken in the proceedings; or
- (b) information that discloses or could reasonably lead to the disclosure of the identity of the complainant or any vulnerable witness,

shall not be printed, published, broadcasted, disseminated or disclosed in any other form to the public.”.

Passed by the Legislative Assembly on **3rd** day of **August** 2022.