



Tonga

**PUBLIC HEALTH (AMENDMENT) ACT
2021**

Act 16 of 2021



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Arrangement of Sections

Section

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PUBLIC HEALTH (AMENDMENT) ACT 2021

Act 16 of 2021

I assent,
TUPOU VI,
28th October 2021.

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 Public Health (Amendment) Act 2021.
- (2) In this Act, the Public Health Act (Cap 12.15), as amended, shall be referred to as the Principal Act.

2 New 181A section

The Principal Act is amended by inserting the following new section 181A, immediately after section 181 ---

181A Emergency notifiable condition compulsory vaccination

- “(1) For the purposes of this section “**vaccinated**” in relation to a person, means that a person receives the recognised and available vaccine under the Therapeutic Goods Act against an emergency notifiable condition declared under sections 171 and 172 of this Act.

- (2) The Chief Executive Officer for Health, after due consideration of the response to the declared public health emergency, may declare in writing that every person shall be vaccinated.
Provided that such declaration is made during the period of declared public health emergency.
- (3) Any person who by any act or omission, without lawful or reasonable excuse, fails or refuses to be vaccinated under subsection (2) commits an offence under this section.
- (4) A parent, guardian or any person having the custody of a child, who, without lawful or reasonable excuse, fails or refuses to comply with subsection(2), commits an offence under this section.
- (5) Any person who commits an offence under this section shall be liable upon conviction to a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months, or to both.”.

Passed in the Legislative Assembly on this **25th** day of **August** 2021.