



Tonga

**RENEWABLE ENERGY (AMENDMENT)
ACT 2010**

Act No. 38 of 2010



RENEWABLE ENERGY (AMENDMENT) ACT 2010

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RENEWABLE ENERGY (AMENDMENT) ACT 2010

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AN ACT TO AMEND THE RENEWABLE ENERGY ACT

I assent,
GEORGE TUPOU V,
24th September 2010.

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

1 Short Title

- (1) This Act may be cited as the Renewable Energy (Amendment) Act 2010.
- (2) In this Act, the Renewable Energy Act 2008, as amended, is referred to as the Principal Act.

2 Section 2 Amended – Interpretation

Section 2 of the Principal Act is amended by inserting the following definitions in the appropriate places —

“**concession contract**” means a concession contract entered into under the Electricity Act;

“**concessionaire**” means a concessionaire for the purposes of the Electricity Act;

“**Electricity Act**” means the Electricity Act 2007;”.

3 Section 13 Amended – Prohibition

Section 13 of the Principal Act is amended by:

- (a) re-numbering the provision as subsection(1); and
- (b) inserting the following as subsection (2):

“(2) This Part 4 and, in particular but without limitation, the prohibition in subsection (1), shall not apply to:

- (a) any activity conducted by a concessionaire pursuant to a concession contract;
- (b) any activity referred to in section 19(2) of the Electricity Act.”.

4 Part 5 Repealed

Part 5 of the Principal Act is repealed.

5 Section 18 amended - Criminal Prosecution

Section 18 of the Principal Act is amended by deleting the words “or section 17”.

6 Section 19 amended – Investigation

Section 19(b) of the Principal Act is amended:

- (a) in the English version only, by deleting the words “or section 17”; and
- (b) in the Tongan version only, by deleting the words “mo e kupu 17”.

7 Section 20 amended – Injunction

Section 20 of the Principal Act is amended by deleting the words “or section 17” wherever it appears.

Passed by the Legislative Assembly this 14th day of September 2010.