



Tonga

**ACT OF CONSTITUTION OF TONGA
(AMENDMENT) ACT 2010**



ACT OF CONSTITUTION OF TONGA (AMENDMENT) ACT 2010

Act No. 14 of 2010

AN ACT TO MAKE VARIOUS AMENDMENTS TO THE CONSTITUTION TO EFFECT AND ENABLE A CHANGE IN THE ELECTORAL LAWS

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 Act of Constitution (Amendment) Act 2010.
- (2) In this Act, the Act of Constitution of Tonga, as amended, is referred to as “the Constitution”.

2 Clause 60 replaced – Representative members

Clause 60 of the Constitution is deleted and replaced with –

“60 Representative members

There shall be elected by the nobles of the Kingdom from their number nine nobles as representatives of the nobles and there shall be elected by electors duly qualified seventeen representatives of the people. The Legislative Assembly shall determine the boundaries of electoral districts for the election of representatives of the nobles and shall establish an independent

Commission to determine the boundaries of the electoral constituencies for the election of representatives of the people.

Provided that the constituency boundaries for the general election of 2010 shall be based on the recommendations of the Royal Constituency Boundaries Commission as approved by the Legislative Assembly.”.

3 Clause 64 replaced – Qualification of electors

Clause 64 of the Constitution is deleted and replaced with –

“64 Qualification of electors

Every Tongan subject of twenty-one years of age or more who is not a noble, is not insane or imbecile and is not disabled by the twenty-third clause shall, if registered as an elector, be entitled to vote in an election for representatives of the people to the Legislative Assembly and on the day appointed for election shall be exempt from summons for debt. A person resident outside of Tonga who is qualified to be an elector may vote at an election only if he is registered as an elector and present in Tonga for the election.”.

4 Clause 65 amended – Qualification of representatives

Clause 65 of the Constitution is deleted and replaced with –

“65 Qualification of representatives

Representatives of the people shall be chosen by ballot and any person who is qualified to be an elector may nominate as a candidate and be chosen as a representative for the electoral constituency in which he is registered, save that no person may be chosen against whom an order has been made in any court in the Kingdom for the payment of a specific sum of money the whole or any part of which remains outstanding or if ordered to pay by instalments the whole or any part of such instalments remain outstanding on the day on which such person submits his nomination paper to the Returning Officer:

Provided that a person resident outside of Tonga who is qualified to be an elector will qualify as a candidate only if he is present in Tonga for a period of 3 months within the 6 months before the relevant election.”.

Passed in the Legislative Assembly this 20th day of April 2010.