

- (i) 'i he laine hono fa, tamate'i 'a e lea "fokotu'u pea fetongi'aki 'a e "fakanofa";
  - (ii) fakahu atu 'a e "Fakataha Tokoni 'i he fokotu'u atu" hili 'a e "e he";
  - (iii) 'i he palakalafi (a), tamate'i 'a e lea "fokotu'u" pea fetongi'aki 'a e "fakanofa"; pea
  - (iv) 'i he palakalafi (b), tamate'i 'a e lea "fokotu'u" 'i he 'uluaki ha pea fetongi'aki 'a e "fakanofa";
- (c) 'i he kupu si'i (5), 'i he hiki faka-Tonga pe, tamate'i 'a e lea "fakangaue'i" pea fetongi'aki 'a e "fakanofa"; pea
- (d) tanaki atu ha kupu si'i (6) fo'ou hili pe 'a e kupu si'i (5) 'o pehe ni -
- "(6) (a) Kuo pau ko e ngaahi fokotu'u kotoa 'oku fakahoko 'i he Kupu 1(1) ke 'oatu faka-'ofisiale ia 'i ha tohi ki he Kalake ki he Fakataha Tokoni kimu'a 'i he 'aho 1 'o Novema 2008.
- (b) 'I hono ma'u 'o e ngaahi fokotu'u, kuo pau ki he Kalake ki he Fakataha Tokoni ke ne fakahu ia ki he Fakataha Tokoni pea fakaha ia ki he Fale Alea, Kapineta mo e Komisoni ki he Ngaahi Ngaue Fakamaau.
- (c) Ko hono fakanofa 'o e kau Komisona 'i he kupu-si'i (1) kuo pau ke fakahoko 'i loto he 'aho 'e 7 mei hono ma'u 'o e ngaahi fokotu'u 'i he palakalafi (b)."

4. 'Oku fakatonutonu 'a e kupu 5(2) 'o e Tepile 1 'o e Tefito'i Lao, 'i he hiki faka-Tonga pe, 'aki hono tamate'i 'a e lea "fokotu'u" pea fetongi'aki 'a e "fakanofa".
5. 'Oku fakatonutonu 'a e kupu 8(1) 'o e Tepile 1 'o e Tefito'i Lao, 'i he hiki faka-Tonga pe, 'aki hono tamate'i 'a e lea "fokotu'u" pea fetongi'aki 'a e "fakanofa".
6. 'Oku fakatonutonu 'a e kupu 3(2) 'o e Tepile 2 'o e Tefito'i Lao, 'i he hiki faka-Tonga pe, 'aki hono tamate'i 'a e lea "fokotu'u" 'i ha feitu'u pe 'oku ha ai pea fetongi'aki 'a e "fakanofa".
7. 'Oku fakatonutonu 'a e Tepile 3 'o e Tefito'i Lao 'aki hono, 'i he hiki faka-Tonga pe, -
- (a) 'i hono kamata'anga, tamate'i 'a e lea "fokotu'u" 'i ha feitu'u pe 'oku ha ai pea fetongi'aki 'a e "fakanofa"; pea
  - (b) 'i he kolomu 'uluaki 'o e Tepile, tamate'i 'a e lea "fokotu'u" 'i ha feitu'u pe 'oku ha ai pea fetongi'aki 'a e "fakanofa".

Na'e tali 'e he Fale Alea 'i he 'aho ni 28 'o 'Okatopa, 2008.

BY AUTHORITY:

S. V. Pahulu, Acting General Manager  
Tonga Print Ltd. - 2008.



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 “fakangaue’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”;

Passed in the Legislative Assembly this 28th day of October, 2008.

**Tonga.**

**Fika 17 ‘o e 2008.**



‘Oku ou loto ki ai.

PILINISESI PILOLEVU TUITA.

28 ‘o ‘Okatopa, 2008.

## KO E LAO

### KE FAKATONUTONU ‘A E LAO KI HE KOMISONI KI HE KONISITUTONE MO E FILI FALE ALEA 2008

[28 ‘o ‘Okatopa, 2008]

‘OKU TU‘UTU‘UNI ‘e he Tu‘i mo e Fale Alea ‘o Tonga ‘i he Fakataha Alea ‘a e Pule‘anga ‘o pehe ni:

1. ‘E ui ‘a e Lao ni ko e Lao (Fakatonutonu) ki he Komisoni ki he Konisitutone mo e Fili Fale Alea 2008.
2. ‘Oku ui ‘i he Lao ni ‘a e Lao ki he Komisoni ki he Konisitutone mo e Fili Fale Alea 2008, ko e Tefito‘i Lao.
3. ‘Oku fakatonutonu ‘a e Kupu 1 ‘o e Teiple 1 ‘o e Tefito‘i Lao ‘aki hono –
  - (a) ‘i he kupu si‘i (1), –
    - (i) ‘i he hiki faka-Tonga pe ‘a hono kamata‘anga, tamate‘i ‘a e lea “fokotu‘u pea fetongi‘aki ‘a e “fakanofu”;
    - (ii) ‘i he hiki faka-Tonga pe ‘o e polovaiso hili pe ‘a e palakalafi (d), tamate‘i ‘a e lea “fokotu‘u pea fetongi‘aki ‘a e “fakanofu”;
    - (iii) fakahu atu ‘a e palakalafi (e) fo‘ou hili pe ‘a e palakalafi (d) ‘o pehe ni –
  - “(e) kuo pau ko e ngaahi fokotu‘u kotoa ‘i he palakalafi (a) ki he (d) ke ‘oatu fakataha ia mo ha fili ‘o ha memipa fetongi (alternate member) ki he Komisoni,”;
  - (b) ‘i he kupu si‘i (3), ‘i he hiki faka-Tonga pe –