TONGA POLICE (AMENDMENT) BILL 2019
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Arrangement of Sections

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TONGA POLICE (AMENDMENT) BILL 2019

A BILL FOR AN ACT TO AMEND THE TONGA POLICE ACT 2010 AS A CONSEQUENTIAL AMENDMENT TO THE COMPUTER CRIMES BILL 2018

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

1 Short Title
   (1) This Act may be cited as the Tonga Police (Amendment) Act 2018.
   (2) In this Act, the Tonga Police Act 2010, as amended, shall be referred to as the “Principal Act”.

2 Section 122 amended
   Section 122 of the Principal Act is amended —
   (a) by inserting after paragraph (2) (f) a new paragraph (g) as follows:
       “(g) an object that may contain evidence of a serious offence, including a computer system or data storage medium; or”; and
   (b) by renumbering the current sub-paragraph (g) as sub-paragraph (h);
(c) by inserting the following new subsection after subsection (6):

“(7) In this section:

“computer system” has the same meaning as in section 2 of the Computer Crimes Act.”.

“data storage medium” has the same meaning as in section 2 of the Computer Crimes Act.”.

Passed by the Legislative Assembly this day of 2018.
EXPLANATORY NOTES

(These notes do not form part of the Bill and are only intended to explain its scope and purpose)

Section 122 amended

(1) This amendment is to ensure that a Police Officer will have the power, without a warrant, to detain and search a person who is reasonably suspected to be in the possession of a “computer system” or “data storage medium”, and also to seize these items if necessary to do so.

(2) “computer system” as defined in section 2 of the Computer Crimes Act, means any device or a group of interconnected or related devices, one or more of which, in accordance with a program, performs automatic processing of data.

(3) “data storage medium” as defined in section 2 of the Computer Crimes Act, means anything containing or designed to contain data for use by a computer system.

Hon. Mateni Tapueluelu
Minister of Police