



*Tonga*

**TONGA POLICE (AMENDMENT) BILL  
2019**





## TONGA POLICE (AMENDMENT) BILL 2019

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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**