



Tonga

**MISCELLANEOUS AMENDMENTS (NAME
OF GOVERNMENT MINISTRIES) ACT
2012**

Act No. 5 of 2012



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MISCELLANEOUS AMENDMENTS (NAME OF GOVERNMENT MINISTRIES) ACT 2012

Act No. 5 of 2012

AN ACT TO AMEND THE NAME OF GOVERNMENT MINISTRIES IN VARIOUS ACTS

I assent,
GEORGE TUPOU VI,
20th July 2012.

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

1 Short Title

This Act may be cited as the Miscellaneous Amendments (Name of Government Ministries) Act 2012.

2 Schedule 1 - Acts amended

The various Acts listed in column 1 of the Schedule shall be amended as set out in the relevant entry in column 2 of the Schedule.

Passed by the Legislative Assembly on this 25th day of June 2012.

SCHEDULE

Column 1 Act	Column 2 How amended
Ministry of Agriculture, Food, Forests and Fisheries	
Markets Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for agriculture”.
Aquaculture Management Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for fisheries”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for fisheries”. Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Fisheries Management Act	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for fisheries”.
Agricultural Commodities Export Act	In section 2, delete the definition of “Director”.
	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for agriculture”.
	In section 2, where appropriate insert the definition of “ Chief Executive Officer ” means the Government chief executive officer responsible for agriculture”. Throughout the Act, replace “Director” with “Chief Executive Officer”.
Forests Act	In section 2, in the definition of “forest produce”, delete the words “of Forests”.
	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for forests”.
	In section 2, replace the definition of “Ministry” with “ Ministry ” means the Ministry responsible for forests”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for forests”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Noxious Weeds Act	In section 2, in the definition of “noxious weed”, delete the words “of Forests”.
	In section 2, insert the definition of “ Minister ” means the Minister responsible for forests”.
	In section 3, delete the words “of Forests”.
Pesticides Act	In section 2 delete the definition of “Director”
	In section 2, where appropriate insert a definition of “ Chief Executive Officer ” means the Government chief

	<p>executive officer responsible for agriculture”</p> <p>In section 2, replace the definition of “Minister” with ““Minister” means the Minister responsible for agriculture”.</p> <p>Throughout the Act, replace “Director” with “Chief Executive Officer”.</p>
Plant Quarantine Act	<p>In section 2, delete the definition of “Director”.</p> <p>In section 2, replace the word “Minister” and its definition with ““Minister” means the Minister responsible for agriculture”.</p> <p>In section 2, where appropriate insert the definition of ““Chief Executive Officer” means the Government chief executive officer responsible for agriculture”.</p> <p>Throughout the Act, replace “Director” with “Chief Executive Officer”.</p> <p>Throughout the Act, replace the word “Secretary for Marine and Ports” with “Chief Executive Officer”.</p>
Rhinoceros Beetle Act	<p>In section 2, replace “Prime Minister” with “Minister responsible for agriculture”</p> <p>In the proviso to section 4(1), replace “Director of Agriculture, Forests and Fisheries” with “Chief Executive Officer responsible for agriculture”.</p>
Ministry of Commerce, Tourism and Labour	
Business Licences Act	<p>In section 3, replace the word “Minister” and its definition with ““Minister” means the Minister responsible for commerce”.</p> <p>In section 3, replace the word “Ministry” and its definition with ““Ministry” means the Ministry responsible for commerce”.</p> <p>In section 3, replace the word “Secretary” and its definition with ““Chief Executive Officer” means the Government chief executive officer responsible for commerce”.</p> <p>Throughout the Act, replace “Secretary” with “Chief Executive Officer”.</p>
Charitable Trusts Act	<p>In section 2, replace the word “Minister” and its definition with ““Minister” means the Minister responsible for commerce”.</p>
Companies Act	<p>In section 2, replace the word “Minister” and its definition with ““Minister” means the Minister responsible for commerce”.</p>
Consumer Protection Act	<p>In section 2, replace the word “Minister” and its definition with ““Minister” means the Minister responsible for commerce”.</p>
Cooperative Societies Act	<p>In section 3, replace the word “Minister” and its definition with ““Minister” means the Minister responsible for commerce”.</p>
Copyright Act	<p>In section 34, delete the word “copyright” and replace it with “commerce”.</p>

Credit Unions Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Foreign Investment Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for commerce”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for commerce”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Incorporated Societies Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Industrial Property Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Metrication Act	In section 5, delete the words “of Labour, Commerce and Industries”.
Personal Property Securities Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce;
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for commerce”.
Protection of Geographical Indications Act	In section 3, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Protection of Layout Designs (Topographies) of Integrated Circuits Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Registration of Business Names Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Tonga Trade and Investment Board Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for commerce”.
Tourist Act	In section 2, delete the word “Director” and its definition and replace it with “ Chief Executive Officer ” means the Government chief executive officer responsible for tourism”.
	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for tourism”.
	In sections 4(1)(c), 4(2) and 27, replace “Director” with “Chief Executive Officer”.
Trade Unions Act	In section 2, insert a definition of “ Minister ” means the

	Minister responsible for commerce”.
	In section 6, replace “Prime Minister” with “Minister”.
	In section 16, replace “Prime Minister” wherever they appear with “Minister”.
Weights and Measures Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for commerce”.
Whale Watching and Swimming Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for tourism”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry means the Ministry responsible for tourism”.
Ministry of Education and Training	
Education Act	In section 2, delete the definition of “Director”.
	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for education and training”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry means the Ministry responsible for education and training”.
	In section 2, insert where appropriate the definition “ Chief Executive Officer ” means the Government chief executive officer responsible for education and training”.
	In section 11(1), replace “Director of Education” with “Chief Executive Officer”.
	Throughout the Act, replace “Director” with “Chief Executive Officer”.
Tonga National Qualifications and Accreditation Board Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for education and training”.
	In section 6(e), replace “Director of Health” with “Chief Executive Officer for Health”
Ministry of Finance and National Planning	
Asian Development Bank Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for finance”.
Bretton Woods Agreements Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for finance”.
National Reserve Bank of Tonga Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for finance”.
National Retirement Benefits Scheme Act	In section 2, replace the word “Minister” and its definition with “ Minister means the Minister responsible for finance”.
Public Finance Management Act	In section 2, replace the word of “Minister” and its

	definition with “ Minister ” means the Minister responsible for finance”.
	In section 2, replace the word “Secretary of a Ministry” and its definition with “ Chief Executive Officer ” means the Government chief executive responsible for a Ministry.
	Throughout the Act, replace “Secretary of a Ministry” with “Chief Executive Officer”.
Remuneration Authority Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for finance”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for finance”.
Tonga Development Bank Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for finance”.
Ministry of Health	
Health Practitioners Review Act	In section 5(a), replace “Director of Health” with “Chief Executive Officer for Health”
Health Services Act	In section 8, replace the marginal note with “Chief Executive Officer for Health”, and throughout the section, replace “Director” with “Chief Executive Officer”.
Medical and Dental Practice Act	In section 25, replace “Director of Health” with “Chief Executive Officer for Health”.
Mental Health Act	In section 118 and 122: (a) in the English version only, replace “Director of Health” with “Chief Executive Officer for Health”; (b) in the Tongan version only, replace “Talekita ‘o e Mo’ui” and “Talekita Mo’ui” with “Ofisa Pule Ngau e ki he Mo’ui”.
Nurses Act	In section 25, replace “Director of Health” with “Chief Executive Officer for Health”.
Pharmacy Act	In section 25, replace “Director of Health” with “Chief Executive Officer for Health”.
Public Health Act	In section 2 delete the definition of “director”. In section 2, where appropriate insert the definition “ Chief Executive Officer ” means the Government chief executive officer responsible for health. Throughout the Act, replace “Director of Health” with “Chief Executive Officer for Health”, and replace “Director” with “Chief Executive Officer”.
Therapeutic Goods Act	Throughout the Act, replace “Director of Health” with “Chief Executive Officer for Health”, and replace “Director” with “Chief Executive Officer”.
Vaccinations Act	Throughout the Act, replace “Prime Minister” with “Minister of Health”, and replace “Director of Health” with “Chief Executive Officer for Health”

Ministry of Infrastructure	
Aircraft Offences Act	In section 2, insert the definition ““ Minister ” means the “ Minister ” responsible for civil aviation”.
Building Control and Standards Act	In section 2, replace “Ministry of Works” in the definition of “Division” with the words “Ministry responsible for works”
	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for works”.
Civil Aviation Act	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for transport”.
	In section 2, replace the word “Ministry” and its definition with ““ Ministry ” means the Ministry responsible for transport”.
	In section 3, replace the marginal note with “Minister responsible for civil aviation”, and in the section delete the words “for Transport”.
Dock Regulation Act	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for marine and ports”.
Emergency Fund Act	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for finance”.
Emergency Management Act	In section 2, replace the word “Director” and its definition with ““ Chief Executive Officer ” means the Government chief executive officer responsible for works”.
	Throughout the Act, replace “Director” with “Chief Executive Officer”.
Harbours Act	In section 1A, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for marine and ports”.
Marine Pollution Prevention Act	In section 2, replace the word “Administration” and its definition with ““ Administration ” means the Ministry responsible for maritime transport”.
	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for marine and ports”.
	In section 2, replace the word “Secretary” and its definition with ““ Chief Executive Officer ” means the Government chief executive officer responsible for marine and ports.”
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Petroleum Act	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for transport”.
Ports Authority Act	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for marine and ports”.

	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for marine and ports”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for marine and ports”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Ports Management Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for marine and ports”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for marine and ports”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Shipping Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for transport”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for transport”.
Transport Services Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for transport;”
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for transport;”
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for transport”
	In section 3, replace the marginal note with “ Minister responsible for transport ”, and in the section replace “Minister for Transport” with “Minister responsible for transport”.
	In section 4, replace the marginal note with “ Ministry responsible for transport ”, and in the section replace “Ministry of Transport” with “Ministry responsible for transport”
	In section 7, replace the marginal note with “ Chief Executive Officer ”, and in the section replace “Secretary for Transport” with “Chief Executive Officer”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Wharves Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for marine and ports”.
Ministry of Internal Affairs	

District and Town Officers Act	Throughout the Act, wherever “Prime Minister” appears, replace it with “Minister responsible for internal affairs”
Fonos Act	In section 14 and 15, replace “Prime Minister” with “Minister responsible for internal affairs”
Town Regulations Act	In section 10, replace “Minister of Police” wherever it appears with “Minister responsible for internal affairs”.
	In the Schedule, replace “Superintendent of Police” with “Chief Executive Officer of the Ministry of Internal Affairs”.
Ministry of Lands, Environment, Climate Change and Natural Resources	
Biosafety Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for environment”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for the environment”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer who is responsible for the environment”.
	In section 5(2), replace paragraph “(c)” with “(c) the Ministry responsible for commerce”, and replace paragraph (d) with “(d) the Customs Division of the Ministry responsible for revenue”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Birds Preservation Act	In section 2, insert a definition “ Minister ” means the Minister responsible for environment”.
	Throughout the Act, wherever “Prime Minister” appears, replace it with “Minister”.
	In section 3, replace “Minister of Agriculture and Forests” with “Minister responsible for forests”.
Environmental Impact Assessment Act	In section 2, delete the definition of “Director”
	In section 2, delete the definition of “Department”
	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for the environment”.
	In section 2, insert a definition of “ Ministry ” means the Ministry responsible for the environment”.
	In section 2, insert where appropriate a definition of “ Chief Executive Officer ” means the Government chief executive officer responsible for the environment”.
	In section 5, replace “Director” with “Chief Executive Officer”.
	In section 13(1)(a), replace “Director of Environment” with “Chief Executive Officer”.
	In section 13(1)(c) replace “Director of Health” with “Chief Executive Officer for Health”.

	In section 13(1)(d) replace “Director of Planning” with “Chief Executive Officer for Finance and National Planning”.
	In section 13(2), in the English version only, replace “Department” with “Ministry”.
Environment Management Act	In section 2, delete the definition of “Director”.
	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for environment”.
	In section 2, replace the word “Ministry” and its definition with ““ Ministry ” means the Ministry responsible for the environment”.
	In section 2, insert where appropriate a definition of ““ Chief Executive Officer ” means the Government chief executive officer responsible for the environment”.
	In section 7, replace “Director” with “Chief Executive Officer” in the marginal note, and replace “Director for Environment and Climate Change” with “Chief Executive Officer”.
	Throughout the Act, wherever “Director” appears, replace it with “Chief Executive Officer”.
Hazardous Wastes and Chemicals Act	In section 2, delete the definition of “Director”
	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for environment”.
	In section 2, replace the word “Ministry” and its definition with ““ Ministry ” means the Ministry responsible for the environment”.
	In section 2, insert where appropriate a definition of ““ Chief Executive Officer ” means the Government chief executive officer responsible for the environment”.
	Throughout the Act, wherever “Director” appears, replace it with “Chief Executive Officer”.
Ozone Layer Protection Act	In section 2, delete the definition of “Director”
	In section 2, replace the word “Minister” and its definition with ““ Minister ” means the Minister responsible for environment”.
	In section 2, replace the word “Ministry” and its definition with ““ Ministry ” means the Ministry responsible for the environment”.
	In section 2, insert where appropriate a definition of ““ Chief Executive Officer ” means the Government chief executive officer responsible for the environment”.
	Throughout the Act, wherever “Director” appears, replace it with “Chief Executive Officer”.
	In section 4(2)(c), replace “Ministry of Revenue” with “Ministry responsible for revenue”.
	In section 4(2)(d), replace “Ministry of Labour, Commerce and Industries” with “Ministry responsible for commerce”.

	In section 4(2)(e), replace “Ministry of Agriculture and Forestry, Food and Fisheries” with “Ministry responsible for agriculture”.
	In section 4(2)(f), replace “Ministry of Transport” with “Ministry responsible for transport”.
	In section 4(2)(i), replace “Ministry of Education” with “Ministry responsible for education”.
	In section 13(2), replace “Minister for Agriculture and Forestry, Food and Fisheries” with “Minister responsible for agriculture”.
Petroleum Mining Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for lands”.
Renewable Energy Act	In section 2, replace the word “Minister” and its definition with “ Minister ” means the Minister responsible for the environment”.
	In section 2, replace the word “Ministry” and its definition with “ Ministry ” means the Ministry responsible for the environment”.
Ministry of Police, Prisons and Fire Services	
Police Act	In section 2, in the definition of “Commissioner” replace “Commissioner of Tonga Police”, with “Commissioner of Police”.
Prisons Act	In section 2, insert the definition “ Ministry ” means the Ministry responsible for prisons”.
	Throughout the Act: (a) in the English version only, replace “Prisons Department” with “Ministry”; (b) in the Tongan version only, replace “Potungaue ki he Ngaahi ‘Api Popula” and “Potungaue ‘o e Ngaahi ‘Api Popula” with “Potungaue”.
Prime Minister’s Office	
Official Secrets Act	In section 6, replace “Head of Department” with “Chief Executive Officer”.
Communications Act	In section 2, delete the word and definition of “Department”
	In section 2, wherever appropriate insert a new definition of “ Ministry ” means the Ministry responsible for communications”.
	In section 2, replace the word “Secretary” and its definition with “ Chief Executive Officer ” means the Government chief executive officer responsible for information and communications”.
	Throughout the Act, in the English version only, replace “Department” with “Ministry”.
	Throughout the Act, replace “Secretary” with “Chief Executive Officer”.
Ministry of Revenue Services	

Consumption Tax Act	In section 2, delete the definition of “Chief Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services.
	Throughout the Act, replace “Chief Commissioner” with “Minister”.
Customs Act	In section 2, delete the definition of “Chief Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services.
	Throughout the Act, replace “Chief Commissioner” with “Minister”.
Customs and Excise Management Act	In section 2, delete the definition of “Chief Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services.
	Throughout the Act, replace “Chief Commissioner” with “Minister”.
Excise Act	In section 2, delete the definition of “Chief Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services.
	Throughout the Act, replace “Chief Commissioner” with “Minister”.
Income Tax Act	In section 2, delete the definition of “Chief Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services.
	In section 2, delete the definition of “Commissioner”.
	In section 2, wherever appropriate, insert the definition ““ Chief Executive Officer ”” means the Government chief executive officer responsible for revenue services”.
	Throughout the Act, replace “Chief Commissioner” with “Minister”.
	Throughout the Act, replace “Commissioner” with “Chief Executive Officer”.
Revenue Administration Act	In section 2, delete the definition of “Chief Commissioner of Revenue”
	In section 2, delete the definition of “Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services.
	In section 2, wherever appropriate, insert the definition ““ Chief Executive Officer ”” means the Government chief executive officer responsible for revenue services”.
	Throughout the Act, replace “Chief Commissioner” with “Minister”.
	Throughout the Act, replace “Commissioner” with “Chief Executive Officer”.

Revenue Services Administration Act	In section 2, delete the definition of “Chief Commissioner of Revenue”.
	In section 2, delete the definition of “Commissioner”
	In section 2, wherever appropriate insert the definition ““ Minister ” means the Minister responsible for revenue services”.
	In section 2, wherever appropriate, insert the definition ““ Chief Executive Officer ”” means the Government chief executive officer responsible for revenue services”.
	Throughout the Act, replace “”Chief Commissioner” with “Minister”.
	Throughout the Act, replace “Commissioner” with “Chief Executive Officer”.