



*Tonga*

# **LAND (AMENDMENT) ACT 2013**

**Act No. 1 of 2013**





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# LAND (AMENDMENT) ACT 2013

Act No. 1 of 2013

## AN ACT TO AMEND THE LAND ACT TO PROVIDE DIFFERENTLY FOR CERTAIN EFFECTS OF CONVICTIONS OF NOBLES

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I assent,  
TUPOU VI,  
23<sup>rd</sup> April 2013.

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

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### 1 Short title

This Act may be cited as the Land (Amendment) Act 2013.

### 2 Sections 30, 37, 38(1), 40 and 41 amended

- (1) In the English version only sections 30, 37, 38(1), 40(1) and 41(b) of the Land Act are amended by repealing “convicted of an indictable offence” and replacing those words with “convicted of a criminal offence and sentenced to imprisonment for more than two years”.
- (2) In the Tongan version only:

- (a) section 30 of the Land Act is amended by repealing “mo’ua ‘i ha hiamatea” and replacing those words with “fakahalaia’i ki he hia pea tautea ke nofo popula ‘o laka hake ‘i he ta’u ‘e ua”;
- (b) section 37 of the Land Act is amended by repealing “mo’ua ha ma’u tofi’a tukufakaholo ‘i ha hiamatea” and replacing those words with “fakahalaia’i ha ma’u tofi’a tukufakaholo ki ke hia pea tautea ke nofo popula ‘o laka hake ‘i he ta’u ‘e ua”;
- (c) section 38(1) of the Land Act is amended by repealing “mo’ua ai ‘i he hiamatea” and replacing those words with “fakahalaia’i ki he hia pea tautea ke nofo popula ‘o laka hake ‘i he ta’u ‘e ua”;
- (d) section 40 of the Land Act is amended by repealing “mo’ua ‘i ha hiamatea” and replacing those words with “fakahalaia’i ki he hia pea tautea ke nofo popula ‘o laka hake ‘i he ta’u ‘e ua”; and
- (e) section 41 of the Land Act is amended by repealing “mo’ua ‘i he hiamatea” and replacing those words with “fakahalaia’i ki he hia pea tautea ke nofo popula ‘o laka hake ‘i he ta’u ‘e ua”.

### **3 Section 37 further amended**

Section 37 of the Land Act is further amended by inserting the following Proviso at the end –

“Provided that the operation of this section and sections 30, 38(1), 40, and 41(b) and (h) shall be suspended in any case until the expiration of 42 days after the date of sentencing; and in cases where notice of appeal or leave to appeal is given within 42 days after the date of sentencing, until the determination of the appeal; and if the conviction is quashed on appeal or the sentence reduced to no more than 2 years imprisonment then the relevant provisions of those sections shall not have effect.”.

### **4 Section 38 further amended**

Section 38(1) of the Land Act is further amended by repealing “a conviction of an indictable offence” and replacing those words with “being convicted of a criminal offence and sentenced to imprisonment for more than two years”.

**5 Section 41(h) amended**

Section 41(h) of the Land Act is amended by repealing “conviction for an indictable offence” and replacing those words with “conviction of a criminal offence and sentenced to imprisonment for more than two years”.

Passed by the Legislative Assembly this 11<sup>th</sup> day of March 2013.