

TONGA POLICE ACT

Chapter 7.07
2020 Revised Edition



TONGA POLICE ACT

Arrangement of Sections

Section

1 Short title		11
2 Commencement		
3 Definitions		11
4 Application		14
5 Act binds the Crown		14
6 Application of Public Service Act		15
PART 2 - ADMINISTRATION AND GOVE POLICE		15
DIVISION 1 - CONSTITUTION AND FUNCTI	ONS OF TONGA POLICE	15
7 Establishment and constitution of Tonga	Police	15
8 Functions of Tonga Police		15
9 Guiding principles for performance of fu	nctions	16
DIVISION 2 - THE COMMISSIONER		16
10 Appointment process		16
11 Appointment of Commissioner		16
12 Oaths		
Termination of appointment		17
14 Acting Commissioner		
Delegation of powers, functions and duti	es	17
Acts of delegate		18
DIVISION 3 - RESPONSIBILITIES OF MINIS	TER AND COMMISSIONER	18
17 Responsibilities of Minister		18

18	Directions of Minister	18
19	Commissioner's responsibilities	19
20	Independence of Commissioner	19
21	Commissioner's instructions, circulars and orders	19
22	Communication of instructions, circulars and orders	20
23	Special reports	20
DIVIS	SION 4 - COMMAND AND CONTROL OF TONGA POLICE	20
24	Commissioner shall have overall command	20
25	Police officers to comply with instructions, circulars and orders	21
26	Police officers to act independently	21
27	Commissioner may take charge of policing operations	21
PAR	T 3 - EMPLOYMENT IN TONGA POLICE	22
	SION 1 - EMPLOYMENT AND PROMOTION STANDARDS AND	
	E OF CONDUCT	22
28	Employment standards	22
29	Promotion standards	
30	Code of Conduct	22
31	Appointments, promotions, transfers to be merit-based	22
DIVIS	SION 2 - POLICE EMPLOYMENT COMMITTEE AND POLICE BOARD	23
32	Establishment of Police Employment Committee	
33	Appointment of members of Police Employment Committee	
34	Meetings of Police Employment Committee	
35	Establishment of Police Board	
36	Constitution of Police Board	
37	Meetings of Police Board	
38	Procedures at Police Board meetings	
39	Commissioner may provide advice to Police Board	
40	Tonga Police to provide secretariat service to Police Board	25
	SION 3 - APPOINTMENTS, PROMOTIONS, TRANSFERS AND	
KEL(OCATIONS OF MEMBERS	25
41	Application of Division	25
42	Police Employment Committee may appoint persons	25
43	Appointment of members and conditions of appointment	25
44	Appointees to be on probation	25
45	Notification of decisions	26
46	Police Employment Committee may appoint temporary employees	26
47	Police Employment Committee may promote persons	27
48	Police Employment Committee may transfer members	27
49	Appointments, promotions and termination of employment to be notified	
	in Gazette	27
50	Police Employment Committee may temporarily assign, second and	
	relocate members	27

51 52	Acting appointments Oaths	
	SION 4 - PERFORMANCE MANAGEMENT AND BREACHES OF	
DISC	IPLINE	29
53	Application of Division	29
54	Purpose of Division	
55	Breaches of discipline	
56	Making a complaint	
57	Commissioner shall appoint internal investigator	
58	Investigator to provide report	
59	Member to be notified	
60 61	Matters to be considered by Police Employment Committee	
62	Police Employment Committee may impose penalties Notification of decisions	
63	Serious breaches of discipline to be referred to Police Board	
64	Regulations may prescribe alternative procedures	
65	Police Board to consider serious breaches of discipline	
66	Police Board may order actions to be taken	
67	Notification of decisions	
68	Commissioner to give effect to orders of Police Board	
	SION 5 - RESIGNATION, RETIREMENT AND TERMINATION	33
69	Application of Division	33
70	Resignation	34
71	Voluntary retirement age	
72	Compulsory retirement age	
73	Performance review on reaching voluntary retirement age	
74	Termination of appointment	
75	Notice of loss of confidence	
76	Matters to be considered in relation to loss of confidence	
77	Notification of termination decision	35
DIVIS	SION 6 - SUSPENSION AND PAYMENTS	36
78	Application of Division	
79	Commissioner may suspend member	
80	Pay while suspended	36
DIVIS	BION 7 - REVIEW OF DECISIONS	37
81	Application of Division	
82	Reviewable decisions	
83	Review by Police Board	
84	Police Board to review decisions	
85	Police Board to notify decisions	
86	Commissioner to give effect to decisions of Police Board	38
DIVIS	SION 8 - MISCELLANEOUS	38

