

Tonga

Background	Name of EMB:	Tonga Electoral Commission (TEC).
	Status:	Permanent
Establishment of the EMB	Number of commissioners:	Three
	Number of full-time EMB staff:	Four
	Constitutional and/or legislative provisions for establishment of the EMB:	Electoral Commission Act, 2010.
	EMB's mandate:	To administer and manage both local and national elections.
	EMB model:	Mixed. The commission is independent; however, it is the Minister for Justice who speaks on the commission's behalf in Cabinet or in the Legislative Assembly.
	What standards are established in the constitution or other legislation for democratic legitimacy?	See the Constitution of Tonga, 1988 and amendments.
Appointment, tenure and removals	Provisions for the appointment of commissioners:	The Electoral Commission Act provides: 1. that the chair is appointed by the King for a term of five years; 2. for a supervisor of elections; and 3. that the third member is also appointed by the King.
	Political status of commissioners:	As mentioned above, two members of the commission are appointed by the King; the supervisor of elections is also a member.
	Chair qualifications:	None specified
	Commissioner qualifications:	None specified
	Tenure of chair and commissioners:	Chair for five years; supervisor of elections for his or her term of service; the third member is appointed by the King for such term as he may deem fit.
	Provisions for the removal of commissioners:	The King may appoint an acting chair in the event that a commission member is unable to perform his or her functions.
	Provisions for the appointment of EMB senior staff:	The commission may, with the approval of Cabinet, appoint such qualified officers and staff, full time or part time, as may be required for the proper conduct of the business of the commission.
	Tenure of EMB senior staff:	Senior staff are still under the Public Service Act and are appointed accordingly.
	Provisions for the removal of EMB senior staff:	See above.

<p>Funding arrangements</p>	<p>Setting and control of EMB's budget:</p>	<p>The commission submits its budget to the Ministry of Finance, which submits it to Cabinet for approval and then to the Legislative Assembly, which make the final approval.</p>
<p>Electoral system</p>	<p>Financial autonomy:</p> <p>Legal provisions for financial autonomy:</p> <p>Number of chambers/houses within the legislature:</p> <p>Voting system:</p> <p>Amendments to electoral laws:</p> <p>Drafting of electoral regulations:</p> <p>Electoral dispute resolution mechanisms:</p>	<p>The commission has to go through the Ministry of Finance, Cabinet and the Legislative Assembly.</p> <p>The funds available to the commission shall be moneys allocated by the Legislative Assembly for that purpose.</p> <p>Unicameral</p> <p>First-past-the-post</p> <p>The commission, with the approval of Cabinet, may make regulations which are necessary or expedient for carrying out its functions.</p> <p>No</p> <p>An election petition may be presented to the Supreme Court. The member whose election or result is complained of shall be the respondent to the petition, and if the petition complains of the conduct of any official, the chair of the Electoral Commission shall also be a respondent. An election petition shall be presented within 28 days after the day on which the result of the poll has been declared.</p>
<p>Other issues:</p> <p>Secretariat</p>	<p>Administrative autonomy:</p> <p>Women in senior positions:</p> <p>Administrative structure:</p>	<p>The commission can make recommendations to the Public Service Commission.</p> <p>Fifty per cent</p> <p>This is a very small EMB, with the supervisor of elections responsible for the overall implementation of its duties. He/she is assisted by three staff who work on ongoing voter registration, and other election-related duties.</p>