



Tonga

MARKETS ACT

Chapter 17.08

2020 Revised Edition



MARKETS ACT

AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND REGULATION OF MARKETS¹

Commencement [30th January, 1976]

1 Short title

This Act may be cited as the Markets Act.

2 Interpretation²

In this Act, unless the context otherwise requires —

“**market authority**” means the person or persons appointed in terms of section 4 of this Act;

“**Minister**” means the means the Minister responsible for agriculture;

“**stall**” means a canteen.

3 Minister may establish Government markets

The Minister may, by notice published in the Gazette —

- (a) establish Government markets;³
- (b) specify the area and boundaries thereof;⁴
- (c) specify the type of goods which may be sold therein.⁵

4 Market Authorities

- (1) The management and control of Government markets shall be as follows —
 - (a) there shall be one Market Authority for the Government markets in Tongatapu;⁶
 - (b) there shall be one Market Authority for each of the other island groups of Ha'apai, Vava'u and 'Eua, to be established as and when Government markets are established.
- (2) Each Market Authority shall consist of not more than 6 persons, who shall be appointed from time to time by the Minister, and whose names and/or designations shall be published in the Gazette.
- (3) The Minister shall, in his sole discretion, have power to appoint persons to the Market Authorities and to terminate their appointments therefrom.
- (4) The Minister shall, in his sole discretion, appoint the Chairman and Secretary of each Market Authority.

5 Regulations

The Minister may make regulations for the following purposes —

- (a) regulating the use of Government markets and market buildings, and keeping order, preventing obstructions, and maintaining cleanliness therein or in the approaches thereto;
- (b) prohibiting the sale of specified kinds of goods within any specified area surrounding a Government market not exceeding 1.61 kilometres from the boundary of the market;
- (c) providing for the fixing of stallages, rents and tolls and the collection thereof;
- (d) fixing the days and hours during each day on which the Government market may be held and preventing the sale and purchase of goods in the Government markets on any days or at any hours except those fixed;
- (e) prescribing the weights, scales and measures to be used in the sale of any particular produce, and regulating the use thereof;
- (f) the examination of produce or articles of food;
- (g) regulating the duties and conduct of managers and inspectors appointed for the purpose of this Act;
- (h) generally for carrying into effect the purposes of this Act.

6 Application

This Act shall only apply to Government markets established in terms of section 4 hereof or under the Market Regulations.⁷

Food and drinks.

2. All other goods except the following —

- (a) fresh fish or fresh meat or fresh poultry, unless the market manager gives special permission with adequate arrangements and assurances by the vendor regarding health, safety, and sanitation requirements;
- (b) explosives, firearms, poisons, or other articles that are designated by the market manager dangerous or hazardous to health.
- (c) alcoholic drinks.”

⁶ Amended by Act 37 of 1988

⁷ Amended by Act 46 of 1988