



Tonga

COURT FEES ACT

1988 Revised Edition



COURT FEES ACT

Arrangement of Sections

Section

1.	Short title.....	5
2.	Collection.....	5

THE SCHEDULE **6**

FEES OF COURT	6
PART I - COURT OF APPEAL, PRIVY COUNCIL	6
PART II - SUPREME COURT	6
PART III - MAGISTRATES' COURTS	7
PART IV.--ALL COURTS, ALL JURISDICTIONS.....	9
PART V - RECIPROCAL ENFORCEMENT OF JUDGMENTS.....	9



COURT FEES ACT

Acts Nos. 5 of 1927, 3 of 1935, 14 of 1943, 3 of 1944, 17 of 1950, 7 of 1953, 8 of 1959, 20 of 1966, 18 of 1974, 8 of 1979, 17 of 1984, 8 of 1987, 46 of 1988.

AN ACT TO REGULATE THE FEES PAYABLE IN THE COURTS OF THE KINGDOM

Commencement [1st September, 1927]

1. Short title.

This Act may be cited as The Court Fees Act.

2 Collection.

(1) The fees specified in the Schedule hereto shall be paid as therein prescribed in respect of the several matters to which they are applicable.

Allocation.

(2) All moneys received as fees shall be paid by the officer receiving the same into the Treasury for the benefit of the general revenue.

THE SCHEDULE

FEES OF COURT

PART I — COURT OF APPEAL, PRIVY COUNCIL		
(To be paid in advance to the Registrar of the Supreme Court)		
		\$
1.	On Filing copies of Notice of Appeal and Petition	50.00
2.	Subpoena	2.00
3.	Application for the issue of any relief or order not being a final judgment	15.00
4.	Service of Notice of Appeal and Petition on the Respondent ..	5.00
5.	Service of Subpoena or any other process on each person served	2.00
6.	Distress, Injunction, or other Order not being a final judgment	20.00
7.	Notices	7.50
PART II — SUPREME COURT		
(To be paid in advance to the Clerk of the Supreme Court)		
<i>Civil Jurisdiction</i>		
8.	Summons	25.00
9.	Subpoena	2.00
10.	Distrain	10.00
11.	Service of process (on each person served)	2.00
12.	All applicants to the Court (whether granted or not)	4.00
13.	Injunction or other Order not being a final judgment	6.00
14.	Every affidavit sworn before the Chief Justice	2.50
15.	Application for Eviction Order	3.00
16.	Grant of Eviction Order	7.50

<i>Probate and Administration</i>		
17.	Grant of Probate or Letters of Administration of Estate not exceeding \$1000	12.50
	for each additional \$500 or part thereof	6.00
18.	Summons —	
	Amount in dispute not exceeding \$100	5.00
	Amount in dispute exceeding \$100 but not exceeding \$250	7.50
	Amount in dispute exceeding \$250, for every additional \$200 and for any remainder	5.00
19.	Service of process (on each person served)	2.50
20.	Application to take out letters of administration and probate ..	2.50
21.	Affidavit	1.50
22.	Registration of will	1.00
23.	Application to reseal a grant of probate or letters of administration	2.50
24.	Resealing probate or letters of administration. (same fee as for a grant)	
25.	Subpoena	2.00
26.	Distrain —	
	Amount not exceeding \$100	5.00
	Amount exceeding \$100 but not exceeding \$250	7.50
	Amount exceeding \$250	10.00
27.	Search for any document filed in the Supreme Court	2.50
28.	(All other fees as in Civil Proceedings)	
<i>DIVORCE</i>		
29.	On filing a petition for Divorce	25.00
30.	(All other fees as in Civil Proceedings)	
PART III — MAGISTRATES' COURTS		
(To be paid in advance to the Clerk of the Court)		

<i>Civil Jurisdiction</i>		
31.	Summons —	
	Amount in dispute not exceeding \$100	2.00
	Amount in dispute exceeding \$100 but not exceeding \$250	4.00
	Amount in dispute exceeding \$250 but not exceeding \$400	8.00
	Amount in dispute exceeding \$400	10.00
32.	Service of process (on each person served)	2.50
33.	Subpoena	2.00
34.	Distrain —	
	Amount not exceeding \$20	1.00
	Amount exceeding \$20 but not exceeding \$100	2.50
	Amount not exceeding \$250	4.00
	Amount exceeding \$250	5.00
35.	Affidavit sworn before Magistrate (except affidavit of service)	2.50
36.	Search fee for any document filed in the Magistrate's Court	2.00
<i>Criminal Jurisdiction</i>		
(Where the prosecutor is an individual, to be paid in advance to the Clerk of the Court)		
37.	Summons	2.00
38.	Service of process (on each person served)	2.50
39.	Subpoena	2.00
40.	Distrain (same as Item No. 34)	
41.	Certified copy of Conviction	2.00
42.	Search Warrant	3.00
<i>Revenue Cases</i>		
(i.e. Cases in respect of offences against the laws relating to the Collection of Revenue; charges and claims in respect of Horse Tax, Dog Tax, and Licence Fees)		
43.	Summons	2.00

44.	Subpoena	2.00
45.	Service of process (on each person served)	2.50
46.	Distrain (same as Item No. 34)	
<i>Appeal to Supreme Court</i>		
(Where the appellant is an individual, to be paid in advance to the Clerk of the Court)		
47.	In any Civil Matter	12.50
48.	In any Criminal Matter	7.50
49.	In any Revenue Case	10.00
PART IV — ALL COURTS, ALL JURISDICTIONS		
50.	Sealed copy of Judgment, per folio	0.30
51.	Copy of Evidence, per folio	0.30
52.	Copy of any document filed in Court per folio	0.30
PART V — RECIPROCAL ENFORCEMENT OF JUDGMENTS		
53.	Application under Rule 3 (including affidavit)	10.00
	Every supplemental affidavit	5.00
54.	Registration	3.00
55.	Issue of Certificate of Registration	5.00
56.	Filing of Affidavit under Rule 6(1) or (3)	5.00
57.	Summons to set aside Registration (including affidavit under Rule 8)	10.00
58.	Notice of Appeal (Rule 6(5))	50.00
59.	Application under Rule 8 (including affidavit)	7.50
60.	Certified copy of judgment, per folio	5.00
61.	(Other fees as appropriate in Parts I and II)	

NOTE:	References to Rules in this Part are to the Reciprocal Enforcement of Judgments Rules which may be found amongst the Subsidiary Legislation to Cap. 14.	
PART VI — MAINTENANCE OF ILLEGITIMATE CHILDREN		
62.	Letters of Adoption	10.00
63.	Letters of Admission	8.00
64.	Affidavit Complaint on oath	2.50
65.	Order of Affiliation	1.00
66.	Copy of Marriage Certificate	2.00
67.	Search for birth or marriage	3.00
68.	Summons, subpoena, and all other fees as in Part III of this Schedule, relating to Magistrates' Courts.	