



Tonga

COURT FEES (AMENDMENT) ACT 2010

Act No. 24 of 2010



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AN ACT TO AMEND THE COURT FEES ACT

I assent,
GEORGE TUPOU V,
27th August 2010.

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

1 Citation

- (1) This Act may be cited as the Court Fees (Amendment) Act 2010.
- (2) In this Act, the Court Fees Act (Cap. 12), as amended, is referred to as the Principal Act.

2 Schedules Replaced

The Principal Act is amended by repealing the Schedule and replacing it with the following:

“SCHEDULE FEES OF COURT

PART I – COURT OF APPEAL, PRIVY COUNCIL

1.	On Filing copies of Notice of Appeal and Petition	\$ 207.00
2.	Subpoena	8.00

3.	Application for the Issue of any relief or order not being final judgment	62.00
4.	Service of Notice of Appeal and Petition on each respondent	21.00
5.	Service of Subpoena or any other process on each person served	13.00
6.	Distress, Injunction, or other Order not being a final Judgment	82.00
7.	Notice	30.00
8.	Certificate of taxation	26.00

PART II – SUPREME COURT

CIVIL JURISDICTION

9.	Summons & Statement of Claim	116.00
10.	Defence	13.00
11.	Counterclaim	29.00
12.	Defence counterclaim	13.00
13.	Subpoena	8.00
14.	Distraint	41.00
15.	Service of process (on each person served)	13.00
16.	All applications to the Court (whether granted or not)	16.00
17.	Injunction or other Order not being a final judgment	24.00
18.	Affidavit	10.00
19.	Eviction Order	41.00
20.	Filing of any other document	8.00
21.	Certificate of taxation	25.00

PROBATE AND ADMINISTRATION

22.	Grant of Probate or Letters of Administration of Estate	
	Not exceeding \$2,000	43.00
	For each additional \$1000 or part thereof	20.00
23.	Summons-	
	Amount in dispute not exceeding \$100	20.00
	Amount in dispute exceeding \$100 for every additional \$200 and for any remainder	20.00
24.	Service of process (on each person served)	13.00
25.	Application to take out Letters of Administration and Probate	10.00
26.	Affidavit	10.00
27.	Registration of Will	4.00
28.	Application to reseal a grant of Probate or letter of Administration	10.00
29.	Resealing Probate or Letters of Administration (Same fee as for a grant)	
30.	Subpoena	8.00
31.	Distraint	43.00
32.	Search for any document filed in the Supreme Court	10.00
33.	(All other fees as in Civil Proceedings)	

DIVORCE

34.	Petition for Divorce	103.00
35.	Answer	13.00
36.	(All other fees as in Civil Proceedings)	

PART III – MAGISTRATES’ COURTS**CIVIL JURISDICTION**

37.	Summons	69.00
38.	Service of process (on each person served)	13.00
39.	Subpoena	8.00
40.	Distrain	43.00
41.	Affidavit (except affidavit of service)	10.00
42.	Search for any document filed in the Magistrates’ Court	10.00

CRIMINAL JURISDICTION

(Where the Prosecutor is an individual)

43.	Summons	8.00
44.	Service of process (on each person served)	13.00
45.	Subpoena	8.00
46.	Distrain (same as Item No. 40)	
47.	Certified copy of Conviction	2.00
48.	Search Warrant	13.00

REVENUE CASES

(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)

49.	Summons	8.00
50.	Subpoena	8.00
51.	Services of process (on each person served)	13.00
52.	Distrain (same as Item No. 40)	

APPEALS TO SUPREME COURT

53.	In any Civil Matter	52.00
54.	In any Criminal Matter	52.00
55.	In any Revenue Case	52.00

PART IV – ALL COURTS, ALL JURISDICTIONS

56.	Sealed copy of Judgment, per page or part page	2.00
57.	Evidence -	
	Where transcription is required, per page or part page	5.00
	Where photocopying is required, per page or part page	1.00
58.	Photocopy of any document filed in court –	
	Where sealed	2.00
	Where not sealed	1.00

PART V – RECIPROCAL ENFORCEMENT OF JUDGMENTS

59.	Application under rule 3 (including affidavit)	41.00
	Every supplemental affidavit	21.00
60.	Registration	13.00
61.	Issue of Certificate of Registration	21.00
62.	Filing of Affidavit under Rule 6(1) or (3)	21.00
63.	Summons to set aside Registration (including affidavit) under Rule 8	41.00
64.	Notice of Appeal Rule 6(5)	207.00
65.	Application under Rule 7 (including affidavit)	31.00
66.	Certified Copy of Judgment, per page or part page	2.00
67.	(Other fees as appropriate in Parts I & II)	

NOTE: Reference to Rules in this Part are to the Reciprocal Enforcement of Judgments Rules

PART VI – MAINTENANCE OF ILLEGITIMATE CHILDREN

68.	Application for Letters of Adoption	17.00
69.	Letters of Adoption	41.00
70.	Affidavit Complaint on oath	10.00
71.	Order of Affiliation or Maintenance	9.00

Passed by the Legislative Assembly this 12th day of August 2010.