



Tonga

IMMIGRATION REGULATIONS

1988 Revised Edition



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IMMIGRATION REGULATIONS

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Tonga

IMMIGRATION REGULATIONS

Made by the Prime Minister

G.S. 41/72, G.S. 9/88

[31st October 1972]

1 Short title.

- (1) These Regulations may be cited as the Immigration Regulations.
- (2) The Immigration Act is in these Regulations referred to as the Act.

2 Application to enter and reside.

- (1) Every application for a permit to enter and reside in Tonga shall be made in accordance with such form as the Principal Immigration Officer may approve, and shall be accompanied by 2 recent photographs of the applicant, endorsed by the applicant for the purposes of the said form, and shall be forwarded to the Principal Immigration Officer, Nuku'alofa, Tonga.
- (2) An applicant may apply for the inclusion in the permit to enter and reside to be issued to him of the names of his spouse and of any child accompanying him, and shall furnish with such application 2 recent photographs of his spouse and each such child.
- (3) An applicant for a permit under this regulation who intends to engage in business in Tonga on his own behalf shall also furnish the following:—

- (a) the names and addresses of 2 referees who have known or been closely associated with the applicant in either or both the applicant's business and social life during the last preceding 5 years and who would, if requested by the Principal Immigration Officer, furnish satisfactory character references on the applicant's behalf; and
 - (b) a Banker's reference or other indication acceptable to the Principal Immigration Officer of the applicant's financial background and status.
- (4) An applicant for a permit under this regulation who intends to engage in business in Tonga in partnership with a person already lawfully and permanently resident in Tonga shall, in addition to the foregoing requirements, furnish a true copy of the partnership agreement to the Principal Immigration Officer.
- (5) Where the applicant for a permit under this regulation is a person who seeks to enter the Kingdom to take up an approved employment, his application shall be accompanied by a true copy of his contract of employment with his employer who shall be responsible for the repatriation of the applicant on the termination of the employment.
- (6) Where the applicant for a permit under this regulation is a person who seeks to enter the Kingdom in order to pursue a course of study of any nature whatsoever, the applicant shall furnish details of the precise nature of the study, of any grants or fellowships awarded in connection with that study and also details of the applicant's personal financial status.

3 Form of permit.

A permit to enter and reside in Tonga shall be in such form as the Principal Immigration Officer may approve and shall be subject to the conditions specified thereon.

4 Visitor's permit.

A visitor's permit shall be in such form as the Principal Immigration Officer may approve and shall be subject to the conditions therein set out and to such other conditions as the Principal Immigration Officer may deem fit to impose.

5 Furnishing security.

- (1) Where a person is required to furnish security as a condition to enter the Kingdom under section 9 or 10 of the Act, the amount of such security shall not exceed \$1000.

- (2) Security may, at the discretion of the Principal Immigration Officer, be accepted in the form of a deposit of cash, or of the lodging of a security bond in a form approved of by the Principal Immigration Officer.
- (3) Where a person has furnished security by a deposit of cash, such deposit may be retained by the Principal Immigration Officer so long as such person resides in the Kingdom by virtue of any permit issued to him by, or under the authority of, the Principal Immigration Officer:

Provided that such period shall not exceed 7 years.

6 Ship and aircraft arriving.

- (1) The master of every ship or aircraft arriving in the Kingdom from outside the Kingdom shall prevent, with such reasonable force as may be necessary, the disembarkation of any person in respect of whom he has been notified by an immigration officer that such person is prohibited from landing in the Kingdom.
- (2) The notice to prohibit landing referred to in the last preceding sub-regulation shall be in such form as the Principal Immigration Officer may approve.
- (3) A master of a ship or an aircraft who contravenes or fails to comply with the provisions of this regulation shall be guilty of an offence against these Regulations and be liable to a fine not exceeding \$100 in respect of each offence and in default of payment to a term of imprisonment for any period not exceeding 6 months.

7 List of members of crew.

- (1) The list of members of a crew required under section 18(1)(a) of the Act or under section 19(1)(c) of the Act shall be in such form as the Principal Immigration Officer may approve and shall contain such particulars as the Principal Immigration Officer may deem necessary.
- (2) The seamen's identification card required under section 18(1)(c) of the Act shall be in such form as the Principal Immigration Officer may approve.

8 List of passengers.

- (1) The list of passengers required under section 18(2)(a) of the Act shall be in such form as the Principal Immigration Officer may approve and shall contain such particulars as the Principal Immigration Officer may deem necessary.

- (2) The particulars required under section 18(2)(b) of the Act and under section 19(1)(b) of the Act shall be supplied in accordance with such forms as the Principal Immigration Officer may approve.

9 Spouse and dependent children.

Notwithstanding the other provisions of these Regulations, the Principal Immigration Officer may in the case of the spouse or dependent children of a person residing in the Kingdom give a permit in such form and upon such application as he may deem fit.

10 Using forms and stamps.

The Principal Immigration Officer may cause to be used for the purposes of the Act and of these regulations such forms and stamps as he may deem necessary and convenient for carrying out or giving effect to the provisions of the Act and of these regulations.

11 Fees.

- (1) The fees in the Schedule hereto shall be paid in respect of the matters specified.
- (2) All moneys received as fees shall be paid into the General Revenue.
- (3) The said fees are payable in respect of every person included in an application who requires a permit except that only one application fee is payable where a wife and/or children are included in another's application. Fees are not refundable and should be paid in cash. Revenue receipts will be issued and should be obtained for all fees paid. (*Inserted, G.S. 9/88.*)

THE SCHEDULE

		\$
1.	Application form for all permits to enter and reside in Tonga other than a visitors permit.	1.00
2.	Application for a visitors permit.	Nil
3.	Application for a permit to enter, reside and engage in business either on his own behalf or in partnership with a person already lawfully and permanently resident in Tonga.	50.00
4.	Application for a permit to enter and reside on assured income.	25.00
5.	Application for a permit to take up an approved employment.	50.00
6.	Application for a permit to enter, reside and study.	25.00
7.	Application for a permit other than under items 3, 4, 5, or 6 above.	20.00
8.	Application for extension or variation of a permit other than a visitors permit.	20.00
9.	The issue of any permit other than a visitors permit.	20.00
10.	The issue of a duplicate or replacement permit.	15.00
11.	The issue of an extension of a permit.	25.00
12.	The endorsement or variation of a permit other than a visitors permit.	10.00
13.	The lodgement of an appeal to the Prime Minister.	50.00
14.	Seaman's identification card.	20.00
15.	Except as set out in item 16, application and issue of police record for immigration purposes.	15.00
16.	Application and issue of police record for travel for education purposes.	5.00