



Tonga

IMMIGRATION REGULATIONS

Chapter 25.02.1

2016 Revised Edition



IMMIGRATION REGULATIONS

Arrangement of Regulations

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IMMIGRATION REGULATIONS

Made by the Prime Minister¹

Commencement [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 \$1,000.
- (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 Fees²

- (1) The fees in the Schedule hereto shall be paid in respect of the matters specified therein.
- (2) The said fees are payable in respect of every person included on the application.
- (3) The entire fee is payable prior to lodgement of an application form with the Immigration Division.
- (4) Fees charged are for application and processing of a permit and are not refundable, notwithstanding that the permit is later declined by the Immigration Division.
- (5) Where any permit held by an applicant has expired during the application process of a permit, and the applicant has not allowed the period of 4 weeks for the processing of his application during the validity of his visa, the principal applicant shall be charged an additional \$500 in addition to the relevant visa application fee.
- (6) Where any permit has expired before the principal applicant has lodged his re-application for a valid permit for the Kingdom, the principal shall be charged an additional \$1,000 in addition to the relevant permit application fee.
- (7) Revenue receipts will be issued and should be obtained for all fees paid.

SCHEDULE³*(Regulation 11)***FEEES**

No.	Visa/Permit Type	Restriction	Fee
1.	A Visitor's permit enabling a stay of 31 days in the Kingdom of Tonga for those non citizens who require permits for entry into the Kingdom	Per person for 31 days or less	\$60
2.	Extension of a Visitor's permit for any period less than a month (31 days) except for those persons under the age of 18 years	Per person	\$50
3.	Extension of a Visitor's permit per month except for those persons under the age of 18 years	Per person, per month	\$60
4.	Extension of a Visitor's permit for any person under the age of 18 years for any period less than a month (31 days)	Per child	\$10
5.	Extension of a Visitor's permit for any person under the age of 18 years	Per child, per month	\$15
6.	Issue of a Multiple Visitor's Visa permitting a one month (31 days) stay per visit	Per person, per year	\$300
7.	Application for a transfer of a Visitor's permit to an employment permit whilst the applicant is in the Kingdom	Per person	\$5,000
8.	Application for a transfer of a Visitor's Permit to a Business permit while the applicant is in the Kingdom	Per person	\$7,500
9.	Application for a transfer of any permit (other than a Visitor's Permit) to another category of permit; (e.g. a Resident Dependant Spouse to an Employment permit)	Per person	\$1,000

10.	Employment permit or extension of an employment permit	Per person, per year	\$200
11.	Business permit or extension of a business permit	Per person, per year	\$300
12.	Permit for Assured Income Category	Per person, per year	\$300
13.	Permit for study or extension of a study Permit for anyone under 18 years	Per child, per year	\$50
14.	Permit for study or extension of a study Permit for persons 18 years or over	Per person, per year	\$200
15.	Permit for a resident dependant child under 18 years	Per person, per year	\$20
16.	Permit for a resident dependant spouse or a resident dependant 18 years or over	Per person, per year	\$100
17.	Any other permit not stipulated above for any person 18 years or over	Per person, per year	\$100
18.	Any other permit not stipulated above for any child under 18 years	Per child, per year	\$50
19.	Any letter/document issued by the Immigration Division allowing travel to the Kingdom on a one way ticket for any person 18 years or over	Per child included in the letter/document	\$30
20.	Any letter/document issued by the Immigration Division allowing travel to the Kingdom on a one way ticket for any person 18 years or over	Per child included in the letter/document	\$30
21.	Any letter/document issued by the Immigration Division not including items 19 & 20 above	Per child included in the letter/document	\$200
22.	The issue of any duplicate or replacement permit label or any duplicate or replacement letter/document issued by the Immigration Division	Per label, per document	\$100
23.	The lodgement of an appeal to the Prime Minister	Per person	\$500
24.	Any application made under section 26 of the Act – for a	Per person	\$1,000

	letter of consent to re-enter Tonga, after removal		
25.	Application for consent to marry under section 10 of the Act	Per application	\$300
26.	The endorsement by permit label/stamp of an exemption in any passport for an applicant under section 7(1)(g), (h), (i), of the Act	Per person, per label	\$30
27.	For items 1, 19, 20 and 21 that are issued by an overseas diplomatic mission of the Kingdom in:		
	The United States of America		The figure in USD
	New Zealand		The figure in NZD
	Australia		The figure in AUD
	People's Republic of China		The figure in USD
	United Kingdom		The figure in Pounds Sterling
	Any other foreign country		The figure in USD

ENDNOTES

¹ **1988 Revised Edition Cap. 62** — GS 41/72, GS 9/88

Amending Gazettes	Commencement
G. 3/2002	1 st March 2002
GS.12/2010	1 st November 2010
GS 6/2012	16 March 2012

² Substituted by GS 3/2002

³ Substituted by GS 6/2012