



Tonga

SUPREME COURT (CHANGE OF NAME) RULES

1988 Revised Edition



SUPREME COURT (CHANGE OF NAME) RULES

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SUPREME COURT (CHANGE OF NAME) RULES

Made by the Judge of the Supreme Court on 31st October, 1978

G. 414/78

Commencement [31 October, 1978]

1 Short title, application.

These rules may be cited as the Supreme Court (Change of Name) Rules and shall apply to all Tongan subjects by birth or naturalisation other than Nobles and Matapules who are estate holders, and relate only to change of surname.

2 Applications to be registered.

Application shall be by deed in form A of the First Schedule hereto which shall be registered and enrolled in the Supreme Court on payment of the fees prescribed by these Rules.

3 Tongan subjects.

The applicant must be a Tongan subject.

4 Evidence required.

- (1) As evidence of Tongan nationality the applicant must produce —
 - (a) a certificate of birth; or
 - (b) a certificate of citizenship by naturalisation or otherwise.

- (2) In addition to the documents set out in the last preceding paragraph —
- (a) a married woman must produce her certificate of marriage, and must, unless good cause is shown to the contrary, obtain the written consent of her husband to her change of name. Such consent must be endorsed on the deed and must be witnessed by a Magistrate or the Registrar of the Supreme Court;
 - (b) a widow must produce her certificate of marriage and the certificate of death of her deceased husband;
 - (c) a divorced woman who has not remarried must produce the decree absolute of divorce.

5 Affidavit in support.

For the purpose of identification the deed must be accompanied by an affidavit of a Tongan subject of over 18 years of age who has personally known the applicant for not less than 10 years.

6 Signature of deed.

The deed must be signed by the applicant in both his old and new names.

7 Applications by children.

If the applicant is under 18 years of age the application must be made by a parent or legal guardian of the applicant. If the applicant is under 18 but over 16 years of age his or her signed consent must be endorsed on the deed and duly witnessed.

8 Certificate of enrolment.

A notice of change of name in form B of the First Schedule must be advertised in the Government Gazette after enrolment and on proof of such advertisement and on payment of the fee prescribed in the Second Schedule hereto the Registrar of the Supreme Court will deliver to the applicant the certificate of enrolment.

FIRST SCHEDULE

FORM A

By this Deed I the undersigned (new Name) oflately called (old name) a Tongan subject by birth/naturalization do hereby:- —

1. Wholly renounce relinquish and abandon the use of my former surname of and in place thereof do assume from the date hereof the surname of so that I may hereafter be called known and distinguished not by my former surname of but by my assumed surname of

2. For the purpose of evidencing such my determination declare that I shall at all times hereafter in all records deeds and writings and in all proceedings dealings and transactions as well private as public and upon all occasions whatsoever use and sign the name of

3. Expressly authorise and request all persons at all times hereafter to designate and address me by such assumed surname of accordingly.

In Witness whereof I have hereunto subscribed my former and adopted names of andand affixed my seal this day of

Signed sealed and delivered by the above named formerlyin the presence of witness

SECOND SCHEDULE

FEEES

Application	\$2.50
Filing of Affidavit	1.50
Registration of Deed	1.00
Certificate of Enrolment	1.00