Court fees concerning European Payment Order procedure

Italy

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Introduction

The rules on the costs of proceedings are set out in the Consolidated law on legal costs (*Testo Unico delle disposizioni legislative e regolamentari in materia di spese di giustizia*) contained in Presidential Decree No 115 of 30 May 2002 (*Decreto del Presidente della Repubblica 30 maggio 2002 n. 115*).

What fees are applicable?

In civil actions, each party covers the costs of its own documents and of the documents necessary for the action if the law or the court requires that party to pay them (Article 8 of the Consolidated law on legal costs, Presidential Decree No 115/2002).

The fees in civil actions are as follows:

standard fee to bring the action

service fees

fees for copies

How much shall I pay?

The amounts payable are laid down in Article 13 and Article 30 of Presidential Decree No 115/2002 regarding, respectively, the standard fee and the advance payment to cover service costs at the request of the court.

Fees for copies are governed by Articles 267 et seq. of Presidential Decree No 115/2002 and are listed in Tables 6, 7 and 8 annexed to that decree.

Under Article 46 of Law No 374/1991 establishing the Office of Justice of the Peace (*Legge 21 novembre 1991, n. 374 Istituzione del giudice di pace*) [in Italy, justices of the peace are legally qualified], only the standard fee is payable for documents and judgments for amounts up to €1,033.

What happens if I do not pay the court fees on time?

In the event of non-payment, the court or a debt collection company (agreement in place with Equitalia Giustizia SpA) will serve a payment notice with instructions on how to arrange payment of the standard fee (Article 248 of Presidential Decree No 115/2002).

In the event of non-payment of the fees for copies and the amount provided for in Article 30 of Presidential Decree No 115/2002, the court may refuse to accept the document (Article 285 of Presidential Decree No 115/2002).

How can I pay the court fees?

If the payment is made in Italy via a postal account, Form F23 or stamps purchased from authorised tobacconists and retailers should be used.

Payments from abroad by bank transfer should be made to the following account:

BIC: BITAITRRENT

IBAN: IT 04 O 01000 03245 350008332100

What shall I do after the payment?

After the payment, the relevant receipt must be produced to provide the court with proof of payment.

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