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Court fees concerning Small Claims procedure

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Introduction

Court fees are regulated by Act No 549/1991 on court fees. The annex to the Act contains a schedule of fees. Fees constitute revenue of the State budget. Fees are paid by a bank transfer to the account of the competent court. Fees not exceeding CZK 5 000 can also be paid by fee stamps.

What fees do I have to pay?

In the small claims procedure, court fees must be paid in accordance with general regulations. The same rules are applied here as for other civil proceedings.

How much is it?

Procedure fee rates are set as a fixed amount, or as a percentage for fees whose base is expressed as a monetary amount. The percentage fee is calculated as the product of the fee base and the fee rate. Individual rates are set out in the schedule of fees annexed to Act No 549/1991 on court fees. The basic rule based on the payment criterion is relevant in terms of the European Small Claims Procedure. The fee for an application to initiate a civil judicial procedure concerning a payment of up to CZK 20 000 is fixed at CZK 1 000.

What are the consequences of late payment of fees?

If the procedure fee payable upon the filing of the application to initiate a procedure, appeal, third-instance appeal or cassation complaint has not been paid, the court shall request the payer to pay it within a period set by the court of no less than 15 days. Exceptionally, the court may set a shorter period. If this period has expired and the payer has not paid the fee, the court shall discontinue the procedure. Payment of the fee after expiry of the time limit will be disregarded.

If the appellate court finds, after the case has been brought before it for a decision on the appeal, that the fee payable upon filing the appeal has not been paid, it shall request the payer to pay it within a period of no less than 15 days. Exceptionally, the appellate court may set a shorter period. If this period has expired and the payer has not paid the fee, the appellate court shall discontinue the procedure. Payment of the fee after expiry of the time limit will be disregarded. The procedure before the appellate court shall apply *mutatis mutandis*.

If the decision to discontinue the proceedings for failure to pay the fee becomes final, the obligation to pay ceases to exist.

How and where do I pay the court fees?

Fees are paid by a bank transfer to the account of the competent court. Bank details can be found on the website of each court, available at the Internet portal <https://www.justice.cz/>. Fees of up to CZK 5 000 can also be paid by fee stamps.

Cases concerning procedure fees are decided by the court competent to hear and decide the case at first instance.

What do I do after I have paid the fees?

By sending money to the bank account of the competent court or by delivering fee stamps to the competent court, the payer's obligation to pay court fees is fulfilled. You are not obliged to submit any other documents to the court.

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