Court fees concerning Small Claims procedure

Slovenia

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Introduction

Court fees applicable in the European Small Claims Procedure are listed in the Slovenian Court Fees Act (*Zakon o sodnih taksah*, *Uradni list RS* (Official Gazette of the Republic of Slovenia) Nos 37/08, 97/10, 63/13, 58/14–Constitutional Court decision, 19/15–Constitutional Court decision, 30/16 and 10/17–ZPP-E (Act Amending the Contentious Civil Procedure Act); hereinafter referred to as: the ZST-1), which is the general law on court fees.

The ZST-1 (Article 6) provides a legal basis for the payment of court fees using cash, electronic money and other valid means of payment, which also applies to the payment of fees under the European Small Claims Procedure. In practice, court fees may be paid electronically through the web payment services of individual banks.

What fees are applicable?

Under the European Small Claims Procedure, a one-time court fee applies to the entire proceedings. The person liable for payment of the court fee is the claimant, and the payment must be made at the time of filing the application concerning the institution of proceedings with the court.

How much shall I pay?

The amount of the court fee under the European Small Claims Procedure that the claimant must pay upon filing an application concerning the institution of proceedings with the court depends on the value of the claim:

if the value of the claim is below EUR 300, the fee is EUR 54,
if the value of the claim is between EUR 301 and EUR 600, the fee is EUR 78,
if the value of the claim is between EUR 601 and EUR 900, the fee is EUR 102,
if the value of the claim is between EUR 901 and EUR 1,200, the fee is EUR 126,
if the value of the claim is between EUR 1,201 and EUR 1,500, the fee is EUR 150,
if the value of the claim is between EUR 1,501 and EUR 2,000, the fee is EUR 165,
if the value of the claim is between EUR 2,001 and EUR 2,500, the fee is EUR 180,
if the value of the claim is between EUR 2,501 and EUR 3,000, the fee is EUR 195,
if the value of the claim is between EUR 3,001 and EUR 3,500, the fee is EUR 210,
if the value of the claim is between EUR 3,501 and EUR 4,000, the fee is EUR 225,
if the value of the claim is between EUR 4,001 and EUR 4,500, the fee is EUR 240,
if the value of the claim is between EUR 4,501 and EUR 5,000, the fee is EUR 255.

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

If the claimant fails to pay the court fee on time, the court conducts the proceedings nevertheless, and the court fee is then enforced where necessary.

How can I pay the court fees?

The ZST-1 (Article 6) provides a legal basis for the payment of court fees using cash, electronic money and other valid means of payment, which also applies to the payment of fees under the European Small Claims Procedure.

In practice, court fees may be paid electronically through the web payment services of individual banks, or they can be paid directly through the payment services provider or the court cashier (using cash or a POS terminal).

Every bank has its own web payment service for making electronic payments.

The person liable may pay the court fee in advance, i.e. upon filing the application to open proceedings with the court, or they may file the application with the court and wait for the court to send them a payment notice with the applicable amount and all other data necessary to make the payment.

What shall I do after the payment?

If the court fee is paid by indicating the appropriate reference number (communicated to the liable person by the court on the payment notice), the person liable is not required to provide the court with any evidence of payment. In such cases, the court is notified of the payment through a special electronic banking system (UJPnet), where the correct reference number is decisive in recognising individual payments.

However, if the court fee is paid without indicating the appropriate reference number, the person liable must submit to the court proof of payment. There are no special formal conditions concerning the validity of such proof. Based on such proof, the court, if necessary, verifies the payment of the court fee on the UJPnet platform (especially when the court fee is not paid through the court cashier).

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