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Small claims

Czech Republic

1 Existence of a specific small claims procedure

1.1 Scope of procedure, threshold

The Czech Republic has no specific small claims procedure. The small claims category (i.e. focusing on the amount of financial compensation) is only taken into consideration in appeal proceedings.

1.2 Application of procedure

Article 202(2) of the Code of Civil Procedure provides that appeals are inadmissible against judgments ruling *on monetary compensation not exceeding CZK 10 000*, excluding any interest and charges pertaining to the claim; this does not apply to default judgments.

Appeals may therefore be lodged against default judgments, even if they rule on amounts lower than CZK 10 000.

Article 238(1)(c) of the Code of Civil Procedure provides that appeals on a point of law are inadmissible against judgments and court orders in which the operative part contested by the appeal has ruled *on monetary compensation not exceeding CZK 50 000* (excluding any interest and charges pertaining to the claim), except where they concern contractually established consumer relations or employment.

1.3 Forms

There are no forms specific to a small claims procedure.

1.4 Assistance

Under the Code of Civil Procedure, courts are required to advise the parties of their procedural rights and obligations. In this respect, the law lays down what advice the court is to give the parties in the specific procedural situation.

1.5 Rules concerning the taking of evidence

The same rules govern the submission, evaluation and obtaining of evidence in litigation in civil procedure, irrespective of the sum involved.

1.6 Written procedure

The law on small claims procedure does not establish any exceptions in the way proceedings are to be held.

1.7 Content of judgment

A ruling on small claims is no different in content from any other.

1.8 Reimbursement of costs

The reimbursement of costs is covered by general rules on civil procedure.

1.9 Possibility to appeal

As noted above, appeals are inadmissible against judgments ruling *on monetary compensation not exceeding CZK 10 000*, excluding any interest and charges pertaining to the claim; this does not apply to default judgments.

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