

Uz sākumlapu>Prasības iesniegšana tiesā>Kur un kā>Izmaksas

Izmaksas

Čehija

Šajā lapā ir sniegta informācija par tiesāšanās izmaksām Čehijas Republikā.

[Ģimenes tiesības — laulības šķiršana](#)

[Ģimenes tiesības — bērnu aizgādība un uzturēšana](#)

[Komerctiesības — līgumi](#)

[Komerctiesības — atbildība](#)

Regulējošie noteikumi par juridisko profesiju honorāriem

Juristi

Čehijā ir tikai viena veida juristi — advokāti [*advokáti*]. Nav atsevišķu juridisko profesiju, kas būtu analogas tādām profesijām kā tiesu advokāti (“barristers”) un juriskonsulti (“solicitors”) Apvienotajā Karalistē.

[Tieslietu ministrijas 1996. gada 4. jūnija Dekrētā Nr. 177/1996](#) ir noteikti honorāri un kompensācijas, kas tiek maksāti advokātiem par juridisko pakalpojumu sniegšanu (t. s. advokātu tarifs). Tulkojums angļu valodā ir pieejams Čehijas Advokātu kolēģijas tīmekļa vietnē.

Par advokāta honorāru iesaistītās puses var vienoties arī privāti.

Lielākajā daļā civillietu (tostarp ģimenes un komercietās) juridiskā pārstāvība nav obligāta.

Fiksētās izmaksas

Fiksētās izmaksas civiltiesvedībā

Fiksētās izmaksas procesa dalībniekiem civiltiesvedībā

Likums Nr. 549/1991 par tiesas nodevām (tulkojums angļu valodā nav pieejams) reglamentē nodevas, kas maksājamas civiltiesvedībā. Maksa atšķiras atkarībā no procesa veida. Dažos gadījumos tiek maksātas fiksētas nodevas; citos gadījumos nodevas summu nosaka procentos.

Visos gadījumos nodevas ir jāmaksā Čehijas valūtā (CZK), un tās var ar bankas pārvedumu iemaksāt valsts (vai tiesas) kontā. Nodevas līdz 5000 CZK var samaksāt, izmantojot īpašas valdības fiskālās markas [*státní kolek*], kuras var iegādāties pasta nodaļās un noteiktās citās vietās.

Tiesai ir pienākums prasības iesniedzēju informēt par konkrēto tiesas nodevas apmēru.

Civiltiesvedības stadija, kurā lietas dalībniekiem jāsedz fiksētās izmaksas

Tiesas nodeva jāsamaksā, tiklīdz maksātājam tiek noteikts pienākums to samaksāt (piemēram, kad tiek iesniegta prasība). Ja maksātājs nesamaksā tiesas nodevu, kas tam piemērota, tiesa pieprasa, lai tā tiktu samaksāta termiņā, ko tā šajā sakarā nosaka. Ja šis termiņš ir beidzies un maksātājs nav samaksājis nodevu, tiesa pārtrauc tiesas procesu.

Fiksētās izmaksas krimināltiesvedībā

Fiksētās izmaksas procesa dalībniekiem krimināltiesvedībā

Kriminālprocess vienmēr tiek uzsākts *ex officio* (pamatojoties uz prokurora dienesta pienākumiem), un apsūdzētais sedz tikai juridiskās pārstāvības izmaksas (ja netiek piešķirta bezmaksas aizstāvība vai aizstāvība par pazeminātu likmi). Tomēr, ja atbildētājs tiek atzīts par vainīgu ar galīgu tiesas spriedumu, viņam vai viņai ir pienākums atlīdzināt valstij kriminālprocesa izmaksas likumā noteiktajā apmērā.

Krimināltiesvedības stadija, kurā lietas dalībniekiem jāsedz fiksētās izmaksas

Kriminālprocesā netiek maksātas tiesas nodevas.

Fiksētās izmaksas Konstitucionālajā tiesā

Lietas dalībnieku fiksētās izmaksas Konstitucionālajā tiesā

Par sūdzībām, kas iesniegtas Čehijas Republikas **Konstitucionālajā tiesā** [*stávní soud České republiky*], **nav noteikta fiksēta tiesas nodeva**, bet procesa puses ir jāpārstāv advokātiem.

Konstitucionālās tiesvedības stadija, kurā lietas dalībniekiem jāsedz fiksētās izmaksas

Fiksētas tiesas nodevas netiek iekasētas.

Iepriekšēja informācija, ko sniedz juridiskie pārstāvji

Pušu tiesības un pienākumi

Pušu juridiskajiem pārstāvjiem nav jāsniedz nekāda iepriekšēja informācija.

Advokāts un viņa klients var vienoties par pušu tiesībām un pienākumiem.

Izmaksu juridiskais pamats

Kur atrast informāciju par juridisko pamatu izmaksu noteikšanai Čehijas Republikā?

Katrā atsevišķā gadījumā ieteicams konsultēties ar advokātu. Pēc tiesvedības uzsākšanas tiesai ir pienākums pusēm paziņot par tiesas nodevu apmēru.

Kādās valodās ir pieejama informācija par juridisko pamatu izmaksu noteikšanai Čehijas Republikā?

Vienīgā oficiālā valoda Čehijas Republikā ir čehu valoda. Tāpēc nav juridiska pienākuma sniegt informāciju citās valodās. Tādējādi informācijas kvalitāte ir atkarīga no tās sniedzēja vēlmēs un zināšanām.

Kur atrast informāciju par mediāciju?

Informācija par mediāciju ir pieejama [Čehijas Republikas Mediatoru asociācijas](#) [*Asociace mediátorů České republiky, AMČR*] tīmekļa vietnē.

Informācija par reģistrētiem mediatoriem ir atrodama [Tieslietu ministrijas](#) tīmekļa vietnē un/vai tieši meklējot [mediatoru saraksta](#) [*Seznam mediátorů*] datu bāzē.

Kur atrast papildu informāciju par izmaksām?

Pieejama tīmekļa vietne ar informāciju par izmaksām

Nav pieejama oficiāla vietne, kurā sniegta informācija par izmaksām.

Kur atrast informāciju par dažādu procesu vidējo ilgumu?

[Tieslietu ministrijas](#) tīmekļa vietnē atrodama statistika par tiesu un prokuratūru darbību.

Kur atrast informāciju par noteikta veida tiesāšanās vidējām kopējām izmaksām?

Izmaksas, kas jāsedz, ir atkarīgas no katras konkrētās lietas apstākļiem. Informācija par tiesvedības vidējām kopējām izmaksām nav pieejama.

PVN

Kādā veidā tiek sniegta šāda informācija?

Tiesas nodevām PVN nepiemēro, un to summas ir galīgas. Advokāta honorārā nav iekļauts PVN. Daži advokātu biroji ir PVN maksātāji un iekasē PVN (ar 21 % likmi). PVN un veidu, kādā šis nodoklis tiek iekasēts, reglamentē Likums Nr. 235/2004 par pievienotās vērtības nodokli.

Kādas ir piemērojamās likmes?

Pamatlikme ir 21 %, samazinātā likme ir 15 %.

Juridiskā palīdzība

Civiltiesvedībā piemērojamais ienākumu sliekšnis

Konkrēts ienākumu sliekšnis nav piemērojams. Kvalifikācijas kritēriji bezmaksas juridiskās palīdzības sniegšanai ietver ne tikai personas ienākumus, bet arī viņa vai viņas mājaimniecības kopējo finansiālo stāvokli. Gadījumos, kad tas ir nepieciešams, lai aizsargātu puses intereses (t. i., it īpaši nozīmīgas vai procesuāli sarežģītas tiesvedības gadījumā) vai kad šāda veida procesā puses obligāti jāpārstāv advokātam, un vienlaikus lietas dalībnieka apstākļi pamato šādu procedūru, tiesa ieceļ lietas dalībnieka advokātu. Pēc tam tiesa atceļ lietas dalībnieka pienākumu atlīdzināt advokātam, kā arī samaksāt tiesas nodevas. Bezmaksas juridisko palīdzību sniedz arī Čehijas Advokātu kolēģija [*Česká advokátní komora*] un specializētas nevalstiskās organizācijas (atkarībā no tiesvedības priekšmeta).

Krimināllietās apsūdzētajam piemērojamais ienākumu sliekšnis

Konkrēts ienākumu sliekšnis nav piemērojams. Tiesa ieceļ apsūdzētajai personai aizstāvības advokātu visos gadījumos, kad juridiskā pārstāvība ir obligāta un apsūdzētajam nav advokāta.

Ja apsūdzētā persona dokumentāri pierāda, ka nevar atļauties aizstāvības izmaksas, tiesa nolems, ka viņam vai viņai ir tiesības uz bezmaksas juridisko aizstāvību vai aizstāvību ar samazinātu likmi.

Cietušajiem (cietušajām pusēm) piemērojamais ienākumu sliekšnis krimināllietās

Cietušajiem, kas jaunāki par 18 gadiem, ir tiesības uz bezmaksas juridisko pārstāvību krimināltiesvedībā, ja vien lieta nav saistīta ar nevērību pret pienākumu gādāt par uzturēšanu un atbalstīšanu [*zanedbání povinné výživy*].

Cietušajām pusēm, kas ietilpst vienā no šīm kategorijām, arī ir tiesības uz bezmaksas advokāta juridisko pārstāvību:

īpaši neaizsargāti cietušie saskaņā ar Likumu Nr. 45/2013 par noziedzīgos nodarījumus cietušajiem un dažu likumu grozījumiem (Likums par noziedzīgos nodarījumus cietušajiem);

personas, kuras tīša noziedzīga nodarījuma rezultātā guvušas smagus miesas bojājumus;

cietušā, kurš miris noziedzīgā nodarījuma rezultātā, apgādību zaudējušas personas;

personas, kuras pierāda, ka nevar atļauties juridiskās pārstāvības izmaksas. Šīm personām ir tiesības pašām izvēlēties savu advokātu; ja tās to nedara, attiecīgā tiesībsardzības iestāde advokātu ieceļ viņu vietā.

Ja cietusī puse ir arī īpaši neaizsargāta persona, tā papildus saņem ierobežotu **juridisko palīdzību saskaņā ar Likumu par noziedzīgos nodarījumus cietušajiem**. Šo juridiskās palīdzības veidu nodrošina juristi (advokāti), kuri brīvprātīgi sniedz noteiktu bezmaksas juridiskās palīdzības apjomu šādiem cietušajiem un ir reģistrēti īpašā reģistrā, ko uztur Tieslietu ministrija.

Citi nosacījumi, kas saistīti ar juridiskās palīdzības sniegšanu cietušajiem

Nevalstiskās bezpeļņas organizācijas, kuras ir izpildījušas izvirzītos nosacījumus un ieguvušas Tieslietu ministrijas akreditāciju, kā arī Probācijas un mediācijas dienests [*Probační a mediační služba*] var sniegt **juridisku informāciju** noziedzīgos nodarījumus cietušajiem (īpaši informāciju par viņu tiesībām saskaņā ar Likumu par noziedzīgos nodarījumus cietušajiem un cietušo pušu tiesībām kriminālprocesā). Tomēr šī juridiskā informācija nav tieša juridiskā palīdzība.

Citi nosacījumi juridiskās palīdzības sniegšanai apsūdzētajiem

Attiecībā uz juridisko palīdzību kriminālprocesā apsūdzētajām personām spēkā ir tā pati informācija, kas norādīta iepriekš attiecībā uz ienākumu sliekšni.

Bezmaksas tiesvedība

Par **Konstitucionālajā tiesā** iesniegtajām sūdzībām netiek iekasētas nekādas tiesas nodevas. Tāpat tiesas nodevas netiek iekasētas dažu veidu procesos (kā noteikts §Likuma Nr. 549/1991 par tiesas nodevām 11. pantā), piemēram, gadījumos, kad prasītājs ir nepilngadīga persona, un dažos citos gadījumos (piemēram, lietās, kurās valsts vai tās iestādes ir viena no procesa pusēm; ja lieta attiecas uz ārvalstnieka iesniegtu patvēruma pieteikumu; lietās, kurās procesā iesaistītā puse ir “vājākā pozīcijā esoša persona”).

Kad zaudētājai pusei jāsedz uzvarētājas puses izdevumi?

Katrā konkrētā lietā tas ir tiesneša ziņā (kā noteikts tiesneša galīgajā lēmumā); tiesa var piespriest zaudētājai pusei segt visas izmaksas vai to daļu. Tomēr tas neattiecas uz laulības šķiršanas procesu. Lēmums par izmaksu segšanu bieži var ietvert arī juridiskās pārstāvības izmaksas.

Ekspertu honorāri un izmaksas

Tiesa sedz to ekspertu honorārus, kurus tā ir iecēlusi. Strīdā iesaistītajām pusēm ir jāsedz ekspertu honorāru izmaksas tikai gadījumos, kad tās pašas pieprasa eksperta pakalpojumus. Dažos īpašos gadījumos tiesa var piespriest zaudētājai pusei samaksāt eksperta honorāru.

Tulkotāju un tulku honorāri

Tiesai ir jāmaksā tulkotāju un tulku honorāri; ja puse ir ārvalstnieks, kurš nesaprot čehu valodu, viņam ir tiesības vērsties tiesā savā dzimtajā valodā.

Saistītie pielikumi

[Ziņojums par izmaksu pārredzamības pētījumu: Čehijas Republika](#)  (703 Kb) 

Lapa atjaunināta: 28/02/2022

Šīs lapas dažādās valodu versijas uztur attiecīgās dalībvalstis. Tulkojumu veic Eiropas Komisijas dienestā. Varbūtējās izmaiņas, ko oriģinālā ieviesušas kompetentās valsts iestādes, iespējams, nav atspoguļotas tulkojumos. Eiropas Komisija neuzņemas nekādas saistības un atbildību par datiem, ko satur šis dokuments, vai informāciju un datiem, uz kuriem šajā dokumentā ir atsauces. Lūdzam skatīt juridisko paziņojumu, lai iepazītos ar autortiesību noteikumiem, ko piemēro dalībvalstī, kas ir atbildīga par šo lapu.

Case study 1 - family law - divorce - Czech Republic

In this case study on family law – divorce, the Member States were asked to advise the party that files for divorce on litigation costs in the following situations:

Case A – National situation: a couple gets married. Later they separate and agree to a divorce.

Case B – Transnational situation: two nationals from the same Member State (Member State A) get married. The marriage is celebrated in Member State A. After the wedding, the couple moves to live and work in another Member State (Member State B) where they establish their residence. Shortly thereafter the couple separates with the wife returning to Member State A and the husband remaining in Member State B. The couple agrees to a divorce. Upon her return to Member State A, the wife immediately files for a divorce before the courts of Member State B.

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution (ADR)

Case study	First-instance court proceedings			Appellate proceedings			Alternative dispute resolution	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?	Costs
Case A	CZK 2 000	Not applicable (N/A)	N/A	CZK 2 000	N/A	N/A	Yes (optional)	Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator)
Case B	CZK 2 000	N/A	N/A	CZK 2 000	N/A	N/A	Yes (optional)	Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator)

Indicative costs for a lawyer, licenced enforcement agent and expert

Case study	Legal representation		Licenced enforcement agent			Expert	
	Is representation compulsory?	Average cost	Is use compulsory?	Pre-judgment costs	Post-judgment costs	Is use of an expert compulsory?	Costs
Case A	No.	Contractual, CZK 1 500 per task according to the lawyer's tariff	No	-	-	No.	CZK 100 to CZK 350 per hour
Case B	No.	Contractual	No (depends on the other country involved in the case)	-	-	No.	CZK 100 to CZK 350 per hour

Costs for witness compensation, deposits, securities and other relevant fees

Case study	Witness compensation		Deposit or security		Other costs	
	Are witnesses compensated?	Costs	Does this exist and when and how is it used?	Costs	Description	Costs
Case A	Yes. Actual costs are paid.	Differ according to the circumstances of the case	No.	-	-	-
Case B	Yes. Actual costs are paid.	Differ according to the circumstances of the case	No.	-	-	-

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement			
	When and under what conditions is it applicable?	When is full legal aid given?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of the costs covered?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Only NGOs	-	-	Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances.	-	Depends on the court's decision, usually none.	No.
Case B	See the Directive concerning	-	-	Usually not. However, the court may grant the	-	Depends on the court's decision, usually none.	No.

	application of legal aid in cross-border disputes			reimbursement of costs if justified by the circumstances.			
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Translation and interpreting costs

Case study	Translation		Interpreting		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate costs?	When and under what conditions is it necessary?	Approximate costs?	Description	Approximate costs?
Case A	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page		-	-	-
Case B	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	In cases where a party or a witness is a foreign national or does not understand Czech	CZK 100 to CZK 350 per hour	-	-

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Case study 2 - family law - custody of the children - Czech Republic

In this case study on family law – custody of the children, Member States were asked to advise the suing party on litigation costs in the following situations: Case A – National situation: two persons have lived together unmarried for a number of years. They have a three-year-old child when they separate. A court decision grants custody of the child to the mother and a right of access to the father. The mother sues to limit the father's right of access.

Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (Member State B) for a number of years. They have a child together but separate immediately after the child's birth. A court decision in Member State B gives the child's custody to the mother with a right of access to the father. The mother and the child move to live in another Member State (Member State A) as authorised to do so by the Court decision and the father remains in Member State B. A few years later, the mother sues in Member State A to change the father's right of access.

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

Case study	First-instance court proceedings			Appellate proceedings			Alternative dispute resolution	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Can this be used in this specific case?	Costs
Case A	CZK 0	Not applicable (N/A)	N/A	CZK 0	N/A	N/A	Yes	Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator)
Case B	CZK 0	Not applicable (N/A)	N/A	CZK 0	N/A	N/A	Yes	Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator)

Indicative costs for a lawyer, licenced enforcement agent and expert

Case study	Legal representation		Licenced enforcement agent			Expert	
	Is representation compulsory?	Average cost	Is use compulsory?	Pre-judgment costs	Post-judgment costs	Is use of an expert compulsory?	Costs

Case A	No	Contractual, CZK 1 000 per task according to the lawyer's tariff	No	-	-	No	CZK 100 to CZK 350 per hour
Case B	No	Contractual, CZK 1 000 per task according to the lawyer's tariff	No (depends on the other country)	-	-	No	CZK 100 to CZK 350 per hour

Costs for witness compensation, deposits, securities and other relevant fees

Case study	Witness compensation		Deposit or security		Other costs	
	Are witnesses compensated?	Costs	Does this exist and when and how is it used?	Costs	Description	Costs
Case A	Yes, depending on their actual costs	Differ according to the circumstances of the case	Not in this type of proceedings	-	-	-
Case B	Yes, depending on their actual costs	Differ according to the circumstances of the case	Not in this type of proceedings	-	-	-

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement			
	When and under what conditions is it applicable?	When is full legal aid given?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of the costs covered?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Only NGOs	-	-	Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances.	-	Depends on the court's decision, usually none	No
Case B	See the Directive concerning application of legal aid in cross-border disputes	-	-	Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances.	-	Depends on the court's decision, usually none	No

Translation and interpreting costs

Case study	Translation		Interpreting		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate costs?	When and under what conditions is it necessary?	Approximate costs?	Description	Approximate costs?
Case A	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	-	-	-	-
Case B	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	In cases where a party or a witness is a foreign national or does not understand Czech	CZK 100 to CZK 350 per hour	-	-

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Case Study 4 – Commercial law – Contracts – Czech Republic

In this case study on commercial law – contracts - Member States were asked to advise the seller on litigation costs in the following situations:

Case A – National situation: A company delivered goods worth EUR 20 000. The seller has not been paid because the buyer considers that the goods do not conform to what was agreed.

The seller decides to sue to obtain the full payment of the price.

Case B – Transnational situation: A company whose head office is located in Member State B delivers goods worth 20 000 euro to buyer in Member State A. The contract is subject to Member State B's law and written in Member State B's language. This seller has not been paid because the buyer located in Member State A considers that the goods do not conform to what was agreed. The seller decides to sue in Member State A to obtain full payment of the price as provided for under the contract with the buyer.

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

Case study	First-instance court proceedings			Appellate proceedings			Alternative dispute resolution	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Can this be used in this specific case?	Costs
Case A	5% of the amount (with subject of the proceedings under CZK 40 million)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (e.g., arbitration proceedings or mediation)	Contractual
Case B	5% of the amount (with subject of the proceedings under CZK 40 million)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (e.g., arbitration proceedings or mediation)	Contractual

Indicative costs for a lawyer, licenced enforcement agent and expert

Case study	Legal representation		Licenced enforcement agent			Expert	
	Is representation compulsory?	Average cost	Is use compulsory?	Pre-judgment costs	Post-judgment costs	Is use of an expert compulsory?	Costs
Case A	No.	Contractual	No.	-	-	No.	CZK 100 to CZK 350 per hour
Case B	No.	Contractual	No.	-	-	No.	CZK 100 to CZK 350 per hour

Costs for witness compensation, deposits, securities and other relevant fees

Case study	Witness compensation		Deposit or security		Other costs	
	Are witnesses compensated?	Costs	Does this exist and when and how is it used?	Costs	Description	Costs
Case A	Yes. Actual costs are paid.	Differ according to the circumstances of the case	In commercial cases, if preliminary injunction is requested.	CZK 50 000.	-	-
Case B	Yes. Actual costs are paid.	Differ according to the circumstances of the case	In commercial cases. if preliminary injunction is requested.	CZK 50 000.	-	-

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement		

	When and under what conditions is it applicable?	When is full legal aid given?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of the costs covered?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Very rarely in commercial cases.	-	-	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.
Case B	See the Directive concerning application of legal aid in cross-border disputes	-	-	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.

Translation and interpreting costs

Case study	Translation		Interpreting	
	When and under what conditions is it necessary?	Approximate costs?	When and under what conditions is it necessary?	Approximate costs?
Case A	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	-	-
Case B	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	In cases where a party or a witness is a foreign national or does not understand Czech	CZK 100 to CZK 350 per hour

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Case Study number 5 – Commercial law – Liability – Czech Republic

In this case study on commercial law – liability, Member States were asked to advise the customer on litigation costs in the following situations:

Case A – National situation: A manufacturer of heating equipment delivers a boiler to an installer. The installer sells the boiler to a customer and installs it in the customer's house. The house catches fire shortly thereafter. Every participant (heating equipment manufacturer, installer, end-customer) is insured. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies.

Case B – Transnational situation: A heating equipment manufacturer in Member State B delivers a boiler to an installer in Member State C. The installer sells the boiler on to a customer in Member State A and installs it in his/her house. The house catches fire shortly thereafter. Each one of the parties involved (manufacturer of heating equipment, installer, end-customer) is insured by an insurance company in that party's own Member State. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue the heating equipment manufacturer, the heating equipment installer and the insurance company in Member State A for full compensation in Member State A.

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

Case study	First-instance court proceedings			Appellate proceedings			Alternative dispute resolution	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Can this be used in this specific case?	Costs
Case A	5% of the amount (insurance claimed)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (optional)	Contractual (usually CZK 1 000 per hour; 3 hours)
Case B	5% of the amount (insurance claimed)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (optional)	Contractual

Indicative costs for a lawyer, licenced enforcement agent and expert

Case study	Legal representation		Licenced enforcement agent			Expert	
	Is representation compulsory?	Average cost	Is use compulsory?	Pre-judgment costs	Post-judgment costs	Is use of an expert compulsory?	Costs

Case A	No.	Contractual	No.	-	-	No.	CZK 100 to CZK 350 per hour
Case B	No.	Contractual	No.	-	-	No.	CZK 100 to CZK 350 per hour

Costs for witness compensation, deposits, securities and other relevant fees

Case study	Witness compensation		Deposit or security		Other costs	
	Are witnesses compensated?	Costs	Does this exist and when and how is it used?	Costs	Description	Costs
Case A	Yes. Actual costs are paid.	Differ according to the circumstances of the case	If a preliminary injunction is requested.	CZK 10 000.	Cost of evidence	Differ according to the circumstances of the case
Case B	Yes. Actual costs are paid.	Differ according to the circumstances of the case	If a preliminary injunction is requested	CZK 10 000.	Cost of evidence	Differ according to the circumstances of the case

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement			
	When and under what conditions is it applicable?	When is full legal aid given?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of the costs covered?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Consumer protection centres, other NGOs	If necessary to protect the interests of a party, the court will appoint a lawyer.	The party's application, their assets and the complexity of the dispute.	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.
Case B	See the Directive concerning legal aid in cross-border disputes or the European Consumer Centre.	If necessary to protect the interests of a party, the court will appoint a lawyer.	The party's application, their assets and the complexity of the dispute.	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.

Translation and interpreting costs

Case study	Translation		Interpreting	
	When and under what conditions is it necessary?	Approximate costs?	When and under what conditions is it necessary?	Approximate costs?
Case A	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	-	-
Case B	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	In cases where a party or a witness is a foreign national or does not understand Czech	CZK 100 to CZK 350 per hour

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