

## Pagna ewlenija>Flus/Talbiet monetarji>Tariffi tal-qorti dwar il-proċedura tal-ħlas Ewropea

### Tariffi tal-qorti dwar il-proċedura tal-ħlas Ewropea

Sib l-informazzjoni kollha rigward it-tariffi, il-mezzi ta' ħlas disponibbli, l-azzjonijiet ta' wara l-ħlas, eċċ. meta tuża l-proċedura ta' Ordni ta' Ħlas Ewropea f'kull Stat Membru.

Qed taħseb biex tuża l-proċedura tal-ordni ta' ħlas Ewropea? Jekk iva, ħu nota tat-tariffi tal-qorti li japplikaw. Tista' ssib l-informazzjoni kollha dwar tariffi, mezzi disponibbli għall-ħlas, miżuri ta' wara l-ħlas, eċċ billi tagħzel **wahda mill-bnadar mil-lista fuq in-naħa tal-lemin**.

L-aħħar aġġornament: 06/10/2020

Din il-pagna hi amministrata mill-Kummissjoni Ewropea. L-informazzjoni f'din il-pagna ma tirriflettix neċessarjament il-pożizzjoni uffiċjali tal-Kummissjoni Ewropea. Il-Kummissjoni ma taċċetta l-ebda responsabbiltà fir-rigward ta' kwalunkwe informazzjoni jew dejta li tinsab jew li hemm referenza għaliha f'dan id-dokument. Jekk jogħġbok irreferi għall-avviż legali fir-rigward tar-regoli dwar id-drittijiet tal-awtur għall-paġni Ewropej.

Il-Kummissjoni qiegħda fil-proċess li taġġorna xi ftit mill-kontenut fuq dan is-sit web fid-dawl tal-ħruġ tar-Renju Unit mill-Unjoni Ewropea. Jekk is-sit ikun fih kontenut li għadu ma jirriflettix il-ħruġ tar-Renju Unit, dan mhux intenzjonat u se jiġi indirizzat.

### Court fees concerning European Payment Order procedure - Belgium

#### Introduction

What fees are applicable?

How much shall I pay?

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

How can I pay the court fees?

What shall I do after the payment?

#### Introduction

This subject is regulated by Articles 1017 to 1022 of the Belgian Judicial Code (*Code judiciaire*) and by Article 953 of that Code with regard to the payment of witness fees. It is also governed by the Belgian Code of Registration, Mortgage and Court Registry Fees (*Code des droits d'enregistrement, d'hypothèque et de greffe*), and particularly Articles 142 et seq. and 268 et seq. with regard to registration fees.

#### What fees are applicable?

Article 1018 of the Belgian Judicial Code specifies the nature of the costs:

1° *Court registry, registration and other fees.* Court registry fees include listing fees, drafting fees and certified copy fees (see Articles 268 et seq. of the Belgian Code of Registration, Mortgage and Court Registry Fees). The listing fee is between EUR 30 and EUR 100, depending on the court. The drafting fee is EUR 35.

Registration fees are payable for decisions in cases where the principal amount is more than EUR 12,500 (excluding court fees). They are set at 3% of this amount.

2° *The cost of court processes and the related salaries and emoluments.*

3° *The cost of a certified copy of the judgment:* between EUR 0.85 and EUR 5.75 per page;

4° *The costs of any means of giving or obtaining evidence, including expert and other witness fees.* The Royal Decree of 27 July 1972 set this amount at BEF 200 per witness, which is now equivalent to around EUR 5. Added to this is the travel allowance (EUR 0.0868 per kilometre).

If an expert witness is called, he or she is free to set his or her own costs and fees. However, the calculation method must be clearly stated and the amount may, if necessary (for example, where costs have been incurred unnecessarily), be reduced by the court in the detailed assessment of court fees.

5° *Travel and subsistence expenses for judges, clerks and parties to the case, where their travel has been ordered by the court, and deed costs, where they have been made solely for the purposes of the trial.*

6° *Case preparation fee* (Article 1022 of the Belgian Judicial Code). This is paid by the losing party and is a fixed contribution to the legal costs and fees of the winning party. The amounts are based on the consumer price index and will be increased or reduced by 10% if the index rises or falls by 10 percentage points.

Amount of the claim	Basic amount	Minimum amount	Maximum amount
EUR 250.00 or less	EUR 180.00	EUR 90.00	EUR 360.00
EUR 250.01 to EUR 750.00	EUR 240.00	EUR 150.00	EUR 600.00
EUR 750.01 to EUR 2,500.00	EUR 480.00	EUR 240.00	EUR 1,200.00
EUR 750.01 to EUR 5,000.00	EUR 785.00	EUR 450.00	EUR 1,800.00
EUR 5,000.01 to EUR 10,000.00	EUR 1,080.00	EUR 600.00	EUR 2,400.00
EUR 10,000.01 to EUR 20,000.00	EUR 1,320.00	EUR 750.00	EUR 3,000.00
EUR 20,000.01 to EUR 40,000.00	EUR 2,400.00	EUR 1,200.00	EUR 4,800.00
EUR 40,000.01 to EUR 60,000.00	EUR 3,000.00	EUR 1,200.00	EUR 6,000.00
EUR 60,000.01 to EUR 100,000.00	EUR 3,600.00	EUR 1,200.00	EUR 7,200.00
EUR 100,000.01 to EUR 250,000.00	EUR 600.00	EUR 1,200.00	EUR 12,000.00
EUR 250,000.01 to EUR 500,000.00	EUR 8,400.00	EUR 1,200.00	EUR 16,800.00
EUR 500,000.01 to EUR 1,000,000.00	EUR 12,000.00	EUR 1,200.00	EUR 24,000.00
EUR 1,000,000.01 or more	EUR 18,000.00	EUR 1,200.00	EUR 36,000.00
Non-monetary claims	EUR 1,440.00	EUR 90.00	EUR 12,000.00

#### Employment tribunal (special rules)

Amount of the claim	Basic amount	Minimum amount	Maximum amount

EUR 250.00 or less	EUR 43.75	EUR 31.75	EUR 55.75
EUR 620.00 or less	EUR 87.43	EUR 69.43	EUR 105.43
EUR 2,500.00 or less	EUR 131.18	EUR 107.18	EUR 155.18
EUR 2,500.01 or more	EUR 262,37	EUR 226.37	EUR 298.37
Non-monetary claims	EUR 131,18	EUR 107.18	EUR 155.18

7° The fees, emoluments and expenses of the ombudsman appointed in accordance with Article 1734 of the Belgian Judicial Code.

#### How much shall I pay?

In view of the above, the amount to be paid depends entirely on each case, depending on whether or not you win, whether expert witnesses were called, whether other witnesses were summoned, whether the judges had to travel abroad, whether an ombudsman was involved, etc.

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

Court registry fees must be paid in advance, otherwise the case will not be added to the listing.

Expert witnesses always require an advance payment before starting work.

If you request the hearing of a witness, you will first have to pay the amount due to the clerk. If you do not pay this amount, it will be assumed that you no longer require the witness to be heard.

#### How can I pay the court fees?

Payment may be made by a credit transfer or payment order, electronic transfer, cash or cheque payable to the court registry (the latter option being reserved for legal practitioners and bailiffs).

#### What shall I do after the payment?

All proof of payment must be kept in a safe place so that it can be produced immediately upon request.

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### Court fees concerning European Payment Order procedure - Bulgaria

#### Introduction

[What fees are applicable?](#)

[How much shall I pay?](#)

[What happens if I do not pay the court fees on time?](#)

[How can I pay the court fees?](#)

[What shall I do after the payment?](#)

#### Introduction

The provisions on the payment of court fees and costs in civil proceedings, including in the European Payment Order procedure, are respectively laid down in the Code of Civil Procedure and the Schedule of state fees collected by the courts under the Code of Civil Procedure (GPK).

#### Code of Civil Procedure:

'Chapter Eight. Fees and Costs, Section I - Cost of action

Cost of action

**Article 68.** The monetary value of the subject-matter of the case shall be the cost of action.

Cost of action

**Article 69.** (1) The amount of the cost of action shall be:

1. in actions concerning monetary claims: the sum claimed;

Determination of the cost of action

**Article 70.** (1) The cost of action shall be specified by the plaintiff. The cost of action may be challenged either by the respondent or by the court, acting on its own motion, at the latest during the first hearing for the examination of the case. In the event of a discrepancy between the cost indicated and the actual cost, the court shall determine the cost of action.

(2) The ruling of the court increasing the cost of action shall be subject to challenge by an interlocutory appeal.

(3) Where the cost of action is difficult to appraise at the time when the action is brought, an approximate cost of action shall be determined by the court and an additional fee shall subsequently be charged or the excess fee refunded depending on the cost determined by the court when settling the case.

Section II. State fees and costs

Liability for fees and costs

**Article 71.** (1) State fees on the cost of action and court costs shall be collected for handling the case. Where the action is unappraisable, the amount of state fees shall be determined by the court.

State fees

**Article 73.** (3) State fees shall be collected, in accordance with a schedule adopted by the Council of Ministers, when a motion for protection or facilitation is presented and when the document for which a fee is payable is issued.

Attachments to the application

**Article 128.** The following shall be presented with an application:

1. the power of attorney, where the statement is submitted by an attorney-in-fact;

2. documentary proof of payment of state fees and costs, where such duties and costs are due;

3. copies of the application and of the attachments thereto in accordance with the number of respondents.

Verification of the application

**Article 129.** (1) The court shall verify the conformity of the application.

(2) Where the application does not conform to the requirements laid down in Article 127(1) and Article 128, the plaintiff shall be instructed to remedy the non-conformities within one week and informed of the possibility of using legal aid, if the plaintiff needs and is entitled to such aid. Where the address of the plaintiff is not stated and is unknown to the court, communication shall be effected by posting a notice in a place designated for this purpose at the court for

one week.

(3) Where the plaintiff fails to remedy the non-conformities, the application and the attachments shall be returned, and where the address is unknown, the application shall remain at the office of the court at the disposal of the plaintiff. An interlocutory appeal may be lodged against the return of the application without presenting a copy for service.'

#### **Schedule of state fees collected by the courts under the Code of Civil Procedure**

'Section I

Fees Collected in court proceedings

Article 1. A fee of 4% of the cost of action but not less than BGN 50 shall be collected for an application, a counter-application or an application by a third party with independent rights.

13. Fees in the following amounts shall be collected for issuing a certificate:

2. a certificate on the issue of a European Payment Order and a declaration of enforceability: BGN 40;'

Court fees are payable only by bank transfer to an account of the court.

#### **What fees are applicable?**

State fees are collected when the action is brought. The plaintiff must accompany the application with documentary proof of payment of any state fees and costs due.

#### **How much shall I pay?**

For an application for a European Payment Order and of a declaration of enforceability: BGN 40.

The court fee for an application, counter-application or application by a third party with independent rights in standard civil proceedings is 4% of the cost of action but not less than BGN 50. The amount of the cost of action in actions for monetary claims is the sum claimed. In the event of an objection to the application for a payment order and an express consent to a shift to the standard action proceedings, the plaintiff must credit the account of the court with the balance of the fee for a standard action.

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

If the plaintiff does not accompany the application with documentary proof of payment of the state fees due when bringing the action, the application is deemed irregular. In such cases, the court will send the plaintiff a communication instructing them to pay the state fees within one week. Where the address of the plaintiff is not stated and is unknown to the court, communication is effected by posting a notice in a place designated for this purpose at the court for one week.

Where the plaintiff fails to remedy the non-conformities, the application and the attachments are returned, and where the address is unknown, the application remains at the office of the court at the disposal of the plaintiff. In such instances, the case is dismissed.

#### **How can I pay the court fees?**

Court fees are payable only by bank transfer to an account of the court, and the payment document must be submitted to the judge/bench examining the case via the court registry. The court fee cannot be paid in cash to the court cashier. Each court has a contract with a bank which provides services to the court. The bank accounts can be found on the official website of the court.

#### **What shall I do after the payment?**

Court fees are payable only by bank transfer to an account of the court, and the payment document must be submitted to the judge/bench examining the case via the court registry.

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### **Court fees concerning European Payment Order procedure - Czech Republic**

#### **Introduction**

#### **Which fees must be paid?**

#### **What is the amount?**

#### **What are the consequences for late payment of the fees?**

#### **How and where are court fees paid?**

#### **What must be done after paying the fees?**

#### **Introduction**

Court fees are regulated under Act No 549/1991 on court fees. A fee tariff forms an annex to the Act. The fees are allocated to the State budget.

The fees are paid into an account set up for the court in question at the Czech National Bank. Fees not exceeding CZK 5 000 can also be paid using revenue stamps.

#### **Which fees must be paid?**

In the European order for payment procedure, court fees must be paid in accordance with the general regulation. The same rules are applied here as for other civil court procedures.

#### **What is the amount?**

The fee rates for procedures are set in the form of a fixed sum or a percentage in the case of fees where the basis is expressed in the form of a financial sum. The fee percentage is calculated as the product of the fee base and the fee rate. Individual rates are set out in the tariff, which forms an annex to Act No 549/1991 on court fees.

In terms of the European order for payment procedure, the fundamental rule based on the payment criterion is relevant. For an application to initiate a civil court procedure concerning a payment, the fee is set as follows:

For sums of up to CZK 20 000 there is a fixed fee of CZK 1 000.

For sums greater than CZK 20 000 and not exceeding CZK 40 000 000, the fee is 5% of the sum.

For sums greater than CZK 40 000 000, the fee is CZK 2 000 000 plus 1% of the sum over CZK 40 000 000; sums over CZK 250 000 000 are not counted.

#### **What are the consequences for late payment of the fees?**

The obligation to pay the fee arises with the filing of an action or, in the case of an appeal, with the filing of the appeal, and also with the imposition of a payment obligation by a court or other institution. Fees become due once the obligation to pay arises.

If the fee is not paid immediately on filing the action or appeal, the court requires the applicant to pay within a time limit set by the court; if the time limit expires without the fee being paid, the court suspends the procedure (except in the case of certain situations specified in the Act). Payment of the fee after expiry of the time limit will be disregarded.

If the decision to suspend a procedure due to non-payment becomes final, the obligation to pay lapses.

#### How and where are court fees paid?

Fees are paid by bank transfer to the account of the relevant court. The bank details can be found on the websites of the individual courts, which can be found at the Internet portal <https://www.justice.cz/>. Fees of up to CZK 5 000 can also be paid using revenue stamps.

Matters relating to the fees for a procedure are decided by the court that has substantive and territorial jurisdiction to hear and rule on the case at first instance. Matters relating to the fees for a procedure before a court of appeal or a court of final appeal are decided by the court that decided on the case at first instance, unless otherwise specified below.

If a person is liable to pay a fee in connection with an appeal or a final appeal decision on the merits or in connection with an appeal or final appeal decision that will bring the procedure to an end, the matter of the court fees is decided by the court of first instance, unless the court of appeal or court of final appeal decide on the matter.

#### What must be done after paying the fees?

The obligations of the person liable to pay a fee are discharged in sending the money to the bank account of the competent court or handing over revenue stamps to the competent court. He is not obliged to hand over any other documents.

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### Court fees concerning European Payment Order procedure - Germany

#### Introduction

##### What fees are applicable?

##### How much shall I pay?

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

##### How can I pay the court fees?

##### What shall I do after the payment?

#### Introduction

Court fees for the European Payment Order Procedure are governed by the "Court Fees Act" (*Gerichtskostengesetz – GKG*)

Court fees can be paid either upon application or by paying a court fees invoice. Technically speaking, payment is made via bank transfer.

#### What fees are applicable?

§ 12(3) and (4) of the Court Fees Act provides that the European Payment Order is to be issued only after payment of the designated fee.

The precise fees are specified in an annex to the Court Fees Act (Cost index [*Kostenverzeichnis – KV-GKG*]). Number 1100 KV-GKG provides for a fee with a charge rate of 0.5 for the European Payment Order Procedure.

The amount of the fee is determined by the value of the dispute, which is normally identical to the amount of the claim brought. If, in addition to the principal claim, interest or costs are also involved as ancillary claims, the value of these ancillary claims is not taken into account.

#### How much shall I pay?

The court fee to be paid upon the issue of a European Payment Order is:

Value of dispute up to	Fee in EUR	Value of dispute up to	Fee in EUR
500	32.00	50 000	273.00
1 000	32.00	65 000	333.00
1 500	35.50	80 000	393.00
2 000	44.50	95 000	453.00
3 000	54.00	110 000	513.00
4 000	63.50	125 000	573.00
5 000	73.00	140 000	633.00
6 000	82.50	155 000	693.00
7 000	92.00	170 000	753.00
8 000	101.50	185 000	813.00
9 000	111.00	200 000	873.00
10 000	120.50	230 000	962.50
13 000	133.50	260 000	1 052.00
16 000	146.50	290 000	1 141.50
19 000	159.50	320 000	1 231.00
22 000	172.50	350 000	1 320.50
25 000	185.50	380 000	1 410.00
30 000	203.00	410 000	1 499.50
35 000	220.50	440 000	1 589.00
40 000	238.00	470 000	1 678.50

45 000

255.50

500 000

1 768.00

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

If the advance payment on court fees is not made, the court will not issue a payment order and the proceedings will not be taken any further.

In order for the payment to be assigned to the corresponding file number by the court, it is imperative that the applicant also specifies the file number when making the bank transfer.

#### How can I pay the court fees?

The advance on court fees can be paid directly when filing the application. If it has not yet been paid, the court will send a court fees invoice to the applicant.

##### a) Bank transfer

You may pay by bank transfer.

##### b) Credit card

You may not pay by credit card.

##### c) Collection from the applicant's bank account by the court

Payment by means of collection from the applicant's bank account is not possible.

##### d) Legal aid

Where the applicant has been granted legal aid, he or she will not be required to pay any legal costs or make any advance payments. The application for legal aid may be submitted to the same court as the application for a European Payment Order.

##### e) Other

There are no other types of payment.

#### What shall I do after the payment?

After successful payment, the court will assign the payment to the application and process the application.

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### Court fees concerning European Payment Order procedure - Estonia

#### Introduction

##### What fees are applicable?

##### How much shall I pay?

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

##### How can I pay the court fees?

##### What shall I do after the payment?

#### Introduction

If you submit an application for a European order for payment to a court in Estonia, you will have to pay the same state fee as if you were submitting a national application. State fees and other procedural costs are governed by the Code of Civil Procedure and the State Fees Act. You can pay a state fee of up to 10 euros in cash at the courthouse. If the state fee exceeds 10 euros, you will have to pay it by bank transfer before submitting your application to the court.

##### What fees are applicable?

When you submit your application, you will have to pay a state fee to cover the costs of the proceedings. In addition, you may have to bear the costs of serving procedural documents during the proceedings (costs in the range of 30-60 euros for using the assistance of a bailiff if the documents are served in Estonia, or translation costs if they are served abroad). There are no other costs.

##### How much shall I pay?

If you submit an application for a European order for payment to a court in Estonia, the state fee you will have to pay is the same as if you were submitting a national application, i.e. 3% of the total claim (the amount of money claimed, i.e. the sum of the principal and collateral claims), but not less than 45 euros. On changing from the expedited payment order procedure to an ordinary legal action, you will have to pay an additional state fee equivalent to the amount not covered by the state fee you paid when applying for the expedited payment order procedure. The size of the state fee you pay for an action depends on the amount of money you claim. For example, you will have to pay a state fee of 75 euros for a claim of up to 350 euros in an action, a state fee of 100 euros for a claim of 351-500 euros, a state fee of 125 euros for a claim of 501-750 euros, etc. (rates effective as at 14 May 2019).

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

You must pay the state fee in advance when submitting an application. If you have not paid the state fee, the court will give you the opportunity to pay it by a deadline set by the court. If you do not pay the state fee by that deadline, the court will dismiss your application.

If you submit an application to change from the expedited payment order procedure to an action, the action will not be accepted until you have paid the additional state fee for the action.

##### How can I pay the court fees?

State fees can only be paid by bank transfer. Credit cards are not accepted. For all payments intended to be made to the courts, the payee is the Ministry of Finance.

On orders for payment intended for a state authority or a foundation established by the state, the Ministry of Finance must be indicated as the payee and the current account number must also be indicated.

Each authority has its own reference number, on the basis of which the Treasury will transfer the amount received to the account of the relevant authority in the e-State Treasury.

It is mandatory to indicate the reference number. A unique reference number is provided by the authority to which the transfer is to be made.

You can find more information on state fee accounts and the reference numbers of the courts on the [Estonian Courts website](#).

##### What shall I do after the payment?

You must provide the court with information confirming payment of the state fee, so that the court can verify receipt of the state fee. This information is as follows: the name of the person paying the state fee, details about the bank and the account into which the state fee was paid, the amount paid, and the date

of payment. The court can verify receipt of the payment electronically, i.e. you do not need to submit the payment order confirming payment of the state fee. However, the court may ask for it, if necessary.

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## Court fees concerning European Payment Order procedure - Ireland

**National Regulations for payment of court fees are:**

**S.I. No. 22 of 2014**

**S.I. No. 23 of 2014**


**S.I. No. 24 of 2014**

At present the Irish court fees orders do not specify any fee for applications for European Orders for Payment. You should therefore forward your application without any fee attached.

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Jekk jogħġbok innota li l-verżjoni bil-lingwa oriġinali ta' din il-paġna  ġiet emendata reċentement. Il-verżjoni tal-lingwa li qed tara bħalissa attwalment qed tiġi ppreparata mit-tradutturi tagħna.

## Court fees concerning European Payment Order procedure - Greece

### Introduction

**What fees are applicable?**

**How much shall I pay?**

**What happens if I don't pay the court fees in time?**

**How can I pay the court fees?**

**What shall I do after the payment?**

### Introduction

If you are a private individual and you, or a lawyer acting for you, lodge an application to a court seeking a European order for payment (form A of Regulation (EC) No 1896/2006), you must pay the appropriate court costs provided for in national law. If you lodge the application in person, without a lawyer, you are exempt from paying an advance on lawyers' fees (see recital 26 to the Regulation). If your application is accepted and the European order for payment is issued (form E of the Regulation), and no objections are raised thereafter and the order is declared enforceable (form G), you will receive an enforcement order, and will have to pay a certified copy fee (*télos apográfou*) depending on the type of claim (in accordance with the Stamp Duty Code (*Kódika Telón Chartosímou*)).

**What fees are applicable?**

When you submit form A, you have to pay a stamp duty (*télos chartosímou* — the stamp is affixed to the application, see the Stamp Duty Code) and a judicial stamp duty (*télos dikastikoú ensímou* — you must buy a judicial stamp or submit a type B receipt from a tax office (*DOY*), which must be included in the case file, see Law 3978/1912, as amended by Article 631(IC1) of Law 4093/2012: 0.8 % of the sum being sought plus parafiscal levies (*eisforés ypér trítou*)).

**How much shall I pay?**

The amount of court costs is calculated on the basis of the sum for which the order is requested in accordance with the above-mentioned legislation.

**What happens if I don't pay the court fees in time?**

The court will not hear your application for a European order for payment or for the enforcement of a European order for payment which has been declared enforceable.

**How can I pay the court fees?**

Only in person to the court to which form A is submitted or from which an enforcement order is requested on the basis of form G. Currently, no electronic payment of court costs is provided for.

**What shall I do after the payment?**

You must lodge the application with the court.

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## Court fees concerning European Payment Order procedure - Spain

### Introduction

**What fees are applicable?**

**How much shall I pay?**

[What happens if I do not pay the court fees on time?](#)

[How can I pay the court fees?](#)

[What shall I do after the payment?](#)

#### Introduction

The court fee in civil cases, which include the European order for payment procedure, is a State tax paid at the commencement of the proceedings upon application by a party. The fee is regulated by [Law 10/2012 of 20 November 2012 concerning certain fees in the area of the administration of justice and the National Institute of Toxicology and Forensic Science](#) (*Ley 10/2012, de 20 de noviembre, por la que se regulan determinadas tasas en el ámbito de la Administración de Justicia y del Instituto Nacional de Toxicología y Ciencias Forenses*), amended by [Royal Decree Law 3/2013 of 22 February 2013](#) and [Order HAP/2662/2012 of 13 December 2012](#) (amended by [Order HAP/490/2013 of 27 March 2013](#)).

It is also regulated by [Royal Decree Law 1/2015 of 27 February 2015 on second-chance mechanisms, reducing the financial burden and other social security measures](#) (*Real Decreto Ley 1/2015 de 27 de febrero, de mecanismos de segunda oportunidad, reducción de carga financiera y otras medidas de orden social*), which further amended Law 10/2012 cited above.

[The fee should be paid](#) through the [Tax Agency \(Agencia Tributaria\)](#) [using a downloadable form](#) to be completed as follows [\(click here\)](#) or by means of an application that is generated once the data have been filled in ([click here](#)) and which allows [payment online](#) (this option currently available only to large undertakings).

Payment should be made on submission of application form A. Payment can be made by the legal representative or lawyer (*abogado*) in the name and on behalf of the taxable person, in particular if the latter is not resident in Spain. A non-resident need not obtain a tax identification number prior to self-assessment. The legal representative or the lawyer does not bear tax liability for this payment.

#### What fees are applicable?

In the European order for payment procedure, the person who instigates the judicial activity that produces the chargeable event is liable for payment of the fee, i.e. the person who submits a claim or counterclaim via Form A, when the claim is based on a document that constitutes an extrajudicial enforceable instrument pursuant to [Article 517 of Law 1/2000 of 7 January 2000 on civil procedure](#) (*Ley 1/2000, de 7 de enero, de Enjuiciamiento Civil*) and exceeds EUR 2 000. If it is an enforceable procedural instrument, it is exempted from payment. Similarly, **all physical persons** and legal entities that are entitled to legal aid are exempted as long as they can demonstrate that they meet the conditions for legal aid laid down in the applicable legislation.

#### How much shall I pay?

In the European order for payment procedure, a fixed amount of EUR 100 is payable plus a variable amount which depends on the amount claimed and is obtained by applying to the tax base the rate applicable as per the following table:

Tax base	Taxable person	Tax rate	Maximum variable amount of the rate
From €0 to €1 000 000	Legal entity	0.50 %	
From €1 000 000	Legal entity	0.25 %	€10 000

The taxable amount is the amount of the judicial procedure. For the European order for payment procedure, the amount of the judicial procedure is the amount of the principal claim plus interest and contractual penalties.

For a European order for payment procedure of EUR 9 000 involving a legal entity, the fee would be EUR 100 + EUR 9 000 x 0.50 % = EUR 145.

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

If proof of payment of the fee is not provided at the outset, the lawyer of the judiciary (*Letrado de la Administración de Justicia*) will request the taxpayer to provide such proof and will not process the claim form until it has been received. Failure to submit proof of payment does not prevent application of the time limits laid down in procedural law, so if the fee remains unpaid after the lawyer's request, the procedural act will not be allowed to proceed and the proceedings will be continued or closed, as applicable.

#### How can I pay the court fees?

The fee must be paid by the self-assessment procedure prior to the submission of the procedural act by the relevant party. The fee should be paid using [official form 696](#) for self-assessment of the fee for the exercise of judicial power to be completed as follows [\(click here\)](#), or by means of an application that is generated once the data have been filled in ([click here](#)). Payment can be made in person at any of the [collection agencies](#). The form is available in [Spanish](#) and [English](#).

Online payment is currently available only for large undertakings, via bank transfer, credit card, debiting from bank account, etc., as the legislation on fees was amended recently and a technical solution is not yet in place.

Court fees are included in legal aid, which is regulated in [Law 1/1996 of 10 January 1996 on legal aid](#) (*Ley 1/1996, de 10 de enero, de asistencia jurídica gratuita*), chiefly in Articles 1-8 and 46-51.

The relevant information is available at <http://www.justiciagratis.es/>, via which legal aid can be applied for. Select the Bar Association (*Colegio de Abogados*) located in the place where the court that will deal with the matter is located.

#### What shall I do after the payment?

Form A must be accompanied by proof of payment of the fee as per the official form (paper or electronic), duly validated.

It is not yet possible in Spain to send European payment order forms electronically. Proof of payment (whether received on paper or electronically) should be sent in paper form together with the other required documentation.

Once the option of electronic submission becomes available, there will be a 10 % reduction of the fee when this option is used. The law provides for reimbursement of 60 % of the fee in the event of an agreement or acceptance of the claim putting an end to the dispute.

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### Court fees concerning European Payment Order procedure - Croatia

#### Introduction

[Which fees apply?](#)

[How much will I pay?](#)

[What happens if I fail to pay the court fees on time?](#)

## How can I pay for court fees?

## What do I do once I have made payment?

### Introduction

Court fees in the Republic of Croatia are governed by the Court Fees Act (*Zakon o sudskim pristojbama*) (Narodne novine (NN; Official Gazette of the Republic of Croatia, No 118/18)) and the Decree on the Court Fee Tariff prescribed by the Government of the Republic of Croatia.

Pursuant to Article 5 of the Court Fees Act, the fees prescribed under the tariff of court fees are to be paid by cashless payment, in cash, in revenue stamps issued by the Republic of Croatia or electronically .

For petitions which are submitted electronically, pursuant to special regulations via the information system which is used in court business, a fee is to be paid at the moment of their submission. The amount to be paid is equal to half of the prescribed amount of the fee established by the tariff.

Regarding decisions which are served by a court electronically, pursuant to the special regulations via the information system which is used in court business, one half of the prescribed amount of the fee established by the tariff is to be paid if it is paid within three days from the day of electronic service.

### Which fees apply?

Court fees are paid in all civil and commercial court proceedings. Pursuant to Article 11 of the Court Fees Act, the following are exempt:

the Republic of Croatia and government bodies

persons and bodies exercising public authority in procedures arising from the exercise of these powers

workers in disputes and other procedures related to the exercise of their rights arising from employment

civil servants and employees in administrative disputes related to the exercise of their rights stemming from employment

disabled war veterans of the Croatian War of Independence, based on appropriate documents proving their status, as well as disabled persons, based on appropriate documents of the Department of Expertise, Vocational Rehabilitation and Employment of Persons with Disabilities

spouses, children and parents of soldiers who were killed, missing and detained in the Croatian War of Independence, based on appropriate documents proving their status

spouses, children and parents of persons who were killed, missing and detained in the Croatian War of Independence, based on appropriate documents proving their status

refugees, displaced persons and returnees, based on appropriate documents proving their status

welfare recipients who receive subsistence allowance

humanitarian organisations, organisations dealing with the protection of families of those killed, missing and detained in carrying out humanitarian activities and organisations of disabled people

children as parties in proceedings for maintenance or in proceedings concerning claims based on that right

parties initiating proceedings for the determination of maternity or paternity and proceedings for the costs incurred by pregnancy and the birth of a child outside of marriage

parties seeking restoration of legal capacity

minors seeking authorisation to enter marriage

parties to the proceedings in order to hand over a child and for the purpose of exercising a personal relationship with a child

parties initiating procedures over rights arising from compulsory pension and general medical insurance, over rights of the unemployed pursuant to employment regulations and social welfare rights

parties initiating procedures for the protection of constitutionally guaranteed human rights and freedoms against final individual acts

parties in environmental pollution compensation disputes

trade unions and higher level trade union associations in civil proceedings for judicial approval of replacement and in collective labour disputes and union representatives in civil proceedings in the exercise of the powers of the works council

consumers as bankruptcy debtors

other persons and bodies as required by a special law.

A foreign state is exempt from the payment of fees, if so provided by international treaty or subject to reciprocity.

In case of doubt about the conditions of reciprocity, the court will request an explanation from the Ministry of Justice.

The exemption from point 10 applies to those humanitarian organisations for which the minister responsible for social welfare affairs issues an appropriate decision.

Exemption from the payment of court fees does not apply to the bodies of municipalities and cities unless, in accordance with a special law, the exercise of public authority has been delegated to them.

In European order for payment procedures, the following fees are payable:

for the European order for payment proposal – the plaintiff pays

for a European order for payment decision – the plaintiff pays

for a complaint against the European order for payment – the defendant pays

if the procedure goes to litigation

for a judgement – the plaintiff pays

for an appeal – the appellant pays

for a response to an appeal – the person filing the response pays (responding is optional)

extraordinary remedy – revision is allowed against the decision of the court of second instance if the dispute amount exceeds HRK 200,000.00

court fees are paid by the revision applicant and the person responding to the revision (responding is optional).

### How much will I pay?

I. For a claim, counter-claim, judgement and an objection to an order for payment, a court fee commensurate to the dispute amount is to be paid (calculated only for the amount of the main application without interest and costs), as follows:

above	up to HRK	HRK
0.00	3,000.00	100.00
3,001.00	6,000.00	200.00
6,001.00	9,000.00	300.00
9,001.00	12,000.00	400.00
12,001.00	15,000.00	500.00
A fee of HRK 500.00 is payable on amounts above HRK 15,000.00 plus 1% on the difference above HRK 15,000.00, but not more than HRK 5,000.00.		



II. Half of the fee referred to under point I. is payable for a European order for payment proposal, a European order for payment decision, a response to an appeal or revision.

III. Double the amount of court fees referred to in point I is payable on appeal of a judgement or revision.

IV. A court fee is not payable where a court settlement is reached during the court proceedings.

#### **What happens if I fail to pay the court fees on time?**

Court fees will be collected by enforcement, and where not paid immediately then an additional charge of HRK 100.00 will be levied.

*Pursuant to Article 39 of the Court Fees Act, the court is to first warn the party of the obligation to pay the fee within three days, and where a party fails to comply with the warning, the court will adopt a decision in respect of the fee on which the additional charge of HRK 100 is payable.*

#### **How can I pay for court fees?**

Court fees are to be paid by cashless payment, in cash, in revenue stamps issued by the Republic of Croatia or electronically.

The cash fee can also be paid in the court's accounting, in which case the court is obliged to pay that money into the budget revenue from court fees within five days of the date of collection.

Fees can be paid in revenue stamps if the fee is less than HRK 100.

Information on the fee payment method is to be made available on the e-Bulletin Board website, court websites and in court offices.

Court fees can be paid through any bank or post office into the State Budget of the Republic of Croatia.

In order to pay court fees from abroad the following information must be included:

SWIFT: NBHRHR2X

IBAN:HR1210010051863000160

Giro account (CC):1001005-1863000160

Model:HR64

Reference number: 5045-20735-PIN (or other personal identification number for the payer)

Beneficiary: Ministry of Finance of the Republic of Croatia, on behalf of the Commercial Court in Zagreb

The payment description should include the fee for case \_\_\_\_\_ (number of the case file, and a description of the payment, e.g. court fee for a proposal to issue the European order for payment)

#### **What do I do once I have made payment?**

Once payment has been made, proof of payment must be sent to the court trying the case for which the fee is being paid, including a reference to the number of the case being heard (if the case number is known) or where an application for the issuance of an European order for payment has just been filed then proof of the bank payment must accompany the application.

The parties are to submit documents to the court regularly by mail (registered or ordinary parcel delivery) or electronically, in a form pursuant to special regulations via the information system which is used in court business.

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## **Court fees concerning European Payment Order procedure - Italy**

### **Introduction**

#### **What fees are applicable?**

#### **How much shall I pay?**

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

#### **How can I pay the court fees?**

#### **What shall I do after the payment?**

### **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 0 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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## Court fees concerning European Payment Order procedure - Cyprus

### Introduction

#### What fees are applicable?

#### How much will I pay?

#### What happens if I don't pay the court fees in time?

#### How can I pay the court fees?

#### What shall I do after the payment?

### Introduction

The procedural regulation governing the application of the European Payment Order procedure in Cyprus is the 2008 Procedural Regulation on the European Payment Order Procedure (7/2008), which entered into force on 12 June 2008.

#### What fees are applicable?

Article 25 of the above Procedural Regulation provides that the court fees due must not exceed the court fees charged for ordinary civil proceedings, according to the relevant scale, as set out in Form H of Annex VIII (provided below).

#### How much will I pay?

See the answer to question 2 above.

#### What happens if I don't pay the court fees in time?

Your application for a European Payment Order will not be heard unless the court fees have been paid.

#### How can I pay the court fees?

Court fees can be paid through the Central Bank of Cyprus.

#### What shall I do after the payment?

Once the Central Bank has confirmed to the District Court that it has received the transfer with a credit note, the file is referred to the competent judge who, if the conditions are met, orders the execution of the European Payment Order.

### ANNEX VIII

COURT FEES Form H	Regulation 25(2) of the 2008 Procedural Regulation on the European Payment Order Procedure	Stamp duty (EUR)
(a) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 100 but not EUR 500		17.00
(b) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 500 but not EUR 2 000		31.00
(c) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 2 000 but not EUR 10 000		48.00
(d) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 10 000 but not EUR 50 000		94.00
(e) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 50 000 but not EUR 100 000		154.00
(f) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 100 000 but not EUR 500 000		256.00
(g) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 500 000 but not EUR 2 000 000		342.00
(h) Where the amount claimed or the value of the issue subject to litigation exceeds EUR 2 000 000		427.00

If the amount claimed by the applicant increases after the action has been filed, the difference in fees shall be paid.

If the value of the issue subject to litigation increases because a counterclaim is filed, the difference in fees shall be paid by the defendant (counterclaimant).

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## Court fees concerning European Payment Order procedure - Latvia

### Introduction

#### What fees are applicable?

## How much shall I pay?

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

## How can I pay the court fees?

## What shall I do after the payment?

### Introduction

Pursuant to [§ Section 33 \(2\) of the Civil Procedure Law](#) (*Civilprocesa likums*), court expenses (*tiesas izdevumi*) comprise:

a State fee (*valsts nodeva*);

an office fee (*kancelejas nodeva*); and

expenses necessarily incurred for the purposes of examining a case.

A State fee must be paid for every statement of claim submitted to the court - an original claim, a counterclaim, an application brought by a third party with a separate claim in respect of the subject-matter of the dispute in proceedings already commenced, an application in a special form of procedure, or another application provided for in [§ Section 34 of the Civil Procedure Law](#). [§ Section 43 of the Civil Procedure Law](#) lists persons exempt from paying court expenses (including State fees).

The court will order the losing party to reimburse all court expenses paid by the successful party. If a statement of claim has been satisfied in part, the court will order that the court expenses be reimbursed to the plaintiff in proportion to the part of the claims satisfied, and to the defendant in proportion to the part of the claims dismissed. There is no reimbursement of the State fee for an ancillary complaint (*blakus sudzība*) in respect of a court decision, or for the reopening of court proceedings after a default judgment has been given.

If a plaintiff withdraws a claim, he or she has to reimburse the court expenses incurred by the defendant. In that case the defendant will not have to reimburse the court expenses paid by the plaintiff. However, if a plaintiff withdraws his or her claims because the defendant has voluntarily satisfied those claims after the claims were submitted, the court will, upon application by the plaintiff, order the defendant to reimburse the court expenses paid by the plaintiff.

If the court decides not to hear an action, the court will, upon application by the defendant, order the plaintiff to reimburse the court expenses paid by the defendant.

If a plaintiff is exempted from paying court expenses, the defendant will be ordered to pay the plaintiff's court expenses to the State revenue in proportion to the part of the claim that has been satisfied.

### What fees are applicable?

A State fee has to be paid for an application for a European order for payment pursuant to [Regulation \(EC\) No 1896/2006 of the European Parliament and of the Council](#) creating a European order for payment procedure.

During the proceedings, the party may also have to pay other court expenses, such as an office fee (e.g. for the issue of transcripts and duplicates of the documents related to the proceedings) and expenses related to the examination of the case (e.g. expenses incurred in searching for the defendant at the plaintiff's request, or expenses for the delivery, issue and translation of summonses and other court documents).

### How much shall I pay?

When you submit an application for a European order for payment, you must pay a State fee in the amount of 2% of the sum of the debt; the fee cannot exceed EUR 498.01. The amount of any office fee is determined in accordance with [§ Section 38 of the Civil Procedure Law](#). The amount of expenses related to the examination of a case may vary depending on a number of factors (e.g. the manner of delivery of documents, by post or by email).

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

If a statement of claim is not accompanied by the documents confirming the payment of State fees and other court expenses in accordance with the procedure and in the amount prescribed by law, the court, pursuant to [§ Section 133 of the Civil Procedure Law](#), will proceed no further with the statement of claim, and will set a time limit for the plaintiff to remedy the deficiencies.

If the plaintiff remedies the deficiencies within the time limit set, the statement of claim will be considered to have been submitted on the day when it was first submitted to the court.

If the plaintiff does not remedy the deficiencies within the time limit, the statement of claim will be deemed not to have been submitted and will be returned to the plaintiff.

The return of a statement of claim to the plaintiff does not prevent the plaintiff from submitting it to the court again, in compliance with the ordinary procedure laid down in the Law.

If court expenses are payable for the service of documents, the court will not serve the documents until the relevant fee has been paid. However, if the expenses for the examination of a case are not paid voluntarily to the State revenue prior to the examination of the case, they will be recovered in accordance with the general rules of enforcement of judgments.

### How can I pay the court fees?

**The State fee** can be paid to the account of the State Treasury (*Valsts kase*). The State fee ([§ Section 34 of the Civil Procedure Law](#), except Paragraph six) is to be paid as follows:

Beneficiary: Valsts kase

Registration No: 90000050138

Account No: LV55TREL1060190911200

Beneficiary's bank: Valsts kase

BIC code: TRELLV22

Purpose of payment: indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of a State fee is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

**The State fee for the submission for enforcement of a writ of execution or other enforcement document** can be paid to the account of the State Treasury. The State fee for the submission for enforcement of a writ of execution or other enforcement document ([§ Section 34 of the Civil Procedure Law](#) Paragraph six) is to be paid as follows:

Beneficiary: Valsts kase

Registration No: 90000050138

Account No: LV71TREL1060190911300

Beneficiary's bank: Valsts kase

BIC code: TRELLV22

Purpose of payment: indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of a State fee is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

**The office fee** can be paid to the account of the State Treasury. The office fee ([Section 38 of the Civil Procedure Law](#)) is to be paid as follows:

Beneficiary: Valsts kase

Registration No: 90000050138

Account No: LV39TREL1060190911100

Beneficiary's bank: Valsts kase

BIC code: TREL22

Purpose of payment: indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of an office fee is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

**Expenses related to the examination of a case and expenses related to the enforcement of obligations following notice** can be paid to the account of the Courts Administration (*Tiesu administrācija*). Expenses related to the examination of a case ([Section 39 of the Civil Procedure Law](#)) and expenses related to the enforcement of obligations following notice ([Section 4063 of the Civil Procedure Law](#)):

District (city) courts and regional courts:

Beneficiary: Tiesu administrācija

Registration No: 90001672316

Account No: LV51TREL2190458019000

Beneficiary's bank: Valsts kase

BIC code: TREL22

Purpose of payment: '21499', and indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of expenses related to the examination of a case is made on behalf of another person, information identifying that person must be given: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number).

#### **What shall I do after the payment?**

When you submit a statement of claim to the court, you must attach documents confirming payment of State fees and other court expenses in accordance with the procedure and in the amount prescribed by law. You must also pay an office fee before the particular service sought is performed. You must pay any expenses related to the examination of the case prior to the examination of the case.

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## **Court fees concerning European Payment Order procedure - Lithuania**

### **Introduction**

#### **What fees are applicable?**

#### **How much shall I pay?**

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

#### **How can I pay the court fees?**

#### **What shall I do after the payment?**

### **Introduction**

In cases concerning the European Order for Payment, the rules on the calculation and payment of stamp duty laid down in paragraphs 1-3 of Article ... of the Code of Civil Procedure of the Republic of Lithuania are applicable.

Pursuant to Resolution No 1240 of the Government of the Republic of Lithuania of 27 October 2011 approving the Rules for the calculation, payment, offsetting and repayment of stamp duty, this duty can be paid by electronic means as well.

#### **What fees are applicable?**

Stamp duty is payable in the amount specified in the next paragraph.

#### **How much shall I pay?**

In the case of an application for a court order, the stamp duty is equal to a quarter of the amount payable for litigation proceedings in court, but cannot be less than ten litas, except where a person has been fully or partially exempted from stamp duty by law or court ruling or where payment of the stamp duty has been deferred.

If, after the court has issued the order, the debtor submits objections and the creditor files an action under the general procedure, the aforementioned stamp duty is offset against the amount of stamp duty to be paid for the application.

If the creditor's application is deemed not to have been filed in the case referred to in Article 439(6) of the Code of Civil Procedure, the stamp duty paid is not repaid to the applicant.

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

The application must be accompanied by documents and other evidence serving as a basis for the applicant's claims, as well as evidence that the stamp duty has been paid.

Where the stamp duty has not been paid, the court issues an order setting an adequate time limit for compliance, which cannot be shorter than seven days. The order is dispatched no later than on the next working day following its issue.

If the party to the proceedings submitting the procedural document has complied according to the court's instructions within the time limit specified, the procedural document is deemed to have been submitted on the date when it was initially filed with the court. Otherwise, the procedural document is deemed

not to have been submitted and, no later than within five working days of the end of the time limit for compliance, the judge issues an order returning the procedural document, together with any accompanying documents, to the person who filed it.

#### **How can I pay the court fees?**

Stamp duty is paid to the budgetary revenue account of the State Tax Inspectorate under the Ministry of Finance in the manner chosen by the person in question (e-banking, cash payment, bank transfer, etc.).

#### **What shall I do after the payment?**

Evidence of payment of the stamp duty is provided by the payment order or another document confirming payment, which must contain the following details: the payer's name, surname and personal ID number (for legal persons: name and corporate ID number);

the name, surname and personal ID number of the other party (defendant, debtor, etc.) (for legal persons: name and corporate ID number);

the date of payment;

the payment code;

the amount paid;

the purpose of the payment (indicated as 'stamp duty', and the name of the court in which the proceedings are being initiated)

Where the stamp duty is paid by a representative of the party to the proceedings (lawyer, legal assistant or another person representing the party's interests), the payment order or another document confirming payment should, in addition to the above-listed data, include the name, surname and personal ID number (for legal persons: name and corporate ID number) of the party represented.

If the stamp duty is paid by electronic means, no documents are required to confirm payment of the stamp duty.

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#### **Court fees concerning European Payment Order procedure - Luxembourg**

There are no fixed fees for bringing an action before a civil court (*saisine du juge civil*) other than the cost of service of documents and the costs of legal representation. In principle, no **fees are incurred at civil court level**. Once a judgment has been issued, subsequent costs may be incurred in connection with the enforcement of the decision and at the request of the winning party.

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#### **Court fees concerning European Payment Order procedure - Hungary**

##### **Introduction**

**What fees are applicable?**

**How much shall I pay?**

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

**How can I pay the court fees?**

**What shall I do after the payment?**

##### **Introduction**

In European Payment Order procedures initiated in Hungary, a fee for the notarial procedure must be paid in order to enforce an uncontested financial claim pursuant to Regulation (EC) 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure, the amount of which is established by Act L of 2009 on payment order procedures and Decree No 14/1991 of 26 November 1991 of the Minister for Justice on notary fees. According to these rules, a notary fee of 3 % of the value of the claim must be paid when the procedure is initiated. The claimant may choose to make the payment in cash or by credit/debit card at the notary's office, or by transfer to the bank account of the notary, or by postal order.

##### **What fees are applicable?**

A notary fee must be paid when the procedure is initiated.

##### **How much shall I pay?**

The amount of the notary fee is 3 % of the amount of the financial claim excluding charges (interest, costs); for several claims the notary fee is 3 % of the sum of the amounts, but at least HUF 5 000 and no more than HUF 300 000. If more than five persons are involved in the procedure, the minimum fee is HUF 1000 multiplied by the number of parties. If the financial claim is denominated in a currency other than HUF, the fee must be paid for the HUF equivalent of the claim – calculated on the basis of the official exchange rate of the central bank for the day when the application is made.

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

If the claimant does not pay the notary fee when the procedure is initiated, the proceeding notary requests the claimant to pay the notary fee. If the claimant fails to comply with the request by the deadline given, the notary will reject the application.

##### **How can I pay the court fees?**

The claimant may select any of the ways listed below to pay the notary fee:

He or she may make the payment in cash to the proceeding notary.

He or she may make the payment by postal order provided by the notary to the payment account of the proceeding notary at any post office.

He or she may pay by transfer to the notary's bank account.

If the adequate facilities are available in the office of the proceeding notary, he or she may make the payment by credit/debit card.

##### **What shall I do after the payment?**

If the notary fee is paid in cash or by credit/debit bank card at the notary's office, the claimant is not required to provide proof of payment.

If the claimant pays the notary fee by postal order, the receipt proving payment must be attached to the application for a European Payment Order.

If the claimant pays the notary fee by transfer to the notary's bank account, he or she is required to attach to the application for a European Payment Order a daily bank statement or a copy thereof, proving that the amount has been debited.

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## Court fees concerning European Payment Order procedure - Malta

### Introduction

[Which fees are applicable?](#)

[How much shall I pay?](#)

[What happens if I do not pay the court fees on time?](#)

[How can I pay the court fees?](#)

[What should I do after payment?](#)

### Introduction

The fees applicable to this procedure are stipulated in Article 1(2), Article 2 and Article 13(1) of Tariff B of Cap 12 of the Laws of Malta, Code of Organisation and Civil Procedure.

The registry fee cannot be paid by electronic means.

### Which fees are applicable?

Payment is required in relation to the following forms:

Form A – Application for a European Order for Payment

Form D – Decision to reject the application for a European Order for Payment

Form E – European Order for Payment

Form F – Opposition to a European Order for Payment

Form G – Declaration of Enforceability

### How much do I need to pay?

Form A – Application for a European Order for Payment: EUR 30.00 registry fee and EUR 7.20 for each notification to the defendant(s) and to the claimant of Form D or E

Form F – Opposition to a European Order for Payment: EUR 30.00 registry fee and EUR 7.20 for each notification to the claimant

Form G – Declaration of Enforceability: EUR 20.00 registry fee

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

The Form will not be processed until payment is effected

### How can I pay the court fees?

Payment of court fees can be made to the following bank account:

Name of Account Holder	CASHIER MALTA GOVERNMENT
IBAN (International Bank Account)	MT55MALT011000040001EURCMG5001H
National Bank Key	SORT CODE 01100
Account Number	40001EUR-CMG5-001-H
BIC/SWIFT code	MALMTMT
Bank name	CENTRAL BANK OF MALTA
Bank address	CASTILLE PLACE VALLETTA MALTA
Currency of account	EURO

### What should I do after payment?

You should present the receipt issued by the Bank through which the transaction was made.

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## Court fees concerning European Payment Order procedure - Netherlands

### Introduction

[What fees are applicable?](#)

[How much shall I pay?](#)

[What happens if I do not pay the court fees on time?](#)

[How can I pay the court fees?](#)

[What shall I do after the payment?](#)

### Introduction

The European order for payment procedure (Regulation (EC) No [1896/2006](#), which entered into force on 12 December 2008) allows creditors to recover their uncontested cross-border civil and commercial claims under a uniform procedure that operates on the basis of standard forms. The procedure does not require the parties to attend court. The Regulation applies between all EU Member States with the exception of Denmark.

The Council for the Judiciary (*Raad voor de rechtspraak*) has designated the District Court of the Hague (*Rechtbank Den Haag*) as the sole district court competent to handle European Payment Order cases. If a statement of opposition is lodged, the proceedings may be continued in accordance with the ordinary rules of territorial jurisdiction.

To lodge an application under the European Payment Order procedure, form A must be used. This form is available in all languages of the European Union on the European Commission's [website](#).

#### The form

Applications may be lodged with the District Court of the Hague in Dutch only.

Applications under the European Payment Order procedure may be sent to:

Rechtbank Den Haag

Sector civiel recht

Algemene Zaken

Postbus 20302

2500 EH Den Haag

For more information please call the court's General Affairs registry (*griffie Algemene Zaken*). The telephone number of the court's General Affairs registry is: +31 (0)70-381 22 64.

#### What fees are applicable?

The fees depend on the amount of the principal claim. See also: How much shall I pay?

#### How much shall I pay?

An overview of the [fees applicable for 2019](#) is set out below.

Nature/amount of the claim or application	Court fee for non-natural persons	Court fee for natural persons	Court fee for persons of limited means
<b>Court fee of court handling sub-district cases</b>			
Cases relating to a claim or application: Of an indeterminate amount or An amount not exceeding €500	€121	€81	€81
Cases relating to a claim or application of an amount exceeding €500 but not exceeding €12 500	€486	€231	€81
Cases relating to a claim or application of an amount exceeding €12 500	€972	€486	€81
<b>Court fee of court handling other, non-subdistrict, cases</b>			
Cases relating to a claim or application: - Of an indeterminate amount or	€639	€297	€81
Cases relating to a claim or application of an amount not exceeding €100 000	€1992	€914	€81
Cases relating to a claim or application of an amount exceeding €100 000	€4030	€1599	€81

For more information please see the following websites: [Rechtspraak.nl](#) and [Raad voor Rechtsbijstand](#).

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

If the court fees are not paid on time, the application may not be taken any further and the case will be dismissed.

#### How can I pay the court fees?

The applicant receives an invoice for payment of the court fees. Payment can be made by bank transfer.

#### What shall I do after the payment?

After paying the court fees you should wait for further information from the District Court of the Hague.

The Regulation creating a European order for payment procedure stipulates that the court will issue a European order for payment as soon as possible and normally within 30 days of the lodging of the application.

#### Related links

[Fees applicable for 2019](#)

[Rechtspraak.nl](#)

[Raad voor Rechtsbijstand](#)

[Regulation \(EC\) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure](#)

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Jekk jogħġbok innota li l-verżjoni bil-lingwa oriġinali ta' din il-paġna [de](#) għiet emendata reċentement. Il-verżjoni tal-lingwa li qed tara bħalissa attwalment qed tiġi ppreparata mit-tradutturi tagħna.

[Court fees concerning European Payment Order procedure - Austria](#)

[Regulatory framework governing fees of legal professions](#)

[Lawyers](#)

Generally speaking, according to the **Austrian Lawyers' Code** (*Rechtsanwaltsordnung*), fees to be paid to lawyers for services rendered can be **freely agreed** between lawyer and client.

Fees may be calculated based on an **hourly rate** or as a flat-rate fee. A flat-rate fee does not vary with the individual services rendered or the amount of time involved. If no fee is expressly set, a reasonable level of remuneration is deemed to have been agreed on the basis of the scales of fees set out in the **Scales of Legal Fees Act** (*Rechtsanwaltstarifgesetz*) or the **General Fee Criteria** for Lawyers (*Allgemeinen Honorar-Kriterien für Rechtsanwälte*).

The Austrian Code of Civil Procedure (*Zivilprozessordnung – ZPO*) and the Scales of Legal Fees Act provide that in **civil proceedings** the court is to determine the share of the costs that the losing party must reimburse to the successful party. These costs are based on the value of the dispute and the duration and nature of the service provided.

In **criminal proceedings**, the general rule is that anybody who has hired a lawyer to act on their behalf (a defendant, a party bringing a private prosecution, or a party asking that a civil claim be joined to the criminal proceedings) must also bear the resulting costs. This is also the case where the defence counsel was appointed by the court, unless the conditions for the granting of legal aid are satisfied. Costs regularly vary according to the type and composition of the court involved (e.g. a district court, a regional court with one judge sitting, a court with lay assessors, or a jury court).

#### **Bailiffs**

The remuneration that court bailiffs (*Gerichtsvollzieher*) receive for their activities is laid down in the **Execution Fees Act** (*Vollzugsgebührengesetz*).

Specifically, the law provides for an **execution fee** that the applicant creditor has to pay when the application for execution is submitted, together with a **flat-rate fee** as set out in the **Court Fees Act** (*Gerichtsgebührengesetz -GGG*).

The execution fee ([§ 2 Execution Fees Act](#)) forms part of the costs of the execution proceedings. When awarding costs, the court may order the debtor to reimburse the execution fee if the creditor so requests.

The bailiff is also entitled to remuneration for taking receipt of payments. This may be deducted from the amount collected ([§ 11 Execution Fees Act](#)).

#### **Fixed Costs**

##### **Fixed costs in civil proceedings**

##### **Fixed costs for litigants in civil proceedings**

The court fees payable for using the services of the courts take the form either of a **flat fee** or a **proportional fee of the basis of assessment**. The amount depends on the nature of the case and the value of the dispute (which is determined by the monetary value of the claim) and the number of parties. For more than two parties, a multi-party surcharge may be applied, in accordance with § 19a of the Court Fees Act (from 10–50 %).

##### **Stage of the civil proceeding where fixed costs must be paid**

For **civil proceedings at first instance** a flat-rate fee must be paid when lodging the application. The fee is **payable only once**, irrespective of the progress of proceedings at this stage and regardless of whether the action contains more than one claim or relates to more than one person, and covers the entire proceedings at first instance. If the relief sought is extended during the course of the proceedings, additional fees may be incurred. These become payable when written pleadings are filed. Where the relief sought is extended during a hearing, the fee is due when this is placed on record. At **second or third instance**, the fee becomes payable when the **notice of appeal is filed** (§2(1) of the Court Fees Act). By way of exception, in non-contentious proceedings, a **decision fee** rather than a claim fee is sometimes payable.

##### **Fixed costs in criminal proceedings**

##### **Fixed costs for litigants in criminal proceedings**

A fee has to be paid under Item 13 of the Court Fees Act only in the case of a private prosecution.

##### **Stage of the criminal proceeding where fixed costs must be paid**

Fixed costs must be paid at the beginning of proceedings, and when the notice of appeal is filed.

##### **Fixed costs in constitutional proceedings**

##### **Fixed costs for litigants in constitutional proceedings**

Under § 17a(1) of the Constitutional Court Act (*Verfassungsgerichtshofgesetz – VfGG*), the fee is EUR 220.

##### **Stage of the constitutional proceedings where fixed costs must be paid**

Fixed costs must be paid at the beginning of proceedings.

#### **Prior information to be provided by legal representatives**

##### **Rights and obligations of the parties**

In general terms, the lawyer is under an **obligation** to inform his or her client how fees will be calculated and what costs the client can expect to incur. §50(2) of the Guidelines on Practising as a Lawyer and the Supervision of Lawyers' Obligations (*Richtlinien für die Ausübung des Rechtsanwaltsberufs und für die Überwachung der Pflichten des Rechtsanwalts – RL-BA*) recommends that when taking on a new case the lawyer should inform the client of the basis on which the fee will be charged and of the lawyer's entitlement to interim payments. Unless a flat-rate fee has been agreed, the client is entitled, at reasonable intervals, to request an interim statement of account or a statement of services already rendered, or, where a time-based fee has been agreed, a statement of time already spent. Likewise, before the lawyer is appointed an agreement should be entered into concerning the commencement and frequency of interim payments.

#### **Cost sources — legal bases**

##### **Where can I find information on legal fees in Austria?**

The statutory rules on liability for costs in contentious civil proceedings (including commercial matters) can be found in §§ 40-55 of the Code of Civil Procedure. Non-contentious proceedings (for example proceedings relating to family matters, in particular divorce by mutual consent, or disputes over custody, access rights or maintenance claims) are subject to separate rules on liability for costs. The general rules are set out in § 78 of the **NonContentious Proceedings Act** (*Außerstreitgesetz – AußStrG*). **Exceptions** to these general rules apply, inter alia, in proceedings relating to custody and access disputes and proceedings concerning maintenance claims for minors. Costs in **criminal proceedings** are regulated by §§ 380-395 of the **Austrian Code of Criminal Procedure** (*Strafprozessordnung – StPO*). The court fees (flat-rate fees) are set out in the Court Fees Act.

An outline of the fees lawyers are entitled to charge is given in an **online information leaflet** on the homepage of the [Austrian Bar Association](#) (*Österreichischer Rechtsanwaltskammertag*). General information can also be obtained via the homepage of the [HELP service for foreign citizens living in Austria](#) [*Amtshelfer für Österreich*] via the link: Leben in Österreich > Zivilrecht > Zivilverfahren [Living in Austria > Civil Law > Civil Procedure].

This website [HELP service for foreign citizens living in Austria](#) provides general information on court fees. The texts of laws (such as the Court Fees Act and the rules on scales of fees) are available free from the [Legal Information System of the Republic of Austria](#) (*Rechtsinformationssystem des Bundes*) on the homepage of the Federal Chancellor's Office (*Bundeskanzleramt*).

##### **In what languages can I obtain information on cost sources in Austria?**

In German.

##### **Where can I find information on mediation?**



A list of mediators (maintained by the Austrian Ministry of Justice) is available to the general public from a [webpage](#) dedicated to mediation. With regard to restorative justice in criminal proceedings, information on defendant-victim mediation is available on the [NEUSTART](#) homepage (also in English).

#### Where can I find additional information on costs?

##### Online information on procedural costs

General information on the Austrian judicial system, legal costs and the Federal Ministry of Justice can be found on the [Austrian Justice website](#) and on the website of the [HELP service for foreign citizens living in Austria](#), which provides reader-friendly information.

The [Legal Information System of the Republic of Austria](#) provides the text of the following laws:

The Court Fees Act (*Gerichtsgebührengesetz – GGG*)

The Fees Entitlement Act (*Gebührenanspruchsgesetz – GebAG*)

The Lawyers' Code (*Rechtsanwaltsordnung – RAO*)

The Scales of Legal Fees Act (*Rechtsanwaltstarifgesetz – RATG*)

The text of the General Fee Criteria for Lawyers (*Allgemeine Honorar-Kriterien für Rechtsanwälte – AHK*) is available from the portal of the [Austrian Bar Association](#).

#### Where can I find information on the average length of time that different procedures take?

Please contact the Austrian Ministry of Justice directly for this kind of information.

#### Where can I find information on the average aggregate cost for a particular proceeding?

Court fees payable for each kind of proceeding are established in advance (by the **Court Fees Act**). They may change if the value of the dispute goes up or down. In civil proceedings, the court determines which fees and costs (lawyers' fees, experts' fees, interpreting/translation costs) are to be paid by the losing party to the winning party. The court makes its order on the basis of the **Scales of Legal Fees Act** (for lawyers' fees) and the **Fees Entitlement Act** (for experts' and interpreters/translators' fees). The costs are based largely on the expenditure involved and the time spent. Therefore, a specific figure cannot be given in advance. In principle, the fee to be paid by the client to the lawyer can be freely agreed upon between them.

#### Value Added Tax

##### Where can I find information on VAT? What are the applicable rates?

Lawyers' services are subject to **value added tax**. VAT in Austria is **20%**. Like other expenses, this must be paid to the lawyer separately, as stipulated in **§ 16 of the Scales of Legal Fees Act** and **§ 17 of the General Fee Criteria for Lawyers**. The scales of fees set out in the Scales of Legal Fees Act and the General Fee Criteria do not include value added tax.

#### Legal aid

##### Applicable income threshold in the area of civil justice

Eligibility for legal aid (*Verfahrenshilfe*) is **not based on a statutory income threshold**. In civil proceedings (and in commercial matters), legal aid is governed by the **Austrian Code of Civil Procedure**. The provisions of the Code of Civil Procedure apply *mutatis mutandis* in noncontentious proceedings. The decision to grant legal aid is taken by the **court of first instance**.

Legal aid is granted to a party only if his or her income, financial circumstances and maintenance obligations are such that he or she cannot afford the cost of legal proceedings without encroaching on the level of resources necessary to maintain a modest standard of living. Legal aid shall not be granted if the intended legal action or defence appears manifestly vexatious or devoid of any prospects of success. The court decides which of the benefits listed below are to be granted in each individual case.

In Austria, legal aid may comprise:

**temporary exemption from payment** of court fees, fees of witnesses, experts and interpreters or translators, the cost of any necessary public announcements, the costs of a trustee and any out-of-pocket expenditure incurred by the representative or lawyer designated by the court

**representation by a lawyer.**

**Within three years** after the proceedings have been concluded parties in receipt of legal aid may be required to **repay** the sum, in whole or in part, if their financial position changes and they are now in a position to make those payments without encroaching on their necessary level of resources.

##### Applicable income threshold for defendants and victims in the area of criminal justice

**No fixed financial threshold** is used to determine whether a defendant, victim of crime or civil claimant is entitled to legal aid. Maintenance above the minimum living wage and below an appropriate maintenance level are the guiding criteria. The minimum living wage is regularly re-evaluated and the current rate is published on the [Austrian Justice](#) website.

##### Conditions attached to the granting of legal aid to victims

Where there is no entitlement to judicial assistance (*Prozessbegleitung*) under §66(2) of the Austrian Code of Criminal Procedure (*Strafprozessordnung – StPO*), a civil claimant is entitled to legal aid if

he or she cannot afford representation by counsel without encroaching on his or her necessary level of resources (see the statements on the necessary level of resources above), **and**

representation by counsel is in the **interests of the administration of justice**, and especially in the interests of proper enforcement of claims in order to avoid subsequent civil proceedings.

##### Conditions attached to the granting of legal aid to defendants

Aside from the **financial conditions**, legal aid must be in the **interests of the administration of justice, and especially in the interests of proper defence**.

Assignment of defence counsel is in any event considered to be in the interests of the administration of justice where

there is a case of imperative defence (*notwendige Verteidigung*) under § 61(1) of the Code of Criminal Procedure (see below),

if the defendant is blind, deaf, dumb, or handicapped in some other way or does not have **sufficient knowledge** of the language used by the court,

in appeal proceedings,

if the case involves **complex factual and legal circumstances**.

In cases of imperative defence a defendant **must** be represented by **defence counsel**. § 61(1) of the Code of Criminal Procedure gives an exhaustive list of the cases where defence is imperative, as set out by law:

where and as long as the defendant is being held in pre-trial detention;

throughout the entire proceedings for confinement in an institution for mentally unwell offenders;

in trial proceedings for confinement in an institution for addicted offenders in need of rehabilitation or in an institution for dangerous reoffenders;

in trial proceedings before a regional court when it is sitting with lay assessors or a jury;

in trial proceedings before a regional court when a single judge is sitting, if the sentence which may be imposed amounts to more than three years' imprisonment, except in the cases of burglary referred to in § 129(1)–(3) of the Austrian Criminal Code (*Strafgesetzbuch – StGB*) and receiving stolen goods referred to in § 164(4) of the Criminal Code;

in adversarial interrogation (§ 165), where this forms part of the imperative defence in trial proceedings in accordance with points 3 to 5, in an appeal against a judgment of a court sitting with lay assessors or a jury;

for the lodging of an application for a retrial and any public hearing on the application.

#### **Cost-free court proceedings**

In order to protect the rights of a victim in criminal proceedings, **psycho-social assistance or judicial assistance are available on application, free of charge**, to victims of violent acts, dangerous threats or sexual offences, and the spouse, life partner, relative in the direct line, brother or sister of a person whose death may have been caused by a criminal offence, or other relatives who were witnesses to the criminal offence. Victims of sexual offences under 14 years of age are entitled to assistance free of charge in all cases, without having to submit an application. Psycho-social assistance covers the preparation of the victim for the proceedings and the emotional burden caused by the proceedings. Psychosocial and judicial assistance are provided by victim support organisations contracted by the Federal Ministry of Justice under **§ 66 paragraph 2 of the Code of Criminal Procedure**.

In **non-contentious proceedings, no fees** are payable for the **appointment of a trustee** (*Sachwalter*) or in custody and access proceedings. Nor are any fees due for proceedings under the Institutional Confinement Act (*Unterbringungsgesetz*) or the Residential Care Act (*Heimaufenthaltsgesetz*). Where a party has a low income and limited assets, in relation to the fees to be paid, legal aid may be granted in the form of provisional exemption from fees. The scale of the exemption granted depends on the application and is at the court's discretion.

#### **When does the losing party have to pay the winning party's costs?**

##### **Contentious proceedings**

Costs in civil proceedings (including commercial cases) are governed by the **Austrian Code of Civil Procedure**. This provides that, generally, each party must initially pay the costs incurred by their involvement in the proceedings. Mutually incurred costs are initially to be equally split between the parties. When the court decides the case it makes an order as to costs. The principle is that costs are awarded to the successful party. A party who loses a dispute in every respect must **compensate** the other party for all the fees and costs that were necessary for the proper prosecution or defence of the case. If the parties have succeeded in some of their claims and failed in others, the costs are mutually offset or shared proportionately.

**Departure from the principle that costs are awarded to the successful party** is justified in certain cases:

- in the case of defeat on a relatively minor point, if the part of the action that is dismissed has occasioned no particular costs;
- if the amount of the claim is determined by experts, or is at the court's discretion, and where costs are to be offset against each other;
- if the defendant's conduct has given no cause for bringing the action and he or she has acknowledged the claim at the first opportunity;
- if one of the parties has caused the proceedings to be cancelled or to be declared null and void, that party may be required to pay the full costs.

##### **Non-contentious proceedings**

Family law matters (maintenance, access rights and custody proceedings and divorce by mutual consent) are dealt with in non-contentious proceedings. The general rules on costs in non-contentious proceedings can be found in § 78 of the Non-Contentious Proceedings Act. But exceptions to these rules are made for many kinds of proceedings. Here, too, the principle normally applies that costs should be awarded to the successful party, but may be awarded differently on grounds of equity. If no compensation is claimed, out-of-pocket expenses (e.g. fees for experts) must be paid in proportion to the share in the case. If this share cannot be determined, they must be divided equally.

Details for the various types of proceeding (maintenance, access rights and custody proceedings and divorce):

As regards divorce proceedings, a distinction must be made between contested divorce and divorce by mutual consent.

Contested divorce: Special provisions of the Austrian Code of Civil Procedure apply to contested divorces. If neither party is found to be at fault in the divorce, costs must be mutually offset. If the ground for divorce is breakdown of the marriage, and if the judgment contains a ruling on responsibility for the breakdown, the guilty party must pay the other's costs.

Divorce by mutual consent: The rules of non-contentious proceedings apply to divorce by mutual consent. In this case, spouses submit two identical applications to the court. Since there are no adversarial proceedings there is no award of costs. Out-of-pocket expenses must be borne equally by the parties. Custody and access proceedings are also non-contentious proceedings. By virtue of an exemption clause (§ 107(5) of the NonContentious Proceedings Act), no costs are awarded in this kind of proceedings.

By virtue of another exemption clause (§ 101(2) of the NonContentious Proceedings Act), no costs are awarded in proceedings concerning maintenance claims for children who are still minors.

##### **Criminal proceedings**

In criminal proceedings, every person who is represented by defence counsel or another representative has to bear the costs himself or herself, even if the lawyer was appointed by the court (§ 393(1) of the Code of Criminal Procedure).

**A judgment convicting the defendant must also order the defendant to pay the costs of the criminal proceedings** (§ 389(1) of the Code of Criminal Procedure). Pursuant to [§ 381\(1\) of the Code of Criminal Procedure](#) the following costs may be incurred in criminal proceedings:

a flatrate fee as a share of costs of the criminal proceedings not further detailed below, including the costs of investigation and of instructions issued by the public prosecutor or by the court to conduct official acts, which Section 381(3) limits to the following maximum amounts: in proceedings before the regional court sitting with a jury, from EUR 500 to EUR 10 000; in proceedings before the regional court sitting with lay assessors, from EUR 250 to EUR 5 000; in proceedings before the regional court sitting with a single judge, from EUR 150 to EUR 3 000; and in proceedings before the district court, EUR 50 to EUR 1 000;

experts' fees and in general also interpreters' fees;

costs for information, reports or opinions provided by public authorities;

costs for the transport of the defendant or witnesses from abroad;

costs due to a freezing order and costs for information on bank accounts, for the seizure of letters, for information on telecommunication data, and for the interception of telecommunication;

costs relating to the enforcement of the sentence, including costs of transferring prisoners to a domestic or foreign penal system, excluding the costs of enforcing a custodial sentence;

court fees relating to the criminal proceedings;

costs of defence counsel or other representatives;

a flatrate fee in respect of costs for assistance given to the victim, up to EUR 1 000.

With the exception of the costs listed under the third, seventh and ninth points above, these costs are advanced by the federal authorities. When deciding on the flatrate fee under Section 381(1)(9), the court takes account of the economic capacity of the person liable. Costs for the services of an interpreter do not have to be repaid by the defendant.

§ 391(1) of the Code of Criminal Procedure, however, provides that the costs of the criminal proceedings are to be recovered from the convicted person only provided this does not endanger the resources necessary for the convicted person and their family to maintain a modest standard of living or their ability to pay compensation for the damage caused. If the costs cannot be recovered because of the convicted person's lack of means, the court may declare the costs unrecoverable. If the court finds that the costs will become recoverable in the future, but are not recoverable for the time being, the economic capacity of the person concerned has to be re-examined after a certain period. The statutory limitation period applicable to the recovery of costs is five years after the delivery of the final decision in the proceedings. If the court decides that the convicted person has to bear the costs of the proceedings and it subsequently emerges that he or she is not in a position to do so, the authorities may extend the payment deadline, permit payment by instalments, or reduce the costs. If the convicted person is obliged by the judgment of the criminal court to pay at least partial compensation to a civil claimant, he or she also has to reimburse the costs incurred by the civil claimant in the criminal proceedings.

According to § 393a of the Code of Criminal Procedure, a defendant who is acquitted may request a contribution from the federal authorities to his or her defence counsel's costs. This covers necessary cash expenditure actually incurred and a flatrate fee in respect of defence counsel costs. The flatrate fee is determined in light of the extent and complexity of the defence and the scope of the necessary and proper services provided by the defence counsel, and may not exceed the following amounts: in proceedings before the regional court sitting with a jury, EUR 10 000; in proceedings before the regional court sitting with lay assessors, EUR 5 000; in proceedings before the regional court with one judge sitting, EUR 3 000; and in proceedings before the district court, EUR 1 000.

Where criminal proceedings are initiated by a private prosecution or on the application of a civil claimant under § 72 of the Code of Criminal Procedure, and do not lead to a conviction, the person bringing the private prosecution or the civil claimant is obliged to pay all costs caused by the bringing or continuation of the action. If the criminal proceedings end with a settlement (*Diversion*)(§§ 198 to 209 of the Code of Criminal Procedure), the civil claimant does not have to pay the costs.

#### Experts' fees

In contentious civil proceedings (including commercial cases), expert's fees are mutually offset or divided proportionally according to the extent of a party's success or failure (§ 43(1) of the Code of Civil Procedure).

In contested divorce proceedings where the judgment makes no ruling on responsibility, out-of-pocket expenses must be mutually offset. If one party has paid more than half of the cash outlay, the other must refund the excess. But if one spouse is found to be at fault, that party must reimburse the other party's expert's fees.

In the following proceedings, any expert's fees initially paid out of official funds must be reimbursed to the court by the parties who occasioned them or in whose interests the official action was taken: proceedings for divorce by mutual consent, custody and access proceedings, and proceedings concerning maintenance claims for children who are still minors. If several persons are obliged to reimburse the costs, they are jointly liable (§ 1(5) of the Court Payments Act (*Gerichtliches Einbringungsgesetz – GEG*) in conjunction with Section 2(1) of the same Act).

The amount of experts' fees is governed by the Fees Entitlement Act. Each specific case depends essentially on the content and scope of the report requested by the court.

In criminal proceedings, experts' fees form part of the court costs (§ 381(1) of the Code of Criminal Procedure) which according to § 389(1) of the Code of Criminal Procedure must be borne by the convicted person. Experts' fees are determined by the court or the public prosecutor and are paid by the federal authorities.

#### Translators' and interpreters' fees

The explanation given above also applies to translators' and interpreters' fees.

#### Related documents

[Study on the transparency of costs: Country report: Austria](#) (829 Kb) 

#### Related links

 [§ 32 of the Court Fees Act](#)

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### Court fees concerning European Payment Order procedure - Poland

#### Introduction

[What types of court fee are collected?](#)

[How much should I pay?](#)

[What happens if I fail to pay on time?](#)

[How to pay a court fee](#)

[What to do next](#)

#### Introduction

Fees in civil proceedings are governed by the Court Costs (Civil Cases) Act of 28 July 2005 (consolidated text: Journal of Laws 2014, item 1025). As a rule, a fee is payable for any statement of claim lodged, including claims lodged as part of proceedings governed by Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 *creating a European order for payment procedure* ('the EOP'). Polish law provides for the possibility of lodging a request for exemption from these costs in the aforementioned Act (Title IV – Exemption from court costs).

#### What types of court fee are collected?

The fee applicable in the case of the EOP is a proportional fee.

#### How much should I pay?

A proportional fee is collected for cases concerning property rights and amounts to 5% of the amount of the dispute (i.e. the amount specified in the statement of claim); however, it cannot be less than PLN 30 or more than PLN 100 000. In the case of a request for the EOP to be set aside, half of the fee is collected.

#### **What happens if I fail to pay on time?**

Pursuant to Article 1262(1) of the Code of Civil Procedure of 17 November 1964 (Journal of Laws No 43, item 269, as amended), the court will not take any action in response to a procedural document for which the applicable fee has not been paid. In other words, the fee must be paid when a procedural document (statement of claim) is filed with the court of appropriate jurisdiction or an application for exemption from court costs must be filed.

The procedural consequences of failing to pay fees for a procedural document are specified, in [Articles 130](#) and [1302](#) of the Code of Civil Procedure amongst others.

Pursuant to Article 130 of the Code of Civil Procedure, if the procedural document (incl. the statement of claim) cannot be processed as a result of non-payment of the fee, the presiding judge calls on the party to make that payment within one week, failing which the procedural document is returned. If the procedural document has been lodged by a person living abroad who has no appointed representative in Poland, the presiding judge will specify a time limit for paying the fee, which may not be shorter than one month. If the fee is not paid within the specified time limit, the procedural document is returned to the party. If the fee is paid within the specified time limit, the procedural document produces legal effects from the date on which it was lodged.

Pursuant to Article 1302 of the Code of Civil Procedure, a procedural document lodged by a lawyer or patent attorney which has not been paid for is returned without a call for payment if the fee is fixed or proportional to the amount of the dispute as specified by the party. However, if the fee for the procedural document is paid within one week of service of the decision to return the document, the document produces legal effects from the date on which it was lodged.

#### **How to pay a court fee**

The arrangements for paying court fees in civil cases are governed by the [Ordinance](#) of the Minister for Justice of 31 January 2006 *setting out the arrangements for paying court fees in civil cases* (Journal of Laws No 27, item 199), which is implementing legislation for the aforementioned Court Costs (Civil Cases) Act.

Court fees in civil cases can be paid in non-cash form into the current account of the court with jurisdiction (account details can be obtained directly from the court or its website or from the website of the Ministry of Justice), directly at the court cashier's office or in the form of court fee stamps which can be purchased at the court cashier's office.

#### **What to do next?**

Once the fees have been paid and any irregularities resolved, the court will issue an European order for payment.

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### **Court fees concerning European Payment Order procedure - Romania**

#### **Introduction**

**What fees are applicable?**

**How much shall I pay?**

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

**How can I pay the court fees?**

**What shall I do after the payment?**

#### **Introduction**

The European Order for Payment is regulated by **Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure.**

As regards the system of court stamp fees, please note that it is regulated by Emergency Order No 80/2013, which has been in force since 26 June 2013. This legislative act was adopted following the amendment to the legal framework for the conduct of civil proceedings by adopting the Code of Civil Procedure and by enforcing the new institutions adopted by the Civil Code.

The court stamp fees are due by all the natural and legal persons and are paid in consideration of the services provided by courts as well as by the Ministry of Justice (*Ministerul Justiției*) and the Prosecutor's Office attached to the High Court of Cassation and Justice (*Parchetul de pe lângă Înalta Curte de Casație și Justiție*).

Court stamp fees can be paid online in Romania, however this electronic payment system has not been operational to this date.

#### **What fees are applicable?**

Court stamp fees are due for both trial at first instance level and appeals under the law.

Natural persons may be entitled, upon request, to discounts on, exemptions from and instalment schemes for the payment of the court stamp fees under Government Emergency Order No 51/2008 on the legal public aid in civil matters, as approved as amended and supplemented by Law No 193/2008, as subsequently amended and supplemented. Legal persons may be granted facilities for the payment of the court stamp fees under Article 42(2) of Government Emergency Order No 80/2013.

#### **How much shall I pay?**

At the current stage of the law, the court stamp fee in order to make an application for a European Order of Payment is established under Article 3(1) of Government Emergency Order No 80/2013, as follows:

up to the value of RON 500 - 8%, but not less than RON 20;

between RON 501 and RON 5 000 - RON 40 + 7% for the values exceeding RON 500;

between RON 5 001 and RON 25 000 - RON 355 + 5% for the values exceeding RON 5 000;

between RON 25 001 and RON 50 000 - RON 1 355 + 3% for the values exceeding RON 25 000;

between RON 50 001 and RON 250 000 - RON 2 105 + 2% for the values exceeding RON 50 000;

over RON 250 000 - RON 6 105 + 1% for the values exceeding RON 250 000.

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

In accordance with Government Emergency Order No 80/2013, the court stamp fee is payable in advance. If the claimant fails to meet its obligation to pay the fee by the deadline set under the law or by the court, the application will be annulled as unstamped or, where applicable, settled within the limits of the legally paid court stamp fee. Moreover, if the application for facilities for payment of the court stamp fee has been rejected, and the claimant has not paid the due court stamp fee within the deadline, as set by the court, and has not included any proof of payment in the file, the court annuls the application as not stamped.

#### **How can I pay the court fees?**

Court stamp fees are payable by the person who owes the fee in cash, by bank credit transfer or online to a distinct local budget revenues account, i.e. the "Court stamp fees and other stamp fees", of the territorial administrative unit where the natural person has their domicile or residence or, where applicable, where the legal person has the registered office. The costs incurred with the transfer of the amounts due as court stamp fees are borne by the debtor.

If the person who is liable to pay the court stamp fee has neither the domicile, nor the residence, nor the registered office, where applicable, in Romania, the court stamp fee is payable to the local budget account of the territorial administrative unit covering the registered office of the court where the action is brought or the application is filed.

The court stamp fees are payable in cash at the fees and taxes directorates of the territorial administrative units where the natural person has the domicile or residence, or where the legal person has the registered office.

Moreover, the court stamp fees are payable by bank credit transfer and online.

No electronic system has been implemented in Romania so far for the payment of the court stamp fees although this method is regulated by the law.

#### **What shall I do after the payment?**

The receipt for the payment of the court stamp fees, which is issued for payments in cash, or the money order is submitted when the legal action is filed.

The receipts or, where applicable, the money orders for the court stamp fees have no standard format, being issued in the form accepted by the unit where the payment is made.

Where the court stamp fee is paid after the court has served the notification on the claimant in this respect, the latter must include in the file the proof for payment of the fee within ten days from service of the notification.

The proof for payment of the stamp fee may be submitted in person at the registered office of the court or, by mail, indicating the number of the file (case) for which the payment has been made, as the same case number is indicated on the notification served by the court on the party concerned.

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### **Court fees concerning European Payment Order procedure - Slovenia**

#### **Introduction**

##### **What fees are applicable?**

##### **How much shall I pay?**

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

##### **How can I pay the court fees?**

##### **What shall I do after the payment?**

#### **Introduction**

Court fees applicable in the European order for payment procedure are provided 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, [E 58/14](#) – Constitutional Court decision, [E 19/15](#) – Constitutional Court decision, 30/16 and 10/17–ZPP-E (Act Amending the 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 order for payment procedure. In practice, court fees may be paid electronically through the web payment services of individual banks.

##### **What fees are applicable?**

Under the European order for payment 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 European order for payment with the court.

##### **How much shall I pay?**

The amount of the court fee under the European order for payment procedure that the claimant must pay upon filing an application with the court depends on the value of the claim.

The quotient is 1.2 (tariff heading 1301 of the fee tariff under the ZST-1), and the fee is calculated in accordance with the table provided in Article 16 of the ZST-1. Since there are many value classes, they cannot all be listed here in detail.

##### **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 order for payment 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 person liable 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 a certificate of payment. There are no special formal conditions concerning the validity of such certificate. Based on such certificate, 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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## Court fees concerning European Payment Order procedure - Slovakia

### Introduction

[What fees are applicable?](#)

[How much shall I pay?](#)

[What happens if I do not pay the court fees on time?](#)

[How can I pay the court fees?](#)

[What shall I do after the payment?](#)

### Introduction

Act No 71/1992 on court fees and fees for extracts from the criminal register, as amended.

Court fees may be paid by a debit or credit card, by bank transfer or at the branch of a foreign bank.

### What fees are applicable?

Court fees are chargeable under Section 1 of Act No 71/1992 on court fees and fees for extracts from the criminal register, as amended, for individual acts or court proceedings where they are carried out on a proposal from and as acts of public court administration authorities and prosecutors listed in the schedule of court fees and fees for extracts from the criminal register, which is an annex to the act in question.

Fees are also chargeable for proceedings and acts carried out without a proposal to the benefit of the fee payer if expressly listed in the schedule.

### How much shall I pay?

The fee rate is listed in the schedule as a percentage of the fee base or as a fixed sum. If a fee rate is established for a procedure, this means a procedure at a single instance. A fee of the same rate is also payable in an appeal procedure in the same case.

For a petition for the start of a European order for payment procedure, unless a special rate is established, it is 6% of the cost (payment) of the subject of the procedure or the value of the object of litigation, though no less than EUR 16.50. The same applies in the case of filing an objection.

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

If the fee payable upon the filing of a complaint, petition for the start of a procedure, appeal or cassation complaint was not paid, the court shall request the fee payer to pay the fee within a time limit it sets, generally within ten days of receipt of the request; if the fee is not paid within the time limit, despite the request, the court will suspend the procedure. The fee payer must be advised in the request of the consequences of failure to pay the fee.

The court shall not suspend the procedure due to the failure to pay the fee if

it has already started the procedure,

the complaint or petition has widened in scope, or a counter complaint or petition has been filed in the same matter after the procedure has started;

it requests payment of the fee at an amount conflicting with the wording of this Act;

the payment obligation of the fee payer has arisen due to the filing of a petition to order emergency measures;

an application for a fee remission was filed within the time limit for payment of the court fee, and the court granted this; if the court grants only a partial remission, it will request the fee payer to pay the court fee at the amount not covered by the remission.

### How can I pay the court fees?

Fees chargeable by courts, public court administration authorities and prosecutors may be paid in cash, by debit or credit card, postal order or bank transfer or at the branch of a foreign bank. Fees are paid in cash, by debit or credit card or bank transfer or at the branch of a foreign bank using the technical equipment of a legal entity with 100 % state ownership which is a system operator, if the competent body has met the requirements for this. Fees may be paid in cash if courts, public court administration authorities and prosecutors have put in place the conditions for this, and provided the fee per case does not exceed EUR 300, with the exception of the fee under item 17 (in commercial register matters), which may be paid in cash, even if it exceeds EUR 300. If the court, public court administration authority and prosecutor is integrated into the central fee records system, fees paid by postal order, debit or credit card, bank transfer or at the branch of a foreign bank are paid to the system operator's account.

### What shall I do after the payment?

Remittance of the payment may be confirmed by standard payment documents used in normal transactions, depending on the method of payment, i.e. a cash receipt, postal order slip, account statement, etc.

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## Court fees concerning European Payment Order procedure - Sweden

### Introduction

[What fees apply?](#)

[How much must I pay?](#)

[What happens if I fail to pay the court fees in time?](#)

[How can I pay the court fees?](#)

[What must I do after payment?](#)

### Introduction

The rules applicable in Sweden on the application fee for a European order for payment consist of:

**Act (2008:879) on a European order for payment 5 §** An applicant for a European order for payment must pay an application fee. The Government may issue regulations on the amount of the fee.

The application fee must be paid in advance.

If the applicant fails to comply with an order to pay the application fee, the application will be rejected.

**Regulation (2008:892) on a European order for payment 3 §** When paying the application fee, the applicant must indicate the respondent's personal identity number or organisation registration number.

It is possible to make the payment electronically to the Swedish Enforcement Authority using the specified account details.

#### What fees apply?

If you are applying for a European order for payment in Sweden, you must pay an application fee. The application fee must be paid in advance. That means that the application fee must have been paid in order for the Swedish Enforcement Authority to commence the processing of the application for a European order for payment. Payment is made when submitting the application on Form A. When you have submitted the application, you will receive an order from the Swedish Enforcement Authority containing information on how to pay the application fee. You will not receive an order if you have already attached evidence to the application that the application fee has been paid into the Swedish Enforcement Authority's account.

#### How much must I pay?

At present, you must pay an application fee of SEK 300.

#### What happens if I fail to pay the court fees in time?

If the application fee is not paid on time, the application will be rejected before the processing of the application has begun.

#### How can I pay the court fees?

You can pay the application fee for a **European order for payment using the account details below**. Specify the case number, the respondent's personal identity number or organisation registration number as the message when making the payment:

**Plus giro:** 95 59 39-4

**IBAN:** SE50 9500 0099 6034 0955 9394

**BIC:** NDEASESS

#### What must I do after payment?

You do not need to do anything after you have paid the application fee on time. The Swedish Enforcement Authority monitors receipt of the payment by the authority. Once the payment has been entered in the books, the Swedish Enforcement Authority then begins processing your application for a European order for payment.

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### Court fees concerning European Payment Order procedure - England and Wales

#### Introduction

#### What fees are applicable?

#### How much shall I pay?

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

#### How can I pay the court fees?

#### What shall I do after the payment?

#### Introduction

The European Order for Payment is a simplified procedure for obtaining judgments on uncontested claims in cross-border civil and commercial cases. A cross border case is where at least one of the parties is domiciled or habitually resident in a Member State other than a Member State of the court where the action is brought.

#### What fees are applicable?

Payment of court fees is required in order to make an application for a European Order for Payment. If you wish to pay by debit/credit card the relevant card details should be provided in the Appendix to "Application for a European Order of Payment Form A".

Should there be a need to enforce a claim a further court fee will be required. More details on the types of procedures available can be found on the [enforcement pages for England and Wales](#).

#### How much shall I pay?

Court fees in England and Wales can be found in leaflet [EX50 - Civil and Family Court Fees](#)

The fee payable is based on the value of the claim.

For ease of reference, the fees in the table below are correct as of 17 November 2016. Court fees are subject to change, so you should always check with the court, legal representative and any other individuals or organizations who are involved that an amount is still the current fee. These fees are in pound sterling (GBP), to calculate the equivalent in Euros a conversion must be applied on the day you wish to make the application.

1.1 On starting proceedings (including proceedings issued after permission to issue is granted) to recover a sum of money where the sum is claimed:	Fee payable (£)
(a) Does not exceed £300	£35
(b) Exceeds £300 but does not exceed £500	£50
(c) Exceeds £500 but does not exceed £1,000	£70
(d) Exceeds £1,000 but does not exceed £1,500	£80
(e) Exceeds £1,500 but does not exceed £3,000	£115
(f) Exceeds £3,000 but does not exceed £5,000	£205
(g) Exceeds £5,000 but does not exceed £10,000	£455

(h) Exceeds £10,000 but does not exceed £200,000	5% of the value of the claim
(i) Exceeds £200,000	£10,000

If you wish to enforce the claim a further fee is payable.

You have to pay a court fee to make an application to the court and pay further court fees at different stages of the court case. You may qualify for a “fee remission” (depending on your personal circumstances) which means that you may not have to pay a court fee or only have to pay part of it. However, you have to apply for a separate remission for each fee payable throughout the court process. So, for example, applying for a remission when the first application is made would only give you the remission for that first “issuing” fee. This is because your personal circumstances might change during the court action, and you might no longer be eligible for a remission later in the case. Or you might become eligible for a fee remission during the case.

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

If the claimant fails to fill in the relevant credit card details correctly or the payment fails for some reason, the court dealing will send Form B “Request to the claimant to complete and/or rectify an application for a European Order for Payment” to the claimant requesting that details of a valid credit card be provided to enable payment of the court fees. The application will not be taken any further if correct payment is not received.

#### How can I pay the court fees?

Payment of the court fee is made by providing correct payment details to the court. Initially this should be done by providing relevant details in “Application for a European order for payment, Form A”.

Payment is usually made by debit/credit card. Not all methods of payment in Form A are likely to be available at the court to which the application is being made. The claimant should contact the court and verify which method of payment can be used.

It may also be possible to pay using a credit card over the telephone. Many courts have facilities for taking card payments in this manner, but the relevant court should be contacted first to confirm payment can be made in this way.

Electronic payment can only be brought against someone with a UK address.

#### What shall I do after the payment?

If the application has been made correctly, the court will issue the European Order for Payment (Form E) to the defendant. A notice of issue will be sent at the same time to the claimant, together with a receipt of the payment transaction

The receipt will typically be 8 x 12 cm and have the name of the court at the top with its postal address, and the amount paid with the date and time of payment at the bottom.

For more information please see [European Union cross-border claims](#)

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### Court fees concerning European Payment Order procedure - Northern Ireland

There are no fees applicable at this time

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### Court fees concerning European Payment Order procedure - Scotland

Introduction

[What fees are applicable?](#)

[How much shall I pay?](#)

[What happens if I do not pay the court fees on time?](#)

[How can I pay the court fees?](#)

[What shall I do after the payment?](#)

Introduction

In Scotland court fees for European Payment Orders are regulated by the:

Sheriff Court Fees Order 2018, as amended by the Sheriff Court Fees Amendment Order 2018.

Schedule 2, Part II, paragraph 6 applies to European Payment Orders from 1 April 2019.

Schedule 3, Part II, paragraph 6 applies to European Payment Orders from 1 April 2020.

Electronic payment of fees is not possible.

#### What fees are applicable?

Lodging of a European Payment Order in Form A of the EU Regulation 1896/2006 at court requires payment of one fee which covers all court procedures. Representation by a solicitor is not usually required and the court fee does not include any solicitors’ fees, or the cost of service of the papers on the defender.

There is no fee for lodging a statement of opposition in Form F.

#### How much shall I pay?

The fee for lodging of a European Payment Order at court is £129 sterling.

In terms of article 8 of the Sheriff Court Fees Order 2018, Scottish Statutory Instrument 2018/481 as amended, a party may be entitled to fee exemption, for example if they are entitled to certain state benefits, or entitled to civil legal aid.

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



The court does not accept the application, and is not required to do anything without a fee being paid, in terms of paragraph 3 of the Sheriff Court Fees Order 2018, Scottish Statutory Instrument 2018/481, as amended.

#### **How can I pay the court fees?**

Court fees can be paid by:

Cheques - made payable to "The Scottish Courts and Tribunals Service"

Debit Card & Credit Card - please check which types of card are acceptable with the appropriate court and if payment can be made by telephone.

Postal Order - made payable to "The Scottish Courts and Tribunals Service"

Cash - if paying by post it is not advisable to make cash payments

#### **What shall I do after the payment?**

The court accepts the lodging of the application papers in Form A of the EU Regulation 1896/2006 with the payment. The papers and payment should be brought or sent to the court at the same time. The court will then give or send out Form B, C, D or E as the next step in the process. No payment evidence is required.

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