

Pagna ewlenija>Tehid ta' azzjoni legali>Fejn u kif>**Spejjeż**

Spejjeż

Iċ-Ċekja

F'din il-paġna għandek issib informazzjoni dwar l-ispejjeż tal-proċedimenti tal-qorti fir-Repubblika Ċeka.

Id-dritt tal-familja – Id-divorzju

Id-dritt tal-familja – il-kustodja tat-tfal u l-manteniment

Id-dritt kummerċjali – il-kuntratti

Id-dritt kummerċjali – ir-responsabbiltà

Il-qafas regolatorju li jirregola l-onorari tal-professjonijiet legali

L-avukati

Hemm tip wiehed biss ta' avukat fir-Repubblika Ċeka – l-avukati (advokáti). M'hemmx professjonijiet legali separati analogi għal avukati bħal “barristers” u “solicitors” fir-Renju Unit.

Id-Digriet tal-Ministeru tal-Gustizzja Nru 177/1996 tal-4 ta' Ġunju 1996 jitratta l-onorari u l-kumpens li jithallsu lill-avukati għall-għoti ta' servizzi legali (l-onorari tal-avukati). It-traduzzjoni bl-Ingliż hija disponibbli fuq is-sit web tal-Kamra tal-Avukati Ċeka.

L-onorari tal-avukat jistgħu jiġu miftiehma wkoll b'mod privat bejn il-partijiet involuti.

Ir-rappreżentanza legali mhijiex obligatorja f'haġna mill-kawżi ċivili (inklużi kawżi tal-familja u kawżi kummerċjali).

Spejjeż fissi

Spejjeż fissi fil-proċedimenti ċivili

Spejjeż fissi għall-partijiet fil-proċedimenti ċivili

L-Att Nru 549/1991 dwar it-tariffi tal-qorti (ma hemmx disponibbli traduzzjoni bl-Ingliż) jirregola t-tariffi mħallsa fi proċedimenti ċivili. It-tariffi jvarjaw skont it-tip ta' proċedimenti. F'certi każijiet jithallsu tariffi fissi; f'każijiet oħrajn l-ammont tat-tariffa jiġi ddeterminat fuq bażi ta' percentwal.

Fil-każijiet kollha, l-ispejjeż iridu jithallsu bil-munita Ċeka (CZK) u jistgħu jintbagħtu bi trasferiment bankarju fil-kont tal-Istat (jew tal-qorti). Spejjeż sa CZK 5 000 jistgħu jithallsu permezz tal-bolol speċjali tal-gvern (státní kolek), li jistgħu jinxtraw mill-uffiċċji postali u minn ċerti postijiet oħra.

Il-qorti hija obbligata tinforma lill-persuna li tippreżenta rikors dwar l-ammont speċifiku tat-tariffa tal-qorti.

L-istadju tal-proċedimenti ċivili li fih il-partijiet fil-kawża jkollhom iħallsu l-ispejjeż fissi

Tariffa tal-qorti għandha tithallas meta min għandu jhallas isir obligat li jhallasha (eż., meta jiġi ppreżentat rikors). Jekk min għandu jhallas jonqos milli jhallas tariffa għall-proċedimenti, il-qorti titlob li din tithallas fit-terminu perentorju li hija tippreskrivi għal dak l-iskop. Jekk dan it-terminu perentorju jiskadi u min għandu jhallas ma jkunx hallas it-tariffa, il-qorti twaqqaf il-proċedimenti.

Spejjeż fissi fil-proċedimenti kriminali

Spejjeż fissi għall-partijiet fil-proċedimenti kriminali

Il-proċedimenti kriminali dejjem jinbdeu *ex officio* (abbażi tad-dover uffiċjali tal-prosekutur) u l-imputat iħallas biss l-ispejjeż tar-rappreżentanza legali (jekk ma jingħatax difiża bla hlas jew difiża bi prezz imnaqqas). Madankollu, jekk l-imputat jinstab ħati b'effett finali, huwa jkun meħtieġ jikkumpensa lill-istat għall-ispejjeż tal-proċedimenti kriminali fl-ammont stabbilit mil-liġi.

L-istadju tal-proċedimenti kriminali li fih il-partijiet fil-kawża jkollhom iħallsu l-ispejjeż fissi

Ma jiġux imposti tariffi tal-qorti fil-proċedimenti kriminali.

Spejjeż fissi fi proċedimenti quddiem il-Qorti Kostituzzjonali

Spejjeż fissi għall-partijiet fil-kawża fi proċedimenti quddiem il-Qorti Kostituzzjonali

Ma jiġux stabbiliti tariffi fissi tal-qorti għal ilmenti mressqa quddiem il-Qorti Kostituzzjonali tar-Repubblika Ċeka (Ústavní soud České republiky), iżda l-partijiet fil-kawża jkunu meħtieġa li jiġu rrapreżentati minn avukat.

L-istadju tal-proċedimenti quddiem il-Qorti Kostituzzjonali li fih il-partijiet fil-kawża jkollhom iħallsu l-ispejjeż fissi

Ma hemmx spejjeż fissi tal-qorti.

Informazzjoni li trid tingħata minn qabel mir-rappreżentanti legali

Drittijiet u obbligi tal-partijiet

Ir-rappreżentanti legali tal-partijiet ma humiex meħtieġa jipprovdu xi informazzjoni minn qabel.

Id-drittijiet u l-obbligi tal-partijiet jistgħu jiġu miftiehma bejn l-avukat u l-klijent tiegħu.

Baži legali għall-ispejjeż

Fejn nista' nsib informazzjoni dwar il-baži legali tal-ispejjeż mitluba fir-Repubblika Ċeka?

Huwa rakkomandat li tikkonsulta ma' avukat f'kull każ individwali. Ladarba jibdeu il-proċedimenti, il-qorti tkun meħtieġa tiżvela lill-partijiet l-ammont tal-ispejjeż dovuti lill-qorti.

B'lema lingwa nista' nsib informazzjoni dwar il-baži legali tal-ispejjeż mitluba fir-Repubblika Ċeka?

L-unika lingwa uffiċjali fir-Repubblika Ċeka hija ċ-Ċek. Għaldaqstant, ma hemmx l-ebda obbligu għuridiku li tingħata informazzjoni b'lingwi oħrajn. Il-kwalità tal-informazzjoni għalhekk tiddependi fuq ir-rieda u l-għarfien tal-persuna li tkun qed tagħtiha.

Minn fejn nista' nsib informazzjoni dwar il-medjazzjoni?

L-informazzjoni dwar il-medjazzjoni tinsab fuq is-sit web tal-[Assocjazzjoni tal-Medjaturi tar-Repubblika Ċeka](#) (Asociace mediátorů České republiky - AMČR).

L-informazzjoni dwar il-medjaturi registrati tista' tinstab mis-sit web tal-[Ministeru għall-Gustizzja](#) u/jew direttament billi tfttex il-baži tad-*data* tal-

[Lista ta' medjaturi](#) (Seznam mediátorů).

Fejn nista' nsib informazzjoni addizzjonali dwar l-ispejjeż?

Sit web disponibbli dwar informazzjoni dwar l-ispejjeż

M'hemmx l-ebda sit web uffiċjali li jipprovdi informazzjoni dwar l-ispejjeż.

Minn fejn nista' nsib informazzjoni dwar it-tul ta' żmien medju li jieħdu proċedimenti differenti?

Is-sit web tal-[Ministeru għall-Gustizzja](#) jinkludi statistika dwar l-attivitàjiet tal-qorti u tal-uffiċċji tal-prosekutur.

Fejn nista' nsib informazzjoni dwar l-ispejjeż medji aggregati ta' proċedimenti individwali?

L-ispejjeż li jridu jiġihallu jiddependu fuq iċ-ċirkustanzi ta' kull każ individwali. L-ispejjeż medji aggregati tal-proċedimenti tal-qorti ma humiex disponibbli.

VAT

Kif inhi pprovduta din l-informazzjoni?

L-ispejjeż tal-qorti huma eżenti mill-VAT u l-ammont tagħhom huwa finali. L-onorarji tal-avukat huma ma jinkludux il-VAT. Ċerti ditti ta' avukati jhallu l-VAT u fil-fatt jitolbu l-VAT (bir-rata ta' 21%). Il-VAT u l-mod li bih tingabar din it-taxxa huma rregolati bl-Att Nru 235/2004 dwar it-taxxa fuq il-valur miżjud.

Liema rati japplikaw?

Ir-rata standard hija ta' 21%, ir-rata mnaqqsa hija ta' 15%.

Għajnuna legali

Il-limiti massimi tad-dhul applikabbli fil-qasam tal-proċedimenti ċivili

Ma japplika ebda limitu massimu speċifiku tad-dhul. Il-kriterji biex wieħed jikkwalifika għall-ghoti ta' għajnuna legali mingħajr ħlas mhux biss jinkludu d-dhul tal-persuna, iżda wkoll is-sitwazzjoni finanzjarja tiegħu jew tal-unità domestika tiegħu. Meta l-protezzjoni tal-interessi ta' parti tkun teħtieġ hekk (jiġifieri, speċjalment fi proċedimenti kkomplicati sostantivament jew mil-lat proċedurali) jew meta l-partijiet ikunu meħtieġa jkunu rappreżentati minn avukat fit-tip partikolari ta' proċedimenti u, fl-istess ħin, iċ-ċirkustanzi tal-parti jiġġustifikaw tali proċedura, il-qorti taħtar avukat għall-parti. Il-qorti mbagħad tneħhi l-obbligu tal-parti li tirrimborza lill-avukat, kif ukoll li tħallas it-tariffi tal-qorti.

L-għajnuna legali mingħajr ħlas tiġi pprovduta wkoll mill-Kamra tal-Avukati Ċeka (Česká advokátní komora) u minn organizzazzjonijiet mhux governattivi speċjalizzati (skont is-sugġett tal-proċedimenti).

Limiti massimi tad-dhul applikabbli għal persuni akkużati fi proċedimenti kriminali

Ma japplika ebda limitu massimu speċifiku tad-dhul. Il-qorti taħtar avukat difensur għall-akkużat fil-każijiet kollha fejn ir-rappreżentanza legali tkun obligatorja u l-akkużat ma jkollux avukat.

Jekk il-persuna akkużata tiddokumenta li ma tiffaħx tħallas l-ispejjeż tad-difiża, il-qorti tiddeċiedi li dik il-persuna tkun intitolata għal difiża legali mingħajr ħlas jew difiża b'rata mnaqqsa.

Limiti massimi tad-dhul applikabbli għall-vittmi (il-partijiet aggravati) fi proċedimenti kriminali

Il-partijiet aggravati taħt it-18-il sena huma intitolati li jkunu rappreżentati minn avukat mingħajr ħlas fi proċedimenti kriminali sakemm il-proċedimenti ma jikkonċernawx ir-reat ta' negliġenza tad-dmīr tal-manteniment u tal-appoġġ (zanebání povinné výživy).

Il-partijiet aggravati li jaqgħu f'waħda mill-kategoriji li ġejjin huma wkoll intitolati għal rappreżentanza legali mingħajr ħlas minn avukat: vittmi partikolarment vulnerabbli skont l-Att Nru 45/2013 dwar il-vittmi ta' reati u dwar l-emenda ta' ċerti liġijiet (l-Att dwar il-Vittmi tar-Reati); persuni li jkunu sofrew ġrieħi gravi minħabba reat kriminali intenzjonat;

is-superstiti ta' vittma li mietet minħabba reat kriminali;

persuni li jistgħu juru li ma jifilħux iħallsu l-ispejjeż tar-rappreżentanza legali. Dawn il-persuni huma intitolati li jagħzlu lill-avukat huma stess; jekk ma jagħmlux hekk, il-korp tal-infurzar tal-liġi rilevanti jahtar avukat għalihom.

Meta l-parti aggravata tkun ukoll vittma partikolarment vulnerabbli, hija tircievi wkoll **għajnuna legali limitata skont l-Att dwar il-Vittmi tar-Reati**. Din il-forma ta' għajnuna legali tingħata minn avukati li b'mod volontarju jipprovdut ċertu ammont ta' għajnuna legali mingħajr ħlas lil vittmi bħal dawn u huma reġistrati f' reġistru speċjali miżmum mill-Ministeru għall-Ġustizzja.

Kundizzjonijiet oħra marbuta mal-ghoti ta' għajnuna legali lill-vittmi

Organizzazzjonijiet mhux governattivi mingħajr skop ta' qligħ li jkunu ssodisfaw il-kundizzjonijiet stabbiliti u jkunu kisbu akkreditazzjoni mingħand il-Ministeru għall-Ġustizzja, kif ukoll mis-Servizz tal-Probation u tal-Medjazzjoni (Probační a mediační služba), jistgħu jipprovdut **informazzjoni legali** lill-vittmi ta' reati (speċjalment informazzjoni dwar id-drittijiet tagħhom skont l-Att dwar il-Vittmi tar-Reati u d-drittijiet tal-partijiet aggravati fi proċedimenti kriminali). Madankollu, din l-informazzjoni legali ma tikkostitwix direttament għajnuna legali.

Kundizzjonijiet oħra marbuta mal-ghoti ta' għajnuna legali lill-akkużati

L-istess informazzjoni indikata iktar 'il fuq dwar il-limiti massimi tad-dhul fir-rigward tal-għajnuna legali għall-persuni akkużati fi proċedimenti kriminali tapplika f' dan ir-rigward.

Proċedimenti tal-qorti eżenti mit-tariffi

Ilmenti mressqa quddiem il-**Qorti Kostituzzjonali** ma humiex soġġetti għal xi tariffi tal-qorti. Bl-istess mod, l-ispejjeż tal-qorti ma humiex mitluba f'xi tipi ta' proċedimenti (speċifikati fl-§Artikolu 11 tal-Att Nru 549/1991 dwar it-tariffi tal-qorti), pereżempju f'kawzi fejn l-attur ikun minorenni u f'xi każijiet oħrajn (eż. f' kawzi fejn l-istat jew il-korpi tiegħu jkunu waħda mill-partijiet għall-proċedimenti, fejn il-kawża tikkonċerna talba għall-ażil imressqa minn ċittadin barrani, u f' kawzi fejn parti fil-proċedimenti tkun "persuna f'pożizzjoni iktar dgħajfa").

Meta għandha l-parti telliefa tħallas l-ispejjeż tal-parti rebbieha?

Dan jiddependi, f'kull każ speċifiku, fuq id-diskrezzjoni tal-imħallef (kif deskritt fid-deċiżjoni finali tal-imħallef); il-qorti tista' tordna lill-parti telliefa tħallas l-ispejjeż kollha jew parti minnhom. Dan, madankollu, ma japplikax għall-proċedimenti tad-divorzu. Id-deċiżjoni dwar l-ispejjeż spiss tista' tkopri wkoll l-ispejjeż tar-rappreżentanza legali.

It-tariffi u l-ispejjeż tal-esperti

Il-qorti tħallas tariffa lill-esperti li hija taħtar. Il-partijiet f'tilwima jkunu meħtieġa jħallsu l-ispejjeż tat-tariffi tal-esperti biss f'każijiet meta huma stess jitolbu s-servizzi tal-espert. F'ċerti każijiet speċjali, il-qorti tista' tordna lill-parti telliefa tħallas it-tariffi tal-espert.

It-tariffi tat-tradutturi u l-interpreti

Il-qorti hija meħtieġa tħallas it-tariffi mitluba mit-tradutturi u mill-interpreti; meta parti tkun ċittadin barrani li ma tiffimx iċ-Ċek, tista' tindirizza lill-qorti bil-lingwa nattiv tagħha.

Annessi relatati

[Rapport tar-Repubblika Ċeka dwar l-Istudju dwar it-Trasparenza tal-Ispejjeż](#)  (703 Kb) 

L-aħħar aġġornament: 28/02/2022

Il-verzjoni bil-lingwa nazzjonali hija gestita mill-Istat Membru rispettiv. It-traduzzjonijiet saru mis-servizz tal-Kummissjoni Ewropea. Jista' jkun hemm xi tibdil imdaħħal fl-original mill-awtorità nazzjonali kompetenti li jkun għadu ma jidhix fit-traduzzjonijiet. Il-Kummissjoni Ewropea ma taċċettax responsabbiltà jew kwalunkwe tip ta' tort fir-rigward ta' kull informazzjoni jew dejta li tinsab jew li hemm referenza għaliha f'dan id-dokument. Jekk jogħġbok irreferi għall-avviż legali sabiex tiċċekkja r-regoli dwar id-drittijiet tal-awtur għall-Istati Membri responsabbli minn din il-paġna.

Case study 1 - family law - divorce - Czech Republic

In this case study on family law – divorce, the Member States were asked to advise the party that files for divorce on litigation costs in the following situations:
Case A – National situation: a couple gets married. Later they separate and agree to a divorce.

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

Costs in the Czech Republic

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

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

Indicative costs for a lawyer, licenced enforcement agent and expert

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

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

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

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement			
	When and under what conditions is it applicable?	When is full legal aid given?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of the costs covered?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
	Only NGOs	-	-	-	-	-	No.

Case A				Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances.		Depends on the court's decision, usually none.	
Case B	See the Directive concerning application of legal aid in cross-border disputes	-	-	Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances.	-	Depends on the court's decision, usually none.	No.

Translation and interpreting costs

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

Last update: 20/09/2019

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

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

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

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

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

Indicative costs for a lawyer, licenced enforcement agent and expert

Case study	Legal representation		Licenced enforcement agent			Expert	
	Is representation compulsory?	Average cost	Is use compulsory?	Pre-judgment costs	Post-judgment costs	Is use of an expert compulsory?	Costs
Case A	No	Contractual, CZK 1 000 per task according to the lawyer's tariff	No	-	-	No	CZK 100 to CZK 350 per hour
Case B	No	Contractual, CZK 1 000 per task according to the lawyer's tariff	No (depends on the other country)	-	-	No	CZK 100 to CZK 350 per hour

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

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

Costs for legal aid and the reimbursement of expenses

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

Translation and interpreting costs

Case study	Translation		Interpreting		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate costs?	When and under what conditions is it necessary?	Approximate costs?	Description	Approximate costs?
		CZK 100 to CZK 350 per page	-	-	-	-

Case A	Original documents in a foreign language necessary for the proceedings					
Case B	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	In cases where a party or a witness is a foreign national or does not understand Czech	CZK 100 to CZK 350 per hour	-	-

Last update: 20/09/2019

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Case Study 4 – Commercial law – Contracts – Czech Republic

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

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

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

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

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

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

Indicative costs for a lawyer, licenced enforcement agent and expert

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

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

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

Case B		Differ according to the circumstances of the case	In commercial cases, if preliminary injunction is requested.	CZK 50 000.	-	-
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Costs for legal aid and the reimbursement of expenses

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

Translation and interpreting costs

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

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

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

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

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

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

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

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

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

Case B	5% of the amount (insurance claimed)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (optional)	Contractual
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Indicative costs for a lawyer, licenced enforcement agent and expert

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

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

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

Costs for legal aid and the reimbursement of expenses

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

Translation and interpreting costs

Case study	Translation		Interpreting	
	When and under what conditions is it necessary?	Approximate costs?	When and under what conditions is it necessary?	Approximate costs?

Case A	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	-	-
Case B	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	In cases where a party or a witness is a foreign national or does not understand Czech	CZK 100 to CZK 350 per hour

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