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Case study 4 - commercial law - contract - Hungary

Costs in Hungary

Costs of alternative dispute resolution (ADR)

Case study Alternative dispute resolution (ADR)

	Is such an option available for this type of case?	Costs
Case A	Yes	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.
Case B	Yes	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.

Attorney, bailiff and expert fees

Case study	Attorney	Average costs	Bailiff Is legal representation compulsory?	Expert Must it be made use of?	Costs
Case A	No Yes. The general courts have jurisdiction to rule on claims relating to international agreements on the carriage and forwarding of goods (Section 23(1)(d) of Act III of 1952 on civil procedure), and legal representation is mandatory at all stages of lawsuits under the first instance jurisdiction of general courts, as well as during appeals, unless the case falls under an exclusion clause (Section 73/A(1)(b) of Act III of 1952).	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.
Case B		As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his/her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.

## Witness compensation

Case study	Witness compensation Are witnesses eligible for compensation?	Costs Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.
Case A	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.
Case B	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.

## Costs for legal aid

Case study	Legal aid When and under what conditions is it applicable?
Case A	Economic operators are not entitled to legal aid.
Case B	Economic operators are not entitled to legal aid.

## Costs for translation and interpretation

Case study	Translation When and under what conditions is it required? Approximate cost	Interpretation When and under what conditions is it required? Approximate cost
Case A	<p>If a party does not speak or understand Hungarian.</p> <p>The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.</p>	<p>If a party does not speak or understand Hungarian.</p> <p>The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 – 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.</p>
Case B	<p>If a party does not speak or understand Hungarian.</p> <p>The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.</p>	<p>If a party does not speak or understand Hungarian.</p> <p>The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 – 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.</p>

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