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# Court fees concerning European Payment Order procedure

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## 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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