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Digitalisation Regulation - Member State notifications

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Slovakia



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This page contains information about the notifications done by the Member States pursuant to Regulation (EU) 2023/2844

1. National IT portals for communicating with courts or other authorities

<http://www.slovensko.sk>

The Central Government Portal ('the Portal') serves as a unified central access point to information resources and services provided by the public administration. Currently, information that users seek (such as advice, tips and descriptions) is often hosted on the servers of the individual government departments. The Portal aims to centralise this information and services and present them in a clear, user-friendly way.

A key function of the central Portal is to direct users to a specific electronic public administration services by providing the relevant information.

The Portal includes digital content that supports both the use and delivery of these electronic services. The Portal's content has been designed based on the following principles:

- information and services are organised according to different life circumstances: in today's 'information overload', finding the information you need can often be a challenge. For this reason, the services on the Portal are structured logically by target group (citizens/entrepreneurs/institutions) and the life circumstances that drive the need for specific information and services, all listed in alphabetical order. This approach allows users to easily access the required information sources and electronic services in a structured manner, according to their actual needs, and to filter the Portal's extensive content efficiently. The structuring of the Portal's content is one of the Portal's key benefits, considering the distribution of resources across the sites of the individual linked entities.
- virtual centralisation: from the perspective of service users, the Portal is a centralised solution where all information and logically structured electronic services are accessible in a uniform manner. However, this centralisation does not involve transferring services directly to the Portal; instead, this virtual centralised system provides an integration platform that connects all other services – information resources and systems implementing the individual processes. Even though the underlying structure is distributed, the government Portal appears to users as a centralised system, offering a consistent logic and structure.

eActions (*ežaloby*) - introductory information - Ministry of Justice of the Slovak Republic (justice.sk)

Lodging applications and related documents for court proceedings

The eActions portal is designed for filing applications initiating proceedings (actions) before district and regional courts in civil proceedings (civil, labour, family and commercial matters, except for the commercial register) and in administrative court proceedings, and for filing electronic applications in a formal notice procedure to Banská Bystrica District Court.

The service allows users to electronically file the following documents in court proceedings after logging into the public electronic services of the judiciary:

- a new application initiating proceedings (an action), i.e. a submission initiating proceedings before a court;
- a submission with respect to pending proceedings, e.g. a submission remedying defects or other obvious inaccuracies in the application initiating proceedings, the withdrawal of an application initiating proceedings, or a judicial remedy.

2. National law on videoconferencing in civil and commercial matters

The use of videoconferencing is governed by Section 175 of the Code of Civil Procedure. If the physical presence of a party at a hearing is not required to guarantee a fair trial, the court will allow the party to participate in the hearing through videoconferencing or other means of communication technology, including at the court premises designated for that purpose that are closest to the party.

3. National law on videoconferencing in criminal matters

Videoconferencing is employed in various parts of criminal proceedings. For example, it can be used for examination pursuant to the provisions of the Code of Criminal Procedure (Section 61b et seq.). In justified cases, interpretation may also be provided through videoconferencing (Section 28(8) of the Code of Criminal Procedure).

Videoconferencing can also be used in administrative justice (Section 117(3) of the Code of Administrative Justice) if the physical presence of a party at a hearing is not required to guarantee a fair trial.

Sections 134 and 135 of the Code of Criminal Procedure allow witnesses who are unable to appear at a hearing for serious reasons (e.g. due to illness) or witnesses at risk of secondary victimisation to be heard via a videoconferencing device.

4. Fees for proceedings in civil and commercial matters

1. Collection of fees in proceedings before Slovak courts

Court fees in proceedings before Slovak courts are governed by Act No 71/1992 on court fees and fees for extracts from criminal records ('Act No 71/1992'). Fees are levied for individual acts or proceedings before courts (if they are carried out on application) and for acts by courts. Each act must be listed in the schedule of court fees which forms Annex 1 to Act No 71/1992.

The fee should be paid when the application initiating the relevant proceedings is filed. If a party is unsure of the amount of a court fee and does not pay the fee when filing their action/application for that reason, the court must ask the party for subsequent compliance with the fee payment obligation. In its request, the court will inform the party of the number of the account into which the fee is to be paid, the variable symbol, the amount of the fee and the time limit for payment; as a general rule, the time limit will be 10 days from receipt of the request. If the court fee is not paid even within the additional time limit, the court will discontinue the proceedings.

The fee schedule distinguishes between fees for proceedings and fees for individual acts. The fees are specified in euro. If the fee is based on an amount expressed in a foreign currency, it will be converted into euro at the reference exchange rate for euro determined and published by the European Central Bank or the National Bank of Slovakia, applicable on the first day of the month in which the fee is due or in which the amount of the fee is decided by the court.

2. Amount of court fees

The rates are listed in the fee schedule either as a percentage of a fee base or a fixed sum. When the fee is calculated as a percentage, the fee base is the price of the subject of the act liable to a fee. If the base cannot be ascertained in this way, the base will be the price customary in the place and at the time of the application for the relevant act. Where the base is the price of immovable property, the base will be the price determined in

accordance with special legislation.

For an action or an application initiating proceedings where no specific rate is defined, the court fee will be determined on the basis of the price of (payment for) the subject-matter of the dispute or on the basis of the value of the subject-matter of the dispute, i.e. 6%, with a minimum of EUR 25, a maximum of EUR 25 000, and a maximum of EUR 50 000 in commercial matters. In cases where the subject-matter of the dispute cannot be valued in money, the court fee is EUR 140.

Where acts and proceedings are carried out on the basis of a submission filed electronically to a court's electronic mailbox, electronically via a single point of contact or by a postal undertaking carrying out the activity of a certifying person, and where Act No 71/1992 does not provide otherwise for each item in the fee schedule, the fee will be 50% of the rate provided for in the fee schedule; however, this reduction must not exceed EUR 50. If a submission includes annexes required by special legislation, the reduction will apply only if those annexes are in electronic form.

Act No 71/1992 introduces a special category of fees that apply to electronic payment orders (this is what is known as a formal notice procedure conducted pursuant to special legislation: Act No 307/2016), where the amount of the court fee payable upon filing the relevant application for a payment order in the formal notice procedure is 50% of the percentage rate set out in the fee schedule.

In disputes for compensation for non-material damage in cash, the fee is 3% of the amount claimed for non-material damage, up to a maximum of EUR 25 000.

Act No 71/1992 also lays down a number of other rules for cases where the subject-matter of the dispute is not a monetary payment; flat fees apply in such cases.

Special court fees have also been established for the following cases:

- the court fee for filing a petition for divorce is EUR 100;
- the court fee for an application for debt collection (enforcement) procedure is EUR 25;
- in international trade, the court fee for a court's act or for the first application for an urgent measure in the proceedings is determined on the basis of the value of the subject-matter of the proceedings (2%, with a minimum of EUR 25 and a maximum of EUR 2 500); if the subject-matter of the proceedings cannot be valued in money, the court fee is EUR 50;
- the court fee for lodging an action for the dissolution and settlement of divided co-ownership of spouses is EUR 250;
- the court fee for the settlement of matrimonial property is based on the subject-matter of the proceedings – if the proceedings end in a judgment, it is 3%; if the proceedings end in a court settlement, it is 1% but not less than EUR 100 and no more than EUR 25 000;
- the court fee for an action for the settlement of matrimonial property is EUR 100;
- the court fee for an application for maintenance between spouses, a maintenance allowance for a divorced spouse, a maintenance obligation between other relatives and an application to increase them is 2% of the price of the subject-matter of the dispute, but not less than EUR 25;
- the amount of the court fee for an application for recognition or a declaration of enforceability of foreign decisions or an application for the conversion of a foreign right in rem, measure or order is EUR 100;
- For an application to order an urgent measure pursuant to special legislation to be enforced:
 - in Slovakia, even if only partially, the court fee is EUR 70;
 - in another Member State of the European Union, the court fee is EUR 50.

As regards appeal proceedings (ordinary appeal proceedings), the fee is based on the price of the claim raised in the appeal and its amount is determined in the same way as for the action in the first instance.

The fee for appellate review is levied at the rate of twice the fee set out in the fee schedule.

(b) Fees for acts

In these cases, the fees for a court's act are fixed at a flat rate. For example, for

- issuing, amending and revoking certificates pursuant to special legislation (special legislation means, for example, Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004

creating a European Enforcement Order for uncontested claims (OJ L 143, 30.4.2004), as amended; Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ L 399, 30.12.2006) as amended; Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure (OJ L 199, 31.7.2007) as amended; Section 1, Chapter IV of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7, 10.1.2009); Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) (OJ L 351, 20.12.2012) as amended; Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters (OJ L 181, 29.6.2013) relating to a public instrument, with the exception of a public instrument in matters concerning maintenance obligations), the amount of the court fee is EUR 5;

- the court fee for drawing up an official certificate of facts known from court files is EUR 3 (the drawing up and issuing of an official electronic certificate of the fact as to whether enforcement procedure is being carried out against the applicant is not subject to a fee);
- the fee for drawing up an additional counterpart of a judgment given by the court or for drawing up a copy or extract from records, registers and files kept by the court, is EUR 14 for each counterpart, copy or extract.

5. Electronic payment methods

Currently, in Slovakia, court fees can be paid electronically through either bank transfer or a payment system service designed for administrative and court fees. When paying by bank transfer, the fee must be paid into the account of the competent court. The bank details can be found on the websites of the individual courts, which can be accessed from the Internet portal at <https://www.justice.gov.sk/>. When using the payment system service for administrative and court fees, payments can be made via the e-Stamp (*e-kolky*) payment portal available at <http://www.e-kolky.sk>.

6. Notification on the early use of the decentralised IT-system

The Slovak Republic does not envisage the early use of a decentralised IT system before the application date laid down in the Regulation.

7. Notification on the early use of videoconferencing in civil and commercial matters

The Slovak Republic does not envisage the early use of videoconferencing before the application date laid down in the Regulation.

8. Notification on the early use of videoconferencing in criminal matters

The Slovak Republic does not envisage the early use of videoconferencing before the application date laid down in the Regulation.

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