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Court fees concerning Small Claims procedure

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Slovenia



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Introduction

Court fees applicable in the European Small Claims Procedure are listed in the Slovenian Court Fees Act (*Zakon o sodnih taksah – ZST*) (*Uradni list RS* (Official Gazette of the Republic of Slovenia) Nos 37/08, 97/10, 63/13, [58/14](#) – Constitutional Court decision, [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 Small Claims Procedure. In practice, court fees may be paid electronically through the web payment services of individual banks. The cases where court fees have to be paid in small claims procedures, and the consequences for failure to pay them, are set out in the Civil Procedure Act (*Zakon o pravdnem postopku – ZPP*).

What fees are applicable?

Under the European Small Claims Procedure, court fees must be paid for lodging actions, counterclaims, applications for revision, applications containing notice of appeal, and appeals (first paragraph of Article 105a ZPP). The person liable for payment of these court fees is the party lodging the application (Article 105a ZPP, Article 6(1) ZST-1).

In accordance with the case-law of the Supreme Court (*Vrhovno sodišče*) of Slovenia, reviews of small claims are not permitted and cannot be allowed by the Supreme Court, either. If a party nonetheless applies for such a legal remedy, they will have to pay the court fee for that remedy.

How much do I have to pay?

The amount of the court fee under the European Small Claims Procedure that the claimant must pay upon filing an application concerning the institution of proceedings with the court depends on the value of the claim:

- if the value of the claim is below EUR 300, the fee is EUR 54,
- if the value of the claim is between EUR 301 and EUR 600, the fee is EUR 78,
- if the value of the claim is between EUR 601 and EUR 900, the fee is EUR 102,
- if the value of the claim is between EUR 901 and EUR 1 200, the fee is EUR 126,
- if the value of the claim is between EUR 1 201 and EUR 1 500, the fee is EUR 150,
- if the value of the claim is between EUR 1 501 and EUR 2 000, the fee is EUR 165,
- if the value of the claim is between EUR 2 001 and EUR 2 500, the fee is EUR 180,
- if the value of the claim is between EUR 2 501 and EUR 3 000, the fee is EUR 195,
- if the value of the claim is between EUR 3 001 and EUR 3 500, the fee is EUR 210,
- if the value of the claim is between EUR 3 501 and EUR 4 000, the fee is EUR 225,
- if the value of the claim is between EUR 4 001 and EUR 4 500, the fee is EUR 240,
- if the value of the claim is between EUR 4 501 and EUR 5 000, the fee is EUR 255.

The ZST-1 also sets the amount of the court fee for higher-value claims, up to EUR 500 000 or more under the current version of the annex to the act, and it is necessary to take account of the Tariff of fees, which gives a quotient for calculating the fee for the various types of procedure.

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

Court fees must be paid by no later than a deadline determined by the court in the order for payment of the court fees. In the order, the court informs the party of the consequences of failure to pay the court fee under the third paragraph of Article 105a (second paragraph of Article 105a ZPP).

If the court fee is not paid on time and the conditions for exemption, deferral or payment in instalments of the court fee are not met, the application (e.g. action) will be deemed to have been withdrawn (third paragraph of Article 105a ZPP).

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 Small Claims Procedure.

In practice, court fees may be paid electronically through the web payment services of individual banks, or they can be paid directly through a 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 order with the applicable amount and all other data necessary to make the payment.

What do I have to do after the payment?

If the court fee is paid by indicating the appropriate reference number (communicated to the liable person by the court on the payment order), 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 for recognising individual payments.

However, if the court fee is paid without indicating the appropriate reference number, the person liable must submit proof of payment to the court. There are no special formal conditions concerning the validity of such proof. Based on such proof, 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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