

Case study 4 - commercial law - contract - Malta

## Costs in Malta

### Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court	Appeals			ADR			Costs	
		Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees		Is this option open for this type of case?
Case A	€ 680.16			N/A	€ 195.65			N/A	N/A
Case B	€ 680.16			N/A	€ 195.65			N/A	N/A

### Costs for lawyer, bailiff and expert

Case Study	Lawyer Is representation compulsory?	Average costs	Bailiff Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Expert Is use compulsory?	Cost
Case A	YES	€227.18	Not compulsory	N/A	N/A	NO	N.A
Case B	YES	€227.18	Not compulsory	N/A	N/A	No	N/A

### Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation Are witnesses compensated?	Pledge or security		Other fees	
		Cost	Does this exist and when and how is it used?	Cost	Description
Case A	NO	N/A	Precautionary warrant against the debt indicated	€ 46.59	N/A

## Costs for legal aid and other reimbursement

Case study	Legal Aid			Reimbursement			Are there instances when legal aid should be reimbursed to the legal aid organisation?
	When and under what conditions is it applicable?	When is support total?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total, what is percent-age in general?	What costs are never reimbursed?	
Case A	NO	N/A	N/A	YES	Depends on the outcome of the judgement	Private consultation with the lawyers (extra-judiciary costs)	N/A
Case B	NO	N/A	N/A	YES	Depends on the outcome of the judgement	Private consultation with the lawyers (extra-judiciary costs)	N/A

## Costs for translation and interpretation

Case study	Translation		Interpretation		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	When and under which conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	When only one of the parties is English speaking	€ 34.94	Applies only when a witness is neither Maltese nor English speaking	Between €11.65 and €58.23 / hour	Costs incurred notifying the party residing abroad	Depends on the fees charged by other member states.
Case B	When only one of the parties is English speaking	€ 34.94	Applies only when a witness is neither Maltese nor English speaking	Between €11.65 and €58.23 / hour	Costs incurred notifying the party residing abroad	Depends on the fees charged by other member states.

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