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Case study 5 - commercial law - responsibility - Malta

Costs in Malta

Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court	Transcription fees	Other fees	Appeals		
				Initial court fees	Transcription fees	Other fees
Case A	Initial court fees Minimum of €712.77 (depends also on the value claimed)		N/A	€ 195.65		N/A
Case B	Initial court fees Minimum of €712.77 (depends also on the value claimed)		N/A	€ 195.65		N/A

Costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	YES	Depends on value claimed	Not compulsory	N/A	N/A	Not compulsory, but in this case highly probable	De-pends on value claimed
Case B	YES	Depends on value claimed	Not compulsory	N/A	N/A	Not compulsory, but in this case highly probable	De-pends on value claimed

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

Case Study	Witness compensation	Pledge or security	Other fees		
	Are witnesses compensated?	Cost Does this exist and when and how is it used?	Cost	Description	Cost
Case A	NO	N/A Not applicable because the value to be claimed is not quantified	N/A	N/A	N/A

Case B NO	Not applicable because the value to be claimed is not N/A quantified	N/A	N/A	N/A
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Costs for legal aid and other reimbursement

Case study	Legal Aid	When is support total?	Conditions?
	When and under what conditions is it applicable?		
Case A	Legal aid applies if the person lives on social benefits or minimum wage, and if he/she does not possess more than one property.	N/A	N/A
Case B	Legal aid applies if the person lives on social benefits or minimum wage, and if he/she does not possess more than one property.	N/A	N/A

Case study	Reimbursement	Are there instances when legal aid should be reimbursed to the legal aid organisation?
	Can the winning party obtain reimbursement of litigation costs? If reimbursement is not total what is percent-age in general?	
Case A	YES Depends on the outcome of the judge-ment	Private consultation with the lawyers (extra-judiciary costs) N/A
Case B	YES Depends on the outcome of the judge-ment	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?	When and under which conditions is it necessary?	
	Approximate cost?	Approximate cost?	Description
Case A	When only one of the parties is English speaking € 34.94	Applies only when a witness is neither Maltese nor English speaking	Costs incurred notifying the party residing abroad
Case B	When only one of the parties is English speaking € 34.94	Applies only when a witness is neither Maltese nor English speaking	Costs incurred notifying the party residing abroad
			Approximate cost?
			Depends on the fees charged by other member states.
			Depends on the fees charged by other member states.

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