

Court fees concerning Small Claims procedure - Croatia



Tento text byl přeložen strojově. Za kvalitu překladu neručíme.

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Introduction

The court fees are laid down in the Court Fees Act No 118/18 in the Republic of Croatia and in the court fee regulation laid down by the Croatian Government.

Article 5 The Act on the court fees of the fees under the Tariff shall pay non-cash, cash, in the country's stamps, from the Republic of Croatia or by electronic means.

In order to be submitted electronically in accordance with special regulations through an information system in the operation of the court, the fee shall be payable at the time of submission, at the time of submission, at the rate of half of the prescribed fee set by the Tariff.

Any decisions delivered by the court in electronic form in accordance with special regulations through an information system in the operation of the court are to be paid at the level of half of the prescribed amount of the tariff established by the Tariff if it has been paid within three days from the date of the electronic notification of the decision.

What are the applicable duties?

The court fees are paid in all civil and commercial court proceedings, and payments are based on Article 11. The Court's duties free of charge:

1. The Republic of Croatia and the authorities of the State
2. persons and bodies exercising public authority in procedures arising from the exercise of such powers
3. workers in disputes and other proceedings relating to the exercise of their rights under employment
4. officials and employees in administrative disputes concerning the exercise of their rights under civil law
5. the disabled national war, on the basis of appropriate documents proving their status and persons with disabilities, on the basis of a valid document issued by the Office for the evaluation of experts, the rehabilitation and employment of persons with disabilities;
6. spouses, children and parents of those killed, missing and imprisoned in the Croatian War of War, on the basis of appropriate documents proving their status
7. spouses, children and parents of those killed, missing and imprisoned in the Croatian War of War, on the basis of appropriate documents proving their status
8. displaced persons, refugees and returnees, on the basis of appropriate documents proving their status
9. beneficiaries of the social welfare receiving the guaranteed minimum benefit

10. humanitarian organisations and organisations dealing with the protection of family lives, missing and imprisoned in humanitarian and disability organisations
11. children, as parties to, or in relation to, matrimonial proceedings in relation to claims under that law
12. parties initiating proceedings for the determination of maternity or paternity and for costs arising from the pregnancy and childbirth of an extramarital child;
13. parties seeking the restoration of their capacity
14. minors in authorisation procedures for marriage
15. parties to proceedings relating to the return of the child and for the exercise of personal relations with the child
16. parties taking action on rights from compulsory pension and compulsory health insurance, on the rights of unemployed persons under employment and welfare rules
17. parties initiating actions for protection through a constitutionally guaranteed human rights and freedom against definitive individual acts
18. parties initiating proceedings on environmental pollution compensation
19. trade unions and trade union associations at higher levels in litigation procedures for judicial replacement and collective labour disputes and union representatives in civil proceedings in the exercise of works council powers
20. consumers as bankruptcy debtors
21. other persons and bodies where a special law so provides.

The State Party shall be exempt from the payment of fees, if provided for in an international treaty or under reciprocity.

If there is doubt about the condition of reciprocity, the court will seek clarification from the Ministry of Justice.

The exemption provided for in point 10 shall apply to those humanitarian organisations for whom that decision designates the minister responsible for social welfare.

Exemption from the payment of court fees does not apply to the bodies of municipalities and cities, except where, under special law, they have not been transposed by the exercise of official authority.

In the context of the European dispute, small claims are subject to the following fees:

- for the action — remuneration by the applicant
- for the defence — salary of the defendant
- for the judgment — salary of the applicant
- appeal — salary
- reply to the complaint — salary of the complainant (optional reply)

How much do I pay?

I. For a claim, counterclaim, judgment and objection against the order for payment, a court fee according to the value of the subject matter of the dispute (account counts only of the value of the main claim, net of interest and costs), namely:

beyond	to the HRK	HRK
0,00	3.000,00	100,00
3.001,00	6.000,00	200,00
6.001,00	9.000,00	300,00
9.001,00	12.000,00	400,00
12.001,00	15.000,00	500,00

Over HRK 15.000,00 a fee of HRK 500,00 is to be paid, plus 1 % of the amount over HRK 15.000,00, up to a maximum of HRK 5.000,00.

II Half of the court fee referred to in point I shall be paid in respect of the defence and the response to the complaint.

III For an appeal against the judgment, it is twice the amount of the court fee referred to in point I.

IV If the court settlement is concluded during the court proceedings, no court fee is payable.

What will happen if court fees are not paid on time?

If a party fails to pay the fee within the time limit laid down by the deadline or by failing to inform the court thereof, the court shall affix the enforcement clause to the notice of opposition within a further 15 days, and shall affix the enforcement clause to the Financial Agency for enforcement purposes, in order to enforce enforcement with the funds of the Party in accordance with the provisions of the law governing enforcement with respect to funds.

Article 28 The court fees law shall first warn the party present in the court proceedings in respect of which duty is payable, and the fee is not paid immediately by the court, and pay the fee within 3 days. If a party fails to act on the warning or has not been present in the case for which the fee is due and the fee has not been paid by the court, the court shall issue a decision on the duty payable by an additional levy of HRK 100.

How can I pay the court fees?

The court fees shall be paid without distinction, in cash, in the country's stamps in the Republic of Croatia or by electronic means.

A fixed cash fee may also be paid in the accounts of a court, which must pay within five days from the day the payment is made to the budgetary revenue from court fees.

In national stamps, fees may be paid if the amount of duties is less than HRK 100.

The data on the method of payment of the court fee are highlighted on the web page of the e-Voters, courts' websites and court registry.

Court fees are paid through any bank or mail on behalf of the State Budget of the Republic of Croatia.

To pay judicial fees due from the rest of the world, it shall be completed:

FOR SWIFT: NBHREN2X

IBAN CODE: HR1210010051863000160

Giro account (CC): 1001005-1863000160

Model: HR64

Invitation to No: 5045-20735-OIB (second payer identification number)

Beneficiary: ministry of Finance of the Republic of Croatia, for the Zagreb Commercial Court

Description of the payment shall specify the duty in the case ____ (number of court files, e.g. description of payments, e.g. court fee on a proposal for a European order for payment)

What happens after the payment?

Once the court fee has been paid, proof of payment must be provided to the court dealing with the court case where the court fee is paid, with reference to the number of cases pending (if the case number is already known), or if only the application for an EOP has been lodged, the application must be accompanied by a proof of payment.

Parties shall transmit the documents to the courts by post (by registered or simple consignment) or in electronic form, in accordance with special regulations through an information system in the operation of the court.

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