



Croatia

## Court fees concerning European Payment Order procedure - Croatia

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### Introduction

Court fees in the Republic of Croatia are governed by the Court Fees Act (*Zakon o sudskim pristojbama*) (Narodne novine (NN; Official Gazette of the Republic of Croatia, No 118/18)) and the Decree on the Court Fee Tariff prescribed by the Government of the Republic of Croatia.

*Pursuant to Article 5 of the Court Fees Act*, the fees prescribed under the tariff of court fees are to be paid by cashless payment, in cash, in revenue stamps issued by the Republic of Croatia or electronically .

For petitions which are submitted electronically, pursuant to special regulations via the information system which is used in court business, a fee is to be paid at the moment of their submission. The amount to be paid is equal to half of the prescribed amount of the fee established by the tariff.

Regarding decisions which are served by a court electronically, pursuant to the special regulations via the information system which is used in court business, one half of the prescribed amount of the fee established by the tariff is to be paid if it is paid within three days from the day of electronic service.

### Which fees apply?

Court fees are paid in all civil and commercial court proceedings. Pursuant to Article 11 of the Court Fees Act, the following are exempt:

1. the Republic of Croatia and government bodies
2. persons and bodies exercising public authority in procedures arising from the exercise of these powers
3. workers in disputes and other procedures related to the exercise of their rights arising from employment
4. civil servants and employees in administrative disputes related to the exercise of their rights stemming from employment
5. disabled war veterans of the Croatian War of Independence, based on appropriate documents proving their status, as well as disabled persons, based on appropriate documents of the Department of Expertise, Vocational Rehabilitation and Employment of Persons with Disabilities
6. spouses, children and parents of soldiers who were killed, missing and detained in the Croatian War of Independence, based on appropriate documents proving their status
7. spouses, children and parents of persons who were killed, missing and detained in the Croatian War of Independence, based on appropriate documents proving their status
8. refugees, displaced persons and returnees, based on appropriate documents proving their status
9. welfare recipients who receive subsistence allowance
10. humanitarian organisations, organisations dealing with the protection of families of those killed, missing and detained in carrying out humanitarian activities and organisations of disabled people

11. children as parties in proceedings for maintenance or in proceedings concerning claims based on that right
12. parties initiating proceedings for the determination of maternity or paternity and proceedings for the costs incurred by pregnancy and the birth of a child outside of marriage
13. parties seeking restoration of legal capacity
14. minors seeking authorisation to enter marriage
15. parties to the proceedings in order to hand over a child and for the purpose of exercising a personal relationship with a child
16. parties initiating procedures over rights arising from compulsory pension and general medical insurance, over rights of the unemployed pursuant to employment regulations and social welfare rights
17. parties initiating procedures for the protection of constitutionally guaranteed human rights and freedoms against final individual acts
18. parties in environmental pollution compensation disputes
19. trade unions and higher level trade union associations in civil proceedings for judicial approval of replacement and in collective labour disputes and union representatives in civil proceedings in the exercise of the powers of the works council
20. consumers as bankruptcy debtors
21. other persons and bodies as required by a special law.

A foreign state is exempt from the payment of fees, if so provided by international treaty or subject to reciprocity.

In case of doubt about the conditions of reciprocity, the court will request an explanation from the Ministry of Justice.

The exemption from point 10 applies to those humanitarian organisations for which the minister responsible for social welfare affairs issues an appropriate decision.

Exemption from the payment of court fees does not apply to the bodies of municipalities and cities unless, in accordance with a special law, the exercise of public authority has been delegated to them.

In European order for payment procedures, the following fees are payable:

- for the European order for payment proposal – the plaintiff pays
- for a European order for payment decision – the plaintiff pays
- for a complaint against the European order for payment – the defendant pays

if the procedure goes to litigation

- for a judgement – the plaintiff pays
- for an appeal – the appellant pays
- for a response to an appeal – the person filing the response pays (responding is optional)
- extraordinary remedy – revision is allowed against the decision of the court of second instance if the dispute amount exceeds HRK 200,000.00
- court fees are paid by the revision applicant and the person responding to the revision (responding is optional).

### How much will I pay?

I. For a claim, counter-claim, judgement and an objection to an order for payment, a court fee commensurate to the dispute amount is to be paid (calculated only for the amount of the main application without interest and costs), as follows:

above	up to 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

A fee of HRK 500.00 is payable on amounts above HRK 15,000.00 plus 1% on the difference above HRK 15,000.00, but not more than HRK 5,000.00.

II. Half of the fee referred to under point I. is payable for a European order for payment proposal, a European order for payment decision, a response to an appeal or revision.

III. Double the amount of court fees referred to in point I is payable on appeal of a judgement or revision.

IV. A court fee is not payable where a court settlement is reached during the court proceedings.

### **What happens if I fail to pay the court fees on time?**

Court fees will be collected by enforcement, and where not paid immediately then an additional charge of HRK 100.00 will be levied.

*Pursuant to Article 39 of the Court Fees Act, the court is to first warn the party of the obligation to pay the fee within three days, and where a party fails to comply with the warning, the court will adopt a decision in respect of the fee on which the additional charge of HRK 100 is payable.*

### **How can I pay for court fees?**

Court fees are to be paid by cashless payment, in cash, in revenue stamps issued by the Republic of Croatia or electronically.

The cash fee can also be paid in the court's accounting, in which case the court is obliged to pay that money into the budget revenue from court fees within five days of the date of collection.

Fees can be paid in revenue stamps if the fee is less than HRK 100.

Information on the fee payment method is to be made available on the e-Bulletin Board website, court websites and in court offices.

Court fees can be paid through any bank or post office into the State Budget of the Republic of Croatia.

In order to pay court fees from abroad the following information must be included:

SWIFT: NBHRHR2X

IBAN:HR1210010051863000160

Giro account (CC):1001005-1863000160

Model:HR64

Reference number: 5045-20735-PIN (or other personal identification number for the payer)

Beneficiary: Ministry of Finance of the Republic of Croatia, on behalf of the Commercial Court in Zagreb

The payment description should include the fee for case \_\_\_\_\_ (number of the case file, and a description of the payment, e.g. court fee for a proposal to issue the European order for payment)

### **What do I do once I have made payment?**

Once payment has been made, proof of payment must be sent to the court trying the case for which the fee is being paid, including a reference to the number of the case being heard (if the case number is known) or where an application for the issuance of an European order for payment has just been filed then proof of the bank payment must accompany the application.

The parties are to submit documents to the court regularly by mail (registered or ordinary parcel delivery) or electronically, in a form pursuant to special regulations via the information system which is used in court business.

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