Court fees concerning European Payment Order procedure

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Introduction

Court fees applicable in the European order for payment procedure are provided in the Slovenian Court Fees Act (*Zakon o sodnih taksah*) (*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 order for payment procedure. In practice, court fees may be paid electronically through the web payment services of individual banks.

What fees are applicable?

Under the European order for payment procedure, a one-time court fee applies to the entire proceedings. The person liable for payment of the court fee is the claimant, and the payment must be made at the time of filing the application concerning the European order for payment with the court.

How much shall I pay?

The amount of the court fee under the European order for payment procedure that the claimant must pay upon filing an application with the court depends on the value of the claim.

The quotient is 1.2 (tariff heading 1301 of the fee tariff under the ZST-1), and the fee is calculated in accordance with the table provided in Article 16 of the ZST-1. Since there are many value classes, they cannot all be listed here in detail.

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

If the claimant fails to pay the court fee on time, the court conducts the proceedings nevertheless, and the court fee is then enforced where necessary.

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 order for payment procedure.

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

What shall I do after the payment?

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

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