

Law of Ukraine
"On Court Fee"

Date of entry into force:
November 1, 2011

According to Article 1, court fee is a fee collected on the entire territory of Ukraine for filing notifications of claim and complaints to courts, and for the issuing of documents by courts; it is included in court expenses.

The payers of court fee are: citizens of Ukraine, foreigners, stateless persons, enterprises, institutions, organizations, other legal entities (including foreign ones), and natural persons - entrepreneurs that address courts.

Article 3 of the Law envisages that court fee is charged for:
submitting to court a notification of claim or other notifications provided for by procedural legislation;
submitting to court an appeal and cassation appeal of court decisions, petition to review the court decision due to discovery of new facts, petition to issue an executive document for compulsory execution of an arbitration court decision, and petition to review court decisions in the Supreme Court of Ukraine;
issuing of documents by courts.

Court fee is not charged for submitting the following documents:
petition to review a court decision in the Supreme Court of Ukraine in case of violation of international obligations by Ukraine during a court resolution of a case was established by an international judicial body whose jurisdiction is recognized by Ukraine;
petitions to cancel a court order;
petition to change or establish the means, procedure and timeframe for executing a court decision;
petition to reverse execution of a court decision;
petition to issue an additional court decision;
petition to dissolve marriage with a person which has been declared missing or legally incapable, according to the procedure established by law, or with a person sentenced to incarceration for a term of at least three years;
petition to establish the fact of injury, if it is necessary to assign payment of disability pension or receive benefits under compulsory state social insurance;
petition to establish the fact of death of a person gone missing under circumstances that constituted a death threat or give reasons to believe them dead through a specific accident caused by man-made emergencies or natural disasters;
petition to limit the civil capacity of a natural person, declare a natural person legally incapable or restore the civil capacity of a natural person;
petition to grant full civil capacity to a minor;
petition to render compulsory psychiatric aid to a person;
petition for compulsory admission to a tuberculosis treatment facility;
notification of claim to compensate for damages caused to a person by illegitimate decisions, actions or inaction of a body of state power, power body of the Autonomous Republic of Crimea or a body of local self-government, their civil servant or official, or illegitimate decisions, actions or inaction of bodies of inquiry, bodies of pre-trial investigation, prosecution bodies or court bodies;
petition to protect the rights of infants or minors in case their interests are represented in court by the Ministry of Justice of Ukraine and/or child protection services or the service in the issues of children, according to a law or international agreement acknowledged as obligatory by the Verkhovna Rada of Ukraine.

Court fee rates are envisaged in Article 4 of the Law.

Article 5 of the Law establishes concessions on court fee payment.

According to Article 6 of the Law, court fee is paid in cash or by wire transfer, exclusively through bank institutions or post offices. Court fee for submitting a notification of claim that is both property-related and non-property-related is paid at the rates established for property-related and non-property-related notification of claims. Court fee for submitting notifications of counter-claim and notifications of intervention with independent stated claims is charged according to the standard procedure. If a notification of claim is submitted simultaneously by several plaintiffs against one or several defendants, court fee is calculated using the total amount of claim and paid by each plaintiff proportionate to their share of the amount of claim, under a separate payment order. The total amount of claim is also used to calculate court fee in the following cases:

- a claim is submitted by one plaintiff against several defendants;
- several notifications of claims of the same kind are joined into one proceeding by the judge.

The paid amount of court fee is refunded by approval of court in the following cases:

- decrease in the amount of claims or payment of court fee in the amount that exceeds the amount established by law;
- return of the notification or complaints;
- refusal to initiate judicial proceedings on the case;
- failure to review the notification or complaint (except for cases where such notifications or complaints were left without review due to the repeated non-attendance of the plaintiff or by petition of the plaintiff);
- completion of judicial proceedings on the case.

Court fee is paid at the territory of proceedings and transferred to the special fund of the State Budget of Ukraine. The amounts of court fees are directed to ensure the execution of justice, improve the state of material and technical resources of courts, including creation and ensuring of functioning of the Unified Court Information System, the judicial power web-portal, local computer networks, modern court proceedings recording systems, purchase and maintenance of computer and copy equipment, implementation of digital signatures, and other needs (Article 9 of the Law).

The Law also introduces appropriate amendments to the Commercial and Procedural Code of Ukraine, the Civil Procedural Code of Ukraine, the Code of Administrative Proceedings of Ukraine, the Laws of Ukraine "On Consumer Rights Protection", "On Access to Judicial Decisions", "On Execution Procedure", and the Decree of the Cabinet of Ministers of Ukraine "On State Duty".