

August 2019

## POLAND: INCREASE TO COURT FEES

On November 7, 2019, the Statute substantially amending the Civil Procedure Code and other Statutes will come into effect. However, some of the changes including the amendments to the Statute on court fees and costs in civil matters (the “**Statute on Court Fees**”) will come into effect much sooner on August 21, 2019.

The amendments to the Statute on Court Fees raise the existing rates of court fees and introduce completely new fees for various filings that previously had been free of charge. For example, submitting a motion to provide a party with a written rationale for a court decision or a motion to summon a witness, court experts or a party after the court has approved the schedule of hearings will cost a fee (both motions will be subject to a fee of PLN 100, approx. EUR 25).

### NEW FEES ON STATEMENT OF CLAIM

The biggest increases in civil court fees will be applied to money claims. Currently, the court fees for money claims have been calculated at 5 per cent of the value of the claim, but not lower than PLN 30 (approx. EUR 8) and not higher than PLN 100,000 (approx. EUR 25,000). According to the new amendments, the court fee will continue to be calculated based on the percentage of the value of the claim, but the maximum court fee is doubled to PLN 200,000 (approx. EUR 50,000).

### CONCILIATION HEARINGS WILL BE MORE EXPENSIVE

Another significant change in court fees is the increase of the fee for a motion for a pre-litigation court settlement (known as a conciliation hearing). Such motion was commonly filed by a party in order to interrupt the duration of the limitation period. The new court fee for filing this motion will be established at the level equal to one fifth of the fee due for a statement of claim, however, not more than PLN 40,000 (approx. EUR 9,200). Previously this fee amounted to only PLN 300.00 (approx. EUR 70). It seems that the main reason for such a significant increase in court fees is to prevent misusing the filing for the purpose of interrupting the statute of limitation.

## HIGHER FEES ON INTERIM INJUNCTIONS

The fees on motions for an interim injunction will also be changed. Such motions will be subjected to a fee equal to one fourth of the fee that a plaintiff will be required to pay when filing a lawsuit. This means that after the amendments, if the court fee for a lawsuit amounts to PLN 200,000 (that is, when the value of claim exceeds PLN 4,000,000), then the interim injunction fee will amount to PLN 50,000 (approx. EUR 12,000), instead of previous fixed fee of PLN 100 (approx. EUR 25).

The main goal of the amendments to the Statute on the Court Fees is to update court proceeding costs, which could be simply understood as an uprating. Moreover, increased costs might discourage people from choosing to undertake court proceedings and encourage parties to settle disputes amicably.

## About WOLF THEISS

Wolf Theiss is one of the leading law firms in Central, Eastern and Southeastern Europe (CEE/SEE). We have built our reputation on a combination of unrivalled local knowledge and strong international capability. Our team brings together over 340 lawyers from a diverse range of backgrounds, working in offices in 13 countries throughout the CEE/SEE region.

For more information about our services, please contact:



**Joanna Gasowski**  
Counsel  
[joanna.gasowski@wolftheiss.com](mailto:joanna.gasowski@wolftheiss.com)  
T: +48 22 3788 900



**Damian Majda**  
Associate  
[damian.majda@wolftheiss.com](mailto:damian.majda@wolftheiss.com)  
T: +48 22 3788 900

This memorandum has been prepared solely for the purpose of general information and is not a substitute for legal advice.

Therefore, WOLF THEISS accepts no responsibility if – in reliance on the information contained in this memorandum – you act, or fail to act, in any particular way.

If you would like to know more about the topics covered in this memorandum or our services in general, please get in touch with your usual WOLF THEISS contact or with:

Wolf Theiss P. Daszkowski sp. k.  
ul. Mokotowska 49  
00-542 Warsaw

[www.wolftheiss.com](http://www.wolftheiss.com)