

State duties in courts increased

FAO legal entities, as well as officers of financial, tax and legal departments

Pepeliaev Group advises that court fees are being increased and that the list of actions subject to state duty in courts is being expanded.

On 23 July 2024, the State Duma adopted Federal Law "On amendments to parts one and two of the Tax Code of the Russian Federation and individual items of Russian legislation on taxes and levies" (the "Law") that will come into force starting from 9 September 2024.

State duties for cases being examined by state commercial courts

With the amendments coming into force, the amounts of state duties for cases being examined by state commercial courts will be considerably increased and will grow approximately 10 fold. The amounts of some of these duties will vary depending on who files the claim with the court.

	For individuals	For companies
Lawsuit of a property nature	from RUB 10,000 to RUB 10 million	
A lawsuit of a non-property nature	RUB 15,000	RUB 50,000
Lawsuit regarding a contract being entered into, amended or terminated ¹	RUB 15,000	RUB 50,000
Lawsuit to have a transaction declared invalid ²	RUB 15,000	RUB 50,000
Disputing judgments in the field of protecting the results of intellectual	RUB 10,000	RUB 60,000

¹ Without a demand for the return of what has been performed or for an award of property.

² Without a demand to have the consequences of the invalidity of a transaction applied.

activity and means of identification		
Disputing regulatory acts that have only individual application (individual regulatory acts), decisions and actions (omissions) of state authorities and state officials	RUB 10,000	RUB 50,000
Application for injunctive relief	RUB 30,000	
Appeal, cassation appeal against a court judgment	RUB 10,000	RUB 30,000
Cassation appeal	RUB 20,000	RUB 50,000
Cassation appeal to the Russian Supreme Court, an appeal with respect to a ruling handed down by a judge of the Russian Supreme Court denying the referral of an appeal	RUB 30,000	RUB 80,000

Not only does the law increase the amounts of state duties, but it also establishes state duties for actions that were not previously subject to duties in the commercial process:

	For individuals	For companies
Legal succession except universal succession	RUB 5,000	RUB 25,000
Having a duplicate enforcement document issued	RUB 10,000	
Reinstating a missed deadline for presenting an enforcement document	RUB 10,000	

Delay, instalments plan, changing the way and procedure of performance	RUB 10,000
Reversing enforcement of a judgment	RUB 10,000
Clarifying a court judgment	RUB 10,000
Revising a judgment in view of new or newly discovered circumstances	RUB 30,000
Replacing or cancelling security	RUB 30,000

The law also establishes new rules for paying the state duties in bankruptcy. For more details please follow the [link](#).

State duty for cases to be examined by courts of general jurisdiction

The average amount of state duties charged when a person applies to courts of general jurisdiction remains lower than state duties for the same activities of state commercial courts.

At the same time, compared with the former regulation, the amount of state duties will be increased 8 fold on average, while with respect to individual actions the growth of the amount of duty is more than 45 fold (for instance, when a cassation appeal is filed with the Supreme Court).

Here is what specific state duties will be after the amendments come into force:

	For individuals	For companies
Lawsuit of property nature	from RUB 4,000 to RUB 900,000	
Lawsuit of non-property nature	RUB 3,000	RUB 20,000

Lawsuit about the entering into, amending or terminating a contract ³	RUB 3,000	RUB 20,000
Lawsuit to have a transaction declared invalid ⁴	RUB 3,000	RUB 20,000
Challenging regulatory and certain individual regulatory legal acts ⁵	RUB 4,000	RUB 20,000
Disputing individual regulatory legal acts, decisions and actions (omissions) of state authorities and state officials	RUB 3,000	RUB 15,000
Appeal, cassation appeal to a court judgment	RUB 3,000	RUB 15,000
Cassation appeal	RUB 5,000	RUB 20,000
Cassation appeal to the Russian Supreme Court, an appeal with respect to a ruling handed down by a judge of the Russian Supreme Court denying the review of an appeal	RUB 7,000	RUB 25,000

New duties in the civil process:

	For individuals	For companies
Legal succession (except universal succession)	RUB 2,000	RUB 15,000
Reviewing a judgment handed down <i>in absentia</i>	RUB 1,500	

³ Without a demand for the return of what has been performed or for an award of property.

⁴ Without a demand to apply the consequences of invalidity of a transaction.

⁵ Challenging individual regulatory legal acts of the President, the Federation Council, the State Duma, the Government, and the Government Commission on Monitoring Foreign Investment.

Having a duplicate enforcement document issued	RUB 1,500	
Reinstating a missed deadline for presenting an enforcement document	RUB 3,000	
Delay, instalments plan, changing the way and procedure of performance	RUB 3,000	
Reversing the enforcement of a judgment	RUB 3,000	
Clarifying a judgment	RUB 3,000	
Revising a judgment in view of new or newly discovered circumstances	RUB 10,000	
Securing a lawsuit ⁶	RUB 10,000	
Replacing or cancelling provisional remedies	RUB 10,000	
Reviewing a private complaint	RUB 3,000	RUB 15,000

The amendments described are introduced with a view to readjusting the amount of state duties. Based on the assessment of the Supreme Court, the adopted amendments will be instrumental in stimulating the peaceful settlement of disputes and in improving the quality of justice while keeping it equally accessible for everyone.

What to think about and what to do

The growth of state duties will inevitably result in the growth of judicial expenses; therefore, we recommend paying special attention to a prior assessment of the prospects of a dispute.

⁶ Apart from granting provisional remedies to protect copyright and related rights in the Internet.

If, at present, there is a low-intensity conflict, then in view of the state duties rising, it would possibly be prudent not to waste time and go to court.

It should also be borne in mind that there are alternative ways of settling disputes.

For instance, the increased duties in certain situations were higher than the levies charged by arbitral tribunals / arbitration courts. Bearing this in mind, when contractual conditions are formed it could be prudent to make a stipulation that disputes can be resolved in this way (either as the only way or as an alternative to state courts at the choice of the party).

In the initial period after the amendments come into force, we recommend determining by yourself the state duty based on the version of the Tax Code that is currently in force. According to our assessment, if the duty is calculated with the use of calculators on courts' official websites, this may give rise to mistakes, owing to courts' databases not being updated in due time.

Help from your adviser

Pepeliaev Group's experts are ready to provide the legal support needed on all contentious matters.

The Dispute Resolution and Mediation Practice has extensive experience in handling court disputes.

We are also ready to advise and support our clients at the stage of developing contractual terms and conditions, including in determining the best way of resolving possible conflicts.

Contact details



Yuri Vorobyev

Partner

Tel.: +7 (495) 767 00 07

y.vorobyev@pgplaw.ru