



محاكم
DIFC
COURTS

COURTS FEES

EDITION 3

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Article I. Court of First Instance (CFI)

(A) Part 7 claims

- (1) Fees applicable to claims filed under Part 7 of the Rules of the DIFC Courts (“RDC”) shall be on the following scale:

Claim Value	Fee
Up to and including USD 500,000	5% of the value of the claim and/or the property with a minimum of USD 1,500
USD 500,000 - USD 1 million	USD 25,000 + 1% over USD 500,000
USD 1 million - USD 5 million	USD 30,000 + 0.5% over USD 1 million
USD 5 million - USD 10 million	USD 50,000 + 0.4% over USD 5 million
USD 10 million - USD 50 million	USD 70,000 + 0.15% over USD 10 million
Over 50 million	USD 130,000

- (2) This amount will include the hearing fees for any in-chambers meetings, one Case Management Conference, one Pre-Trial Review and up to 3 days of trial. Any additional filings or hearings will be charged as per the Articles below.

(B) Arbitration claims

- (1) Fees applicable to claims filed pursuant to Articles 41, 42 and/or 43 of the DIFC Arbitration Law, DIFC Law No. 1 of 2008, as amended, shall be on the following scale:

Claim Value	Fee
Up to and including USD 500,000	5% of the value of the claim and/or the property with a minimum of USD 1,500
USD 500,000 - USD 1 million	USD 25,000 + 1% over USD 500,000
USD 1 million - USD 5 million	USD 30,000 + 0.5% over USD 1 million
USD 5 million - USD 10 million	USD 50,000 + 0.4% over USD 5 million
USD 10 million - USD 50 million	USD 70,000 + 0.15% over USD 10 million
Over 50 million	USD 130,000

- (2) At the time of filing, only 50% of the above mentioned fee shall be payable. In the event that the claim is unopposed, no further fees shall be payable by the Claimant. In the event that the claim is opposed or contested, the remaining 50% will be payable by the Claimant.
- (3) In all events, the General Rules about Costs (including the recoverability of costs) under Part 38 of the RDC apply, as supplemented by Practice Direction 6 of 2016 regarding indemnity costs.

(C) All other claims

- (1) The fee applicable to all other claims shall be USD 5,000.
- (2) All other claims include, but are not limited to:
 - (a) Part 8 claims
 - (b) Winding-up petitions
 - (c) Arbitration claims (as defined in Rule 43(2)(3) of the RDC) other than those subject to Article A(2)(a) above;
 - (d) Unquantified damages claims; and
 - (e) Proceedings for judicial review

(D) Filing Proceedings against a party or parties not named in originating proceedings

- (1) The fee applicable shall be USD 500.

(E) Reimbursement

- (1) The below reimbursements shall only be applicable to Part 7 Claims.
 - (a) Where the parties successfully settle the claim filed in the DIFC Courts in full, the following reimbursements shall apply:
 - (i) For claims settled before the Case Management Conference takes place, 65% of the filing fee shall be reimbursed.
 - (ii) For claims settled between the Case Management Conference and the Pre-Trial Review, 35% of the filing fee shall be reimbursed.
 - (iii) For claims settled after the Pre-Trial Review has taken place, no reimbursement shall be applicable.
 - (b) For claims which are referred to the Joint Judicial Committee established pursuant to Dubai Decree No. 19 of 2016 (the 'JJC'), the following reimbursements shall apply following the expiry of a period of 1 month after either party evidences to the Court that the Joint Judicial Committee has found that Dubai Courts has primary jurisdiction to determine the claim:
 - (i) For claims referred to the JJC before the Case Management Conference takes place, 65% of the filing fee shall be reimbursed.
 - (ii) For claims referred to the JJC between the Case Management Conference and the Pre-Trial Review, 35% of the filing fee shall be reimbursed; and
 - (iii) For claims referred to the JJC after the Pre-Trial Review has taken place, no reimbursement shall be applicable.

- (c) For claims in which judgment is given in default of the filing of an acknowledgement of service or defence, 65% of the filing fee will be reimbursed upon application following the expiry of a period of 1 month after the judgment creditor has advised the Court that the judgment debtor has been made aware of the default judgment. The fee will be payable again should the judgment debtor apply successfully to set aside the default judgment in question (see RDC 14.1 to 14.4); and
- (d) For claims which are the subject of a successful immediate judgment application (even after a disputed jurisdiction hearing), 65% of the filing fee will be reimbursed upon application in the following circumstances:
 - (i) in the event that the judgment debtor is not present at the immediate judgment hearing, following one month after the Court is informed that the judgment debtor has been made aware of the immediate judgment; or
 - (ii) in the event that the judgment debtor is present at the hearing, following the expiry of the period within which the judgment debtor can appeal the immediate judgment.

Notes

1. Where a claim is both for money and for other relief (whether cumulatively or in the alternative), a Part 7 Claim form should be used and only the higher applicable fee, being that for a Part 7 Claim, will be payable.
2. For a claim made by way of counter claim, the same fee shall be payable as if the relief or remedy sought were the subject of separate proceedings.
3. Where a claim or counter claim is amended so that a higher fee would have been payable if it had been so drawn originally, the party making the amendment shall pay the difference.
4. Where a claim or counter claim is said to be for an unspecified amount, an amount to be determined by the Courts or for an amount which reasonably appears to the DIFC Courts to be less than the actual amount of the claim or counter claim, the DIFC Courts may impose such fees as it considers reasonable and which are based on the fees set out in this Schedule.
5. For the avoidance of doubt, the fees applicable to claims to recognise and/or enforce judgments from other courts pursuant to common law principles shall be those applicable to Part 7 claims. This does not apply to applications to enforce judgments from, among others, Courts in the UAE or GCC, pursuant to a treaty or convention, which are to be filed as enforcement claims rather than claims for recognition or ratification.

Article II. Applications

(A) Ordinary Applications

- (1) Fee for applications without a hearing: USD 300
- (2) Fee for applications likely to require an oral hearing of two hours or less: USD 1,000

(B) Heavy Applications

- (1) Heavy applications must include, but are not limited to:
 - (a) An application contesting jurisdiction
 - (b) An application seeking to strike out all or part of a statement of case, submission or evidence filed
 - (c) An application for immediate judgment
- (2) Fee for applications likely to require an oral hearing lasting more than two hours: USD 2,000

Notes

1. The fee in Article II(A)(2) will include a maximum of a two-hour hearing for the relief sought.
2. The fee in Article II(B)(2) will include a maximum of a one day hearing for the relief sought.
3. The above fee is payable whenever an application notice is received by the Registry.
4. The above fee also applies to applications made by way of letter or email, or pursuant to another Rule, whether on or without notice, with the exception of applications made orally at a hearing.
5. Where an application is amended so as to request a hearing where none was previously sought, an additional Court fee in line with the above will be payable. The Registrar or Judge shall have the discretion to determine, on a case-by-case basis, which party shall pay the additional fee.
6. Where an application is amended seeking a longer duration for the hearing, so as to classify that application as a heavy rather than ordinary application, an additional Court fee in line with the above will be payable. The Registrar or Judge shall have the discretion to determine, on a case-by-case basis, which party shall pay the additional fee.

Article III. Penalties

(A) Late filing fees

- (1) A late filing fee of USD 200 may be charged for every day that any and all documents to be filed pursuant to a Rule, Direction or Order of the Court are filed late with the Court.

Notes

1. Parties filing documents after the deadline to do so has passed, even if filed on the same day, may be charged a late filing fee.
2. Upon written application, which may be made by way of letter, the Registrar or a Judge of the DIFC Courts shall have the discretion to vary, suspend or waive any and all late filing fees that are applied.

Article IV. Hearings

(A) Hearing fees

- (1) The following fees will be applicable in the event that the hearing fee is not already encompassed within another fee chargeable at the time of filing.
- (2) The fee for a hearing of up to one day shall be USD 1,000.
- (3) The fee for each half-day of a hearing after the first day shall be USD 500.

(B) Video Conferencing Facilities

- (1) The fee for the use of video conferencing facilities shall be USD 1,000 per hearing.

Notes

1. The fee shall be paid when the hearing is set down by the DIFC Courts, based on the number of days agreed by the parties or, failing agreement, as determined by the DIFC Courts.
2. Fees for any overrun shall be paid prior to the expiry of the period for which the hearing was originally set down.
3. The paying party may seek reimbursement of any payment of this fee for half-days not utilised for the relevant hearing. Reimbursement of such fees shall be at the sole discretion of the DIFC Courts.
4. With regard to hearings by telephone or video conference, the costs of the transmission will initially be the responsibility of, and must be met by, the party requesting the telephone or video conferencing facility. Such costs will be invoiced in addition to the setting down for a hearing fee.
5. Should a hearing be vacated one month in advance of the date it is listed, the hearing fee will no longer be payable and will be refunded if already paid. Any hearing vacated within a month of the listing date remains payable. If a hearing is vacated within a month of the listing date and is relisted for a later date, both hearing fees will be payable.

Article V. Court of Appeal (CA)

(A) Appellants and Respondents Notices

- (1) The fee for filing an Appellant's Notice or a Respondent's Notice shall be USD 5,000.

Notes

1. The fee in Article V(A)(1) shall include a one day hearing before the Court of Appeal.
2. For a cross-appeal, the same fees as payable as for an appeal.
3. Setting down for hearing fees under Article IV applies to appeal hearings.

Article VI. Enforcement (ENF)

(A) Enforcement of DIFC Courts judgments or orders in the DIFC

- (1) The fee for enforcing DIFC Court judgments or orders under Part 48 of the RDC shall be USD 100.

(B) Enforcement non-DIFC Courts judgments or orders in the DIFC

- (1) The fee for enforcing judgments or orders made outside of the DIFC Courts shall be 1% of the value of the judgment or order, with a minimum of USD 100 and a maximum of USD 20,000.

(C) Enforcement of DIFC Courts Orders outside of the DIFC

- (1) The fee for a letter or information from the DIFC Courts to enforce outside of the DIFC shall be USD 100.

(D) All other enforcement applications

- (1) The fee for any other enforcement applications at the DIFC Courts shall be USD 300.

Notes

1. Enforcement as per the above does not apply to the ratification and/or recognition of arbitral awards or judgments of other courts. See Article I.

Article VII. Determination of Costs

(A) Notice of Commencement of Assessment

(1) The fee upon filing a Notice of Commencement of Assessment of Bill of Costs shall be 7.5% of the sum claimed in the bill of costs.

(B) Default Cost Certificates

(1) The fee for a default costs certificate or certificate for an agreed amount shall be USD 300.

Notes

1. A separate setting down fee for the detailed costs assessment hearing shall apply (see Article IV — Hearings).
2. Where the sum certified in a final costs certificate includes costs certified in an interim certificate in respect of which a fee has been paid, the fee for the final costs certificate shall be correspondingly reduced.
3. Parties will be entitled to a 50% refund (of the sum they paid in respect of the notice of commencement of assessment of bill of costs) if they settle in full and advise the Court within 21 days of the date of the detailed assessment.

Article VIII. Small Claims Tribunal (SCT)

(A) Employment claims

- (1) The fee for filing an employment claim shall be 2% of the value of the claim with a minimum fee of USD 100.
- (2) The fee for filing an appeal to the CFI following an employment claim in the SCT shall be 1% of the value of the claim with a minimum fee of USD 100.

(B) All other claims

- (1) The fee for filing all other claims shall be 5% of the value of the claim with a minimum fee of USD 100.
- (2) The fee for filing an appeal to the CFI following any other claim in the SCT shall be 2.5% of the value of the claim with a minimum fee of USD 100.

(C) Applications

- (1) Applications seeking a fee waiver or suspension shall be free of charge.
- (2) The fee for all other applications shall be USD 50

(D) Reimbursements

- (1) The below reimbursements are only applicable to filing fees payable under Article VIII(B) and where the claim value exceeds USD 25,000.
 - (a) For claims in which default judgment is given, 65% of the filing fee will be reimbursed upon application following the expiry of a period of 1 month after the judgment creditor has advised the Court that the judgment debtor has been made aware of the default judgment. The fee will be payable again should the judgment debtor apply successfully to set aside the default judgment in question (see RDC [14.1 to 14.4 – update]);

Notes

1. For a claim made by way of counter claim, the same fee shall be payable as if the relief or remedy sought were the subject of separate proceedings.
2. The SCT Registrar or SCT Judge shall have the discretion to suspend, reduce, or waive applicable fees in the SCT if they consider it appropriate in the circumstances.
3. The fees for a Part 7 Claim will apply to cases that are transferred from the SCT to the CFI pursuant to RDC 53.37.

Article IX. Transcripts, Recordings and Photocopies

(A) Transcripts of hearings

- (1) Fees applicable to the production of a transcript shall be on the following scale:
 - (a) USD 385 per audio hour for overnight turnaround
 - (b) USD 337 per audio hour for 2 working-day turnaround
 - (c) USD 298 per audio hour for 4 working-day turnaround
 - (d) USD 248 per audio hour for 7 working-day turnaround
 - (e) USD 585 per audio hour for processing on a weekend or Public Holiday
- (2) In accordance with Rule 35.99 of the Rules of the DIFC Courts, should a party wish to request the DIFC Courts to have a transcript of any hearing(s) drawn up, the Court shall charge an administrative fee of USD 300 for the handling of such a request, in addition to the applicable third party charges.

(B) Recordings of hearings

- (1) The fee for a recording of a hearing shall be USD 300 per CD of recording (8 hours of recording per disc).

(C) Photocopies

- (1) The fee for photocopies of documents shall be USD 2 for the first page and USD 1 for each subsequent page.

Notes

1. Payment for transcripts must be made before the transcript can be provided to the requesting party.
2. Transcripts requested on overnight turnaround will be delivered, if paid for, by no later than 2pm UAE time the following day.
3. A full day's hearing cannot be transcribed on overnight turnaround without advance notice being given to the DIFC Courts Registry.
4. Working days for transcription are from Monday to Friday. The weekend falls on Saturday and Sunday.
5. A transcript cannot be processed on a weekend or public holiday without at least one week's notice being given to the DIFC Courts Registry.
6. Once a transcript has been drawn up, it will be available to all the parties to a case and will be placed in the DIFC Courts eRegistry.
7. There is no fee for downloading soft copies of documents via the eRegistry available via the DIFC Courts' website.
8. The above fee for photocopies also applies to photocopies of documents from the DIFC Courts library and documents to be printed by the Court at the request of the parties.

Article X. General Information

All of the above mentioned fees are payable in UAE Dirhams or their equivalent in United States Dollars (at the conversion rates of US\$ 1:AED 3.675 or as otherwise determined by the DIFC Courts from time to time).

All invoice, at the outset, will be issued as pro forma invoices. Once payment is made towards that invoice, the paying party shall receive the final invoice and receipt for their records.

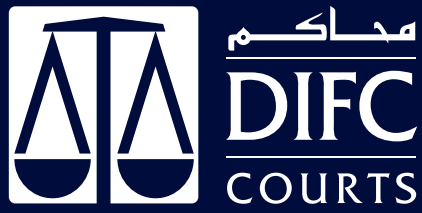
Payments may be made by using the Courts' e-payment facility or alternatively by registering your law firm with the Courts' credit facility. Payments can also be made by wire transfer or in person in cash or cheque.

In an effort to promote the most efficient handling of cases and allocation of resources, and in line with the DIFC Courts' paperless initiative, parties are encouraged to use the DIFC Courts' e-filing facility for the filing of court documents.

Please note that a 40% surcharge will be added to the applicable fees for any document filed with the Registry for the Court of First Instance or Court of Appeal by means other than the e-filing facility.

For further information, please visit our website www.difccourts.ae or contact the Registry via telephone: +971 4 427 3333 or via email: registry@difccourts.ae





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