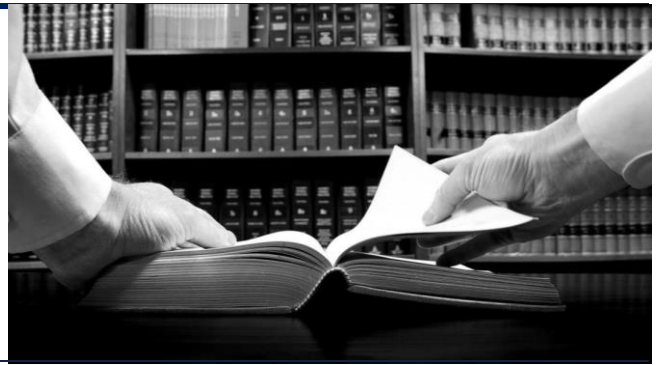


Legal Alert



Cap Restored on Abu Dhabi Court Fees

November 2017

Abu Dhabi has put an end to a four-year experiment – widely viewed as unsuccessful – with uncapped court fees.

Prior to 2013, court fees in Abu Dhabi were calculated as a percentage of the amount in controversy, subject to a cap of AED 20,000. But Abu Dhabi Law 6 of 2013 introduced a new formula of 3% of the amount in controversy without any cap. This imposed significant costs on claimants, even taking into account the power of the courts to charge fees to the losing party. Resort to the courts was deterred, even for an action such as the enforcement of an arbitral award where the role of the courts was restricted.

This has now been remedied by Abu Dhabi Law 13 of 2017, which repealed Law 6 of 2013. Law 13 of 2017 provides for a court fee of 5% of the amount in controversy, provided that the fee shall be not less than AED 100 and not more than AED 40,000. The formula is the same for appellate fees, but with a maximum fee of AED 10,000. For a lawsuit of indeterminate value, a fixed fee will be charged initially depending on the type of case, with the balance of the fee to be calculated following pronouncement of judgment on the basis of the amount of the award using the normally-applicable formula.

Law 13 of 2017 also sets a cap of AED 10,000 for fees for additional electronic services provided by the Abu Dhabi Judicial Department. ■

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