

## SUPPLEMENTAL SUBMISSION OF THE COUNCIL OF EMPLOYMENT JUDGES TO THE MINISTRY OF JUSTICE REVIEW OF EMPLOYMENT TRIBUNAL FEES

This information has been submitted to the House of Commons inquiry into Employment Tribunal Fees in the body of the Council's written submission to it. It is sensible, therefore, to submit it also to the MOJ's review in addition to the earlier submission made by the Council to the MOJ.

### *German Arbeitsgericht Fees*

1. The position in Germany also suggests the present position in Great Britain is extreme. In Germany the losing party pays a fee to the Employment Court. It is paid at the end of the proceedings. It is not, therefore, an upfront cost for either party. The amount of the fee (Gebühr) depends on the value of the claim (Streitwert). The Streitwert is stated in the claim but is reviewed at the end of the hearing and is determined by judicial order. The table below<sup>1</sup> shows the fees payable. The equivalent of the British type B fee is only payable by the losing party when the claim is worth 200,000 Euros or so.

<b>Streitwert bis ...€</b>	<b>Gebühr...€</b>	<b>Streitwert bis ...€</b>	<b>Gebühr...€</b>
500	35	50000	546
1000	53	65000	666
1500	71	80000	786
2000	89	95000	906
3000	108	110000	1026
4000	127	125000	1146
5000	146	140000	1266
6000	165	155000	1386
7000	184	170000	1506
8000	203	185000	1626
9000	222	200000	1746
10000	241	230000	1925
13000	267	260000	2104
16000	293	290000	2283
19000	319	320000	2462
22000	345	350000	2641
25000	371	380000	2820
30000	406	410000	2999
35000	441	440000	3178
40000	476	470000	3357
45000	511	500000	3536

---

<sup>1</sup> Source: p.876 Arbeitsgesetze 84<sup>th</sup> edition 2014

**ALASTAIR SMAIL  
EMPLOYMENT JUDGE  
PRESIDENT OF THE COUNCIL OF EMPLOYMENT JUDGES 2015-2016**

**30 September 2015**