

The NCC in a nutshell

Key features

The Netherlands Commercial Court (NCC) is a fully-fledged commercial court based in Amsterdam. The NCC provides parties with the possibility to litigate international disputes in English before a specialized international commercial court that forms part of the reliable, stable and cost-efficient Dutch court system.

Scope

The NCC handles complex international commercial disputes. A dispute is considered international; if one of the parties is established outside the Netherlands, foreign law is applicable, the dispute involves a multinational and/or other international elements. The NCC does not deal with matters that fall within the exclusive jurisdiction of another Dutch court or chamber (e.g. the sub-district court or Patent Chamber).

Structure

The NCC consists of three chambers: the NCC District Court, the NCC Court of Appeal and the NCC Court in Summary Proceedings. This means that parties can litigate before the NCC in both first and second instance. Parties can also initiate expedited proceedings at the NCC, for instance to request interim relief measures. Judgements from the NCC Court of Appeal can be appealed to the Dutch supreme court.

Access

Parties are only able to submit a case to the NCC if they have expressly agreed in writing for the proceedings to be brought before the NCC and for litigation to take place in English. Parties can reach such agreements either before or after a dispute arises.

Fees

The NCC charges an upfront flat fee depending on where the action is initiated (the NCC District Court, the NCC Court of Appeal or the NCC Court in Summary Proceedings). This flat fee is neither linked to the subject matter of the case nor the value of the claim. For example, the flat fee for first instance proceedings is € 15.000. This is slightly higher than in regular Dutch proceedings.

Judges

Cases before the NCC are handled by a panel of three judges, except in expedited proceedings which are dealt with by a sole judge. All judges have vast experience in complex international commercial litigation.

Tailor-made proceedings

As part of the proceedings a case management conference or motion hearing may take place to discuss procedural topics. This provides the parties and the NCC with the possibility to customize the proceedings where necessary. The NCC is also innovative in other ways. Amongst other things, communications with the court take place electronically and the NCC may apply modern communication technologies in other areas (such as court reporting).

Litigation & Arbitration team

Litigation is at the heart of our business. We frequently handle complex, large-scale and cross-border disputes.

We always consider the possibility of commercial solutions through negotiation or alternative means of dispute resolution before going to court or arbitration, certainly where a quick solution may best serve the broader business interests at stake. In doing so, we try to find the best way to resolve a dispute; always sharp and solution-driven.

When it comes to litigation and arbitration, we serve the needs of our clients with a clear, transparent and practical approach to resolve disputes. Our approach combines our in-depth knowledge of substantive law matters and vast experience with procedural matters with professional project management.

We align litigation and arbitration with business objectives and re-assess them throughout the entire process. We work fact-based and use project management & (online) tools to maximise effectivity, efficiency and pace.

We have a dedicated core team of specialists in commercial and corporate litigation & arbitration. As experienced litigators they are not only well-versed in the law, but also have ample experience with the various facets of commercial disputes and, thus, a practical understanding of the relevant business issues at stake.



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