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**LE TRIBUNAL D'ARBITRAGE INTERNATIONAL DE COMMERCE  
AUPRÈS DE LA CHAMBRE EUROPÉENNE D'ARBITRAGE**

*In force as of March 31<sup>st</sup>, 2013*

**PROVISIONS ON ARBITRATION COSTS  
of the ICAC under the EUROPEAN ARBITRATION CHAMBER**

**Section I. Definition of terms.**

1.1. *Registration fee* is the fee paid by the claimant upon filing a request for arbitration to the ICAC to cover the expenses related to the initiation of the proceedings. The Registration fee is non-refundable and is the part of the Arbitration fee which is paid to the ICAC.

1.2. *Arbitration Fee* is the fee paid by the parties in every request for arbitration accepted for consideration by the ICAC intended to cover expenses related to organization and holding of the arbitration proceedings.

1.3. *Arbitrator's fee* is the monetary compensation paid to each arbitrator for his work related to the arbitration proceedings and is additionally paid by the parties irrespective of the Arbitration Fee.

1.4. *Additional Costs of Arbitration/Expenses* are the special expenses arising in connection with the arbitration proceedings in each individual case (translation expenses, travel allowance for arbitrators, etc.).

1.5. *Expenses of Parties* are the expenses incurred by each party separately in connection with the protection of its interests in the ICAC (travel allowance of the representatives, lawyers' fees, etc.)

**Section II. Registration fee.**

2.1. Registration fee is fixed payment, which is paid by the claimant upon filing its Request for Arbitration to the ICAC, which accounts for 900 EUR.

2.2. If the amount of dispute is less than 20 000.00 EUR the Registration fee is 500 EUR.

2.3. Registration fee is non-refundable.

**Section III. Arbitration fee.**

3.1. The Arbitration fee is paid for consideration of claims:

Non-pecuniary claims – 2 500.00 EUR

Pecuniary claims – based on the amount in dispute and in accordance with the table below:

<b>Amount in dispute</b>	<b>Arbitration fee (EUR)</b>
Less than 20 000.00	1 300.00

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20 001.00 – 50 000.00	1 300.00 + 6.5% of the amount
50 001.00 – 100 000.00	2 700.00 + 5,0% of the amount
100 001.00 – 250 000.00	3 200.00 + 4 % of the amount
250 001.00 – 500 000.00	7 000.00 + 3 % of the amount
500 001.00 – 1 000 000.00	11 500.00 + 2 % of the amount
1 000 001.00 – 3 000 000.00	14 500.00 + 1 % of the amount
3 000 001.00 – 5 000 000.00	17 750.00 + 0,7 % of the amount
5 000 001.00 – 10 000 000.00	27 500.00 + 0,525 % of the amount
10 000 001.00 – 50 000 000.00	47 500.00 + 0,2 % of the amount
50 000 001.00 – 70 000 000.00	101 500.00 + 0,085 % of the amount
More than 70 000 000.00	171 000.00 + 0,01 % of the amount

*The above mentioned amount of the arbitration fee shall be payable in case of collegiate composition of the arbitral tribunal. When the case is heard by a sole arbitrator, the amount of the arbitration fee is reduced by 20%.*

*Arbitration fee includes arbitrators' fees (which depends on the complexity of the case) and the administrative fee (which can be from 30% to 50% depending on the complexity of the case).*

*\* In addition to the amount of the registration fee and the arbitration fee is paid VAT of 21%*

3.2. To determine the amount of the Arbitration fee in each individual case, the amount in dispute (unless it is expressed in EUR) must be converted in to Euro at the exchange rate of the Belgium National Bank established on the date of filing the Request for Arbitration.

3.3. The recipient of the payment is the founder of the ICAC – the European arbitration chamber (Each).

3.4. The Arbitration fee as well as other amounts payable to the ICAC shall be considered to be paid on the date of crediting the bank account of the of EAC by the respective amounts.

3.5. Costs of bank transfer of the amounts of Arbitration fees and expenses payable to the ICAC shall be borne by the party arranging the respective payment.

3.6. The amount of a dispute shall be the aggregate value of all claims and counterclaims.

3.7. Until the Arbitration Fee, Advance on Costs are fully paid, the case in the ICAC will not be tried.

3.8. The President of the ICAC can consider the request on refunding of paid arbitration costs in case of dismissal of case.

**Section IV. Advance on costs of arbitration to cover additional expenses**

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4.1. The President of the ICAC by his order shall determine the amount of Advance on Costs that must correspond to the estimated amount of the Costs of Arbitration. Each party shall pay half of the Advance on Costs. If a party fails to make a required payment the Secretariat shall give the other party the opportunity to do so within the specified period of time. If the required payment is not made, the President of the ICAC shall make an order to dismiss the case. If the other party makes the required payment, the Arbitration Court may, at request of such party, make a separate award for reimbursement of the payment.

**Section V. Expenses of parties.**

5.1. The Arbitration Court may order the losing party to pay any costs incurred by the prevailing party in connection with the protection of its interests in the ICAC (travel expenses, lawyer's fee, etc.) in amount, which the Arbitration Court shall consider reasonable and faithful.

**Section VI. Different apportionment of Administrative fee**

6.1. Taking into account all relevant circumstances of the dispute, the ICAC or its President may decide on a different apportionment of the administration fee, additional costs of arbitration and expenses of the parties. In particular, they may order one party to pay surplus expenses incurred by the other party in the result of the unreasonable or unfaithful conduct of the first party. Unreasonableness occurs when conduct of one party results in the unreasonable delay of arbitration proceedings.