

Translation from Russian

**REGULATION OF ARBITRATION CHARGES AND EXPENSES
OF THE ARBITRATION COURT BY
INTERNATIONAL BOARD OF INDEPENDENT LAWYERS**

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VILNIUS

1. DEFINITIONS

- 1.1. "Registration fee" – a fee payable when filing a lawsuit to the Arbitration Court or a motion for securing a claim, for covering expenses incurred before the beginning of arbitration proceedings.
- 1.2. "Arbitration fee"- a fee imposed on each lawsuit filed to the Arbitration Court for covering common expenses associated with activities of the Arbitration Court (including emoluments to arbitrators, reporters, remuneration to the Secretariat, expenses associated with the organization of arbitration proceedings, etc.).
- 1.3. "Additional expenses of the Arbitration Court" – special costs sustained by the Arbitration Court due to the hearing of a specific case (including costs for examinations and written translations, remuneration to experts, interpreters, reimbursement of witnesses for expenses, secondment expenses, etc.)
- 1.4. "Costs of Parties"- expenses sustained by the parties due to defence of their interests in dispute resolution at the Arbitration Court, except for the expenses set out in the previous clauses of the present article.

2. REGISTRATION FEE

- 2.1. Registration fee in the amount of EUR 350 shall be payable.
- 2.2. The registration fee is non-refundable.
- 2.3. Payment of the registration fee is not deferrable.
- 2.4. The amount of the registration fee is not subject to reduction.

3. ARBITRATION FEE

- 3.1. The arbitration fee is calculated in accordance with the following scale:

Lawsuit price	Fee
Up to EUR 20 000	4 percent of the lawsuit price, however not less than EUR 600,
EUR 20,000 – EUR 200,000	EUR 800 + 3 percent of the amount above EUR 20,000
EUR 200,000 – EUR 2,000,000	EUR 6,200+ 2 percent of the amount above EUR 200,000;
Above 2,000,000	EUR 42,200 + 1.5 percent of the amount above EUR 2,000,000.

- 3.2. Depending on complexity of the case, substantially increased temporary costs and expenses associated with the arbitration proceedings, President of the Arbitration Court has the right to adopt a ruling on increasing the amount of the arbitration fee. On

adopting a ruling on increasing the amount of the arbitration fee, President of the Arbitration Court shall not be limited to the amount set in Clause 3.1. of the present Regulation of arbitration fees and expenses.

- 3.3. Emoluments to arbitrators, reporters, secretary, expert, specialist, interpreter and other persons shall be set in accordance with agreement that shall be signed between the arbitrator hearing a specific dispute, and President of the Arbitration Court at the International Association of Independent Lawyers during the appointment and/or selection of an arbitrator (arbitrators).
- 3.4. If the price of a lawsuit is expressed in some other currency, then the price of the lawsuit shall be converted into euros according to the exchange rate of the European Central Bank (ECB) on the date of filing the lawsuit.

4. REDUCTION OF THE AMOUNT AND DEFERMENT OF THE PAYMENT TERM OF THE ARBITRATION FEE

- 4.1. In exclusive cases, at the request of the Plaintiff, the amount of the Arbitration fee may be reduced by Chairman of the Arbitration Court by International Board of Independent Lawyers.
- 4.2. In exclusive cases, at the request of the Plaintiff, payment of the arbitration fee may be deferred by Chairman of the panel of the Arbitration Court hearing the case.

5. ARBITRATION CHARGES IN COUNTER-CLAIM

- 5.1. A counterclaim is subject to the same rules on the arbitration fee as an initial claim.
- 5.2. For filing a counterclaim, no registration fee shall be charged.

6. SHARING OF THE ARBITRATION FEE BETWEEN THE PARTIES

- 6.1. Unless the parties have agreed otherwise, the arbitration fee shall be borne by the party against which the ruling was adopted.
- 6.2. If a lawsuit is partially upheld, the arbitration fee shall be imposed on the defendant pro rata to the claims upheld, and on the Plaintiff – pro rata to that part of the claim in which the claim has not been upheld.
- 6.3. In case the proceedings are terminated under the grounds set out in Article 48 (1) and (5) of the Regulation of the Arbitration Court at the International Association of Independent Lawyers, the registration fee shall not be refunded; 50 percent of the arbitration charge shall be refunded to the person who has paid it.

7. COVERAGE OF ADDITIONAL EXPENSES

- 7.1. The Arbitration Court may impose on the parties or on one of them an obligation to deposit an advance for the payment of additional expenses of the Arbitration Court associated with the conduction of arbitration proceedings.
- 7.2. An advance for the payment of additional expenses may be, in part, collected by the Arbitration Court from the party that has declared the necessity to carry out actions for hearing the dispute that may inflict additional expenses, if such an application would be recognized grounded. The Arbitration Court may decide to perform such actions depending on the payment of advance for the reimbursement of additional expenses within a fixed period payable by that party.
- 7.3. In case a judge selected by the party whose domicile is not in the place of conducting the proceedings is engaged in the hearing, that party must deposit an advance for the payment of expenses associated with participation in the arbitration proceedings (travel, accommodation, etc.). In case such a person is selected by the Chairman of the Arbitration court, then the advance for the reimbursement of expenses of his/her participation in the arbitration proceedings must be deposited in equal portions by each of the parties. Upon failure to deposit by the defendant a respective advance within the period fixed by the Arbitration Court, payment of such an advance shall be imposed on the plaintiff.
- 7.4. If, at the request of one of the parties to the proceedings, translation of explanations of the parties, their statements, etc. , as well as questions, clarifications and specifications of the Arbitration Court panel, then translation expenses shall be paid by the party concerned.

The Arbitration Court may demand a respective party or parties to pay ad advance for covering these expenses. The very same rules shall also apply for the translation of judgments.
- 7.5. The sharing of additional expenses of the Arbitration Court between the Parties shall be done in accordance with the rules laid down in Article 6 of the present Regulation. Expenses indicated in 1 of Clause 4 of the present article shall be imposed on the party that submitted a request for the provision of translation services to it.

8. TERMS OF PAYMENT OF ARBITRATION EXPENSES AND FEES

- 8.1. Amounts of arbitration expenses and fees due to the Arbitration Court shall be regarded to have been paid on the date they are credited to a bank account of the Arbitration Court by International Board of Independent Lawyers.
- 8.2. Costs of bank transfers of arbitration expenses and fees due to the Arbitration Court shall be borne by the party making a respective payment.

9. COSTS OF THE PARTIES

9.1. The Party in whose favour the ruling has been adopted may demand to order the other party to reimburse reasonable costs sustained by it associated with the Arbitration Court, including expenses associated with defence of its interests through representatives.

10. OTHER SHARING OF ARBITRATION EXPENSES AND FEES

10.1. With regard to circumstances of a specific case, the Arbitration Court may establish another procedure for the sharing of the arbitration fee and costs of the parties between the parties than the one set out in Articles 6-7 and 9 of the present Regulation, as well as order to collect to the benefit of one of the parties from the other party overhead costs sustained by the first party, caused by inappropriate or unfair actions of the other party, including actions that have caused unreasonable delay of the Arbitration proceedings.