



APPENDIX TO THE TAB RULES COST OF ARBITRATION ADMINISTRATION FEES

Appendix to the Rules of the Tribunal Arbitral de Barcelona [*Barcelona Arbitration Court*] (hereinafter referred to as TAB) approved by the Board of Directors of the TAB on 22 January 2019 and amended on 26 October 2022 by agreement of the Board of Directors.

A. Costs of opening and registration of the file

The filing of the application entails the payment of registration fees that vary depending on the type of proceedings:

- a) Expedited proceedings which amount in dispute is less than or equal to 16,000.00€ are exempt from payment of the registration fee.
- b) Expedited proceedings which amount in dispute is over 16.000,00€ and up to 50.000,00€, the registration fee shall be 900,00€.
- c) Ordinary proceedings which amount in dispute is over 50.000,00€, the registration fee shall be 1.500,00€.

In accordance with the provisions of Article 46 of the Rules, the admission fee shall form part of the costs of the arbitration.

B. Arbitrators' fees and TAB administration rights

The cost of arbitration is determined taking into account the economic interest of the claims made by the parties.

The administration of the arbitration generates the payment of a single fee, which includes the arbitrator's fees and the TAB administration fees. This fee shall be determined in accordance with the following table:

Amount in dispute	Minimum	Maximum
Up to 2.000,00€	500,00€	500,00€
From 2.001,00€ to 12.000,00€	500,00€	1.500,00€
From 12.001,00€ to 16.000,00€	1.500,00€	2.200,00€
From 16.001,00€ to 20.000,00€	2.200,00€	2.900,00€
From 20.001,00€ to 45.000,00€	2.900,00€	7.000,00€
From 45.001,00€ to 90.000,00€	7.000,00€	14.800,00€
From 90.001,00€ to 180.000,00€	14.800,00€	19.000,00€
From 180.001,00€ to 600.000,00€	19.000,00€	35.000,00€
From 600.001,00€ to 1.500.000,00€	35.000,00€	59.000,00€
More than 1.500.000,00€	59.000,00€	59.000,00€ +1% increase from 1.500.000,00€ onwards



In arbitrations for amounts exceeding €30,000,000.00, the TAB may review and moderate the resulting fee based on criteria other than the amount, such as complexity, volume of work, time, number of parties, number of arbitrators and other similar criteria.

Arbitrations of undetermined amount shall be processed by the ordinary procedure and shall be subject to a fee of 16,000.00€. In the event that the amount is determined during the arbitration proceedings, the corresponding fee shall be payable.

Provision of funds for expenses arising from the processing of the case. This provision includes notifications, digital media, the costs of evaluating the award and other costs that may arise. The amount to be paid for this item may vary according to the type of proceedings:

- a) Expedited proceedings up to 16.000,00€: 300,00€,
- b) Expedited and/or ordinary proceedings for amounts over 16.000,00€: 900,00€.

or as determined by the Court in the specific case. In the event that an arbitration panel is appointed, the provision of funds for expenses shall be 1,500.00€.

The cost of the arbitration, unless otherwise agreed by the parties, shall be borne equally by the Claimant and the Respondent, in accordance with the provisions of Art. 9 Section 4 and 5 of the Rules.

In the event that a higher economic interest or an amount in dispute different from the claims of the parties stated in the request for arbitration becomes apparent, or if a counterclaim is filed, the provisions of Article 9 Sections 7 and 8 of the Rules shall apply.

C. Multiple Respondents

When the party against whom the arbitration is brought is formed by a plurality of Respondents, an increase in the registration fee will be generated in two cases:

- If there are more than ten (10) Respondents, the registration fee shall be doubled.
- If there are more than fifty (50) Respondents, the registration fee shall be tripled.

D. Arbitral Tribunal

If an Arbitral Tribunal is appointed, the fee applicable to the arbitration shall be doubled. Unless otherwise agreed by the institution, the fees of the chair of the arbitration panel shall be increased by one third of the fees of the co-arbitrators forming the arbitration panel.

E. Stay of arbitration

Stay of the arbitration proceedings shall give rise to a new registration fee. After six months have elapsed since the stay of proceedings, the continuation of the stay of arbitration shall incur new consecutive registration fees for equal periods of six months. Failure by the applicant for the stay to pay the registration fees due shall result in the file being closed without further action.

F. Cost of the early closure of the file

If the arbitration is not carried out in full and the file is archived at any procedural moment prior to the issuance of the award, a cost for the archiving of the file shall be accrued according to the following phases:

From the filing of the request for arbitration until the expiry of the time limit for answering the request for arbitration, the cost of archiving the file is included in the registration fee paid at the beginning, except in cases where the amount of the file is exempt from the registration fee, in which case the cost of archiving will be 30% of the fee applicable to the file.

If the filing is requested after the answer to the request for arbitration, but before the commencement of the arbitration proceedings, the cost of the filing shall be 20% of the fee applicable to the arbitration.

If the filing is requested after the opening hearing of the arbitration proceedings has been held, a scale of fees is established according to the procedural stage of the arbitration proceedings. The percentages of accrual of the cost of archiving the arbitration within this phase are determined in the following table:

Procedural stage of the filing	Applicable percentage
After the opening hearing	30%
During the pleading stage	40%
Within the evidence stage	50%
Within the taking of evidence or conclusions stage	70%
Up to the issuance of the award / award by consent	90%

The cost of the filing shall be borne by the Claimant in the proceedings, irrespective of what the parties agree on the cost of the arbitration.

If the parties request the issuance of an award by consent and the award is made before the termination of the proceedings, in accordance with Art. 37 of the Rules, an additional 20% shall be added to the percentage applicable to the fee. In the event that the request is made within the period of evidence or conclusions, this 20% will be applied to the fee already accrued according to the percentage applicable to the filing of the case. Only when the award by consent is requested and issued after the end of the evidence or conclusions stage, 90% of the fee will be applied directly.

G. Provisional filing

When, in view of the circumstances of the case, the TAB decides to provisionally close the file, the provisions of the previous Section in relation to the accrual of the cost of filing shall apply. Once the provisional filing has been agreed, the TAB shall proceed to the economic settlement of the file.

In this case, after hearing the parties or at the request of any of them with the other parties being heard, the TAB may decide to continue the arbitration or to close it definitively. The continuation shall entail the accrual of a new registration fee and the payment of the fee and provision of funds for the same amount reimbursed when the provisional filing was agreed.

H. Precautionary measures

Proceedings for precautionary measures shall give rise to a new registration fee.

I. Arbitration Routing Service

The cost of the arbitration routing service offered to parties who (a) do not have a clause of submission to TAB arbitration, (b) wish to novate the arbitration agreement, or (c) wish to obtain accreditation of the attempt to reach an out-of-court settlement of the conflict, is 150.00€.

Should further meetings or subsequent arbitration activity be required due to a submission agreement having been reached, the fee for the commencement of arbitration proceedings and the corresponding fees shall be payable in accordance with the provisions of these Rules.

J. Services of the Secretariat of the TAB

The cost of the services of the Secretariat of the TAB for certificates and testimonies shall be €50.00 plus photocopying and other expenses.

With regard to the deposit of amounts arising from arbitrations administered by the TAB, each deposit in one of the TAB's accounts shall cost €70.00.

K. Value Added Tax

All amounts, both the opening and registration fees, as well as the fees of the arbitrators and of the TAB administration, shall be subject to Value Added Tax.

This amendment to the Appendix to the Rules of the TAB regarding the cost of arbitration was adopted by the Board of Directors on 27 April 2023 and is published on the TAB website (www.tab.es).