

PROTOCOL ON FEE DISTRIBUTION

The administration fees for arbitrations administered by the TAB, unlike other expenses such as the provision of funds for notifications and other expenses or the file admission fees or the fees for the issuance of certifications or for consignments, are intended to pay the fees of the arbitrators and the TAB for the administration of the arbitration.

Despite the fact that these are single administration fees, which are determined taking into account the economic interest of the claims made by the parties throughout the entire procedure, it includes both concepts. For the sole purpose of establishing the distribution of these fees between the TAB and the arbitrator or arbitrators in the proceedings with transparency and clarity, this protocol establishes the guidelines and criteria to be followed in each case, depending on the amount or economic interest and the time when the arbitration ends, among other circumstances to be taken into account.

This protocol, which consists of four clauses, establishes the guidelines to be followed regarding the distribution of fees between the TAB and the TAB arbitrators.

FIRST.- The TAB shall determine the percentage of the administration fees corresponding to the payment of the arbitrators' fees and the percentage corresponding to the fees of the TAB itself. However, if a different percentage to that provided for, in general terms, in the third clause is set, it will be necessary to give reasons for its exceptional nature.

SECOND.- The percentage of the administration fees corresponding to the arbitrators' fees must be expressly determined by the TAB before the arbitrator's acceptance.

THREE.- As a general rule, in the case of full arbitration proceedings up to the issuance of the final award, the distribution of the administration fees between the arbitrators and the TAB shall be as follows:

1. for amounts exceeding 20,000,000€, 25% of the administration fees shall correspond to the TAB and the rest to the arbitrators;
2. for amounts greater than 10,000,000€ but equal to or less than €20,000,000, 30% of the administration fees shall correspond to the TAB and the rest to the arbitrators;
3. for amounts greater than 1,000,000€ but equal to or less than €10,000,000, 40% of the administration fees shall correspond to the TAB and the rest to the arbitrators;
4. for amounts equal to or less than 1,000,000€, 50% of the administration fees shall correspond to both the TAB and the arbitrators.

Exceptionally, and depending on the circumstances of the case, the TAB may apply a criterion for the distribution of administration fees that differs from the general criterion, agreeing on a different distribution percentage to those mentioned above.



FOURTH.- In the event that the arbitration is not held in its entirety and the case file is closed at any procedural moment prior to the issuance of the award, the arbitrators' fees shall be calculated by applying the percentages provided for in the previous clause to the administration fees earned

up to the closing of the case file, according to the table in section G of the Annex to the Rules regarding the cost of arbitration. The resulting amount shall be applied according to the following scale:

1. once the commencement act has been held: 5%
2. within the period for submissions: 10%
3. within the period for the proposal of evidence: 30%
4. within the period for the taking of evidence or conclusions: 60%
5. until the award is issued: 90%

In the event that the parties request a settlement award, the arbitrators' fees shall be calculated by applying to the administration fees earned in accordance with section G of the Annex to the TAB Rules, the percentages established in the scale above, to which a further 20% shall be added, unless the settlement award is requested after the period for the presentation of evidence or conclusions. In this case, none of the aforementioned percentages will be applied, and the arbitrators' fees will be the result of applying the percentage established in the third section of this protocol to the administration fees earned.

The resulting sum will be the taxable base for the arbitrator's fees, and the rest of the fees earned will correspond to the fees of the TAB until the early termination of the arbitration.

Considering the circumstances of the case, the complexity and the actual workload involved in conducting the arbitration proceedings up to the closure of the file, the percentages set out in this clause may be amended by the TAB, provided that reasons are given.

In any case, if the case is closed before the opening hearing, all the fees earned will be applied to the TAB's administration fees, with no fees earned for the arbitrator.

This protocol, approved on 13th March 2023, was amended by the Board of Directors on 17th March 2026.