



**C.A.M.P.**

**CHAMBRE ARBITRALE  
MARITIME**

**DE**

**PARIS**

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**Schedule of fees & expenses**

In force as from 13-6-2007

In case of a conflict of interpretation, the French printed version prevails

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## ANNEX N°2

### **SCHEDULE OF ARBITRATION FEES AND EXPENSES**

(first or second degree proceedings)

For each case submitted, the total V.A.T. free amount due to cover the costs of the Chambre Arbitrale and the fees of the arbitrators shall vary according to the sum of the initial claims and counterclaims of the parties and shall possibly be adjusted during the arbitration proceedings when such sum will have been increased.

This total amount is made up of two added items:

A - A lumpsum which increases step by step with the sum of the claims,

B - A proportional share which results from multiplying the percentage attributed to the contemplated layer by the difference between the total claimed amount and the lower figure of the same layer.

#### **Three arbitrators' Tribunal**

##### **A) Lumpsum share**

	<b>Sum of the claims ranging from</b>		<b>Lumpsum</b>
1	0 & 14.999	€ 3.500	€
2	15.000 & 99.999	€ 3.500	€
3	50.000 & 99.999	€ 7.000	€
4	100.000 & 199.999	€ 10.750	€
5	200.000 & 499.999	€ 16.750	€
6	500.000 & 999.999	€ 25.750	€
7	1.000.000 & 2.999.999	€ 38.250	€
8	3.000.000 & 7.499.999	€ 58.500	€
9	beyond 7.500.000	€	To be decided by the President of the Chambre Arbitrale

## B) Proportional share

	<b>Sum of the claims ranging from</b>		<b>Percentage applicable to each layer</b>
2	15.000 & 99.999	€	10 %
3	50.000 & 99.999	€	7,5 %
4	100.000 & 199.999	€	6 %
5	200.000 & 499.999	€	3 %
6	500.000 & 999.999	€	2,5 %
7	1.000.000 & 2.999.999	€	0,45 %
8	3.000.000 & 7.499.999	€	0,25 %
9	beyond 7.500.000	€	To be decided by the President of the Chambre Arbitrale

Nota : see below: Claims below 15,000 €

Example of the costs and fees due when the sum of all claims and counterclaims reaches the minimum amount of each portion : (in €)

		<b>Proportional share</b>		<b>Lumpsum share</b>		<b>Total</b>
For	15.000	€	0	€	3.500	€ 3.500 €
For	50.000	€	3.500	€	3.500	€ 7.000 €
For	100.000	€	3.750	€	7.000	€ 10.750 €
For	200.000	€	6.000	€	10.750	€ 16.750 €
For	500.000	€	9.000	€	16.750	€ 25.750 €
For	1.000.000	€	12.500	€	25.750	€ 38.250 €
For	3.000.000	€	9.000	€	38.250	€ 47.250 €
For	7.500.000	€	11.250	€	47.250	€ 58.500 €

Claimants and defendants are jointly and severally responsible for the payment of the total amounts due to the Chambre Arbitrale, regardless of their distribution between the parties, as awarded by the arbitrators.

### **Sole arbitrator**

When a sole arbitrator has been appointed, both the lumpsum and the proportional share shall be brought down to 60% of the amounts shown above.

### **Claims below 15,000 €**

For any claim below 15,000 €, the amount of fees and costs is assessed at 3,500 € (exclusive of VAT) when a 3-person tribunal is required.

In case of a sole arbitrator, the amount is assessed at 1,500 € (exclusive of VAT) for any claim below 7,500 € and at 2.200 € for any claim ranging between 7.500 and 15.000 €.

## **Exceptions to the schedule**

In order to acknowledge the particular nature of a case, such as when the application for arbitration has been made as a measure of conservation, or when more than two parties are involved and consequently several proceedings will be conducted, the President may exceptionally depart from the schedule and decide such amount that he will consider right.

## **Provisional deposit**

1 - An amount of 2.000 € (i.e. 1.670 € tax free plus 20%) shall be paid together with any application for arbitration, whatever the total claimed amount is.. It shall be on account of the exact provision due by the parties concerned when the proceedings will commence and the arbitrators will have been appointed.

In case the application for arbitration will be withdrawn, whether it was made as a measure of conservation or not, within the required time provided in the arbitration rules, the amount of 1.670 € tax free shall be earned and due to the Chambre Arbitrale, increased, as the case may be, by V.A.T. as incurred.

2 - In guarantee of the settlement of the amounts subsequently due to cover the costs and fees of the arbitration, Each party (or each group of parties in case of more than one claimant or defendant) is required to pay 50 % of the total amount resulting from the present schedule multiplied by 1,20 covering VAT which might be due when settling accounts

## **Withdrawal of an application for arbitration or conciliation during the proceedings**

For any application withdrawn before communication of memoirs and commencement of proceedings, the claimant shall owe Chambre Arbitrale an amount of 1.670 € tax free, covering its expenses for opening a file.

If the parties reach a conciliation after appointment of the arbitrators, exchange of memoirs and after commencement of proceedings, thereby terminating them, each of the parties shall owe Chambre Arbitrale 50% of the following amounts (or 50% for each group of parties in case of more than one claimant or defendant), which shall be deducted from their provisional deposit :

- 40 % of the lumpsum part and of the proportional share of the schedule, when the amicable agreement has taken place before the calling of the first arbitration hearing.

- 80 % of the lumpsum part and of the proportional share of the schedule, when the amicable agreement has taken place after the first hearing has been called.

If second degree arbitration proceedings have been started, and the parties settle before the exchange of memorandums, the deposit will be returned to the second degree claimant party after deducting the amount of the Chamber's administration costs which are fixed at 20% of the total sum deposited, with a minimum lumpsum of 2.000 €. If the parties settle after the memorandums are exchanged, the amount of the deduction will be decided by the President.

### **Complementary dispositions**

- The costs and fees of experts, if any, will be added to the amount resulting from the schedule.

- When hearings have to take place outside the Paris area, whether in France or in a foreign country, in compliance with the arbitration clause or agreement, or when the arbitrators, or one of them, have to investigate the facts of the case outside the Paris area, the corresponding travel expenses will be added to the amount resulting from the schedule.

- The final invoice covering the cost and fees of the arbitration, addressed to the parties in accordance with the distribution awarded by the arbitrators, shall include V.A.T., as incurred, at the rate in force.

### **Fees and expenses of conciliation**

The net sum due for each matter to cover the administrative expenses of the Chambre and the fees of the conciliator shall depend upon the amounts in dispute. It shall be equal to 50% of the fees and expenses as specified for an arbitration before a tribunal of three arbitrators.

If in the event of a failure of conciliation the matter is referred to the Chambre Arbitrale Maritime de Paris according to its Arbitration Rules, 20% of the sums paid in respect of the conciliation shall be deducted from the amount of the fees and expenses for such arbitration as defined by the tariff.