

# CHINESE EUROPEAN ARBITRATION CENTRE

## SCHEDULE OF COSTS

The initial Schedule of Costs has been determined by the General Assembly of the Chinese European Arbitration Centre GmbH in its foundation meeting on 2 September 2008 as follows:

1. **Amounts in dispute up to 15,000.00 €:** For amounts in dispute with a value of up to 15.000 €, the fee for a Sole Arbitrator or the Chairman of an Arbitral Tribunal shall amount to 2,700.00 € and for each co-arbitrator to 1,950.00 €, subject to the provisions in number 4. The CEAC-administration fee shall be 500.00 €.
2. **Amounts in dispute from 15,000.01 € to 100,000,000 €:** Subject to the provision in number 4, the fee for the Sole Arbitrator or Chairman of the Arbitral Tribunal, the Co-Arbitrators and the CEAC-administration fees shall be as indicated in the attached **Annex to the Schedule of Costs**.
3. **Amounts in dispute above 100,000,000 €:** With every further step of "up to € 500,000" of the amount in dispute, the overall fee shall be increased by € 800. Hereof € 300 shall be charged for the account of costs for the Chairman and € 250 for each of the Co-Arbitrators.  
*Example:* At a value of a claim of 101,020,000 € the total costs will be 3 x 800 € = 2.400 € higher as compared to the costs calculated for claims with a value of up to 100 Mio. €, because three steps of "up to 500.000" have been reached (in that example, the value of the claim is by 20.000 € higher than 100 Mio. + 2 x € 500,000).
4. **Rule for arbitration proceedings causing exceeding workload for the arbitrators:**  
The fees granted to the arbitrators according to the attached Annex to the Schedule of Costs shall be divided by 150.00 € for cases where the amount in dispute is up to 100,000.00 € and by 250.00 € where the amount in dispute is more than 100,000.00 €. The result of that calculation shall correspond to the number of hours duly compensated by the above Schedule of Costs ("Compensated Hourly Workload" or "CHW"). If the workload of an arbitrator exceeds the "Compensated Hourly Workload" or "CHW" by 20%

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\* Note: International cases cause usually substantial effort to treat them diligently. It may be advisable to agree on a certain amount in dispute up to which the matter shall be handled by a sole arbitrator. See the options in lit (a) of the Model Arbitration Clause contained in Art. 3 paragraph 2 CEAC Rules.

("CHW + 20"), the additional workload of the arbitrator above CHW + 20 may be compensated on the basis of 150.00 € up to 250.00€ per hour for each hour exceeding the CHW + 20 subject to decision of the Advisory Board, which is entitled to delegate this competence to decide to the competent Chamber of the Appointing Authority, with due regard to the circumstances. Such decision shall be made by the deciding body in its sole discretion. However, the total amount to be awarded to the arbitrators shall not exceed the initial amount as calculated according to No. 1, 2 or 3 by more than 50%.

5. **Multi party arbitrations:** If more than two parties are parties to the arbitration, the amounts of the arbitrator's fees as calculated according to number No. 1 through 4 shall be increased by 20% for each additional party. However, the arbitrator's fees shall not be increased by more than 50% of the amount calculated according to number 1 through 4.
6. **Counterclaims and Off-Sets:** The value of counterclaims shall be added to the value of the claim. The value of off-sets shall not be added to the value of the claim.
7. **Interim Measures:** A request for an interim measure of protection shall be compensated by an increase of the arbitrator's fees by 30% of the fee at the time of the request.
8. **Expenses of Arbitrators:** Reasonable expenses of arbitrators shall be reimbursed to the arbitrator at cost.
9. **Expenses of CEAC:** <sup>1</sup>General administrative expenses of CEAC are covered by the CEAC-administration fee. <sup>2</sup>Expenses of the CEAC for the service of documents and other special costs caused by the proceeding (other than administrative costs) shall be reimbursed at cost. <sup>3</sup>If a notice of arbitration is submitted in another language than German, Chinese (Mandarin), English, French, Italian, Spanish or Russian, the costs of translation shall be added to the administration fees.
10. **Value Added Tax:** In addition to the costs set forth above the parties shall pay Value Added Tax (VAT) if applicable.