

Schedules of arbitral fees and expenses

Art. 1 (1) In order to remunerate the arbitration services rendered by the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania, hereinafter referred to as the Court of Arbitration, there will be charged a registration fee in amount of Euros 150 or the equivalent in Lei at the NBR exchange rate of the day, as well as an arbitration fee consisting of an administrative fee and arbitrators' fee.

A. Whenever the claim matter value is denominated in RON

Claim matter value (in RON)	Administrative fee
a) up to RON 2,000	RON 300 (minimum administrative fee)
b) between RON 2,001 and RON 5,000	RON 300 plus 5% for the amounts exceeding RON 2,000
c) between RON 5,001 and RON 10,000	RON 450 plus 4% for the amounts exceeding RON 5,000
d) between RON 10,001 and RON 50,000	RON 650 plus 3% for the amounts exceeding RON 10,000
e) between RON 50,001 and RON 100,000	RON 1850 plus 2% for the amounts exceeding RON 50,000
f) between RON 100,001 and RON 200,000	RON 2850 plus 1% for the amounts exceeding RON 100,000
g) between RON 200,001 and RON 700,000	RON 3850 plus 0.5% for the amounts exceeding RON 200,000
h) more than RON 700,000	RON 6350 plus 0.3% for the amount exceeding RON 700,000

Claim matter value (in RON)	Arbitrator's fee
a) up to RON 2,000	RON 200 (minimum fee)
b) between RON 2,001 and RON 5,000	RON 200 plus 5% for the amounts exceeding RON 2,000
c) between RON 5,001 and RON 10,000	RON 350 plus 4% for the amounts exceeding RON 5,000

d) between RON 10,001 and RON 50,000	RON 550 plus 3% for the amounts exceeding RON 10,000
e) between RON 50,001 and RON 100,000	RON 1,750 plus 2% for the amounts exceeding RON 50,000
f) between RON 100,001 and RON 200,000	RON 2,750 plus 1% for the amounts exceeding RON 100,000
g) between RON 200,001 and RON 700,000	RON 3,750 plus 0.5% for the amounts exceeding RON 200,000
h) more than RON 700,000	RON 6,250 plus 0.3% for the amounts exceeding RON 700,000

B. Whenever the claim matter value is denominated in a foreign currency

Claim matter value (in EUR)	Administrative fee
a) up to €20,000	€800 (minimum administrative fee)
b) between €20,001 and €50,000	€800 plus 5% for the amounts exceeding €20,000
c) between €50,001 and €100,000	€2300 plus 3% for the amounts exceeding €50,000
d) between €100,001 and €500,000	€3,800 plus 1.5% for the amounts exceeding €100,000
e) between €500,001 and €1,000,000	€9,800 plus 0.7% for the amounts exceeding €500,000
f) between €1,000,001 and €2,000,000	€13,300 plus 0.5% for the amounts exceeding €1,000,000
g) over €2.000.000	€18,300 plus 0.3% for the amounts exceeding €2,000,000

Claim matter value (in EUR)	Arbitrator's fee
a) up to €20,000	€400 (minimum fee)
b) between €20,001 and €50,000	€400 plus 5% for the amounts exceeding €20,000

c) between €50,001 and €100,000	€1,900 plus 3% for the amounts exceeding €50,000
d) between €100,001 and €500,000	€3,400 plus 1.5% for the amounts exceeding €100,000
e) between €500,001 and €1,000,000	€9,400 plus 0.7% for the amounts exceeding €500,000
f) between €1,000,001 and €2,000,000	€12,900 plus 0.5% for the amounts exceeding €1,000,000
g) over €2,000,000	€17,900 plus 0.3% for the amounts exceeding €2,000,000

The fees mentioned at clause B shall not apply to disputes between Romanian individuals or legal entities whenever the claim matter value is denominated in a foreign currency.

(2) If the claim matter value is denominated in another foreign currency other than Euro, the arbitration fee shall be determined based on the exchange rate established by the National Bank of Romania of such currency into Euro on the date the statement of claim is submitted and shall be paid in Euro or in other freely convertible currency.

(3) The provisions of paragraph 2 shall properly apply also in cases where claims are formulated in different currencies. However, the Court of Arbitration Secretarial Office may decide a single currency for the arbitration fee.

(4) The registration fee shall not be reimbursed under any circumstances.

Art. 2 (1) The claimant shall be bound to set out within the statement of claim the value of the matter thereof, even when no financial claims are raised.

(2) The claim matter value shall be determined, usually, as follows:

a) in cases related to financial claims, based on the claimed amount;

b) in cases related to the delivery of certain goods, based on the value of such goods on the claim submission date;

c) in cases related to the obligation of doing or not doing something, based on the value set out by the claimant.

(3) For claims with several counts of claim, the value of each count of claim shall be determined separately; the claim matter value shall be determined based on the total amount of all counts of claim.

(4) In case the claimant has failed to determine or has incorrectly determined the claim matter value, the Court of Arbitration Secretarial Office, by default or at the respondent's request, shall determine such value based on the data related to the claim matter.

Art. 3 (1) The arbitration fees shall be paid in equal shares by the claimant/(s) on one side and the respondent/(s) on the other, including the counterclaim.

(2) If the respondent/(s) refuse/(s) the payment, then the claimant/(s) shall incur the arbitration fees pursuant to the schedules set out herein.

Art. 4 In addition to the registration fee and the administrative fee, the parties shall be bound to pay, under the following terms, arbitration expenses consisting of: expenses related to evidence administration; expenses related to translation of documents and debates; expenses related to summoning procedures or transmission of procedure acts via fast mail, arbitrator's fees; counsel's fees; travel expenses for the parties, arbitrators, experts, counselors and witnesses, as well as other expenses required for the dispute arbitration.

(2) To the amounts paid, VAT shall be added.

(3) The Arbitration Codex shall be sent to the parties in dispute, upon request.

Art. 5 (1) In case the claimant has withdrawn its request for arbitration or the parties have concluded a transaction prior to or during the first hearing, the arbitration fee shall be reimbursed at a rate of 75 %.

(2) When a rendered award finds the lack of jurisdiction of the arbitral tribunal, the arbitration fee is reimbursed at a rate of 50 %.

(3) In case the court of law cancels the arbitral award due to the lack of jurisdiction, the sums representing the arbitrators' fees shall be reimbursed to the parties if, during the arbitration proceedings, the interested party raised the exception on lack of jurisdiction of the arbitral tribunal.

(4) In case the claimant reduces its claims prior to or during the first hearing date, for which the parties have been duly summoned, the arbitration fee shall be determined based on such reduced claim matter value. In case the values of the claims are subsequently reduced, the arbitration fee shall be borne at its initial value, without taking into account the subsequent reduction.

(5) The minimum arbitration fee is non deductible.

Art. 6. The counterclaim, the request for impleader and the application for joinder as a party with a personal interest shall be charged exactly as the application for arbitration, including the registration fee.

Art. 7. (1) All claims regarding the nullity certification, cancellation, rescission or termination of a patrimonial legal deed, as well as the claims regarding the existence or inexistence of a patrimonial right, shall be charged with the arbitration fee mentioned at Article 1 letter A or B, as the case may be. The claim regarding ensuring the prior condition of the parties shall be free of charge in case it is collateral to the claims regarding the nullity certification, cancellation, rescission or termination of a patrimonial legal deed.

(2) If the document whose nullity certification, annulment, resolution or termination is requested is a preliminary contract or an undertaking of a legal act (sale - purchase, lease or any other kind), then, the arbitration fee shall be calculated taking into account the value of the first installment of the amounts to be paid according to the future contract or with regard to the preliminary contract, owed under the undertaking or the preliminary contract or at the price value of

the undertaking or of the preliminary contract, if such value was explicitly stipulated by the parties. The provisions of paragraph 1, second thesis, shall remain applicable.

(3) In case that the matter value contains alternative counts of claim, such as the restitution in kind or equivalent, main charges/ ancillary there shall be charged only one arbitration fee, calculated based on the highest value of the claim pursuant to Article 2.

(4) The claims related to an arbitrator's challenge shall be charged with the minimum arbitration fee.

(5) The claims raised in order to approve interim and conservatory measures, as well as the claims related to finding certain factual circumstances, shall be charged with the minimum arbitration fee.

(6) The claims related to issuance of certificates regarding the status of certain arbitration disputes shall be charged with 25% of the minimum administrative fee, in Lei equivalent, based on the exchange rate applicable on the date of payment.

(7) When the statement of claim includes requests for interest rates, penalties or delay penalties, the sum of the aforementioned, as of the starting date until the claim submission date or the increase thereof with such claims, they become cumulative, for taxation purposes, with the value of other financial claims (damages, refunds).

(8) The claims that fall under the jurisdiction of the Arbitral tribunal having as object the annulment of legal acts issued by the organizers of a procedure for the selection of goods or services tenders, shall be charged with a sum equal to 10 times the minimum arbitration fee. In the case that the termination of the contract is also requested following the selection procedure, the arbitration fee for this count of claim shall be calculated pursuant to paragraph (1).

(9) All claims that fall under the arbitral tribunal jurisdiction, unforeseen in the aforementioned provisions, shall be charged with twice the minimum arbitration fee.

Art. 8. The provisions of Article 5 shall apply accordingly also to the circumstances provided by Article 6 and Article 7 in the rules set out herein.

Art. 9. In case of ad-hoc arbitration, the administrative fee shall have the same value as the administrative fee charged for the dispute settlement by means of institutionalized arbitration and shall be paid within 10 days after paying the registration fee.

Art. 10 (1) The arbitration fee shall be paid in full by the relevant parties within 10 days after receiving the Notification deed or, as the case may be, in case of a counterclaim or some other taxable claims, within 10 days since the submission date. The proof of payment shall be submitted to the case file through the arbitration assistant.

(2) Upon request of the relevant party and for solid reasons, the President of the Court of Arbitration may approve to docket the case if at least one third of the arbitration fee has been paid. The balance due of two thirds shall be paid pursuant to the decision of the Arbitral Tribunal.

Art. 11. If the proof of payment of the arbitration fee is not submitted within the term established for this purpose, the arbitration claim shall remain inactive.

(2) The party dissatisfied with the calculation method and the resolution given for the request upon the payment schedule may submit a request for reexamination that shall be answered by the President of the Court by the means of a reasoned resolution.

Art. 12 (1) The parties are bound to pay the value of all costs necessary for proper conduct of arbitration, evidence administration, expertise, translations and any other expenses incurred by the arbitrators and presiding arbitrators shifting from other cities.

(2) In case the expertise shall be ordered *ex officio*, the arbitral tribunal shall be entitled to bind any of the parties or both to pay such costs, in the share that will be further determined.

Art. 13 (1) The arbitration cost and arbitrators' fees shall be calculated pursuant to the spreadsheet by the designated arbitration assistant.

(2) The payment of the arbitrators fees shall be done through the Chamber of Commerce and Industry of Romania, after rendering, drafting, signing and remittance to the parties of the arbitral award, in case of an institutionalized arbitration, and according to the parties' agreement, in case of an ad-hoc arbitration.

(3) The arbitrators' fees related to disputes in which the tribunal has ordered the suspension of the proceedings, pursuant to certain mandatory provisions of law, shall be determined in order to be paid as follows: 50% on the date of the suspension and 50% on the date of the final award, including by rendering a preemptory award.

Art. 14. The registration fee, the arbitration fee and arbitration expenses shall be paid in cash, directly at the pay desk of the Chamber of Commerce and Industry of Romania, or by means of payment accepted by the Chamber of Commerce and Industry of Romania. In the latter case, the registration fee, the arbitration fee and expenses shall be deemed paid on the date when the account of the Romanian Chamber of Commerce and Industry shall be credited with such amounts. The delay between the payment date and the actual receipt of such payment in the National Chamber's account shall have no legal consequences on the set out payment terms.

Art. 15 (1) In case either party shall fail to fulfill its obligations related to the payment of the arbitration fee or the arbitration expenses, the other party shall be entitled to pay such costs, following that by the means of the arbitral award to set out the way the respective sums shall be borne.

(2) Any difference, in addition or decreasing, related to the payment of arbitration fees or expenses shall be settled and paid immediately.

(3) The remittance of the arbitral award may be postponed until the parties' financial obligations are paid in full.

Art. 16 (1) The arbitration claims registered until the date the present schedules enter into force, remain to be settled under the fees in force on the date of their registration.

Art. 17 (1) The Schedules set out herein enter into force on the date of their approval by the Management Board of the Chamber of Commerce and Industry of Romania pursuant to Article 30 of the Law No. 335/2007.

(2) On the date entering into force of the Rules set out herein, the Rules approved by the Management Board of the Chamber of Commerce and Industry of Romania on the 6th of March 2013, as well as any other contrary provisions are abrogated.

Art. 18. These Schedules of arbitral fees and expenses shall be published on the Chamber of Commerce and Industry of Romania website, in the Arbitration Codex and the Official Gazette of Romania.