

Tariffs

CIVIL AND MERCANTILE COURT OF ARBITRATION

CIMA



C I M A

CORTE CIVIL Y MERCANTIL
DE ARBITRAJE

Sworn translation into English

© Corte Civil y Mercantil de Arbitraje – CIMA

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1. Emergency arbitrator

Emergency arbitrators shall receive a minimum fee of €2,000 and a maximum fee of €5,000.

2. Completion of the procedure before granting the award

A) In case of there existing an agreement between the parties:

- a) That the said agreement is added to the award and the following circumstances take place:
- i. After the set out objections, if any, have been resolved: €1,000/€3,000.
 - ii. After resolving the cause of arbitral challenge, if any: €1,000/€3,000.
 - iii. Before the submission of the pleadings: €1,000/€4,000.
 - iv. After the submission of the pleadings: €1,000/€6,000.
 - v. After the submission of the statement of defence and/or counterclaim: 20% of the fee.
 - vi. After the submission of the opposition to the counterclaim: 30% of the fee.
 - vii. After the submission of evidence: 60% of the fee.
 - viii. After the submission of the letter of conclusions: 80% of the fee.
 - ix. During the writing process of the award: 90-95%.

- b) In case that the said agreement is not added to the award and it is reached in any of the aforementioned circumstances:

The fees resulting from the different assumptions established in letter a) shall be reduced by 10%.

B) In case of acquiescence of the defendant:

Rates provided for in sub-paragraph b) of number 1 shall apply, depending of the phase in which the acquiescence takes place.

C) In case of withdrawal of the plaintiff:

The above rates will apply, from the defence to the request for arbitration, taking into account the phase in which the withdrawal occurs.

D) For any other cause:

Above provided rates will apply depending on to the phases in which the triggering event of the conclusion of the arbitration takes place.

3. Termination of proceedings by the relevant award

The amount of the fees of the arbitrators shall be obtained by applying to the successive parts of the sum in dispute, the percentages indicated in the following scale, and subsequently adding the figures obtained. In any case, the minimum fee will be €601.

This rule is applicable for determining the fees of one single arbitrator; in case of there being three, the amount resulting from the application must be multiplied by the factor 2.5 and divide by 3; if the Arbitral Tribunal consists of five members, the amount resulting from its application must be multiplied by 4 and divided by 5.

A. Arbitration in Equity

	MINIMUM	MAXIMUM
Up to €30,051	€601.00	10.00%
Excess up to €60,101	1.88%	9.00%
Excess up to €150,253	1.00%	4.50%
Excess up to €300,506	0.63%	3.00%
Excess up to €450,759	0.38%	2.25%
Excess up to €601,012	0.30%	1.20%
Excess up to €1,202,024	0.15%	0.60%
Excess up to €3,005,060	0.10%	0.30%
Excess over €3,005,060	0.04%	0.20%

B. Arbitration in Law

In arbitration in law the fees established for equity will apply with an increase of 25%.

In cases of an unspecified amount, a certain correspondence will be sought, mainly with regards to the complexity, volume and importance.

4. Arbitral Court of Appeal

The members of the Arbitration Court of Appeal shall apply the tariff in the minimum and maximum limits specified therein.

1. Start-up fees

Start-up fees for arbitrations of sums up to €100,000	€300
Start-up fees for arbitrations of sums over to €100,000	€500

2. Administration fee

The amount of the administration fee of the arbitrators shall be obtained by applying to the successive parts of the sum of the arbitration, the percentages indicated in the following scale, and subsequently adding the figures obtained. In any case, the minimum fee will be €301.

A. Arbitration in Equity

	MINIMUM	MAXIMUM
Up to €30,051	2.60%	4.00%
Excess up to €60,101	1.25%	3.00%
Excess up to €150,253	0.63%	1.50%
Excess up to €300,506	0.31%	0.75%
Excess up to €450,759	0.15%	0.40%
Excess over €450,759	0.08%	0.20%

B. Arbitration in Law

The above scale plus 20% will apply.

In cases of undetermined amount, the Court shall fix the amount of the fee.

3. Arbitral Court of Appeal

In arbitrations in which the award is challenged, the Court fees will be of 50% of the tariffs provided for in the procedure that has resulted in the award under review.

Other services provided by the Court

- 1. Testimonials:** €25 to €100, plus expenses.
- 2. Queries:** €50 to €500, depending on size and significance.
- 3. Mediation services:** scale of arbitrations in equity reduced by 50%.
- 4. Integration or adaptation of contracts:** €150 to €1000.

All amounts referred to in this document, both for CIMA administration fees, arbitration fees and expenses of the proceedings, just as the corresponding costs of other services provided by the Court, shall be subject to the application of value added tax (VAT).

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