

**Tariff of Fees
of the Court of Arbitration at the Polish Chamber of Commerce**

**§ 1
General Provision**

1. This Tariff of fees for services provided by the Court of Arbitration at the Polish Chamber of Commerce in Warsaw, hereinafter referred to as the "Tariff of Fees," sets forth the terms of and the procedure for collecting fees for services provided by the Court as well as advances for payment of expenses.
2. The Court shall collect all charges and advances as a gross amount by adding due value added tax (VAT), at the rate applicable on the date of issuing of an invoice.
3. If a fee or advance is paid in a foreign currency, the party shall pay an amount in such currency, equivalent to the fee or advance denominated in PLN according to the sell rate of exchange of the Polish currency in relation to other currencies, to be announced by the National Bank of Poland on the day preceding the service with regard to which the fee or advance is collected.

**§ 2
Types of Fee**

The fees for services provided by the Court are as follows:

- 1) registration fee;
- 2) arbitration fee;
- 3) mediation fee.

**§ 3
Expenses**

1. The following costs of actions carried out during the proceedings shall be paid by the parties to the proceedings:
 - 1) costs of travel and accommodation of arbitrators;
 - 2) costs of travel and accommodation and lost earnings or income of a party summoned by the Court to appear in person;
 - 3) costs of travel and accommodation and lost earnings or income of witnesses;
 - 4) expenses in connection with the service of letters and notices during the proceedings other than by registered mail or email;
 - 5) remuneration for and reimbursements of costs incurred by expert witnesses and translators/interpreters;
 - 6) costs of recording of the course of a hearing or a part of thereof made with a video device, if it was prepared on the application of a party/parties;
 - 7) costs of a transcript of a recording of the hearing or a part of thereof made with an audio and video device, if it was prepared on the application of a party/parties;
 - 8) expenses connected with communication conducted using paid sources of telecommunication (secured tele and videoconferences);
 - 9) costs of taking other evidence in the case.
2. The parties to the proceedings shall incur no expenses in connection with the following:

- 1) operation of Administration (the Office) of the Court of Arbitration;
- 2) delivery by registered mail or email of letters and written notices during the proceedings;
- 3) costs of recording of the course of a hearing made with audio device;
- 4) communication between arbitrators;
- 5) reimbursement (refund) of fees and advances collected.

§ 4

Payment of Fees and Advances

1. Due fees and advances for payment of expenses shall be paid into a bank account indicated by the Court.
2. The Court shall not consider an application, nor shall it perform an action if a due amount or advance for payment of expenses is not paid in full within the appropriate time limit.
3. A written submission filed by several persons shall be subject to a single fee. If, however, the subject matter of a case involves claims or obligations of one type that are based on the same factual and legal ground (formal joint participation), each joint participant shall pay the fee separately, in accordance with its claim or obligation.
4. In mediation proceedings the registration fee shall be paid by a party filing the application for mediation and the mediation fee shall be paid by the parties in equal measure-
5. A settlement of the fees and advances collected by the Court shall be made in accordance with the accounting and bookkeeping principles in effect.

§ 5

Registration Fee

1. The claimant shall pay a registration fee of PLN 2,000, subject to Sections 2, 3 and 4.
2. The registration fee shall amount to PLN 500:
 - 1) in cases with the amount in dispute of up to PLN 10,000;
 - 2) if a clause referring disputes to the Court of Arbitration at the Polish Chamber of Commerce was included in the by-laws of a cooperative, foundation or association, regardless of the amount in dispute;
 - 3) in mediation proceedings.
3. In cases involving infringement of rights arising from the registration of the internet domain name "pl," the registration fee shall amount to PLN 200.
4. No registration fee shall be collected if:
 - 1) the proceedings in the case are resumed following reversal of an award by the Court of Arbitration at the Polish Chamber of Commerce;
 - 2) the parties filed an application for a settlement concluded in mediation proceedings to be given the form of an award.

§ 6

Arbitration Fee in General Proceedings

1. The claimant and the party bringing a charge involving a set-off shall pay an arbitration fee in the amount specified in § 8 in the table of arbitration fees.
2. The provision of Section 1 and § 4 Section 2 shall apply *mutatis mutandis* if the Arbitral Tribunal, in compliance with the provisions of the Rules of the Court, determined the actual amount in dispute.
3. Half of the arbitration fee shall be collected:
 - 1) if the dispute is resolved by the sole arbitrator, except the disputes recognized in a fast track procedure if the amount in dispute exceeds PLN 40,000.00;
 - 2) from a third party admitted to the proceedings;
 - 3) if the proceedings in the case are resumed following reversal by a common court of an award by the Court of Arbitration at the Polish Chamber of Commerce.
 - 4) if the Court of Arbitration recognizes the case in appeal proceedings.
4. If the parties, which have not reached a settlement in mediation proceedings, have given their written consent to recognize the case in arbitration proceedings, the claimant shall pay due arbitration fee reduced by mediation fee already paid by both parties. The provision is applied *mutatis mutandis* if on the basis of an arbitration clause (arbitration agreement) mediation proceedings precedes arbitration proceedings.

§ 7

Refund of Arbitration Fee

The Court shall refund half of the arbitration fee if:

- 1) the party withdrew its statement of claim prior to the appointment of the Chairman of the Arbitral Tribunal or sole arbitrator;
- 2) the lawsuit was acknowledged in whole prior to the appointment of the Chairman of the Arbitral Tribunal or sole arbitrator;
- 3) the parties reached a settlement no later than before the first organizational session or before an organising order was issued;
- 4) the Arbitral Tribunal declares that the Court lacks jurisdiction if the plea of the lack of jurisdiction was raised before the Court proceeded to examine the case on its merits – however, before the first hearing, at the latest;
- 5) the parties concluded a settlement in mediation proceedings commenced during arbitration proceedings. A motion to refer a dispute to mediation should be filed prior to the first hearing, at the latest; the provisions of § 10 Section 2 shall not apply
- 6) the statement of claim shall be returned as a result of a failure to pay the full amount of the arbitration fee in the time frame stipulated after the Arbitral Tribunal identifies the actual value of the amount in dispute.

§ 8

Table of Arbitration Fees

The arbitration fee shall be:

- 1) to PLN 40,000.00 – PLN 3,000.00;
- 2) from PLN 40,001.00 to 100,000.00 – from the first PLN 40,000.00 – PLN 3,000.00, and 8% from a surplus of over PLN 40,000.00;
- 3) from PLN 100,001.00 to 1,000,000.00 – from the first PLN 100,000.00 – PLN 8,200.00, and 6% from a surplus of over PLN 100,000.00;
- 4) from PLN 1,000,001.00 to 10,000,000.00 – from the first PLN 1,000,000.00 – PLN 62,200.00, and 0.9% from a surplus of over 1,000,000.00;
- 5) from PLN 10,000,000.00 to PLN 100,000,000.00 – from the first PLN 10,000,000.00 - PLN 143,200.00, and 0.6% from a surplus of over PLN 10,000,000.00;
- 6) over PLN 100,000,000.00 – from the first PLN 100,000,000.00 – PLN 683,200.00, and 0.3% from a surplus of over PLN 100,000,000.00.

§ 9

Arbitration Fee in Cases Involving Infringement of Rights Arising from Registration of Internet Domain Name “pl”

1. In cases involving infringement of rights arising from registration of an internet domain name “pl,” the arbitration fee shall be as follows:
 - 1) PLN 3,000 if the Arbitral Tribunal is composed of one arbitrator;
 - 2) PLN 6,000 if the Arbitral Tribunal is composed of three arbitrators.
2. The provisions of § 7 governing the refund of the arbitration fee shall apply *mutatis mutandis* in the proceedings referred to in Section 1.

§ 10

Mediation Fee in General Proceedings

1. The mediation fee shall constitute 1/5 of the arbitration fee.
2. If the Court gives the settlement concluded in mediation proceedings the form of an award, it shall collect 1/3 of the arbitration fee, taking into account (including) the mediation fees paid. The parties shall supplement the due arbitration fee in equal measure.
3. Mediation fee shall not be collected if the Court, for an application or with a consent of the parties, decides to recognize the case in mediation proceedings.

§ 11

Mediation Fee in Cases Involving Infringement of Rights Arising from Registration of Internet Domain Name “pl”

1. In cases involving infringement of rights arising from the registration of an internet domain name “pl,” the mediation fee shall be PLN 1,000.
2. If the Court gives a settlement concluded in the mediation proceedings referred to in Section 1 the form of an award, it shall collect half of the due arbitration fee under § 9

Section 1 Clause 1, taking into account (including) the mediation fees paid. The parties shall supplement the due arbitration fee in equal measure.

3. The Provisions of § 10 Section 3 shall apply *mutatis mutandis*.

§ 12

Advances for Payment of Expenses

1. The party which requested that the Court undertake an action in the proceedings entailing expenses shall be obliged to pay an advance for payment thereof. If the Court undertakes an action *ex officio*, it shall simultaneously decide which party is obliged to pay an advance for expenses in connection with the action to be undertaken.
2. The Court shall determine the amount and due date of such advance.

„§ 13

Fees for Administering *ad hoc* Arbitration

Fees for administrating by the Court of Arbitration at the PCC an *ad hoc* arbitration shall be established individually by an Order of the Director General of the Court, except for international arbitration, in which case the terms of and the procedure for collecting fees and advances for payment of expenses shall be governed by a separate Tariff of Fees in international *ad hoc* arbitration administered by the Court of Arbitration at the Polish Chamber of Commerce.

§ 14

Fees for Certified Copies

A fee of PLN 1 per one page shall be collected for preparing, at the request of a party, certified copies comprising over 20 pages.

§ 15

Effective Date

This Tariff of Fees shall become effective as of January 1, 2018.