

ARBITAC ARBITRATION COSTS TABLE

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ARBITAC ARBITRATION COSTS TABLE

Art. 1 As provided for in the ARBITAC Arbitration Rules, costs, expenses and fees are regulated in the following terms and consist of:

- a) Registration Fee;
- b) ARBITAC Administration Fee;
- c) Arbitrator(s) fees;
- d) Travel and other expenses incurred by the Arbitral Tribunal, ARBITAC or experts and witnesses;
- e) Expert fees, as well as any other expense arising from an act or assistance required by the Arbitral Tribunal.

CHAPTER I

REGISTRATION FEE

Art. 2. When filing a Request for Arbitration or submitting a counterclaim, the interested party must pay the Registration Fee in the following amounts:

ESTIMATED AMOUNT OF THE DISPUTE	REGISTRATION FEE
To R\$1.000.000,00	R\$ 1.500,00
From R\$ 1.000.000,01 to R\$ 5.000.000,01	R\$ 3.000,00
From R\$ 5.000.000,01	R\$ 5.000,00

Art. 3 Failure to pay the corresponding Registration Fee shall entail:

- a) the dismissal of the arbitration procedure, in the case of the main claim;
- b) the inadmissibility or dismissal of the counterclaim.

Art. 4 Under no circumstances shall the Registration Fee be refunded.

CHAPTER II

ADMINISTRATION FEE

Art. 5. Once the Answer to the Request for Arbitration is received, the Administration Fee for the procedure shall be charged, as set out below:

AMOUNT IN DISPUTE		ADMINISTRATION FEE
To R\$ 50.000,00		R\$ 2.500,00
R\$ 50.000,01	R\$ 500.000,00	R\$ 2.500,00 + 2% of the amount exceeding R\$50.000,00
R\$ 500.000,01	R\$ 1.000.000,00	R\$ 11.500,00 + 1,5% of the amount exceeding R\$500.000,00
R\$ 1.000.000,01	R\$ 5.000.000,00	R\$ 19.000,00 + 1% of the amount exceeding R\$1.000.000,00
R\$ 5.000.000,01	R\$ 10.000.000,00	R\$ 59.000,00 + 0,5% of the amount exceeding R\$5.000.000,00
R\$ 10.000.000,01	R\$ 20.000.000,00	R\$ 84.000,00 + 0,2% of the amount exceeding R\$10.000.000,00
R\$ 20.000.000,01	R\$ 50.000.000,00	R\$ 104.000 + 0,1 % of the amount exceeding R\$20.000.000,00
R\$ 50.000.000,01	R\$ 100.000.000,00	R\$ 134.000,00 + 0,05 % of the amount exceeding R\$50.000.000,00
R\$ 100.000.000,01		R\$ 159.000 + 0,025 % of the amount exceeding R\$20.000.000,00
	Limited to	R\$ 300.000,00

Art. 6 The Administration Fee, unless otherwise agreed by the parties, shall be advanced in equal proportion (50%) by each side of the dispute.

Sole paragraph. If there is a counterclaim, each party shall pay in full the Administration Fee corresponding to the value of its claim.

Art. 7. In case of withdrawal from the procedure, the administration fee shall be refunded:

- a) by 75%, until the constitution of the Arbitral Tribunal;
- b) 50%, until the filing of the first submission;
- c) by 25%, until the filing of the closing arguments or start of the deadline for the delivery of the award.

Sole paragraph. In case of an award approving the settlement agreement of the parties before the presentation of the closing arguments, the Administration Fee shall be refunded in 20% of its total amount.

CHAPTER III

ARBITRATOR'S FEES

Art. 8 The fees of the arbitrator(s) shall be advanced in equal proportion (50%) by each side of the dispute.

Sole paragraph. If there is a counterclaim, each party shall fully advance the amounts of the Arbitrator's Fees corresponding to their claims.

Art. 9 The Arbitrator's Fees shall be individually fixed based on the following table, for the Sole Arbitrator and Chairman of the Arbitral Tribunal:

AMOUNT IN DISPUTE		SOLE OR PRESIDING ARBITRATOR FEE
To R\$ 50.000,00	-----	R\$ 3.000,00
R\$ 50.000,01	R\$ 200.000,00	R\$ 3000,00 + 4% of the amount exceeding R\$50.000,00
R\$ 200.000,01	R\$ 500.000,00	R\$ 9.000,00 + 3,5% of the amount exceeding R\$200.000,00
R\$ 500.000,01	R\$ 1.000.000,00	R\$ 19.500,00 + 2,5% of the amount exceeding R\$500.000,00
R\$ 1.000.000,01	R\$ 5.000.000,00	R\$ 32.000,00 + 1% of the amount exceeding R\$1.000.000,00
R\$ 5.000.000,01	R\$ 10.000.000,00	R\$ 72.000,00 + 0,6% of the amount exceeding R\$5.000.000,00
R\$ 10.000.000,01	R\$ 20.000.000,00	R\$ 102.000,00 + 0,3% of the amount exceeding R\$10.000.000,00
R\$ 20.000.000,01	R\$ 50.000.000,00	R\$ 132.000,00 + 0,2 % of the amount exceeding R\$20.000.000,00
R\$ 50.000.000,01	R\$ 100.000.000,00	R\$ 192.000,00 + 0,1 % of the amount exceeding R\$50.000.000,00
R\$ 100.000.000,01	R\$ 500.000.000,00	R\$ 242.000,00 + 0,05% of the amount exceeding R\$100.000.000,00
Exceeding	R\$ 500.000.000,01	R\$ 442.000,00 + 0,025% of the amount exceeding R\$500.000.000,01

Sole paragraph. Co-arbitrators shall have remuneration equivalent to 75% of the amount set out in the table.

Art. 10 Upon the appointment of arbitrators, pursuant to Art. 7 of the Arbitration Rules, an advance payment of 50% (fifty percent) of the amount set out in the table shall be charged. The payment of the remaining (50%) shall be made by each side of the dispute when filing the submission for the request for evidence.

Art. 11 In case of withdrawal from the procedure when the Arbitration Tribunal is constituted, the arbitrators' fees shall be due in the following proportion:

- a)** 25% up to the filing of the first submission;
- b)** 50% until submission for the request for evidence;
- c)** 75% until the presentation of the closing arguments or start of the deadline for the delivery of the award;
- d)** 100%, after the filing of the closing arguments or start of the deadline for the delivery of the award .

§1 In case of award approving the settlement agreement of the parties before the presentation of the closing arguments, 80% of the total table amount of the Arbitrator's Fee shall be due.

§2 In the event that an emergency measure is presented to the Arbitral Tribunal before the statement of claims, the reduction provided for in item "a)" above shall not apply.

Art. 12 The amounts owed to the arbitrator(s) will be deposited by the parties under the care of ARBITAC. Upon presentation of a tax document, ARBITAC will carry out the transfer as follows:

- a)** 25% upon signing the terms of reference;
- b)** 25% after submission for the request for evidence;
- c)** 50% upon the filing of the final arbitral award with ARBITAC.

§1 The invoice will be issued directly by the arbitrator(s) on behalf of the depositing party(ies) and made available to the parties after the filing of the deposit certificates.

§2 Upon acceptance of the role, the arbitrator(s) must inform the ARBITAC Secretariat of the form of billing and tax regime. The information will be considered for the purpose of calculating the amounts of advance on fees.

§3 If the arbitrator(s) decides to invoice by adopting a form of taxation in which there is a legal provision for additional tax amounts to be collected by the hiring parties, the parties must add the corresponding amounts in the advance to ARBITAC.

§4 Respecting the form of taxation adopted by each arbitrator, ARBITAC may, at its discretion, issue a tax collection bill or document and pay the available balance, or request the issuance of a tax collection bill or document by the party to which owes the respective tax.

CHAPTER IV

EXPENSES RELATED TO THE PROCEDURE

Art. 13 ARBITAC may determine, at any time, that the parties deposit in advance amounts necessary to cover any expenses of the procedure, such as, without limitation: arbitrators' travel expenses; costs for experts, translators or interpreters; rental of recording equipment and audio transcription services for hearings; proceedings outside ARBITAC headquarters; and mailing.

Art. 14 All expenses incurred during the arbitration shall be borne by the party that requested the action; or by both sides of the dispute in equal proportion, if arising from measures jointly requested but the parties or by the Arbitral Tribunal.

Art. 15 The hiring of any service providers will only be provided by ARBITAC upon advance deposit of the corresponding amounts and may be done in the name and in favor of the parties.

CHAPTER V

REDUCING COSTS IN THE EXPEDITED PROCEDURE

Art. 16 This Chapter is restricted to arbitrations governed by the Expedite Procedure.

Sole Paragraph. If, at any time, the rules of the Expedited Procedure cease to apply, the parties must supplement any costs within 15 (fifteen) days of receiving the billing communication sent by ARBITAC.

Art. 17 The Administration Fees will be reduced by 30% whenever the arbitration is fully governed by the rules of the Expedite Procedure.

Art. 18 During the term of the expedited procedure, advance of all costs, expenses and fees shall be made within 10 (ten) days.

CHAPTER VI

COSTS OF EMERGENCY ARBITRATION

Art. 19 The Registration Fee for Emergency Arbitration will be fixed at R\$5,000.00 (five thousand BRL), regardless of the amount in dispute.

Art. 20 The Administration Fee and Arbitrator's Fees for Emergency Arbitration shall be 30% (thirty percent) of the amount provided for in the table in Chapter III, according to the amount in dispute.

Art. 21 If the Emergency Arbitration is followed by an arbitration procedure:

- a) no new Registration Fee will be due by the Claimant of the emergency arbitration, with the exception of a possible counterclaim;
- b) the Administration Fee paid in the emergency procedure will be offset.

Art. 22 During the emergency procedure, the advance of all costs, expenses and fees will be due within 3 (three) days.

Art. 23 Under no circumstances there will be reimbursement of the amount paid as Registration Fee, Administration Fee or Arbitrator Fee in the emergency procedure.

CHAPTER VII

ASSIGNMENT OF AMOUNT IN DISPUTE

Art. 24 The establishment of the Registration Fee, Administration Fee and Arbitrators Fees shall be determined based on the amount attributed to the case.

Art. 25 For the purpose of setting the amount in dispute, if there is a counterclaim, the parties will pay the Registration Fee, Administration Fee and Arbitrator Fees, based on the amount in dispute, as if it was a separate procedure.

Art. 26 At any time, until the arbitration award is sent to the parties, the amount in dispute may be revised by ARBITAC or by the Arbitration Tribunal, so that the parties undertake to supplement costs, as the case may be.

Art. 27 Under all circumstances, for the purpose of the amount in dispute, the sum of the direct or indirect economic benefits pursued with the claims object of the arbitration will be taken into account.

§1 ARBITAC will set the amount in dispute whenever the parties fail to do so.

§2 In successive, subsidiary, and alternative claims, the one with the highest value will be considered.

§3 If it only mirrors the main claim, the counterclaim will not generate an increase in costs and fees.

CHAPTER VIII

GENERAL PROVISIONS

Art. 28 All payments provided for in this Table are due within 15 (fifteen) days of receipt of the billing notice sent by ARBITAC.

Sole paragraph. ARBITAC may grant a supplementary period and/or grant a request for payment in installments of the Administration Fee, which will be considered by the Chairman of the Administrative Board. Any requests for payment in installments of the arbitrator's fees will be decided directly by them.

Art. 29 Whether for administration fees, arbitrator(s) fees, or other expenses, if either party fails to pay the amount due – within the time and amounts set in accordance with the provisions of this Table of Costs – the opposing party may do so to prevent the suspension of the arbitration procedure.

§1 If the lack of payment persists, the arbitration will be suspended awaiting settlement. Either party may, upon proof of payment(s) of the amount(s) due, request the resumption of the arbitration procedure.

§2 After a period of 60 (sixty) days without due regularization of payments, the requests of the defaulting party may be dismissed at the discretion of the Arbitral Tribunal, or, in its absence, of the Administrative Board of ARBITAC.

§3 In the event of submission of successive requests for clarification of the award, the Administrative Board of ARBITAC may arbitrate additional Administration Fee and Arbitrator's Fees.

Art. 30 At the end of the arbitration procedure, ARBITAC will render accounts for the amounts deposited as advance on costs, requesting the parties to: i) make any outstanding payments; or ii) provide bank details for refund purposes.

Art. 31 The arbitration award or decision on a request for clarification will only be released to the parties upon payment of all the costs and fees referred to in this Table.

Art. 32 The final allocation of liability for the Administration Fees, arbitrator(s) fees and other expenses incurred and proven in the arbitration process will be decided by the Arbitral Tribunal in the award.

Art. 33 Any omissions or specific situations will be decided by the Administrative Board of ARBITAC.

Art. 34 The present Table of Costs and Fees becomes effective 30 days after its approval by the Administrative Board of ARBITAC, being applicable to the Arbitration procedures administered by ARBITAC and initiated after this date, revoking any other conflicting provisions.

Approved on 1st March 2021 by the Administrative Board of ARBITAC.

