

REGULATIONS ON ARBITRATION CHARGES AND EXPENSES

§ 1. Terms and definitions

1. «Registration fee» is a fee payable for submission of a claim statement or a request for claim securing to the Arbitration Court in order to cover the costs associated with the initiation of the arbitration proceedings.

2. «Arbitration charge» is a charge payable in advance for each claim submitted to the Arbitration Court and includes a legal fee and an administrative fee.

3. «Legal fee» is a fee provided for payment of services for case examination.

4. «Administrative fee» is a fee provided for covering the costs of arrangement and holding of the arbitration proceedings, including general business expenses related to the activities of the Arbitration Court.

5. «Extra charges» are specific costs incurred in relation to consideration of a particular case (particularly, the costs of expert examination, oral and written translations, reimbursement of expenses of arbitrators, witnesses, and others).

6. «Expenses of the parties» are the expenses incurred by the parties in connection with the protection of their interests in consideration of the dispute in the Arbitration Court, in addition to the expenses referred to in the preceding clauses of this paragraph.

§ 2. Registration fee

The registration fee shall be paid in the amount of 700 Euros, if the claim amount is denominated in foreign currency.

The registration fee shall be paid in the amount of 20 000 Russian rubles, if the claim amount is denominated in Russian rubles.

The registration fee is a part of the arbitration charge.

On the subsequent payment of the arbitration charge the registration fee is included in the amount of the arbitration charge and is distributed equally between the legal fee and the administrative fee.

The registration fee paid for submission of the claim statement or the request for the securing claim is not refundable.

§ 3. Arbitration charge

1. The arbitration charge shall be calculated in Russian rubles, if the claim amount is denominated in Russian rubles, as a sum of the legal fee and the administrative fee in accordance with the following table:

Claim amount (Russian rubles)	Legal fee (Russian rubles)	Administrative fee (Russian rubles)
Up to 300.000	16.400	38.200
from 300.000 to 1.500.000	16.400+2% of the amount in excess of 200.000	38.200+4% of the amount in excess of 200.000
from 1.500.000 to 3.000.000	42.400+1,8% of the amount in excess of 1.500.000	90.200+4,1% of the amount in excess of 1.500.000
from 3.000.000 to 6.000.000	69.400+1% of the amount in excess of 3.000.000	151.700+2,2% of the amount in excess of 3.000.000
from 6.000.000 to 15.000.000	99.400+0,5% of the amount in excess of 6.000.000	217.700+1,17% of the amount in excess of 6.000.000
from 15.000.000 to 30.000.000	144.400+0,28% of the amount in excess of 15.000.000	323.000+0,65% of the amount in excess of 15.000.000
from 30.000.000 to 60.000.000	186.400+0,18% of the amount in excess of 30.000.000	420.500+0,42% of the amount in excess of 30.000.000
from 60.000.000 to 150.000.000	240.400+0,1% of the amount in excess of 60.000.000	546.500+0,23% of the amount in excess of 60.000.000
from 150.000.000 to 300.000.000	330.400+0,8% of the amount in excess of 150.000.000	753.500+0,19% of the amount in excess of 150.000.000

2. The arbitration charge shall be calculated in Euros, if the claim amount is denominated in foreign currency, as a sum of the legal fee and the administrative fee in accordance with the following table:

Claim amount (Euros)	Legal fee (Euros)	Administrative fee (Euros)
Up to 10.000	520	1.215
from 10.001 to 50.000	520+2% of the amount in excess of 10.000	1.215+4% of the amount in excess of 10.000
from 50.001 to 100.000	1.320+1,8% of the amount in excess of 50.000	2.815+4,1% of the amount in excess of 50.000

from 100.001 to 200.000	2.220+1% of the amount in excess of 100.000	4.865+2,2% of the amount in excess of 100.000
from 200.001 to 500.000	3.220+0,5% of the amount in excess of 200.000	7.065+1,17% of the amount in excess of 200.000
From 500.001 to 1.000.000	4.720+0,28% of the amount in excess of 500.000	10.575+0,65% of the amount in excess of 500.000
from 1.000.001 to 2.000.000	6.120+0,18% of the amount in excess of 1.000.000	13.825+0,42% of the amount in excess of 1.000.000
from 2.000.001 to 5.000.000	7.920+0,1% of the amount in excess of 2.000.000	18.025+0,23% of the amount in excess of 2.000.000
from 5.000.001 to 10.000.000	10.920+0,8% of the amount in excess of 5.000.000	24.925+0,19% of the amount in excess of 5.000.000

3. In the calculation of the arbitration charge the amount payable shall be rounded up to whole numbers (Russian ruble, US dollar, etc.)

4. Taking into account the complexity of the case, significantly increased time expenditures and the costs associated with the arbitration proceedings, the Chairman of the Arbitration Court has a right to make an order to increase the amount of the arbitration charge.

5. Fees of arbitrators and the Chairman of the Arbitration Court shall be paid from the legal fee and their rates are determined in accordance with the Regulations on Fees.

6. The arbitration charge shall be paid in Russian rubles if the claim amount is denominated in Russian rubles. At the request of the plaintiff, the arbitration charge may be paid in Euros, unless it is contrary to the existing currency legislation of the Russian Federation, at the rate of the Central Bank of the Russian Federation on the day of payment.

7. The arbitration charge shall be paid in Euros if the claim amount is denominated in foreign currency. At the request of the plaintiff the arbitration charge may be paid in any other foreign currency and in Russian rubles at the rate of the Central Bank of the Russian Federation on the date of payment, unless it is contrary to the existing currency legislation of the Russian Federation.

In recalculation of the claim amount in Euros the rate of the Central Bank of the Russian Federation on the date of submission of the claim shall be applied.

§ 4. Reduction of the amount of the arbitration charge

1. If the case is considered by a single arbitrator, the arbitration charge shall be reduced by 20%.

2. If the arbitration proceedings are terminated due to withdrawal of the claim by the plaintiff, particularly, due to the fact that the parties have settled the dispute amicably, as well as in other cases, when the Arbitration Court has received the application from the parties for refusal of the dispute settlement in the Arbitration Court before the specified date of the first hearing, the arbitration charge shall be reduced by 50%.

3. If the arbitration proceedings are terminated at the first hearing of the case without awarding a judgement, the arbitration charge shall be reduced by 25%.

4. The provisions 1-3 of this paragraph on reduction of the arbitration charge shall not apply to the registration fee (§ 2 of these Regulations).

5. Taking into account the circumstances of a particular case the Chairman of the Arbitration Court shall be entitled to make an order to reduce the arbitration charge in other cases and in other amounts than that provided for in this paragraph.

§ 5. Arbitration charge for counterclaims or claims for the purpose of a set-off

In respect of counterclaims or claims for the purpose of a set-off, the same rules of arbitration charges are applied as in respect of the initial claim. The arbitration charge for a counterclaim or a claim for the purpose of a set-off shall be calculated according to the table in force at the date of submission of the initial claim, and shall be paid in the manner prescribed in paragraph 3 of these Regulations.

§ 6. Allocation of the arbitration charge between the parties

1. Unless the parties have agreed otherwise, the arbitration fee shall be charged to the party against which the decision of the Arbitration Court was granted.

2. If the claim is upheld in part, the arbitration charge shall be imposed on the defendant proportionally to the amount of the satisfied demands and on the plaintiff proportionally to the extent of the demands held unsatisfied.

§ 7. Covering of extra charges

1. The arbitration court may impose on the parties or on either of them the duty to pay an advance for covering of extra charges in connection with the arbitration proceedings. The advance for covering of extra charges may, particularly, be demanded by the Arbitration Court from the party declared the necessity of any action within the proceedings that likely may give rise to extra charges, if such a request is deemed reasonable.

2. The arbitration court may execute certain actions under the proceedings against payment of the advance for covering extra charges by the parties or either of them within the prescribed period.

3. Should the party elect an arbitrator, having permanent place of residence outside the venue of the hearings of the Arbitration Court, that party shall pay an advance for the costs of its participation in the arbitration (travel costs, accommodation, meal, visa, etc.). Should the party fail to pay the advance payment within the prescribed period, it is deemed to have waived its right to elect an arbitrator, and the arbitrator shall be appointed by the Chairman of the Arbitration Court.

If this person performs the functions of the Chairman of the arbitral panel, the advance payment for covering the costs of his participation in the proceedings shall be shared equally between the parties. Should the defendant fail to pay the respective advance payment by the due date, the payment of such advance shall be imposed on the plaintiff.

4. If, at the request of one of the parties, the translation services are provided in the proceedings for interpretation of explanations of the parties, translation of their applications, as well as questions, clarifications and instructions of the arbitral panel, the translation costs shall be paid by the said party.

If the arbitration proceedings are conducted in the language other than Russian, the payment of possible costs of translation shall be imposed equally on each of the parties.

The Arbitration Court may require the respective party or parties to pay an advance for such services.

5. Allocation of extra charges between the parties shall be in accordance with the rules of § 6 of these Regulations.

§ 8. The procedure of payment of arbitration charges and expenses

1. All amounts due to the Arbitration Court shall be deemed paid on the date of crediting to the account of the Arbitration Court.

2. Costs for the bank transfer of the above amounts shall be imposed on the party effecting such payment.

§ 9. Expenses of the parties

The party in whose favor the award is invoked may require imposing the reimbursement of its reasonable expenses incurred in connection with the proceedings, particularly, expenses relating to protection of their interests by means of legal representatives on the other party.

§ 10. Other allocation of arbitration charges and expenses

Taking into account the circumstances of the particular case, the Arbitration Court may determine the allocation of extra charges of the Arbitration Court between the parties other than that provided for in §§ 6-7 and 9 of these Regulations, particularly, to recover from one party for the benefit of another party the unnecessary expenses incurred due to inappropriate or unfair actions of the other party, including the actions giving rise to unjustified delay in the proceedings.

§ 11. The effect of the Regulations on arbitration charges and expenses

The Regulations on arbitration charges and expenses shall be applicable to the cases the claim statements of which were filed after the date the Regulations have entered into force.