

REGULATION ON ARBITRATION FEES AND COSTS OF THE AEB ARBITRATION COURT

§ 1. Definition of terms

1. Arbitration costs - registration and arbitration fees, additional costs and expenses of the parties.

2. Fees - a registration fee and an arbitration fee.

3. Registration fee - the fee paid when filing a claim with the AEB Arbitration Court ("AEB AC") to cover the costs associated with the commencement of the proceedings.

4. Arbitration fee - the fee paid in advance for each claim filed with the AEB AC to cover costs, including:

1) Payment of fees to arbitrators;

2) Expenditures related to the organisation, financing and other functions of arbitration.

5. Additional costs - expenses related to the dispute (the cost of expert examinations, translations, travel, accommodation and other costs associated with the participation in the resolution of the dispute in the AEB AC of arbitrators who have a permanent residence outside of Moscow, as well as arbitrator travel, accommodation and other expenses associated with holding AEB AC hearings outside of Moscow).

6. Costs of the parties - other expenses borne by the parties in connection with the protection of their interests in the proceedings of the dispute in the AEB AC, in addition to those indicated in the previous clauses of this paragraph.

7. Party - each of the claimants and respondents. In cases provided for by the applicable law and rules of the AEB AC, for the purposes of reimbursement of arbitration costs in accordance with this regulation, other parties to the proceedings, in particular, an additional party, a third person, an interested person who has joined the arbitration of corporate disputes, may be equated with the parties.

§ 2. Registration fee

The registration fee when filing a statement of claim related to international commercial arbitration shall be the equivalent of EUR 1,000.

The registration fee when filing a statement of claim related to the arbitration of internal disputes shall be 50,000 Russian roubles.

The registration fee is not included in the arbitration fee.

The registration fee paid to file the statement of claim is non-refundable.

§ 3. Arbitration fee

1. The arbitration fee includes the sum of arbitrator fees and expenditures related to the organisation, financing and other functions of arbitration.

2. The arbitration fee shall be calculated in EUR in case of arbitration of international commercial disputes, as follows:

Amount in dispute, EUR	Arbitration fee, EUR
Up to 10,000	1,000
From 10,000 to 50,000	1,000 + 12.5% of the amount above 10,000
From 50,000 to 100,000	6,000 + 11% of the amount above 50,000
From 100,000 to 200,000	11,500 + 6% of the amount above 100,000
From 200,000 to 500,000	17,500 + 3% of the amount above 200,000
From 500,000 to 1,000,000	26,500 + 1.8% of the amount above 500,000
From 1,000,000 to 2,000,000	35,500 + 1% of the amount above 1,000,000
From 2,000,000 to 5,000,000	45,500 + 0.6% of the amount above 2,000,000
From 5,000,000 to 10,000,000	63,500 + 0.5% of the amount above 5,000,000
Over 10,000,000	88,500 + 0.14% of the amount above 10,000,000

3. The arbitration fee shall be calculated in Russian Rubles in case of arbitration of internal disputes, as follows:

Amount in dispute, RUB	Arbitration fee, RUB
Up to 1,000,000	50,000

From 1,000,000 to 2,000,000	50,000 + 10% of the amount above 1,000,000
From 2,000,000 to 3,000,000	150,000 + 6% of the amount above 2,000,000
From 3,000,000 to 10,000,000	210,000 + 4% of the amount above 3,000,000
From 10,000,000 to 30,000,000	530,000 + 1% of the amount above 10,000,000
Over 30,000,000	730,000 + 0,5% of the amount above 30,000,000

4. The amount in dispute shall mean the sum of all claims, counterclaims and offsets. If the amount in dispute cannot be defined, the Presidium shall decide on the amount of arbitrator fees and expenditures related to the organisation, financing and other functions of arbitration based on all circumstances of the case.

5. As an exception, the Presidium may deviate from the amounts stated in the Table.

6. The arbitration fee is calculated to the nearest euro or rouble: any amount less than 50 cents/kopecks is discarded, and any amount equal to or more than 50 cents/kopecks is rounded up to the full euro/Russian rouble.

7. If a claim consists of several claims covered by different arbitration agreements, the total arbitration fee is determined by summing up the arbitration fees calculated according to the requirements covered by each of the arbitration agreements.

8. When combining proceedings for several cases, the total arbitration fee is determined by summing up the arbitration fees calculated separately for the relevant claims before combining the proceedings.

9. In view of the complexity of a case, the multiplicity of claims or participants in a single proceedings, substantially increased time and costs associated with the proceedings, the Presidium may, upon the recommendation of an arbitration court, issue a ruling to increase the size of the arbitration fee.

10. The arbitration fee is paid in euros. At the request of the claimant, he may be authorised by the AEB AC secretariat to pay the arbitration fee in another freely convertible currency other than euros, and also in Russian roubles at the exchange rate of the Central Bank of the Russian Federation on the day of payment, if this does not contradict the current currency legislation of the Russian Federation.

When the amount in dispute is converted into euros, the rate of the Central Bank of the Russian Federation is applied as of the date of the claim.

§ 4. Reduction of the arbitration fee

1. The Presidium may decide to reduce the arbitration fee, if
 - a) The proceedings are terminated in connection with the withdrawal of the plaintiff before the day of the first hearing of the case, in particular, because the parties settled the dispute peacefully, and in other cases in which the AEB AC receives notification before the indicated date about the withdrawal of the parties from the dispute in the AEB AC;
 - b) The proceedings are terminated at the first hearing of the case without an arbitral award.
2. In view of the circumstances of a particular case, the Presidium may issue a ruling to reduce the arbitration fee in other cases and by a different amount than that stipulated in this paragraph.
3. The Presidium may not reduce the arbitration fee by more than 50% of the initially established amount.

§ 5. Allocation of fees between parties

1. If the parties have not agreed otherwise, the fees are borne by the party against which the arbitration court's decision was adopted.
2. If the claim is partially satisfied, then the charges are borne by the respondent in proportion to the size of the satisfied claims, and the claimant in proportion to the part of the claims in which the claim was not satisfied.

§ 6. Coverage of additional expenses

1. The executive secretary of the AEB AC or the arbitration court may impose on the parties or on one of them the obligation to pay an advance to cover additional costs in connection with the conduct of the proceedings. The advance to cover additional expenses can be, in particular, demanded by the AEB AC from a party that stated that it is necessary to carry out actions that could lead to additional costs related to the dispute, if such statement is found to be justified.
2. The respective authorities, authorised representatives of the AEB AC or the arbitration court may make the execution of the proceedings on the dispute dependent on the payment by the parties or one of them in the prescribed period of an advance to cover additional costs.
3. If a party elects an arbitrator who has a permanent residence that differs from the place where the hearing is conducted, the Presidium may impose on this party an obligation to make an advance payment of expenses for participation in the proceedings (travel, accommodation, visas and other expenses related to participating in the settlement of the dispute in the AEB AC). If the party fails to pay the corresponding advance within the prescribed period, it shall be deemed to have waived the right to elect an arbitrator, and the arbitrator for the party is appointed in the manner prescribed by the rules of the AEB AC.

In the event that such a person performs the functions of chairman of the arbitration court, the Presidium may impose on each party an obligation to pay an equal advance to cover the costs of his participation in the proceedings. If the respondent does not pay the corresponding advance in the prescribed period, the payment of such advance shall be borne by the plaintiff.

4. In the case of an existing agreement between the parties to hold hearings in a place other than Moscow, all additional costs arising in connection therewith, including arbitrator travel and

accommodation expenses, are borne by the parties equally.

5. If, at the request of one of the parties, the parties' clarifications, statements, etc. are translated, as well as any questions, clarifications and instructions from the arbitration court during the proceedings, the translation costs are borne by the said party.

If the proceedings are conducted in a foreign language, payment of the possible translation costs may be borne equally by each of the parties.

6. The allocation of additional expenses between the parties is carried out in view of sections 5 and 9 of this regulation.

§ 7. The arbitration costs payment procedure

1. All payments due to the AEB AC are made by bank transfer and are deemed to be completed on the day when the corresponding account of the AEB AC is credited with the respective payment.

2. The costs of the bank transfer of the above amounts are borne by the party making the respective payment.

8. Costs of the parties

1. A party may demand that the other party be reimbursed for the reasonable costs that it incurred or shall incur in connection with the proceedings, in particular the costs associated with protecting its interests through legal representatives.

The claim for reimbursement of these costs cannot be made after the case hearing is completed.

The arbitration court has the right to set a time limit for justifying the amount of such costs.

2. The allocation of costs between the parties is carried out in view of sections 5 and 9 of this regulation.

§ 9. Other allocation of arbitration costs

In view of the circumstances of a particular case, the arbitration court may establish a different allocation of fees between the parties to that given in sections 5, 6 and 8, as well as additional costs of the AEB AC and costs of the parties, in particular to recover funds in favour of one of the parties from the other party related to unnecessary expenses caused by the inappropriate or unfair actions of the other party, including actions that caused unnecessary delays to the proceedings.

§ 13. Scope of the regulation

This regulation comes into force from the date of its deposition in the authorised federal executive body and is subject to application in cases whose claims were filed after its entry into force.