



Chamber of Conciliation, Mediation and
Arbitration of São Paulo - CIESP/FIESP

ANNEX I

Table of Costs and Arbitrators' Fees

In accordance with the provisions stated in the Arbitration, hereinafter referred to as REGULATION, the administration costs of the proceedings include the following:

1. REGISTER FEE

1.1 – The register fee shall be paid by the Claimant on the date of the request for inception of the arbitration proceedings, and shall correspond to 0.5% of the amount involved in the dispute, under the criteria below:

a – the minimum amount shall be R\$ 2,000.00;

b – the maximum amount shall be R\$ 5,000.00.

1.2 – Should it be impossible for the amount involved to be determined, the Claimant shall pay the minimum amount, for purposes of payment of the register fee, which shall be complemented when the amount of the claim is set out in the Arbitration Term.

1.3 – The members of the Center for the Industries of the State of São Paulo – CIESP who are in due compliance with their regular financial obligations shall be granted a discount of 70% on the amount corresponding to the register fee.

2. ADMINISTRATION FEE

2.1 – The administration fee to be collected in equal parts by the Claimant and the Respondent, whenever so requested by the **Chamber**, corresponds to 2% of the amount involved in the conflict, upon observance of the following criteria:

a – the minimum amount shall be R\$ 10,000.00;

b – the maximum amount shall be R\$ 120,000.00.

2.2 – The members of the Center for the Industries of the State of São Paulo – CIESP who are in due compliance with their regular financial obligations, shall be granted a discount of 30% on the amount corresponding to the administration fee.

3. ARBITRATORS' FEES

3.1 – The fees to be paid to the arbitrator(s) shall be collected in equal parts by the Claimant and the Respondent, whenever so requested by the **Chamber**, under the criteria below:

Amount of the Claim (R\$)	Minimum of Hours per arbitrator
Below 99,999.99	30
From 100,000.00 to 499,999.99	50
From 500,000.00 to 999,999.99	80
From 1,000,000.00	100

3.2 - The fees to be paid to the arbitrator(s) shall be calculated on the basis of four hundred fifty Brazilian reals (R\$450.00) per hour.

3.3 – During the arbitration proceedings, the **Chamber** shall request that

arbitrators prepare partial reports of hours worked, and in the event the number of hours exceed the minimum amount paid by the Parties, the respective supplement thereto shall be requested.

3.4 – At the end of the arbitral proceedings, upon the rendering of the arbitral award and clarifications, if any, the arbitrator(s) shall submit a final report of hours worked, in order for the **Chamber** to prepare the statement of costs under item 5.5.

4. EXPENSES

4.1 – In addition to paying for the register and administration fees, as well as the arbitrators' fees, the Parties shall pay in advance, whenever so requested by the **Chamber**, the expenses incurred by the arbitrators with travels, acts performed outside the place of arbitration, meetings held outside the **Chamber's** regular hours or at another location, the fees and expenses of any experts acting in the proceedings, services involving interpretation, mechanical stenography and other resources used by the **Chamber** for the due performance of the proceedings.

4.2 – Whenever the language of the arbitral proceedings is a foreign language, upon agreement between the Parties, the **Chamber** shall retain a secretary who is fluent in the language chosen, whose fees and expenses shall be divided pro rata between the Parties.

5. GENERAL PROVISIONS

5.1 – Should either party fail to pay the amount due by it under this Annex I and/or by agreement of the parties, the other party may do it to prevent the arbitral proceedings from being stalled.

5.2 – Should the other party fail to make the payment set out in item 5.1, the **Chamber's** Secretariat shall provide such information to the Chairman, as well as to the arbitrator(s), if the Arbitral Tribunal has already commenced, for them to resolve on the continuity of the arbitral proceedings.

5.3 – The **Chamber** may refuse to administer the arbitral proceedings if the fees, arbitrators’ fees and expenses are not paid.

5.4 – The **Chamber**, at its own discretion, and aiming to make feasible the inception of the arbitral proceedings, may determine that amounts smaller than those stated in this Annex be paid, considering the amount of the claim and the complexity of the conflict, as well as other matters it deems relevant.

5.5 – Upon conclusion of the arbitral proceedings, the **Chamber** shall submit to the parties the statement of costs, arbitrators’ fees and expenses, by requesting the parties to pay for any remaining amounts, upon due observance of the terms of the award as regards the liability for the payment of said costs.

5.6 – In mediation, the **Chamber** shall collect only the register fee, and each party shall pay for the full amount thereof, upon compliance of the specific provision contained in sub-item 3.2 with respect to the mediator’s fees, and upon compliance of the terms stated in item 4 of this Annex I with respect to expenses.

5.7 – The cases for which no provision is stated or cases that involve special circumstances shall be analyzed by the **Chamber**, which may also grant an additional time limit for any deposits to be made.

5.8 – In the arbitral proceedings administered by the São Paulo **Chamber** of Mediation and Arbitration, the cases where the request for payment of costs and arbitrators’ fees in installments is granted shall only continue to be processed after payment of the last installment.

5.9 – The Parties and the Arbitrators may not amend and/or negotiate the amounts involving the arbitrators’ fees.

5.10 – In situations involving “ad hoc” arbitral proceedings, where the **Chamber**, through its Presidency, exercises the function of appointing authority, when so agreed on between the parties in the arbitration agreement, the requesting party shall pay, as a result of the appointment of the arbitrator(s), the maximum amount corresponding to the Register Fee

set out in this table and prevailing on the date of such request.

5.11 – Within three (3) business days following the filing of the request for arbitration, the costs corresponding to the **Chamber's** Administration Fee and the arbitrators' minimum fees shall be due by the parties, under penalty of the case being closed.

5.12 – The Register Fee shall be paid by the Claimant on the date the request for inception of arbitral proceedings is filed, as stated in this Annex. Said payment shall not be reimbursed under no circumstance whatsoever.

5.13 – The Administrative Fee and arbitrators' Minimum Fees shall be due by the parties within three (3) days following the filing of the request for arbitration, in equal installments, by both the Claimant and Respondent, as stated in this Annex.

5.14 – Within three (3) days following the filing, the **Chamber** shall issue the payment slip for the Claimant to pay for the amount stated in item 5.13, which shall mature within 15 days.

5.15 – Within three (3) days following the notice, the **Chamber** shall issue a payment slip for the Respondent to pay for the amount stated in item 5.13, which shall mature within 15 days.

5.16 – The **Chamber** shall analyze requests for delay of payment of costs stated in 5.13 only if the amounts corresponding to the Administration Fee and Arbitrators' Minimum Fees are duly paid at least seven (7) days before the hearing for the Arbitration Term or the meeting designated for the works to be started.

5.17 – Whenever the agreement fails to provide for the exact amount of the dispute, the **Chamber** shall collect the minimum amount of the costs and arbitrators' fees, as stated in this Annex I – Table of Costs and Arbitrators' Fees, and the **Chamber** or the Arbitral Tribunal may request the supplementation of such amounts as soon as one be able to ascertain it, during the course of proceedings.



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5.18 – The other expenses and supplementary payments concerning arbitrators' fees shall be requested from the parties by the **Chamber** as needed, during the course of proceedings.

5.19 – The São Paulo **Chamber** of Mediation and Arbitration is solely and exclusively in charge of resolving on the costs related to arbitral procedures, except in those cases where it understands that the Arbitral Tribunal shall do it.

5.20 – The award rendered within the ambit of the arbitral proceedings administered by the São Paulo **Chamber** of Mediation and Arbitration shall only be delivered when the total amount of costs and fees is duly paid by one or both Parties, at the **Chamber's** request.

5.21 – This Annex I is an integral part of the Regulations issued by the **Chamber** and effective as of April 22nd 2010, and substitutes the previous Regulation, dated May 17th 2006.