

SCHEDULE I

FEES OF ARBITRATION

(all amounts are in Bangladesh Taka)

1. Registration Fee

- 1.1 Along with the Notice of Arbitration, the Claimant shall pay a Registration Fee of Taka 20,000.
- 1.2 Without the Registration Fee, BIAC shall not proceed with the arbitration.
- 1.3 A Registration Fee of Taka 20,000 shall also be paid by the Respondent, if filing a counterclaim. This fee shall be paid at the time of filing the counterclaim, as required in Rule 4.2(d).
- 1.4 The Registration Fee is not refundable.

2. Administrative Fee

BIAC's Administrative Fee shall be charged in accordance with the following table:

ADMINISTRATIVE FEE CHART

Sum in dispute (in Taka)	Administrative fee
upto 50,00,000	Tk. 30,000
from 50,00,001 to 1,00,00,000	Tk. 30,000 + 0.2% above Tk. 50,00,000
from 1,00,00,001 to 5,00,00,000	Tk. 40,000 + 0.1% above Tk. 1,00,00,000
from 5,00,00,001 to 10,00,00,000	Tk. 80,000 + 0.05% above Tk. 5,00,00,000
from 10,00,00,001 to 50,00,00,000	Tk. 1,05,000 + 0.025% above Tk. 10,00,00,000

from 50,00,00,000 to 100,00,00,000	Tk. 2,05,000 + 0.01% above Tk. 50,00,00,000
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above 100,00,00,000	Tk. 2,55,000
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3. The Arbitrator's Fees

Where both parties agree to the application of this Schedule to the determination of the Arbitrators' Fees, such fees shall be charged in accordance with the following table:

ARBITRATOR'S FEE CHART

Sum in dispute (in Taka)	Arbitrator's Fee (minimum)	Arbitrator's Fee (maximum)
up to 50,00,000	Tk. 1,00,000	5,00,000
from 50,00,001 to 1,00,00,000	1,00,000 + 2.5% above Tk. 50,00,000	5,00,000 + 5.0% above 50,00,000
from 1,00,00,001 to 5,00,00,000	2,25,000 + 1.25% above Tk. 1,00,00,000	7,50,000 + 2.5% above 1,00,00,000
from 5,00,00,001 to 10,00,00,000	7,25,000 + 0.5% above Tk. 5,00,00,000	17,50,000 + 1.0% above 5,00,00,000
from 10,00,00,001 to 50,00,00,000	9,75,000 + 0.1% above Tk. 10,00,00,000	22,50,000 + 0.2% above 10,00,00,000
from 50,00,00,000 to 100,00,00,000	13,75,000 + 0.05% above Tk. 50,00,00,000	24,50,000 + 0.1 above 50,00,00,000
above 100,00,00,000	16,25,000 + 0.01% above Tk. 100,00,00,000	29,50,000 + 0.02% above 100,00,00,000

4. Computation of Fees

- 4.1** Claims and counterclaims are added for the determination of the amount in dispute. The same rule applies to set-off defences, unless the arbitration tribunal, after consulting with the parties, concludes that such set-off claims will not require significant additional work.
- 4.2** The BIAC's Administrative Fees and the Arbitrator's Fees may exceed the amounts set out in the scale above where, in the opinion of the BIAC, there are exceptional circumstances which shall include, and not be limited to, the parties conducting the arbitration in a manner not reasonably contemplated by the arbitration tribunal at the time of appointment.
- 4.3** Interest claims shall not be taken into account for the calculation of the amount in dispute. However, if the interest claims exceed the amounts claimed in principal, the interest claims alone shall be considered in calculating the amount in dispute.
- 4.4** If the claims are made in any currency other than in Taka, they shall be converted into Taka using the mean of the buying and selling rates of exchange published by the Bangladesh Bank.
- 4.5** If the amount in dispute is not quantified, the BIAC's Administrative Fees and the Arbitrators' Fees shall be fixed by the BIAC, taking into account all relevant circumstances.

5. Arbitration Expenses

The expenses of the arbitration shall relate to the actual disbursements for the arbitration, other than Registration Fee, Administrative Fee, and Arbitrator's Fee. These expenses may cover, but are not limited to: fees and expenses for experts appointed by the Arbitration Tribunal, travel (business class airfare, unless special arrangements have been agreed), accommodation, meals (if in home city, only meals among arbitrators are taken into account), taxi, communications costs, and any other costs related to the conduct of the proceedings (such as rental of hearing rooms, charges for video conferencing, court reporting services, interpreters, etc.). BIAC may issue

general guidelines to the arbitrators for the accounting of their expenses. The expenses of the arbitration shall be invoiced and paid separately and are not included in the Arbitrators' Fees under Section 3 above.

6. Interim Payments

BIAC may direct that interim payments shall be made from time to time out of funds held on deposit to cover BIAC's Administrative Fees and the Arbitrators' Fees and Expenses. Each party shall pay its share of the total advance on costs in cash. However, if a party's share of the advance on costs is greater than Taka 5,00,000 such party may post a bank guarantee for any amount above Taka 5,00,000. BIAC may modify this requirement if circumstances so require it.

7. Parties Jointly and Severally Liable

7.1 The parties shall be jointly and severally liable to the arbitration tribunal and BIAC for the costs of the arbitration. BIAC may authorize the payment of advances on costs, or any party's share thereof, in installments, subject to such conditions as it thinks fit.

7.2 A party that has already paid in full its share of the advance on costs fixed by BIAC or the arbitration tribunal, may pay the unpaid portion of the advance owed by the defaulting party by posting a bank guarantee.

8. Lien on Award

BIAC and the arbitration tribunal shall have a lien over any awards issued by a tribunal to secure the payment of the costs referred to in Article 26, and may accordingly refuse to release any such awards to the parties until all such costs have been paid in full.