

Arbitration Fees under the MARC Arbitration Rules 2018 – Additional Information

1. Arbitral Tribunal's Fees

Where, pursuant to Article 10.1(a) of the Rules, the fees of the arbitral tribunal are to be determined in accordance with paragraph 9 of Appendix 2:

- (a) subject to paragraph 9.5 of that Appendix, the maximum agreed hourly rate of an arbitrator will be MUR 20,000 per hour; and
- (b) where the arbitral tribunal appoints a secretary pursuant to Article 15.5 of the Rules, the maximum hourly rate of the secretary to the arbitral tribunal will be capped at 25% of the maximum hourly rate for one arbitrator as stated on MARC's website at www.marc.mu on the date the request for arbitration is submitted.

The fees of an **Emergency Arbitrator** shall be determined by MARC by reference to his or her hourly rate subject to the terms set out in paragraph (a) above.

Where the fees of the arbitral tribunal are determined in accordance with Appendix 3 of the Rules, subject to Article 10.3 (c) and Article 10.3 (d), the fees shall be fixed by MARC in accordance with Paragraph 6 of Appendix 3 of the Rules.

The fees of the arbitral tribunal in an **Appeal Procedure** shall be determined by MARC by reference to his or her hourly rate subject to the terms set out in paragraph (a) above.

Where the fees of the arbitral tribunal are determined in accordance with Appendix 3 of the Rules, subject to Article 10.3 (c) and Article 10.3 (d), the fees shall be fixed by MARC in accordance with Paragraph 6 of Appendix 3 of the Rules.

2. Fees Applicable to Emergency Arbitrator Procedures

A party applying for the appointment of an Emergency Arbitrator pursuant to Appendix 4 of the Rules shall pay an Application Deposit of MUR 1,000,000 on the date of application. Where the application is submitted by more than one party, those parties shall pay the Application Deposit in equal shares, unless the parties agree otherwise.

The Application Deposit is intended to cover:

- (a) MARC's Administrative Expenses in the amount of MUR 190,000.
- (b) The Emergency Arbitrator's fees and expenses in the amount of MUR 810,000, subject to determination as per paragraph 1 above.

Pursuant to paragraph 6 of Appendix 4 of the Rules, MARC may increase the Emergency Arbitrator's fees or MARC's administrative expenses taking into account the circumstances set out therein.

3.Fees Applicable to Optional Appeal Procedure

A party submitting a request for Appeal pursuant to Appendix 6 of the Rules shall pay an Appeal Deposit of MUR 1,000,000 on the date of application. Where the application is submitted by more than one party, those parties shall pay the Appeal Deposit in equal shares, unless the parties agree otherwise.

The Appeal Deposit is intended to cover:

- (a) MARC's Administrative Expenses in the amount of MUR 190,000.
- (c) The Appeal Panel's fees and expenses in the amount of MUR 810,000, subject to determination as per paragraph 1 above.

Pursuant to paragraph 6 of Appendix 4 of the Rules, MARC may increase the Appeal Panel's fees and/or MARC's administrative expenses taking into account the circumstances set out therein.
