



FEE SCHEDULE
OF
THE NATIONAL COMMERCIAL ARBITRATION CENTRE
OF
CAMBODIA

(the “**NCAC Fee Schedule**”)

(See also the Chapter 6 “Costs” in the NCAC Arbitration Rules)

1.- Registration fee

- 1.1 When submitting a Notice of Arbitration or any counter-claim, the Claimant or Counter-Claimant shall respectively pay a registration fee of 250 (two hundred and fifty) USD for registering its claim(s) or counter-claim(s).
- 1.2 If the Claimant or Counter-Claimant fails to pay the registration fee, the NCAC will not proceed with the arbitration for the claim(s) or the counter-claim(s).
- 1.3 The registration fee is non-refundable.

2.- Arbitrator appointment fee

- 2.1 When either or both parties fail to appoint arbitrator(s) or when the party-appointed arbitrators fail to appoint a presiding arbitrator pursuant to the NCAC Arbitration Rules, the NCAC, through its Appointment Committee, is requested or required to appoint arbitrator(s) for the concerned roles in the Tribunal for the specific case, an arbitrator appointment fee of 300 (three hundred) USD per arbitrator to be appointed shall be paid by the concerned party(ies).
- 2.2 The arbitrator appointment fee is applicable either in cases administered by NCAC or ad-hoc cases where Appointment Committee is required to make an arbitrator appointment under the NCAC Arbitration Rules, or when a request for arbitrator(s) appointment is submitted to the General Secretariat.
- 2.3 For ad-hoc case, the arbitrator appointment fee shall be paid to the designated bank account of NCAC prior to commencement of appointment service.
- 2.4 The arbitrator appointment fee is non-refundable.

3.- Administration fee

- 3.1 The administration fee is based on a sliding fee scale, is dependent on the sum in dispute, and shall be charged in accordance with the table below.
- 3.2 The sum in dispute is the aggregate value of all claims and counter-claims. A set-off defense shall be included in the calculation of the sum in dispute and administration fee only insofar as the set-off defense requires significant additional work for the NCAC.
- 3.3 The administration fee for each particular case is subject to adjustment by the General Secretariat, taking into account any exceptional circumstances that may, in the opinion of the General Secretariat, justify reducing or increasing the administration fee prescribed in the NCAC Fee Schedule. Exceptional circumstances may include but are not limited to substantially less work being done by NCAC because of early termination of the arbitration proceedings or substantially more services being provided by the NCAC. However, in no event shall an increase be more than 30% (thirty percent) of the administration fee prescribed in the NCAC Fee Schedule.

Administration fee – in USD

Sum in Dispute				Arbitration Fee				
Up to	50,000			=	750			
From	50,001	to	100,000	=	750	+	0.7%	of excess over 50,000
From	100,001	to	200,000	=	1,100	+	0.65%	of excess over 100,000
From	200,001	to	500,000	=	1,750	+	0.6%	of excess over 200,000
From	500,001	to	1,000,000	=	3,550	+	0.4%	of excess over 500,000
From	1,000,001	to	2,000,000	=	5,550	+	0.2%	of excess over 1,000,000
From	2,000,001	to	5,000,000	=	7,550	+	0.12%	of excess over 2,000,000
From	5,000,001	to	10,000,000	=	11,150	+	0.06%	of excess over 5,000,000
From	10,000,001	to	50,000,000	=	14,150	+	0.03%	of excess over 10,000,000
Over	50,000,000			=	26,150			

4.- Tribunal fee

- 4.1 The Tribunal fee is based on a sliding fee scale, is dependent on the sum in dispute, and shall be charged in accordance with the table below.

4.2 The sum in dispute is the aggregate value of all claims and counter-claims. A set-off defense shall be included in the calculation of the sum in dispute and the Tribunal fee only insofar as the set-off defense requires significant additional work for the Tribunal.

4.3 The Tribunal fee for each particular case is subject to adjustment by the General Secretariat taking into account any exceptional circumstances that may, in the opinion of the General Secretariat, justify reducing or increasing the Tribunal fee prescribed in the NCAC Fee Schedule. Exceptional circumstances may include but are not limited to substantially less work being done by the Tribunal because of early termination of the arbitration proceedings or substantially more work being done by the Tribunal in relation to contentious requests for interim measures, challenges of an arbitrator or jurisdictional pleas. However, in no event shall an increase be more than 30% (thirty percent) of the Tribunal fee prescribed in the NCAC Fee Schedule.

Tribunal fee – in USD

Sum in Dispute					Tribunal Fee (per arbitrator)				
Up to	50,000			=	1,000				
From	50,001	to	100,000	=	1,000	+	1%	of excess over	50,000
From	100,001	to	200,000	=	1,500	+	0.9%	of excess over	100,000
From	200,001	to	500,000	=	2,400	+	0.7%	of excess over	200,000
From	500,001	to	1,000,000	=	4,500	+	0.6%	of excess over	500,000
From	1,000,001	to	2,000,000	=	7,500	+	0.5%	of excess over	1,000,000
From	2,000,001	to	5,000,000	=	12,500	+	0.3%	of excess over	2,000,000
From	5,000,001	to	10,000,000	=	21,500	+	0.25%	of excess over	5,000,000
From	10,000,001	to	50,000,000	=	34,000	+	0.03%	of excess over	10,000,000
Over	50,000,000			=	46,000	+	0.01%	of excess over	50,000,000

5.- Date of effect

5.1 This NCAC Fee Schedule is adopted by the General Assembly of the NCAC on 11 July 2014.

5.2 This NCAC Fee Schedule shall become effective from 11 July 2014 onwards.

Notes: the above fees are exclusive of expenses incurred by the NCAC and the Tribunal as well as value added tax (VAT) for NCAC administrative services and withholding tax (WHT) for services of arbitrator(s). Prior to the constitution of the Tribunal, the parties may agree on a different Tribunal fee as long as the differing fee is acceptable to the Tribunal.

**Phnom Penh,
Signature and Seal**

**Chairman of the National Commercial Arbitration Centre
Ros Monin**