

# ACI Fee Sheet for Fixed Fee Arbitrations

<b>Preliminary Discussion Fee</b> (before commencement of arbitration)	<b>Band D</b> £225	<b>Band C</b> £275	<b>Band B</b> £325
<b>Initial Fee: (see note 1)</b> In all cases the Initial Fee will be	<b>Band D</b> £2,000	<b>Band C</b> £2,500	<b>Band B</b> £3,000

The fees payable will depend upon the Band within which the Arbitrator is allocated at the time of Request. The Administrator can advise on the applicable band (see note 2).

		<b>Claimant Pays £</b>	<b>Respondent Pays £</b>	<b>Total Fee £</b>
<b>Documents Only Arbitrations (see note 3)</b>				
<b>Band D</b>	The Initial Fee	2,000		
	The Second Stage Fee	<u>2,000</u>	<u>1,000</u>	<b>3,000</b>
<b>Band C</b>	The Initial Fee	2,500		
	The Second Stage Fee	<u>2,500</u>	<u>1,000</u>	<b>3,500</b>
<b>Band B</b>	The Initial Fee	3,000		
	The Second Stage Fee	<u>3,000</u>	<u>1,000</u>	<b>4,000</b>
<b>½ Day Hearings</b>				
<b>Band D</b>	The Initial Fee	2,000		
	The Second Stage Fee	<u>2,000</u>	<u>2,000</u>	<b>4,000</b>
<b>Band C</b>	The Initial Fee	2,500		
	The Second Stage Fee	<u>2,500</u>	<u>2,500</u>	<b>5,000</b>
<b>Band B</b>	The Initial Fee	3,000		
	The Second Stage Fee	<u>3,000</u>	<u>3,000</u>	<b>6,000</b>
<b>1 Day Hearings</b>				
<b>Band D</b>	The Initial Fee	2,000		
	The Second Stage Fee	<u>1,000</u>	<u>3,000</u>	<b>6,000</b>
<b>Band C</b>	The Initial Fee	2,500		
	The Second Stage Fee	<u>1,250</u>	<u>3,750</u>	<b>7,500</b>
<b>Band B</b>	The Initial Fee	3,000		
	The Second Stage Fee	<u>1,250</u>	<u>4,250</u>	<b>8,500</b>

## ACI

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		<b>Claimant Pays £</b>	<b>Respondent Pays £</b>	<b>Total Fee £</b>
<b>2 Day Hearings</b>				
<b>Band D</b>	The Initial Fee	2,000		
	The Second Stage Fee	<u>2,000</u>	<u>4,000</u>	<b>8,000</b>
		<u>4,000</u>	<u>4,000</u>	
<b>Band C</b>	The Initial Fee	2,500		
	The Second Stage Fee	<u>2,750</u>	<u>5,250</u>	<b>10,500</b>
		<u>5,250</u>	<u>5,250</u>	
<b>Band B</b>	The Initial Fee	3,000		
	The Second Stage Fee	<u>3,000</u>	<u>6,000</u>	<b>12,000</b>
		<u>6,000</u>	<u>6,000</u>	

**Continuation Fee (not applicable to Split Hearings)** (see notes 4 & 5)

A ½ day Fixed Fee Arbitration that takes longer than 3 hours will be charged as for a one day Fixed Fee Arbitration. A one day Fixed Fee Arbitration that takes longer than one day will be charged for as for a two day Fixed Fee Arbitration. Where a two day Fixed Fee Arbitration takes longer than two days each following day will attract a charge at the following daily rates.

<b>Band D</b>	1,250	1,250	<b>2,500</b>
<b>Band C</b>	1,750	1,750	<b>3,500</b>
<b>Band B</b>	2,000	2,000	<b>4,000</b>

**Additional Second Stage Fee where expert evidence is required** (see note 6)

**Documents only Arbitration and ½ day Hearings**

<b>Band D</b>	425	425	<b>850</b>
<b>Band C</b>	475	475	<b>950</b>
<b>Band B</b>	525	525	<b>1,050</b>

**1 day Hearings**

<b>Band D</b>	625	625	<b>1,250</b>
<b>Band C</b>	750	750	<b>1,500</b>
<b>Band B</b>	875	875	<b>1,750</b>

**2 day Hearings**

<b>Band D</b>	875	875	<b>1,750</b>
<b>Band C</b>	1,000	1,000	<b>2,000</b>
<b>Band B</b>	1,250	1,250	<b>2,500</b>

**Notes**

- 1 The Initial Fee includes ACI's administrative charge and the early stages of the Arbitrator's fees. The Second Stage Fee covers the remaining stage of the Arbitration to its conclusion. Disbursements, including hire of arbitration rooms, copying etc will be charged additionally in accordance with the Fixed Fee Rules. All fees are payable to ACI. VAT is payable on all fees and (where appropriate) other charges.
- 2 As a general guide (with some exceptions), band B arbitrators are Queen's Counsel and senior solicitors with considerable experience of arbitration; band C are senior barristers who are not Queen's Counsel and more junior solicitors with experience of sitting as arbitrator; band D are more junior lawyers with less experience of sitting as arbitrator.
- 3 The Fixed Fee Documents-Only Procedure is suitable for simple cases not requiring oral evidence and not occupying more than a day's work after the exchange of submissions/documents and the Preliminary Meeting (if required).
- 4 For the purposes of the Continuation Fee under the Fixed Fee Scheme a half day hearing is deemed to be 3 hours and a day's hearing (or any multiple of a day) is deemed to be 6 hours excluding any adjournment for lunch. Hearings which continue beyond those hours will attract the appropriate Continuation Fee whether the hearing continues on that day or on a subsequent day. No refund shall be payable for a hearing that takes less than the estimated period for the hearing.
- 5 If the arbitration proceeds by way of a Split Hearing under Rule 21.1(d) of the Fixed Fee Rules there shall be an additional fee for each hearing after the first hearing based on half of the Initial Fee and the whole of the Second Stage Fee as appropriate according to the length of the further hearing.
- 6 The additional fees payable where expert evidence is required are intended to recompense the Arbitrator for his time spent in formulating the relevant issues and briefing the expert, reading the experts report and ensuring that the expert has dealt with all of the relevant issues. The fees charged by the expert, which form part of the Arbitrator's Expenses under the Fixed Fee Rules, will be in addition to these fees. The fee as indicated shall be payable in respect of each tribunal-appointed expert.

## Notes

- 1 If the value of either the claim or counterclaim is increased so as to bring it within a higher scale, then the party concerned will be required to pay an appropriate Additional Initial Fee.
- 2 As a general guide (with some exceptions), band A are very senior Queen's Counsel and very senior solicitors with the most experience of sitting as arbitrator; band B are Queen's Counsel and senior solicitors with considerable experience of sitting as arbitrator; band C are senior barristers who are not Queen's Counsel and more junior solicitors with experience of sitting as arbitrator; band D are more junior lawyers with less experience of sitting as arbitrator.
- 3 The Arbitrator's fee within the band selected will depend upon a number of factors including the seniority of the Arbitrator. The Arbitrator's rate will be advised by the Administrator at the time of appointment.
- 4 Deposits will be requested from time to time to cover the Arbitrator's Fees and any expenses. VAT is payable on all fees and (where appropriate) other charges. All fees are payable to ACI.
- 5 A Hearing Cancellation Fee will be payable to the Arbitrator in the event of a late cancellation of a hearing in accordance with Rule 34.2 of the Rules for Standard Arbitrations, save that the Arbitrator may, in his absolute discretion, waive all or any part of that charge if he deems it appropriate in all the circumstances of the case.

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Current from October 2001

# ACI Fee Sheet for Standard Arbitrations

The initial Fee for Standard Arbitrations is based on the value of the claim and is payable by the Claimant (the Claimant's Initial Fee) with the Standard Arbitration Request Form on the following scale. If there is a counterclaim an additional Initial Fee (the Counterclaimant's Initial Fee) is payable by the Respondent when the counterclaim is made, based on the value of that counterclaim on the following scale. The Initial Fees cover ACI's administrative charge for the arbitration.

The Initial Fee is payable on the following scale:

<b>Fee per party</b>		<b>£</b>
£ Nil	to £200,000	<b>500</b>
over £200,000	to £500,000	<b>1,000</b>
over £500,000	to £1 million	<b>2,000</b>
over £1 million	to £5 million	<b>2,500</b>
over £5 million		<b>3,750</b>

The Arbitrator is paid at an hourly rate for the work carried out. Arbitrators may be selected from the Panel within the following fee ranges

	<b>£ per hour</b>
Band D	<b>150 - 200</b>
Band C	<b>200 - 250</b>
Band B	<b>250 - 300</b>
Band A	<b>300 and over</b>

### Hearing Cancellation Fees

The following scale will apply to the late cancellation or postponement of a hearing pursuant to Rule 34.2 (c) of the Rules for Standard Arbitrations and will be applied to the Tribunal's daily sitting rate multiplied by the number of days reserved:

More than 4 weeks prior to the first day of hearing	Nil
Less than 4 weeks but more than 2 weeks	30%
Less than 2 weeks but more than 1 week	50%
Less than 1 week	75%

## Notes

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- 1 Disbursements, including hire of rooms, travel expenses, etc, will be charged additionally and will be charged for at cost.
- 2 The Neutral's time for all ADR Processes, other than Fixed Fee Mediation, will be charged at the Neutral's usual hourly rate which will be confirmed by ACI at the time of appointment.
- 3 In the event of cancellation of a hearing in an ADR Process other than that of Fixed Fee Mediation the indicated scale will be applied to the Neutral's hourly rate multiplied by 8 to arrive at a daily rate and thereafter multiplied by the number of days reserved.
- 4 All fees are payable to ACI. VAT is payable on all fees and (where appropriate) charges.

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# ACI Fee Sheet for ADR Processes

This fee sheet applies to all forms of dispute resolution which do not produce a binding adjudication. In particular they apply to Mediation, Early Neutral Evaluation and Mini-Trials.

The Initial Fee, which covers ACI's administrative charge, is based on the cumulative value of the claim and any counterclaim and is payable, in addition to the Mediator's Fee, on the following scale (*see notes 1 and 4*).

Fee per party		£
£ Nil	to £100,000	250
over £100,000	to £200,000	375
over £200,000	to £500,000	500
over £500,000	to £1 million	625
over £1 million	to £5 million	750
over £5 million		negotiable
No assessed value		negotiable

### Mediator's Fee/Neutral's Hourly Rates (*see note 1*)

ACI will appoint Mediators according to their expertise and experience, having regard to the subject matter of the dispute and the value of the claim. Parties can agree upon a particular Mediator outside these criteria, if they so chose. Mediator's hourly rates range from £150 per hour to £300 plus per hour, depending upon the individual appointed.

### Fixed Fee Mediation

ACI offers Fixed Fee Mediation and/or time limited by negotiation. The Mediator's Fixed Fee will be negotiated at the time of appointment.

### Hearing Cancellation/Early Termination Fees (*see note 2*)

The Initial Fee will not be refundable in the event of cancellation after appointment of the Neutral. In the event of adjournment or cancellation by either party of which notice is received by ACI and the Neutral in writing, the Mediator's Fee will be refundable as follows;

Less than 2 days before the date fixed for hearing	Nil
Between 2 and 7 days before the date fixed for the hearing	50%
Between 7 and 14 days before the fixed date for the hearing	75%
More than 2 weeks before the date fixed for the hearing	100%