

Regulations on the Arbitration of Latvian Chamber of Commerce and Industry

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1. The Status of the Arbitration ➡

1. The Arbitration of Latvian Chamber of Commerce and Industry (hereinafter called the Arbitration) is an administered arbitration. The Arbitration is founded by the Latvian Chamber of Commerce and Industry according to international practice and customs of arbitration as an alternative dispute resolution method.

2. Application of UNCITRAL Arbitration Rules, Board of the Arbitration and Appointing Authority ➡

1. The tribunal of the Arbitration shall be composed and disputes shall be settled in accordance with the UNCITRAL Arbitration Rules that has been approved by General Assembly of United Nations in December 15, 1976 with resolution 31\98.
2. UNCITRAL Arbitration Rules shall be applied according these Regulations.
3. The functions of Hague General Secretary stated in UNCITRAL Arbitration Rules shall be executed by the Board of the Arbitration.
4. The Arbitration shall entertain commercial disputes and other disputes which are not subject to the compulsory jurisdiction of state courts. If parties has agreed on settlement of disputes in the Arbitration, they have agreed on application of the Regulations, UNCITRAL Arbitration Rules, and the Board of the Arbitration as Appointing Authority, if arbitration close or arbitration agreement of the parties do not stipulate otherwise.
5. The Arbitration shall be administered by the Board of three members appointed by the Presidium of the Latvian Chamber of Commerce and Industry for a period of two years. The Chairman of the Board shall be elected by its members. Members of the Board must be practising lawyers who are specialised in the business law. A member of the Board can be removed if he/she is not able to fulfil his/her duties for long time or does not fulfil them.
6. Meetings of the Board shall take place not less once a month.
7. When the Board has to appoint an arbitrator or head of the arbitration tribunal, appointment shall be done taking into consideration professional qualities and experience of candidates in connection with each particular case.
8. Appointing an arbitrator or head of the arbitration tribunal, the Board shall follow the Regulations and its opinion.

3. Commencement of case and its organisation ➡

1. Office-work of the case shall be organised by the secretary of arbitration and his deputy that have been appointed by the Board of Latvian Chamber of Commerce and Industry (LCCI) from employees of LCCI Administration.
2. Conduction of the case starts when respondent has received notice of arbitration according to Article 2 of UNCITRAL Arbitration Rules. Office-work shall be provided from the moment when claimant or parties has paid arbitration fee and arbitrators fee to the account indicated by LCCI according to the rates of present regulations.

4. Office-work services ➡

1. The Arbitration provides for correspondence among the parties and candidates of arbitrators to the moment of composure of arbitration tribunal that has been completed on the moment when arbitrators has issued signed declarations of independence.
2. The Arbitration provides space for conduction of the case, organises taking of records and translation, as well as other services connected with conduction and examination of case according to the Articles 4.3.1.-4.6.1. of present Regulations.
3. Organisation of correspondence among parties and arbitrators
 1. It is possible to direct all written and oral communications among parties and arbitrators through secretary of the Arbitration, if the parties has reached such consent or arbitrators has made such order.
 2. For the purpose of communication, the Arbitration will use an address that has been stated on the notice of arbitration or any other address stated to the Arbitration by the parties in writing.
4. Conduction of the case
 1. On the request, the Arbitration will assist arbitrators in order to determine the time and place of examination, and to notice parties on the above according to UNCITRAL Arbitration Rules (Article 25, Part 1).
5. Place of arbitration
 1. The arbitration provides the place that belongs to LCCI free of charge and in the case of necessity, on the request of arbitration tribunal and expense of the parties will rent appropriate space. Payment for rented space does not include in arbitration fee on organisation and shall be paid to an account indicated by LCCI.
6. Taking records and interpreting
 1. On the particular request of arbitration tribunal the Arbitration shall organise taking records and interpreting. Payment for taking records and interpreting is not included in an arbitration fee for organisation of case and shall be paid to an account indicated by LCCI.

5. Arbitration fee, arbitrators fee and other expenses of arbitration process ➡

1. Arbitration costs and other expenses of arbitration process and order of payment shall be done according these Regulations and UNCITRAL Arbitration Rules.
2. Arbitration fee is payment for organisation of the case and does not include fee of

arbitrators. Arbitration fee is expense of arbitration process according to UNCITRAL Arbitration Rules (Article 38, (c), (f)).

3. Other expenses of arbitration shall be payment for expert job, arbitrators, witnesses and experts transportation expenses, arbitrators fees and other expenses stated in Article 38 of UNCITRAL Arbitration Rules.
4. In the process of making an award, arbitrators shall follow principles stated in UNCITRAL Arbitration Rules (Articles 38 to 40), but rate of arbitration fee rate of arbitrators fee shall not overcome rates mentioned in present Regulations.
5. If a claim does not stipulate particular sum, the Board of the Arbitration, taking into consideration circumstances of the case, shall determine rates of arbitration fee and arbitrators fee.
6. Rates of arbitration fee and arbitrators fee shall be determined according on amount of the claim in lats (LVL). Particular amounts to arbitration shall be calculated in LVL as per payment rate by Latvian Bank on the day of transaction.
7. If the case has been looked through, but parties has reached mutual agreement or claimant does not maintain a claim before arbitration tribunal shall held it first session, the Board of the Arbitration determines rate of arbitration fee that is not less than LVL 250 and arbitrators fees according to the time spent.
8. Rates of Arbitration fee.

<u>Claim amount in lats (LVL)</u>	<u>Arbitration fee in lats (LVL)</u>
up to the 12 500	500
upwards of 12 500 up to 25 000	3%
25 000--50 000	750 + 2% of the amount exceeding 25 000
50 000--250 000	1250 + 1,5% of the amount exceeding 50 000
250 000--500 000	3650 + 1,2% of the amount exceeding 250 000
500 000--1 000 000	6150 + 1,0% of the amount exceeding 500 000
1 000 000--2 500 000	8650 + 0,5% of the amount exceeding 1 000 000
over 2 500 000	9400 + 0,05% of the amount exceeding 2 500 000

9. Arbitrators fee.

<u>Claim amount in lats (LVL)</u>	<u>Arbitrators fee in lats (LVL)</u>
up to 5 000	250
upwards of 5 000 up to 25 000	375
25 000 -- 50 000	500
50 000 -- 250 000	1000
250 000 -- 500 000	2000
500 000 -- 1 000 000	3500
1 000 000 -- 2 500 000	5000
over 2 500 000	6000

10. On request of a party to appoint an arbitrator, determine amount of arbitrators fee or request, and case will not be tried at the Arbitration, the party making such a request

shall pay to the Arbitration an arbitration fee of LVL 250.

6. Suspension of the case for non-payment ➡

1. If arbitration fee or other arbitration expenses is not paid in full, arbitrator shall inform parties, giving an opportunity to do these payments. If payment is not done, arbitrator may suspend or cancel proceedings. If an arbitrator is not appointed, the case may be suspended by the Board of the Arbitration.