

**ARBITRATION FEES SCHEDULE  
OF THE HTA COMMERCIAL ARBITRATION CENTER**

*(Promulgated with Decision No. 03 / QĐ-HTA dated 06/06/2019 of the HTA President)*

**A. Calculation of the arbitration fees**

1. For Requests for Arbitration and Counterclaims specifying the value in dispute:

1.1 For disputes resolved by an Arbitral Tribunal comprising three Arbitrators

*Unit: VND*

<b>Value in dispute</b>	<b>Arbitration Fees (VAT included)</b>
Up to 100,000,000	15,000,000
From 100.000.001 to 1.000.000.000	15,000,000 + 6.0% of the amount over 100,000,000
From 1.000.000.001 to 5.000.000.000	69,000,000 + 3.0% of the amount over 1,000,000,000
From 5.000.000.001 to 10.000.000.000	189,000,000 + 2.0% of the amount over 5,000,000,000
From 10.000.000.001 to 50.000.000.000	289,000,000 + 1.5% of the amount over 10,000,000,000
From 50.000.000.001 to 100.000.000.000	889,000,000 + 1.0% of the amount over 50,000,000,000
From 100.000.000.001 to 500.000.000.000	1,389,000,000 + 0.3% of the amount over 100,000,000,000
Over 500.000.000.001	2,589,000,000 + 0.1% of the amount over 500,000,000,000

1.2 For disputes resolved by a Sole Arbitrator, the arbitration fees shall be 70% of the fees for the same value in dispute mentioned in Section 1.1 above.

1.3 Value in dispute in foreign currencies shall be converted into Vietnamese Dong at the transfer exchange rate announced by Vietcombank at the time of submission of Request for Arbitration or Counterclaim.

2. For Requests for Arbitration and Counterclaims without indicating the monetary value in dispute, the arbitration fees shall be fixed by the HTA President at his consideration of the dispute's nature, estimated time for dispute settlement and the number of the Arbitrators.
3. For Requests of Arbitration and Counterclaims containing both monetary requests and non-monetary ones, the arbitration fees shall be calculated pursuant to mentioned-above Section 1 and Section 2, respectively.
4. The arbitration fees mentioned in Sections 1, 2 and 3 above excludes travelling, accommodation and other relevant expenses for Arbitrator(s) who resolve the dispute and secretarie(s) of the hearings, expenses for inspection and valuation of assets, expenses

for seeking expert advice, and expenses for other assistance at the request of the Arbitral Tribunal.

5. The regulations in the above-mentioned Sections 1, 2, 3 and 4 shall apply to calculate the additional arbitration fees for any amendment and/or supplement to Requests for Arbitration and Counterclaims which increases the value of the dispute and/or the value of the Counterclaim. In case of any decrease in the value of the dispute or in the value of the Counterclaim, the arbitration fees shall remain unchanged.

#### **B. The Refunding of arbitration fees**

The arbitration fees shall be refundable in the following circumstances:

1. Withdrawal of the Request for Arbitration and/or amendment and/or supplement to the Request for Arbitration; the Counterclaim and/or amendment and/or supplement to the Counterclaim:
  - a) In case the Request for Arbitration and/or amendment and/or supplement to the Request for Arbitration; the Counterclaim and/or amendment and/or supplement to the Counterclaim are withdrawn before the constitution of the Arbitral Tribunal, 70% of the arbitration fees is refundable;
  - b) In case the Request for Arbitration and/or amendment and/or supplement to the Request for Arbitration; the Counterclaim and/or amendment and/or supplement to the Counterclaim are withdrawn after the constitution of the Arbitral Tribunal, 40% of the arbitration fees is refundable.
  - c) In case the Request for Arbitration and/or amendment and/or supplement to the Request for Arbitration; the Counterclaim and/or amendment and/or supplement to the Counterclaim are withdrawn after the Center has sent the summon to the hearing, but before the date of the hearing, 20% of the arbitration fees is refundable.
2. In case the Arbitral Tribunal issues a decision to suspend the settlement of the dispute on the grounds of non-existence or invalidity or inability to be performed of an arbitration agreement, 30% of the arbitration fees is refundable.
3. In case the Arbitration Tribunal issues a decision to suspend the settlement of the dispute when the Court's decision states that the dispute is not under the jurisdiction of the Arbitral Tribunal, 20% of the arbitration fees is refundable.
4. In no circumstances, the remaining arbitration fees is less than VND 10,000,000.