

**MEDIATION FEES SCHEDULE**

**OF THE HTA COMMERCIAL ARBITRATION CENTER**

*(Promulgated with Decision No. 04/QĐ-HTA dated June 6, 2019 of the HTA President)*

**1. Mediation Registration Fee and Calculation of Mediation Fees**

1.1 The mediation registration fee is 3,000,000 VND.

1.2 The mediation fees (excluding mediation registration fee) are calculated based on the total value of the dispute as requested by the parties.

1.2.1 For disputes resolved by a Sole Mediator whose nationality is Vietnam:

*Unit: VND*

<b>Value of the dispute</b>	<b>Mediation fees (excluding mediation registration fee; including VAT)</b>
Up to 100,000,000	10,000,000
From 100,000,001 to 1,000,000,000	10,000,000 + 4.0% of the amount in excess of 100,000,000
From 1,000,000,001 to 5,000,000,000	46,000,000 + 2.0% of the amount in excess of 1,000,000,000
From 5,000,000,001 to 10,000,000,000	126,000,000 + 1.0% of the amount in excess of 5,000,000,000
From 10,000,000,001 to 50,000,000,000	176,000,000 + 0.5% of the amount in excess of 10,000,000,000
From 50,000,000,001 to 100,000,000,000	376,000,000 + 0.3% of the amount in excess of 50,000,000,000
From 100,000,000,001 to 500,000,000,000	526,000,000 + 0.2% of the amount in excess of 100,000,000,000
500,000,000,001 or more	1,326,000,000 + 0.1% of the amount in excess of 500,000,000,000

1.2.2 The President of the Center decides on mediation fees based on the number of mediators conducting mediation, the value of the dispute, the complexity of the dispute, and the estimated time for dispute resolution in the following cases:

a) The dispute is resolved by more than one mediator;

- b) The dispute is resolved by a foreign mediator;
- c) The parties do not specify the value in dispute; or
- d) There is an increase or decrease in the value of the dispute made by parties during the mediation process.

1.2.3 The parties may agree with the Center on the application of a different mediation fee with the mediation fees mentioned in 1.2.1.

1.3 Value of the dispute in foreign currency shall be converted into Vietnamese Dong at the foreign exchange rate announced by Vietcombank at the time of submission of the Request for Mediation.

1.4 In case the parties do not have other agreements, the fees mentioned in section 1.2.1, section 1.2.2 and section 1.2.3 are equally distributed among the parties.

1.5 The mediation fees include VAT.

## **2. Cases of refunding of mediation fees (excluding mediation registration fee)**

2.1 In case the party receiving a Request for Mediation refuses to mediate or fails to send the Statement of Reply to the Center as provided in Item d) Paragraph 1, Article 16 of HTA's Mediation Rules, HTA shall refund the entire amount of the mediation fees (excluding mediation registration fee) that the requesting party has paid to HTA.

2.2 In case one party or all parties declare that they want to terminate the ongoing mediation process under Item c) Paragraph 1, Article 16 of HTA's Mediation Rules after the time the appointed mediator accepted the appointment, HTA shall refund 80% of the mediation fees (excluding mediation registration fee).

2.3 In case one party or all parties declare that they want to terminate the ongoing mediation process under Item c) Paragraph 1, Article 16 of HTA's Mediation Rules after HTA notified the date of the first mediation session but before the date this first mediation session will take place, HTA shall refund 60% of the mediation fees (excluding mediation registration fee).

2.4 In case of termination of mediation process under Item b) Paragraph 1, Article 16 of HTA's Mediation Rules, HTA shall refund the mediation fees respectively to the cases specified in Section 2.2 and Section 2.3 above.