FAST TRACK ARBITRATION RULES

Chapter I
Initial provisions

Article 1.º

Scope of application

The Fast Track Arbitration Rules are applicable:

a) When the Parties have agreed in the arbitration agreement or in a subsequent agreement;

b) When one of the Parties has proposed it and, the other party has not opposed it;

c) By decision of the President of the Center.

Article 2.º

Application of the Rules by initiative of one of the parties

1 – Having no previous agreement for the application of Fast Track Arbitration Rules, the Claimant may request the application in the Request for Arbitration.

2 – The Respondent shall respond to the invitation in the Answer, considering that no opposition has the meaning of an acceptation of the rules.

3 – The Respondent may also propose the application of the Fast Track Arbitration Rules in the Answer, being the Claimant notified to respond on this matter.

4 – No opposition from the Claimant is considered an acceptation of the proposal for the application of the Fast Track Arbitration Rules.

5 – In any situation of the previous numbers, the party who requests the application of the Fast Track Arbitration Rules shall appoint an arbitrator, whom in the case the Rules are not applicable, shall integrate the tribunal according to the Arbitration Rules.

Article 3.º

Application of the Rules by decision of the President

1 – The President of the Center shall determine the application of the Fast Track Arbitration Rules in those proceedings which value are same or inferior to 200,000€, except if:

   a) The Parties have excluded its application in the arbitration agreement or in other subsequent agreement;

   b) Both Parties have been notified of that intention and oppose it;

   c) The circumstances of the situation are not adequate for its application.

2 – The President of the Center can yet determine the application of the Fast Track Arbitration Rules in those proceedings which value are superior to 200,000€, when it is adequate and none of the parties oppose it.
Article 4.º
**Subsidiary Application of the Arbitration Rules**
All issues not provided by the Fast Track Arbitration Rules are regulated by the Arbitration Rules.

Article 5.º
**General time limits**
The time limit to practice any act that is not provided in the Fast Track Arbitration Rules shall be of 5 days.

**Chapter II**
**Arbitral Tribunal**

Article 6.º
**Sole Arbitrator**
The arbitral tribunal is constituted by a sole arbitrator.

Article 7.º
**Appointment of the arbitrator**
1 – Ten days after the notification of the Answer, the parties can present the appointed arbitrator who they have agreed on.
2 – Any of the parties may, in the same time limit, request to the President of the Center to appoint the sole arbitrator.

**Chapter III**
**Arbitral Proceedings**

Article 8.º
**Request for Fast Track Arbitration**
1 – Who intends to submit a dispute to the arbitral tribunal according to the Fast Track Arbitration Rules shall present to the Secretariat the Request for Fast Track Arbitration, together with the arbitration agreement or the proposal addressed to the other party for its celebration.
2 – In the Request for Fast Track Arbitration, which cannot exceed 35 pages, the Claimant shall:
   a) Identify the parties, their addresses and if possible their email addresses;
   b) Report all relevant facts for the resolution of the dispute;
   c) Submit their request and respective value;
   d) Produce all documents for the evidence of the alleged facts;
   e) Identify the witnesses the Claimant intends to present;
   f) Submit the party-appointed expert report, if the Claimant pretends to rely on expert evidence;
   g) Refer to any other relevant circumstances.
Article 9.º

Summon and Answer

1 – Within 5 days, the Secretariat summons the Respondent, issuing an original copy of the Request for Fast Track Arbitration and of the other documents that accompany them.

2 – The Respondent shall, in the time limit of 20 days, present the Answer, which shall not exceed 35 pages, and shall:
   a) Take a position on the dispute and the request;
   b) Produce all documents for the evidence of the alleged facts;
   c) Identify the witnesses the Respondent intends to present;
   d) Submit the party-appointed expert report, or inform that it will be submitted within the time limit of 20 days, if the Respondent pretends to rely on expert evidence;
   e) Refer to any other relevant circumstance.

3 – If the Respondent requests, the time limit to present the Answer can only be extended:
   a) By the President of the Center in exceptional situations and after hearing the Claimant;
   b) By agreement of both parties.

Article 10.º

Decision on jurisdiction

If any of the parties argues the lack of jurisdiction of the arbitral tribunal, the ruling shall take place at the end of the arbitration, except when is a partial objection and, if so, can be immediately decided.

Article 11.º

Preliminary hearing

1 – If the arbitration proceeds and the tribunal understands convenient for its efficiency, the parties are summoned for a preliminary hearing, in the time limit of 20 days after the constitution of the arbitral tribunal.

2 – The arbitral tribunal defines, after hearing the parties:
   a) The issues that must be decided;
   b) The provisional calendar of the proceedings, that shall obligatorily include final hearing date or dates;
   c) In exceptional situations and considering the complexity of the case, the submission of the new statements, to be presented simultaneously;
   d) Eventual amendments to the evidence produced and requested, providing the rules and time limits for their production;
   e) If there are witnesses statements and the correspondent time to present them;
   f) The applicable rules for the final hearing, including the maximum time available for the production of evidence, that may not exceed 20 hours distributed in equal parts for each party;
   g) The value of the arbitration, notwithstanding the possibility of supervening modification.

Article 12.º
General rules for the taking of evidence

If the tribunal or the parties do not provide differently, the Fast Track Arbitration Rules shall be applied to the taking of evidence.

Article 13.º

Documents

1 – Each party shall submit all documents on which they rely with the initial statements, not being admissible to submit documents after, unless exceptional circumstances on the terms of the following number.

2 – If, after the initial statement, a party intends to submit a new document, the party shall request that to the tribunal, with a copy for the other party, explaining the relevance of the document, without attaching it, which will only occur after the Tribunal’s ruling.

Article 14.º

Experts

1 – The expertise evidence shall be made by party-appointed experts.

2 – The expert report shall be attached to the initial statements in the terms there provided.

3 – The expert report shall contain:
   a) The declaration of independence from the parties and from the object of the dispute, disclosing any relationship in the present or past with the parties;
   b) A summary of his or hers professional curriculum, and its relevance to the expertise object;
   c) A description of the object of the expertise, the none controversial facts and the elements analyzed by the experts;
   d) The facts and conclusions, duly justified;
   e) The expert signature, its date and place.

4 – By request of any of the parties or by decision of the tribunal, the experts shall appear in the final hearing for clarifications.

5 – If the appearance of a Party-Appointed Expert has not been requested, none of the parties shall be deemed to have agreed to the correctness of the content of the expert report.

Article 15.º

Witnesses

1 – Each party shall present their witnesses, maxim 5 each; if a counterclaim was submitted, the limit shall be double.

2 – The parties, their representatives and officers shall be heard as witnesses.

3 – If the tribunal decides so in the preliminary hearing, the parties may produce witnesses’ statements.

4 – The witness statement shall contain:
   a) The full name and address of the witness;
   b) A declaration of his or hers present or past relationship with the parties;
   c) A summary of his or hers professional curriculum, if it is relevant to the dispute;
   d) A full and detailed description of the facts and the sources of the witness’s information;
   e) An affirmation of the truth of the witness statement;
f) The signature of the witness, and its date and place.

5 – If witnesses’ statements were submitted, the witnesses shall only be heard if the other party so requests or the tribunal decides, being the interrogation limited to cross-examination and eventual clarifications by the tribunal.

6 – If the appearance of a witness has not been requested, the other party shall not be deemed to have agreed to the correctness of the content of the witness statement.

7 – If a witness whose appearance has been requested fails without a valid reason to appear for testimony at the final hearing, the arbitral tribunal shall disregard that witness statement.

Artículo 16.º

Final submissions

1 – The parties may present final submissions of fact and of law:
   a) Orally in the last session of the final hearing;
   b) By written, in the time limit of 10 days after the last session of the final hearing.

3 – The tribunal if considers useful, may:
   a) Restrict the final allegations to specific issues of the facts and the law;
   b) Limit the time for the oral submissions, wish shall not exceed 1 hour for each party;
   c) Limit the extension of the written submissions in a maxim of 35 pages.

Capítulo IV

Arbitral award

Artículo 17.º

Time limit for the arbitration and the award

1 – The award shall be issued in a time limit of 30 days starting from the last session of the final hearing.

2 – The global time limit for the conclusion of the arbitration is of 6 months, starting from the date of the tribunal constitution.

3 – The President of the Center, in exceptional circumstances and by a grounded request of the arbitral tribunal, and having heard the parties, may extend the time limits provided by the previous numbers.

Capítulo V

Arbitration Costs

Artículo 18.º

Fees of the sole arbitrator

The fees of the sole arbitrator are determined by the President of the Arbitration Center, having in consideration the value of the arbitration, in the terms of table number 1 annexed to the Fast Track Arbitration Rules.

Artículo 19.º
Administrative costs
1 – The administrative costs of the arbitral proceedings are determined by the President of the Arbitration Center, having in consideration the value of the arbitration in the terms of table number 2 annexed.
2 – The Claimant shall pay, for the request for arbitration, an established amount of equal value in the minimum level of table number 2 annexed, that will at the end of the proceedings be deducted in the liquidation of the arbitration costs.

Chapter VI
Entry into force

Article 20.º
Entry into force
1 – Notwithstanding the next number, the Fast Track Arbitration Rules shall enter into force the 1st of March of 2016, applying to all arbitration requested after that date.
2 – If the arbitration agreement was celebrated before the date of entering into force of the Fast Track Arbitration Rules, the Rules shall not be applicable if one of the parties opposes it.

NEW ARTICLE FOR THE ARBITRATION RULES

Article 58.º
Application of the Fast Track Arbitration Rules by decision of the President
1 – The President of the Center shall determine the application of the Fast Track Arbitration Rules in those proceedings which value are equal or inferior to 200.000€, except if:
   a) The parties exclude the application in the arbitral agreement or in a subsequent agreement;
   b) The Parties are notified of that intention, and opposed it;
   c) The arbitration agreement was signed previous to the entry into force of the Fast Track Arbitration Rules and one of the parties opposes it;
   d) The circumstances of the case are not adequate for its application.
2 – The President of the Center may still determine the application of the Fast Track Arbitration Rules in those proceedings which value are superior to 200.000€ when finds it adequate, and when none of the parties oppose it.
<table>
<thead>
<tr>
<th>Value of Dispute</th>
<th>Fees</th>
<th>ARBITRATOR FEES – FAST TRACK ARBITRATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 100.000,00</td>
<td>5.300,00</td>
<td>of the amount in excess of 100.000,00</td>
</tr>
<tr>
<td>100.001,00 to 200.000,00</td>
<td>5.300,00+2,5% of the amount in excess of 100.000,00</td>
<td></td>
</tr>
<tr>
<td>200.001,00 to 500.000,00</td>
<td>7.800,00+1,25% of the amount in excess of 200.000,00</td>
<td></td>
</tr>
<tr>
<td>500.001,00 to 1.000.000,00</td>
<td>11.550,00+0,8% of the amount in excess of 500.000,00</td>
<td></td>
</tr>
<tr>
<td>1.000.001,00 to 2.500.000,00</td>
<td>15.550,00+0,7% of the amount in excess of 1.000.000,00</td>
<td></td>
</tr>
<tr>
<td>2.500.001,00 to 5.000.000,00</td>
<td>26.050,00+0,5% of the amount in excess of 2.500.000,00</td>
<td></td>
</tr>
<tr>
<td>5.000.001,00 to 10.000.000,00</td>
<td>38.550,00+0,25% of the amount in excess of 5.000.000,00</td>
<td></td>
</tr>
<tr>
<td>10.000.001,00 to 20.000.000,00</td>
<td>51.050,00+0,15% of the amount in excess of 10.000.000,00</td>
<td></td>
</tr>
<tr>
<td>20.000.001,00 to 40.000.000,00</td>
<td>66.050,00+0,09% of the amount in excess of 20.000.000,00</td>
<td></td>
</tr>
<tr>
<td>40.000.001,00 to 80.000.000,00</td>
<td>84.050,00+0,075% of the amount in excess of 40.000.000,00</td>
<td></td>
</tr>
<tr>
<td>80.000.001,00 to 120.000.000,00</td>
<td>114.050,00+0,05% of the amount in excess of 80.000.000,00</td>
<td></td>
</tr>
<tr>
<td>&gt; 120.000.000,00</td>
<td>134.050,00</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Value of Dispute</th>
<th>Administrative Cost</th>
<th>ADMINISTRATIVE COST – FAST TRACK ARBITRATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 100.000,00</td>
<td>2.500</td>
<td></td>
</tr>
<tr>
<td>100.001,00 to 200.000,00</td>
<td>2.500,00+2,0% of the amount in excess of 100.000,00</td>
<td></td>
</tr>
<tr>
<td>200.001,00 to 500.000,00</td>
<td>4.500,00+1,0% of the amount in excess of 200.000,00</td>
<td></td>
</tr>
<tr>
<td>500.001,00 to 1.000.000,00</td>
<td>7.500,00+0,2% of the amount in excess of 500.000,00</td>
<td></td>
</tr>
<tr>
<td>1.000.001,00 to 2.500.000,00</td>
<td>8.500,00+0,1% of the amount in excess of 1.000.000,00</td>
<td></td>
</tr>
<tr>
<td>2.500.001,00 to 5.000.000,00</td>
<td>10.000,00+0,08% of the amount in excess of 2.500.000,00</td>
<td></td>
</tr>
<tr>
<td>5.000.001,00 to 10.000.000,00</td>
<td>12.000,00+0,05% of the amount in excess of 5.000.000,00</td>
<td></td>
</tr>
<tr>
<td>10.000.001,00 to 20.000.000,00</td>
<td>14.500,00+0,04% of the amount in excess of 10.000.000,00</td>
<td></td>
</tr>
<tr>
<td>20.000.001,00 to 40.000.000,00</td>
<td>18.500,00+0,03% of the amount in excess of 20.000.000,00</td>
<td></td>
</tr>
<tr>
<td>40.000.001,00 to 80.000.000,00</td>
<td>24.500,00+0,02% of the amount in excess of 40.000.000,00</td>
<td></td>
</tr>
<tr>
<td>80.000.001,00 to 120.000.000,00</td>
<td>32.500,00+0,01% of the amount in excess of 80.000.000,00</td>
<td></td>
</tr>
<tr>
<td>&gt; 120.000.000,00</td>
<td>36.500,00</td>
<td></td>
</tr>
</tbody>
</table>

- Figures in the tables are stated in euros.
- VAT is payable on the fees and administrative charges at the legal rate in force.