

CORRECTED ARBITRAL AWARD

(BAT 2114/24)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Rhodri Thomas

in the arbitration proceedings between

Ms. Delić Anđela

- Claimant -

represented by Mr. Sergiu Valentin, attorney at law,

vs.

Antalya Toroslar Basketbol Spor Kulübü
32. Sokak, No:3/5, Liman Mahallesi, 07130 Konyaaltı,
Antalya, Turkey

- Respondent -

AWARD

Upon providing all parties with an opportunity to be heard, having examined his jurisdiction and considered the factual and legal arguments as well as the requests for relief submitted in this case, the Arbitrator decides as follows:

- 1. Antalya Toroslar Basketbol Spor Kulübü shall pay Ms. Delić Anđela EUR 4,862.80, net of taxes, as compensation for unpaid salary payments, plus interest at 5% per annum on any outstanding balance (as may be the case from time to time) thereof from 26 January 2024 until and including the earlier of (i) the day of payment of such amount or (ii) the 10th day after the day the present award is communicated to the parties by email.**
- 2. Antalya Toroslar Basketbol Spor Kulübü shall pay Ms. Delić Anđela EUR 2,089.33 net, in pre-award late penalty fees.**
- 3. Antalya Toroslar Basketbol Spor Kulübü shall pay Ms. Delić Anđela late penalty fees of 1% per day of delay on the amount of EUR 4,862.80 or any outstanding balance (as may be the case from time to time) thereof, starting from the 11th day after the day the present award is communicated to the parties by email, in case the Club has not duly paid such amount in the term of 10 days after the award is communicated, up to a maximum post-award late penalty of EUR 2,773.47, and thereafter 5% per annum until the day of complete payment.**
- 4. The costs of this arbitration until the present Award, which were determined by the President of the BAT to be in the amount of EUR 4,325.00, shall be borne by Antalya Toroslar Basketbol Spor Kulübü alone. Accordingly, Antalya Toroslar Basketbol Spor Kulübü shall pay EUR 4,325.00 to Ms. Delić Anđela. The balance of the advance on costs in the amount of EUR 175.00 will be reimbursed by the BAT to Ms. Delić Anđela.**
- 5. Antalya Toroslar Basketbol Spor Kulübü shall pay Ms. Delić Anđela an amount of EUR 3,000.00 as reimbursement for her legal fees and expenses.**

6. **Any other or further requests for relief are dismissed.**
7. **Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**

Geneva, seat of the arbitration, 24 July 2024

Rhodri Thomas
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2 and 16.3 of the BAT Rules (version of 1 January 2022):

“16.2 By agreeing to submit their dispute to arbitration under these Rules, the parties agree that, subject to Article 16.3, the Arbitrator shall issue an award without reasons if the sum in dispute does not exceed EUR 50,000.

16.3 In cases falling under Article 16.2, the Arbitrator shall issue an award with reasons (which shall substitute in full for any previously-issued award without reasons) only if

- a) a party (i) files a request to that effect at any stage from when the Request for Arbitration is filed until no later than ten (10) days after the notification of the award without reasons, and (ii) pays, within the deadline set by the BAT Secretariat, an amount of EUR 3,000 into the bank account indicated in Article 17.1, failing which the request shall be deemed withdrawn; or*
- b) the BAT President determines in his sole discretion, before the award is issued, that it shall be rendered with reasons, taking into account the issues raised by the case as well as the public interest in a sufficient body of publicized awards with reasons.”*

Please note that the time limit for payment of the amount of EUR 3,000.00, in accordance with Article 16.3(a) of the BAT Rules, will be set by the BAT Secretariat upon receipt of the request for reasons, if any.