



**BASKETBALL**  
ARBITRAL TRIBUNAL

## **ARBITRAL AWARD**

**(BAT 2037/23)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Ms. Annett Rombach**

in the arbitration proceedings between

**Mr. Željko Lukajić,**

**- Claimant -**

represented by Dr. Ivan Todorović, attorney at law,  
and Dr. Velimir Živković, attorney at law,

vs.

**Košarkaški klub 'Spartak',**  
Dimitrija Tucovića 2, 24000 Subotica, Serbia

**- Respondent -**

represented by Mr. Ivan Todorovic, attorney at law,

## **AWARD**

Upon providing all parties with an opportunity to be heard, having examined her 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. Košarkaški klub 'Spartak' is ordered to pay to Mr. Željko Lukajić EUR 18,462.00 net in outstanding bonuses together with interest of 5% per annum on any outstanding balance (as may be the case from time to time) thereof from 20 May 2023 until payment in full.**
- 2. Košarkaški klub 'Spartak' is ordered to pay to Mr. Željko Lukajić EUR 3,733.33 net in outstanding salaries together with interest of 5% per annum on any outstanding balance (as may be the case from time to time) thereof from 29 May 2023 until payment in full.**
- 3. The costs of this arbitration until the present Award, which were determined by the Vice-President of the BAT to be in the amount of EUR 4,700.00, shall be borne by Košarkaški klub 'Spartak' alone. Accordingly, Košarkaški klub 'Spartak' shall pay to Mr. Željko Lukajić EUR 4,700.00. The balance of the advance on costs in the amount of EUR 300.00 will be reimbursed to Mr. Željko Lukajić by the BAT.**
- 4. Košarkaški klub 'Spartak' is ordered to pay to Mr. Željko Lukajić EUR 2,775.70 as a contribution towards his legal fees and expenses (including the non-reimbursable handling fee).**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 6. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 19 April 2024

Annett Rombach  
(Arbitrator)

### **Notice about Request for Reasons**

In accordance with Article 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.