

ARBITRAL AWARD

(BAT 2110/24)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Clifford J. Hendel

in the arbitration proceedings between

Mr. Aleksandar Petrovikj

- Claimant -

represented by Mr. Sabin Liviu Gherdan, attorney at law,

vs.

KK MZT Skopje Aerodrom AD Skopje
Boulevard Jane Sandanski 1
1000 Skopje, North Macedonia

- 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. KK MZT Skopje Aerodrom AD Skopje is ordered to pay Mr. Aleksandar Petrovikj EUR 35,500 net as compensation for his outstanding salaries for the 2021/22 and the 2022/23 seasons, plus EUR 4,000 net for his outstanding bonuses, together with interest at 5% *per annum* on any outstanding balance (as may be the case from time to time) thereof, according to the following schedule:**
 - On the amount of EUR 2,000, from 28 March 2022.
 - On the further amount of EUR 2,000, from 11 June 2022.
 - On the further amount of EUR 3,500, from 2 July 2022.
 - On the further amount of EUR 4,000, from 16 November 2022.
 - On the further amount of EUR 4,000, from 16 December 2022.
 - On the further amount of EUR 4,000, from 16 January 2023.
 - On the further amount of EUR 4,000, from 16 February 2023.
 - On the further amount of EUR 4,000, from 16 March 2023.
 - On the further amount of EUR 4,000, from 16 April 2023.
 - On the further amount of EUR 4,000, from 16 May 2023.
 - On the further amount of EUR 4,000, from 16 June 2023.
- 2. KK MZT Skopje Aerodrom AD Skopje shall bear 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 4,700. Accordingly, KK MZT Skopje Aerodrom**

AD Skopje shall pay EUR 4,700 to Mr. Aleksandar Petrovikj. The balance of the Advance on Costs in the amount of EUR 300.00 will be reimbursed to Mr. Aleksandar Petrovikj by the BAT.

- 3. KK MZT Skopje Aerodrom AD Skopje shall pay EUR 5,500 to Mr. Aleksandar Petrovikj as a contribution to his legal fees and expenses (including the non-reimbursable handling fee).**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 5 June 2024

Clifford J. Hendel
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2 and 16.3 of the BAT Rules (version of 1 February 2024):

- “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.