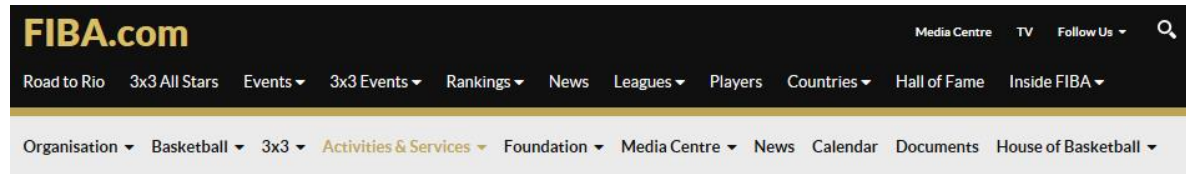


A Guide to the
BAT Arbitration Procedure
before the
Basketball Arbitral Tribunal (BAT)

- Obtain information on <https://www.fiba.basketball/bat/>

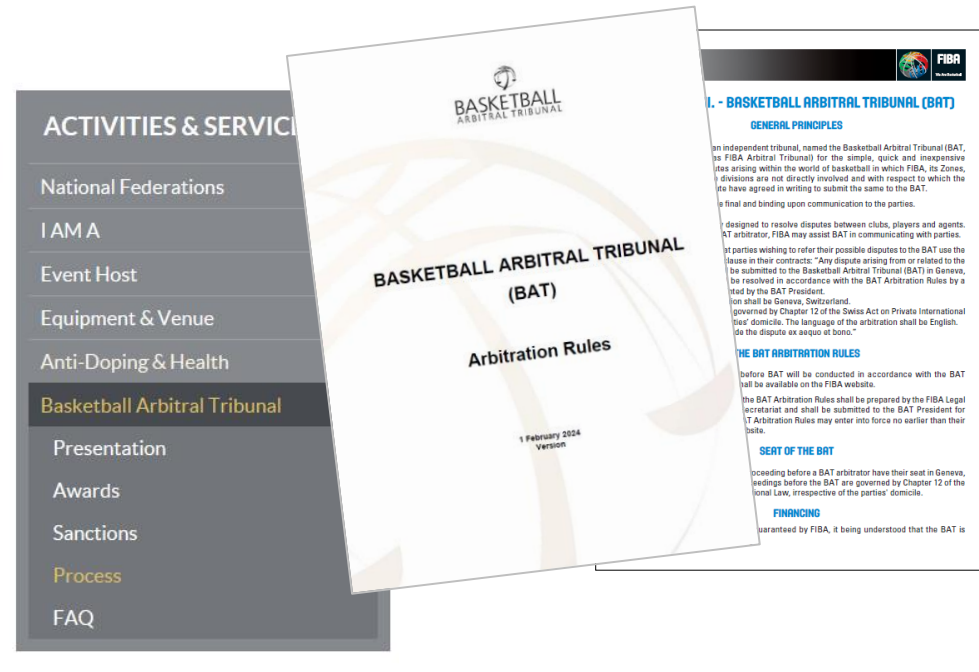


Process



Claimant fills the below process summarises the BAT arbitration process. Please note that this information is for basic informative purposes only. For the exact, legally-binding BAT process, please refer to the BAT Arbitration Rules. Prior agreement to submit any potential dispute to BAT by including the Standard Arbitration Clause in contractual agreements in the Request for Arbitration Form in accordance with BAT

- Internal Regulations on BAT
- BAT Arbitration Rules
- Composition of the Arbitration Panel



- Frequently asked Questions
- Template for **Request for Arbitration**

How does the BAT Arbitration Procedure work?



REQUEST FOR ARBITRATION

Date:

To the: **BASKETBALL ARBITRAL TRIBUNAL**
 c/o
 Martens Rechtsanwälte
 Agnesstr. 14, 80797 Munich, Germany
 E-mail: bat@martens.legal
 Facsimile: +49 89 452 44 22 99

[Please note: The Request for Arbitration and any accompanying exhibits shall be submitted by email only to the above mentioned email address (unless a transmission by email is not technically feasible). The Request for Arbitration shall be filed as a clearly legible PDF document that includes a list of exhibits. Any exhibits should be either submitted in the same PDF file as the Request for Arbitration itself (with each exhibit clearly numbered/marked in the document) or as separate PDF files (with the file names indicating the exhibit number). Also, e-mails sent to the BAT Secretariat should not exceed 10 MB in size. If you need to send documents by regular mail or fax, please use the address respectively fax number indicated above.]

The Claimant(s)

Contact details (mandatory)	Claimant 1	Claimant 2 (if applicable)
Name:	<input type="text"/>	<input type="text"/>
Full Address:	<input type="text"/>	<input type="text"/>
Telephone:	<input type="text"/>	<input type="text"/>
Facsimile:	<input type="text"/>	<input type="text"/>
E-Mail:	<input type="text"/>	<input type="text"/>

Contact details (mandatory)	Claimant 3 (if applicable)	Claimant 4 (if applicable)
Name:	<input type="text"/>	<input type="text"/>
Full Address:	<input type="text"/>	<input type="text"/>

Fill out Request for Arbitration (“RfA”) (Master Document provided on FIBA website)

RfA shall contain (9.1 of BAT Rules)

- names, full addresses, telephone, fax numbers and e-mail addresses of the Claimant and the Respondent and/or their respective counsel.
- statement of all the facts and the legal arguments.
- Claimant's request for relief.
- Copy of contract containing the arbitration clause in favour of BAT
- All written evidence
- Any request for the examination of (a) witness(es).
- Power(s) of attorney (if applicable)



File the Request For Arbitration (“RfA”)

**Check whether RfA is complete. Attention!
As a rule, no further submissions by Claimant**

by E-Mail to
BAT Secretariat



Pay the
Non-Reimbursable Handling Fee
into the **BAT Account**
(17.1 of the BAT Arbitration Rules)

17. Costs of Arbitration

17.1 Along with the filing of the Request for Arbitration or a counterclaim, the Claimant (or the Counterclaimant, respectively) shall pay to the following bank account:

Beneficiary: FIBA (Basketball Arbitral Tribunal), Route Suisse 5, P.O Box 29,
1295 Mies, Switzerland

Bank: UBS Bank, Bahnhofstr. 45, 8098 Zurich, Switzerland
IBAN: CH480024324350938460F
Swift: UBSWCHZH80A

a non-reimbursable handling fee in accordance with the scale set forth below:

Sum in Dispute (in Euros)	Handling Fee (in Euros)
up to 25,000	1,000
25,001 to 50,000	2,000
from 50,001 to 200,000	4,000
from 200,001 to 500,000	6,000
over 500,000	8,000

BAT Secretariat administers the online platform so that the President and Arbitrators can access all information via the internet.

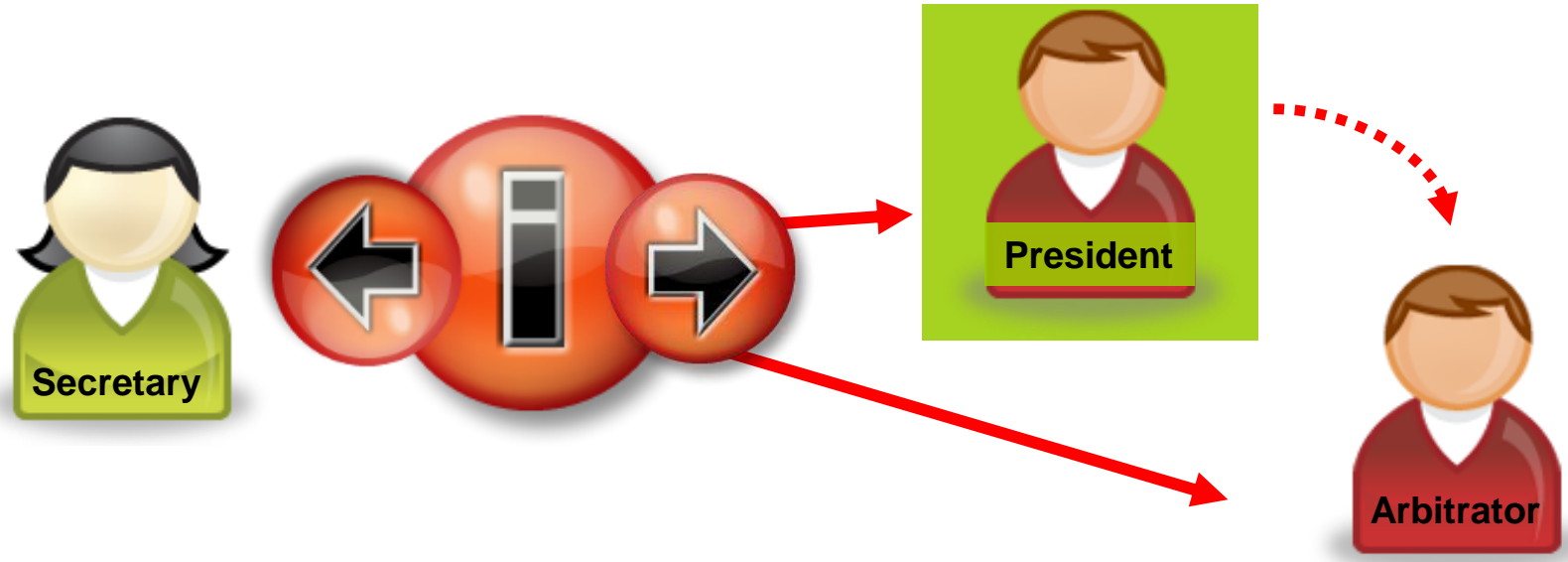


This includes

- Information on the case to be taken into consideration by the Arbitrator
- Document library with all documents submitted by the parties
- Document library with correspondence exchanged among the BAT Team
- Contact details of the BAT Team
- General Information, Internet Links, Rules and Regulations

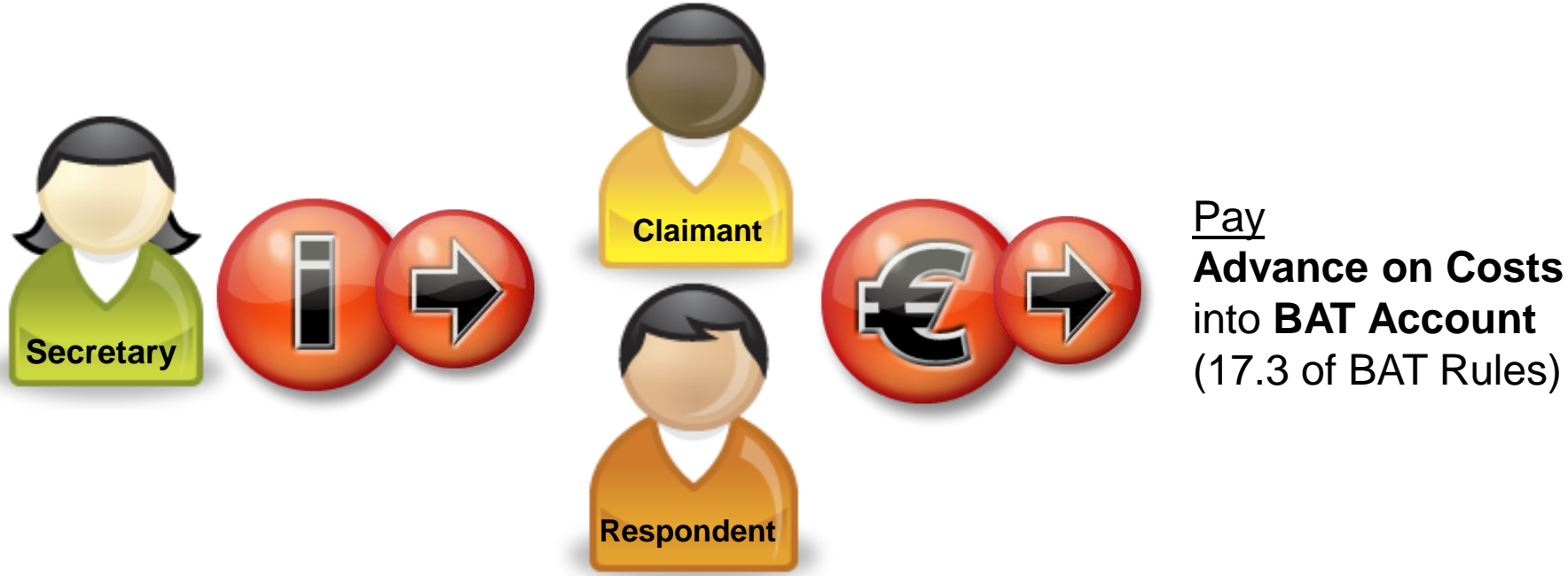
How does the BAT Arbitration Procedure work?

- BAT Secretariat informs the President of the BAT about the new case
- BAT President reviews the documents, confirms conformity with BAT Rules and appoints an Arbitrator
- The Arbitrator receives all documents submitted by the Claimant



How does the BAT Arbitration Procedure work?

- BAT Secretariat confirms receipt of the Request for Arbitration and of the Non-Reimbursable Handling Fee and informs the Respondent of the pending case and the time limit for filing his Answer (11.2 of BAT Rules)
- BAT Secretariat also informs the parties about the amount and the time limit for the payment of the advance on costs



- Respondent submits his answer within the set time limit

Answer shall contain (11.2 of BAT Rules)

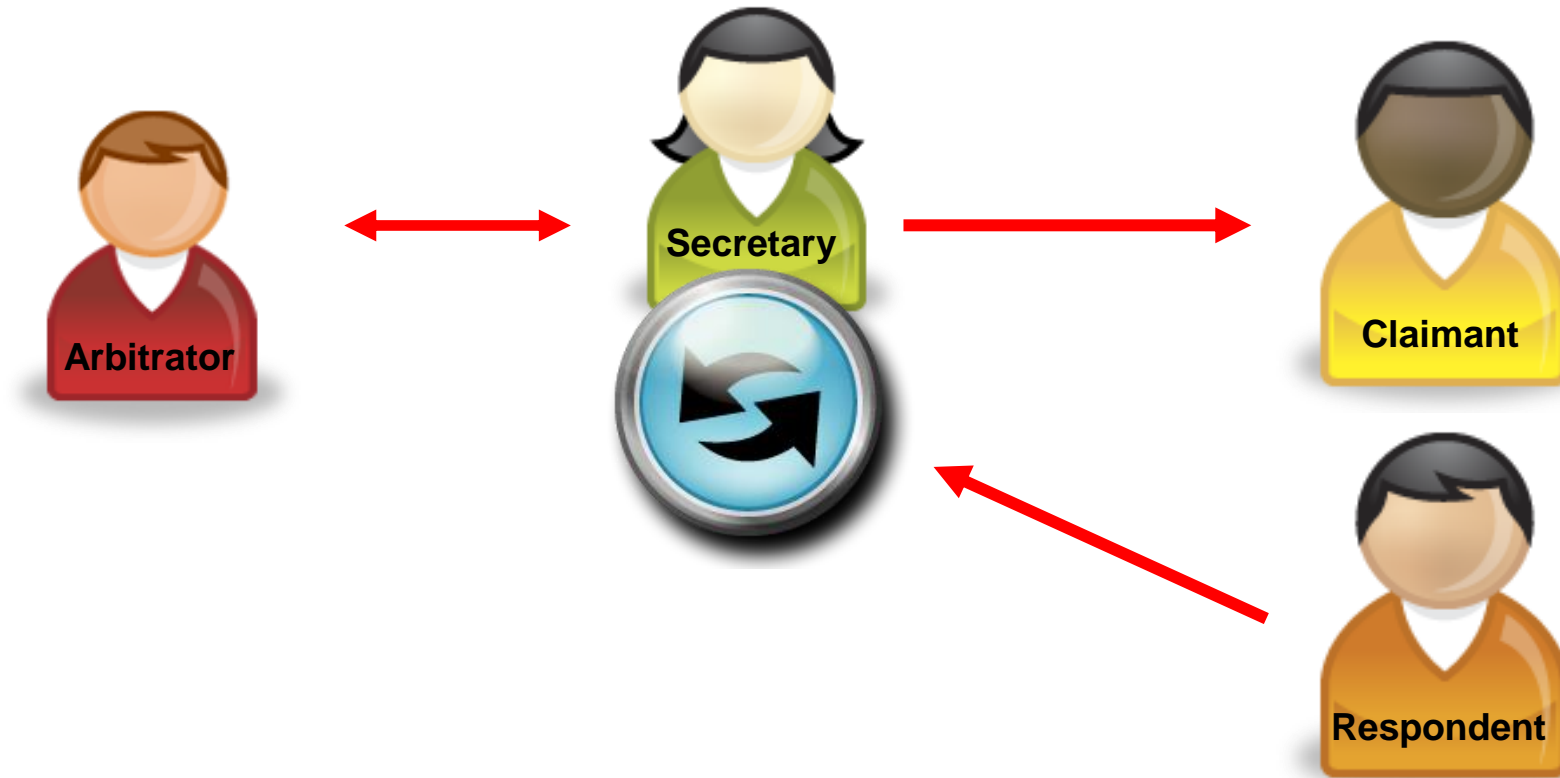
- Any defence of lack of jurisdiction.
- A statement of defence, including a statement of all the facts and legal arguments.
- Names and addresses of the Respondent and counsel, unless this has already been set out in the Request.
- Any counter claim and details of the relief sought.
- All written evidence on which the Respondent intends to rely.
- Any request for the examination of (a) witness(es).



Check whether Answer is complete.

Attention! As a rule, no further submissions by Respondent.

- All documents exchanged will be forwarded by the BAT Secretariat to the respective other party, the Arbitrator and the BAT President

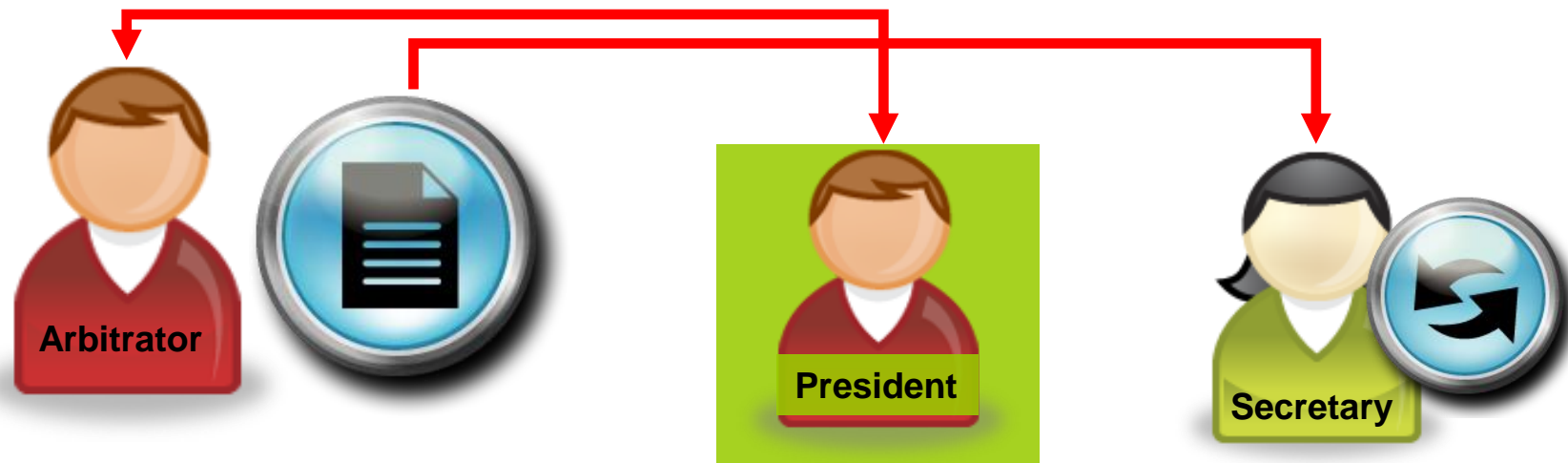


If decided by the Arbitrator,
a hearing will be organised.



The Arbitrator

- examines the legal arguments,
- requests parties to submit their summary of legal fees and expenses,
- drafts the Award with or without reasons depending on the sum in dispute (please refer to BAT Rules)
- sends a copy to BAT President for review and decision on costs.
- final copy goes to BAT Secretariat for final formatting
- final Award will be signed by Arbitrator and distributed by e-mail



How does the BAT Arbitration Procedure work?

- after notification of an Award without reasons: 10-day time limit for a party to request an Award with reasons and pay the additional advance on costs
- Remaining balance will be reimbursed to the parties in accordance with the Arbitral Award
- BAT Secretariat **closes** the case



For further queries please contact

BAT@martens.legal