

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

How does the Payment Order Procedure work?

Check requirements of Art. 19.2.1:



- Parties have agreed to the Payment Order Procedure
- Claim is of a monetary nature
- Claim is by a single Claimant against a single Respondent
- Respondent is a legal entity
- Principal amount claimed does not exceed EUR 15,000 (excl. interest and late payment penalties)
- Claim does not bundle multiple claims deriving from different legal relationships



Visit the platform on <https://bat-payment-order.martens.legal/> to make the Payment Order Request („POR“), (see next slide)



Enter the required information



Upload the relevant documents



Submit the POR to the BAT



Pay the non-reimbursable processing fee of EUR 1,000 into the BAT account

How does the Payment Order Procedure work?

<https://bat-payment-order.martens.legal/>

Basketball Arbitral Tribunal – Request for Payment Order

1 Claimant — 2 Respondent — 3 Claim — 4 File uploads — 5 Check and submit

Details of Claimant

Please enter details of Claimant

Is the Claimant an individual person or a legal entity?

Person Legal entity

First name *

Last name *

Company name (if applicable)

Street name and house number *

City *

Zip code *

Country *

Email *

Telephone number *

How does the Payment Order Procedure work?

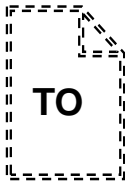
After filing the POR, BAT President will check if:



- ✓ All requirements as per Art. 19.2 have been met
- ✓ Claim is compatible with public policy
- ✓ Utilization of the Payment Order Procedure is not abusive



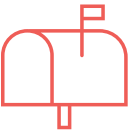
BAT President issues
Provisional Payment Order („PPO“)



BAT President issues
Termination Order („TO“)

See next slide

How does the Payment Order Procedure work?



Respondent may file an objection to the PPO with the BAT and pay the handling fee of EUR 1,000 into the BAT account within 14 days after receipt of the PPO (Art. 19.3.4)



Respondent does not object and/or fails to pay the handling fee in time (Art. 19.4)



Claimant requests that Final Payment Order („FPO“) be issued (which constitutes a decision by the BAT pursuant to Article 3-335 FIBA Internal Regulations)



BAT President issues FPO (Art. 19.4.1)



BAT President declines to issue FPO (Art. 19.4.3)



Respondent objects and pays the handling fee in time (Art. 19.5)



BAT ARBITRATION PROCEDURE



See next slide

How does the Payment Order Procedure work?



BAT Arbitration Procedure:

BAT Secretariat fixes Advance on Costs (AoC) to be paid in equal shares by both Parties (Art. 19.5.1)



Scenario 1:
Respondent fails to pay its share of the AoC
(Art. 19.5.2)



Respondent's objection against PPO
is deemed withdrawn



BAT President, upon
Claimant's request,
issues FPO



BAT President declines
to issue FPO



Scenario 2:
Claimant fails to pay its share of the AoC
(Art. 19.5.3)



POR is deemed withdrawn,
PPO loses effect and
BAT President issues a TO

How does the Payment Order Procedure work?



BAT Arbitration Procedure:

BAT Secretariat fixes Advance on Costs (AoC) to be paid in equal shares by both Parties (Art. 19.5.1)



Scenario 3:
Both parties pay their AoC (Art. 19.5.4)



Claimant fails to file Request for Arbitration



POR is deemed withdrawn, PPO loses effect and BAT President issues a TO



Scenario 4:
Both parties pay their AoC (Art. 19.5.4)



Claimant files Request for Arbitration (Art. 19.5.5)



PPO loses effect



Regular BAT arbitration begins (pursuant to Art. 1-18)

How does the Payment Order Procedure work?

For further queries please contact

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