

eBRAM Guidelines on Neutral's Expenses

I. INTRODUCTION

1. A neutral, appointed to conduct the proceedings on the eBRAM Platform (the “**eBRAM ODR Proceedings**”) under any eBRAM Rules from time to time including, without limitation, the eBRAM COVID-19 ODR Rules, APEC ODR Rules, Mediation Rules or Arbitration Rules (the “**eBRAM Rules**”), is entitled to seek reimbursements of his or her reasonable expenses from the parties.
2. The term “Neutral” as used herein refers to a mediator and/or arbitrator or other neutral appointed under any of the eBRAM Rules.
3. These Guidelines are to provide practical guidance on the scope of a Neutral's expenses eligible for reimbursement and as to the reimbursement process.

II. EXPENSES ELIGIBLE FOR REIMBURSEMENT

4. eBRAM will reimburse reasonable expenses incurred by a Neutral in connection with the eBRAM ODR Proceedings.
5. Such expenses shall be reasonable in amount, taking into account the amount in dispute, the complexity of the subject matter, the time spent by the Neutral s and any other relevant circumstances of the case.
6. Where possible, all expenses will be reimbursed in the currency in which they were incurred. A Neutral may alternatively request reimbursement in HK dollars or US dollars provided that the request is accompanied by a statement of the HK dollar or US dollar amount and evidence of the exchange rate (for example, a printout from www.oanda.com). The date for the currency conversion should be the date on which the expense was incurred.
7. **General office expenses and overheads** incurred in the ordinary course of business by a Neutral s in connection with an eBRAM ODR proceeding will not be reimbursed. However, a Neutral may request to be reimbursed at cost for any courier, photocopying, fax or telephone charges reasonably incurred for the purposes of the eBRAM ODR Proceeding, provided such request is accompanied by detailed receipts.

III. TRAVEL EXPENSES

8. If required by eBRAM in writing to travel for the purpose of an eBRAM ODR Proceeding, a Neutral will be reimbursed for the actual travel expenses he or she incurs travelling from and returning to his or her usual place of business as indicated on the *curriculum vitae* filed for the relevant eBRAM ODR Proceeding.
9. A request for reimbursement of travel expenses must be accompanied by relevant supporting documentation. Travel expenses that are not fully and comprehensively justified will not be reimbursed.
10. The reimbursement of travel expenses is subject to the following:
 - a. Air travel: an airfare equivalent to no higher than the applicable standard business-class airfare.
 - b. Rail travel: the applicable first-class train fare.
 - c. Transport to and from airport(s) and/or train station(s): the applicable standard taxi fare.

IV. HOW TO SUBMIT A REQUEST FOR REIMBURSEMENT

11. eBRAM will reimburse expenses upon receipt of a request in writing that is duly supported by original receipts and is otherwise in accordance with the eBRAM Rules. Expense reimbursement claims must be accompanied by supporting original receipts, in order for eBRAM to carry out its financial and accounting responsibilities and to provide the parties with comprehensive statements of expenses incurred by the Neutral.

V. WHEN TO SUBMIT A REQUEST FOR REIMBURSEMENT

12. All requests for the reimbursement of expenses, together with the relevant supporting receipt, must be provided to eBRAM as soon as possible and in any event, before the finalization and signing of the settlement agreement or the award or the other termination or withdrawal of the eBRAM ODR Proceedings as the case may be.
13. In the event of the withdrawal of all claims or the termination of the case before the signing of a settlement agreement or rendering of a final award, the request for the reimbursement of expenses must be submitted by the Neutral within the time limit granted by eBRAM.
14. Requests for the reimbursement of expenses submitted after eBRAM has determined the expenses payable to the Neutral will not be considered by eBRAM.
15. A Neutral's expenses are normally reimbursed together with the payment of his or her fees after the settlement agreement has been signed or final award has been rendered or at the end of the eBRAM ODR Proceedings upon their withdrawal or termination.