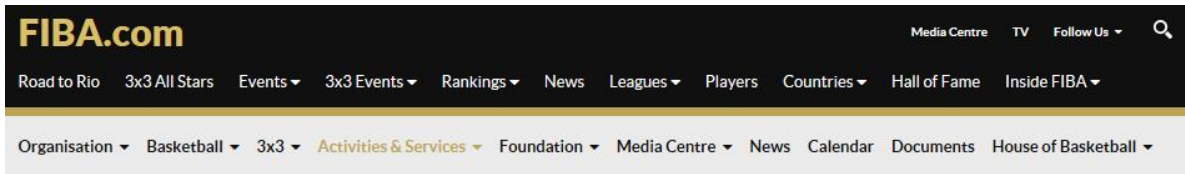


**A Guide to
Arbitration Procedures
before the
Basketball Arbitral Tribunal
(BAT)**

How does the BAT Procedure work?

- Obtain information on www.FIBA.com/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

ACTIVITIES & SERVICES

- National Federations
- IAMA
- Event Host
- Equipment & Venue
- Anti-Doping & Health
- Basketball Arbitral Tribunal**
- Presentation
- Awards
- Sanctions
- Process
- FAQ



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

How does the BAT Procedure work?

Request for Arbitration



To the

Basketball Arbitral Tribunal
Fédération Internationale de Basketball
Route Suisse 5
P.O. Box: 29
1295 Mies
Switzerland
By facsimile to: +41-22-5450099
By E-mail: BAT@martens-lawyers.com

2 May
Date:

The Claimant(s)

Player/Coach/Club/Agent/Agency
... Street
... City, Country
Telephone: +1-555-00-11 22 33
Facsimile: +1-555-11 22 33 44
E-mail: name@...

Name of the Claimant		and Claimant, if applicable
Full Address		
Telephone		
Facsimile		
E-Mail		

Counsel (if applicable)

Mr. Bill Attorney
Law Firm
... Street
... City, Country
Telephone: +1-555-44 55 66 77
Facsimile: +1-555-55 66 77 88
E-mail: bill.attorney@...

Name	
Company	
Full Address	
Telephone	
Facsimile	
E-Mail	

hereby request(s) that an arbitration be commenced against

the Respondent

Full Address Details* of Respondent
(In case of Club, please also indicated Name and E-mail of contact person)
* Full address details are essential for notification of documents by courier.

Name of the Respondent	
Full Address	
Telephone	

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)

How does the BAT Procedure work?



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)



16.7 After notification of the BAT award, the Arbitrator can, upon request by a party or on his/her own motion, correct any clerical, typographical or computational error contained in the award.

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 30,000	1,500
from 30,001 to 100,000	2,000
from 100,001 to 200,000	3,000

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

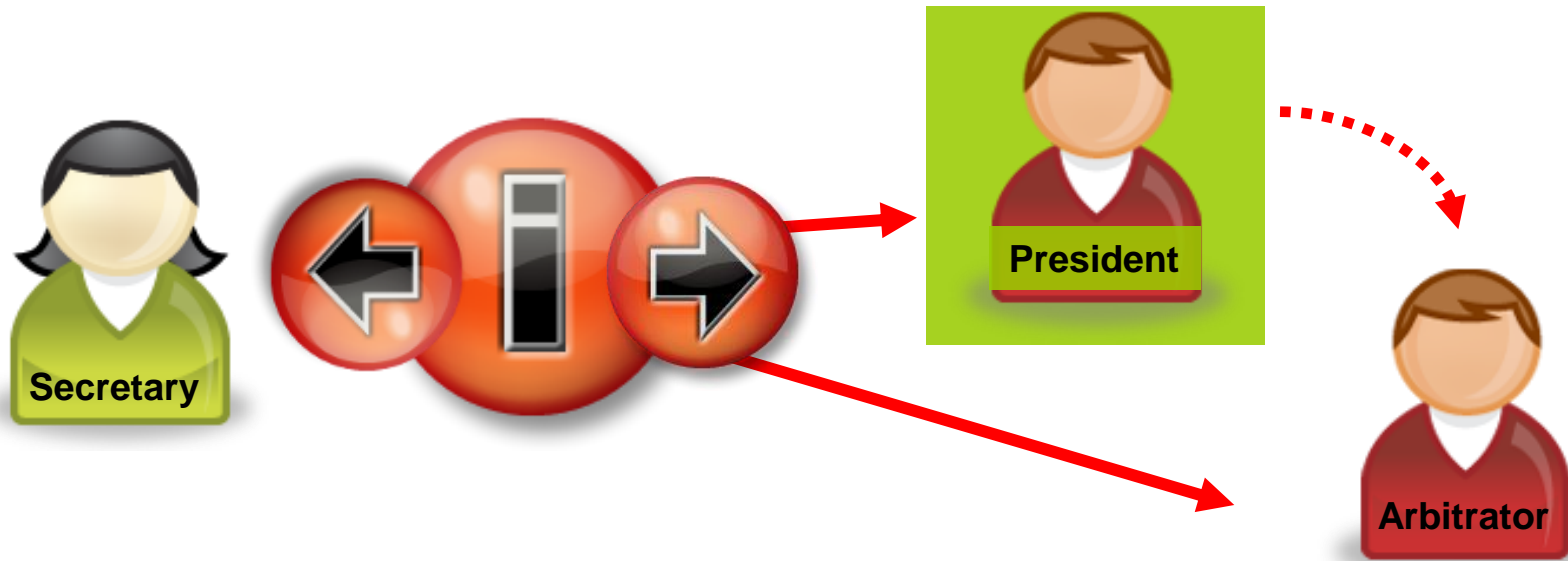


This includes

- 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

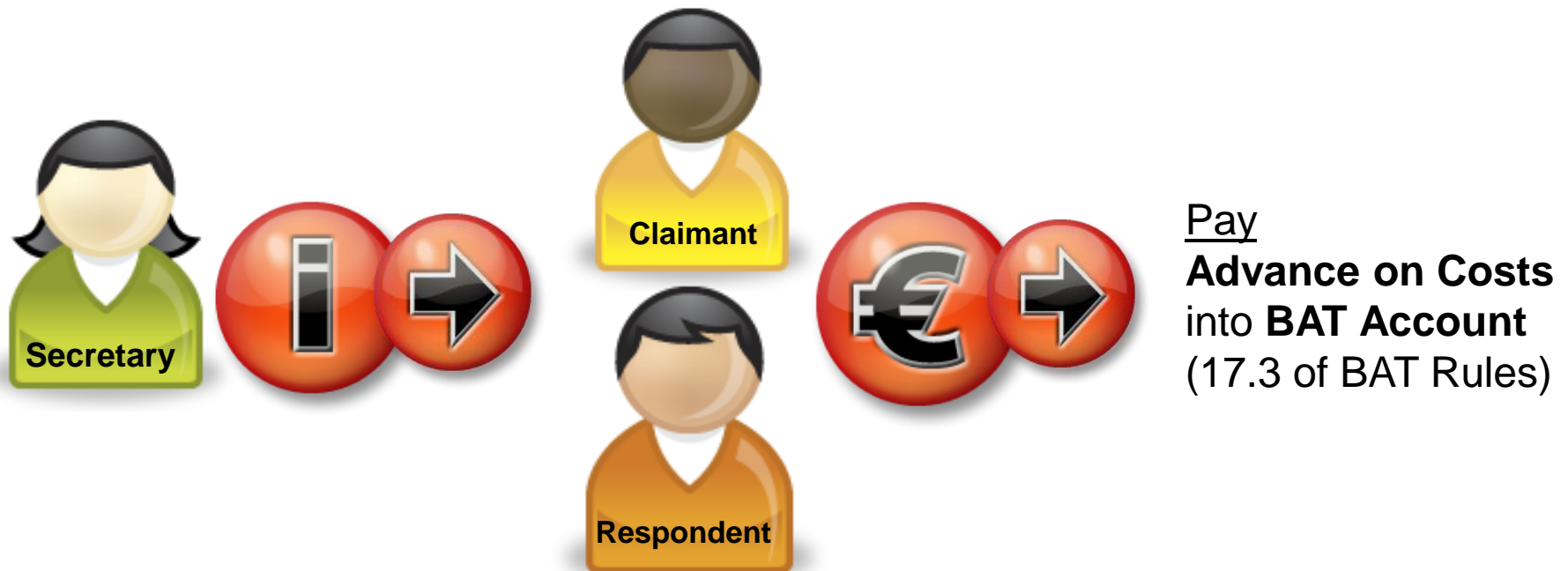
How does the BAT Procedure work?

- 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 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



How does the BAT Procedure work?

- 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).



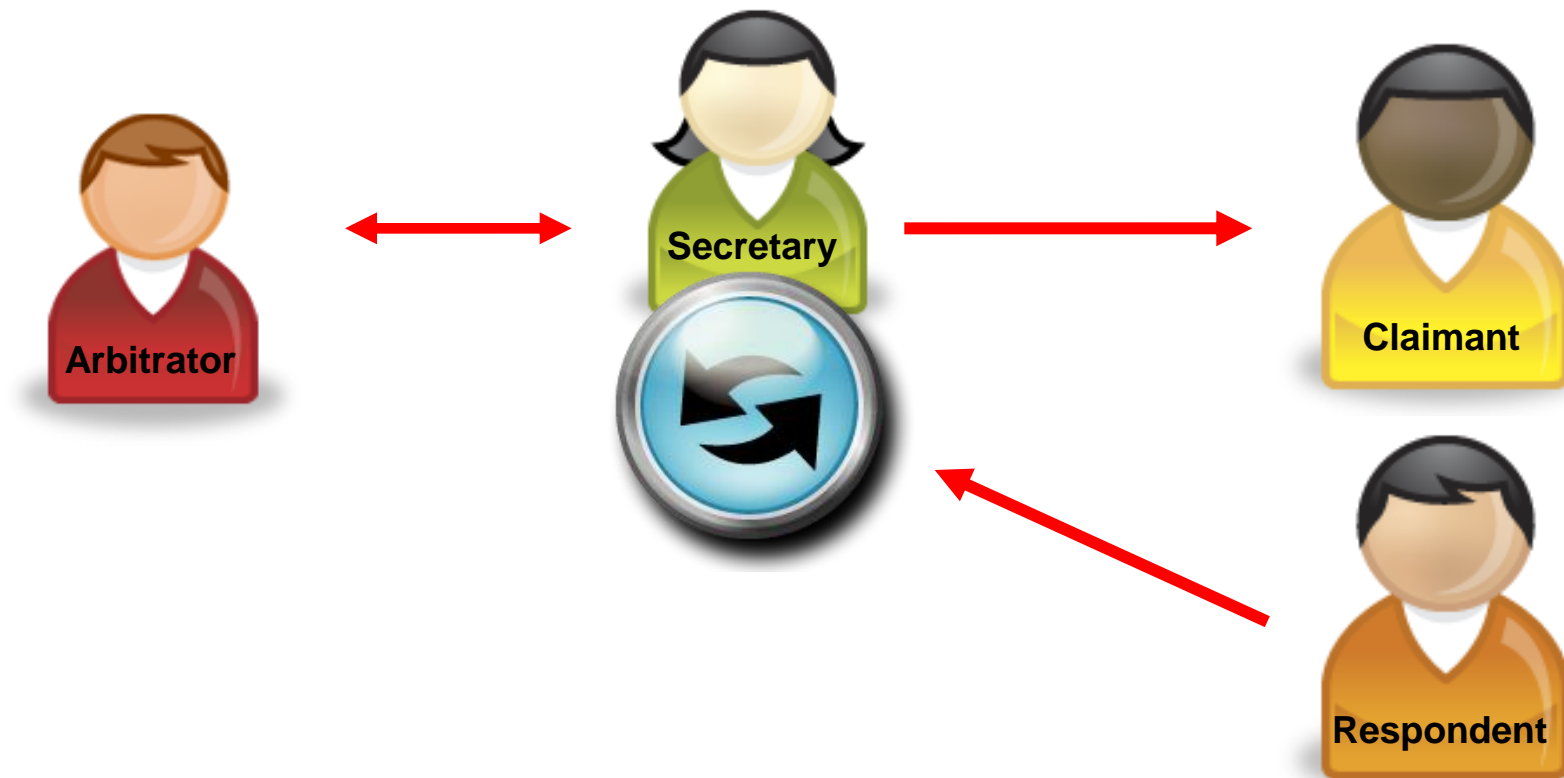
Check whether Answer is complete.

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



How does the BAT Procedure work?

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



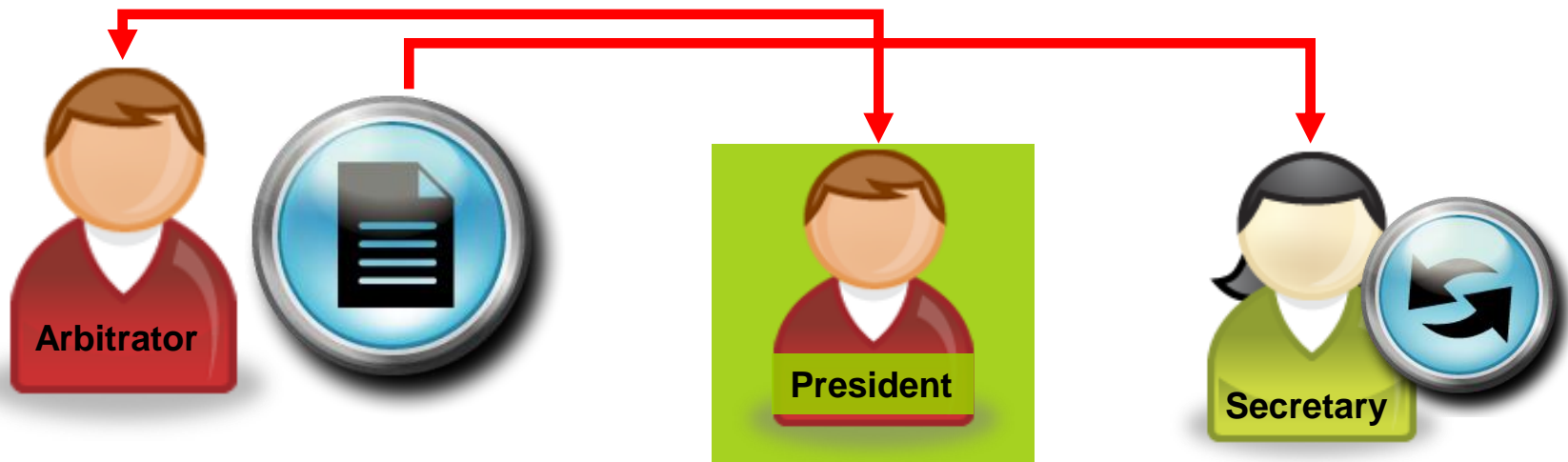
If decided by the Arbitrator,
a hearing will be organised.



How does the BAT Procedure work?

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 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



to account of
Claimant and
Respondent



For further queries please contact

BAT@martens-lawyers.com