



Information on Covid-19 situation

The Basketball Arbitral Tribunal (“BAT”) wishes to inform its users that, in principle, its operations remain unaffected by the Covid-19 outbreak. The BAT has always conducted its arbitrations electronically to the largest extent possible. Also, all case files are available to the BAT President, the BAT Arbitrators and the BAT Secretariat through an online platform. Therefore, the fact that some members of the BAT are currently working from home has not had any impact on the operations of the BAT.

In addition, whenever an oral hearing is to be held, BAT Arbitrators have always considered whether it is possible to hold such hearing by videoconference, and will of course do so even more in the current circumstances. Should a hearing in person be inevitable in individual cases, it goes without saying that the relevant BAT Arbitrator will determine time and location in a way that avoids any risk to the health of all persons involved, and takes into account any applicable travel restrictions. That being said, based on the latest developments and forecasts, it seems unlikely from today's perspective that any hearing in person could take place before the end of May.

Moreover, the BAT has lately received requests for extension in some cases by reference to the Covid-19 outbreak. In this regard, the users of the BAT are reminded that Article 7.2 of the BAT Rules requires parties to “*set out the reasons for which the request is made*”. In the context of the Covid-19 crisis, this means that parties need to specify precisely what consequences of the pandemic make it impossible for them to meet the initial deadline. In principle, therefore, it will not be sufficient for parties to merely refer in generic terms to the existence of the Covid-19 outbreak as a reason for a requested extension. This is also because the situation differs greatly from country to country, and many parties and counsel will be able to prepare submissions even if working from home.

As usual, the BAT Secretariat is very happy to answer any questions you may have. Please do not hesitate to contact us by e-mail (bat@martens-lawyers.com) or telephone (+49 89 452 44 22 15).

Finally, and most importantly, the BAT wishes all of its users that they stay well and safe during this exceptional crisis.