



**ПРИВРЕДНА КОМОРА СРБИЈЕ**  
**CHAMBER OF COMMERCE AND INDUSTRY OF SERBIA**

**PRAVILNIK**  
O SPOLJNOTRGOVINSKOJ  
ARBITRAŽI



**THE RULES**  
OF THE FOREIGN TRADE COURT  
OF ARBITRATION

# **PRAVILNIK**

O SPOLJNOTRGOVINSKOJ ARBITRAŽI  
PRI PRIVREDNOJ KOMORI SRBIJE

# **THE RULES**

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OF THE CHAMBER OF COMMERCE AND INDUSTRY  
OF SERBIA

Spoljnotrgovinska arbitraža pri Privrednoj komori Srbije u Beogradu preporučuje strankama da pri ugovaranju unose sledeću klauzulu:

“Stranke su saglasne da svaki spor u vezi ovog ugovora bude konačno rešen od strane Spoljnotrgovinske arbitraže pri Privrednoj komori Srbije uz primenu njenog Pravilnika“.

The Foreign Trade Court of Arbitration of the Chamber of Commerce and Industry of Serbia recommends to negotiating parties that they include in their contract the following arbitration clause:

“The parties agree that any dispute arising out of or in connection with the present contract shall be finally settled by the The Foreign Trade Court of Arbitration of the Chamber of Commerce and Industry of Serbia by application of its Rules“.

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Na osnovu člana 35. Statuta Privredne komore Srbije ("Službeni glasnik RS", br. 45/02, 107/03, 44/05, 29/09, 35/11, 46/11, 103/11, 3/13 i 32/13), Skupština Privredne komore Srbije, na XI sednici održanoj 30. decembra 2013. godine, donosi

## **PRAVILNIK O SPOLJNOTRGOVINSKOJ ARBITRAŽI PRI PRIVREDNOJ KOMORI SRBIJE**

### **I OSNOVNE ODREDBE**

#### **POJAM I STATUS**

##### **Član 1**

- (1) Spoljnotrgovinska arbitraža pri Privrednoj komori Srbije (u daljem tekstu: Arbitraža) je stalna arbitražna institucija za rešavanje sporova i vršenje mirenja iz međunarodnih poslovnih odnosa, kada je ugovorena njena nadležnost.
- (2) Arbitraža je nezavisni organ i u svom odlučivanju je samostalna.
- (3) Sedište Arbitraže je u Beogradu, Resavska 13-15.

#### **ORGANIZACIJA**

##### **Član 2**

- (1) Arbitraža ima predsednika, Predsedništvo i Sekretarijat.
- (2) Rešavanje sporova vrši arbitar pojedinac ili arbitražno veće.
- (3) Mirenje vrši posrednik ili komisija za mirenje.

#### **PREDSEDNIŠTVO I PREDSEDNIK ARBITRAŽE**

##### **Član 3**

- (1) Predsedništvo Arbitraže u širem sastavu čine predsednik Arbitraže, dva potpredsednika i četiri člana.
- (2) Predsednik Arbitraže i dva potpredsednika sačinjavaju Predsedništvo Arbitraže u užem sastavu (u daljem tekstu: Predsedništvo).
- (3) Predsednika, potpredsednike i članove Predsedništva Arbitraže u širem sastavu bira i razrešava Skupština Privredne komore Srbije na period od četiri godine, s tim što mogu biti ponovo birani.
- (4) Predsednik, a u njegovoj odsutnosti jedan od potpredsednika Arbitraže koga odredi predsednik Arbitraže, predstavlja Arbitražu i organizuje njen rad, predsedava

Pursuant to Article 35 of the Statute of the Chamber of Commerce and Industry of Serbia (Official Journal of the Republic of Serbia no 45/02, no 107/03, no 44/05, no 29/09, no 35/11, no 46/11, no 103/11, no 3/13 and no 32/13) the Assembly of the Chamber of Commerce and Industry of Serbia at its XI session held on December 30,2013, enacted

## **THE RULES OF THE FOREIGN TRADE COURT OF ARBITRATION OF THE CHAMBER OF COMMERCE AND INDUSTRY OF SERBIA**

### **I GENERAL PROVISIONS**

#### **DEFINITION AND STATUS**

##### **Article 1**

- (1) The Foreign Trade Court of Arbitration of the Chamber of Commerce and Industry of Serbia (hereinafter: the Court of Arbitration) is a permanent arbitration body that provides for resolution of disputes arising from international business relations by arbitration or conciliation when the parties have agreed upon its jurisdiction.
- (2) The Court of Arbitration is an autonomous body, independent in its decision-making.
- (3) The seat of the Court of Arbitration is in Belgrade, Re-savska 13-15.

#### **COMPOSITION**

##### **Article 2**

- (1) The Court of Arbitration has a Chairman, a Board and a Secretariat.
- (2) Disputes are resolved by a sole arbitrator or an arbitral tribunal.
- (3) Conciliation is conducted by a conciliator or a conciliation commission.

#### **THE BOARD AND THE CHAIRMAN**

##### **Article 3**

- (1) The Extended Board of the Court of Arbitration shall consist of a Chairman, two Vice-Chairmen, and four Members.
- (2) The Chairman, and the two Vice-Chairmen constitute the Board of the Court of Arbitration (hereinafter: the Board).
- (3) The Chairman, the Vice-Chairmen and the Members of

- sednicama i vrši druge poslove predviđene ovim Pravilnikom.
- (5) Predsedništvo prethodno utvrđuje da li su stranke zaključile u pisanom obliku sporazum o Arbitraži, prethodno odlučuje o nadležnosti Arbitraže, potvrđuje imenovanje i imenuje arbitre i predsednike arbitražnog veća, posrednike i predsednike komisije za mirenje u slučajevima predviđenim ovim Pravilnikom zajedno sa aneksima, odlučuje o izuzeću arbitara i o drugim pitanjima za koja je nadležno po ovom Pravilniku.
  - (6) Predsedništvo Arbitraže u širem sastavu ostvaruje nadzor nad primenom ovog Pravilnika, prati i razmatra praksu rešavanja sporova i vrši druge poslove za koje je nadležno po ovom Pravilniku.
  - (7) Kvorum za sednice postoji ako je prisutno više od polovine članova. Učešće može biti realizovano putem telefona ili video konferencije, kao i preko interneta.
  - (8) Odluke se donose jednoglasno ili većinom glasova prisutnih članova. *U slučaju jednake podela glasova, glas predsednika je odlučujući.*
  - (9) Odluke se mogu donositi i putem korespondencije, pri čemu važi analogna primena odredaba st. 7. i 8. ovog člana. U tom slučaju predsednik podnosi pisani predlog članovima i određuje rok u kome će se oni izjasniti glasanjem pisanim putem.
  - (10) Ako je predsednik ili jedan od potpredsednika Arbitraže sprečen da duže vreme vrši dužnost, Predsedništvo Arbitraže u širem sastavu će odrediti jednog svog člana za zamenika predsednika odnosno potpredsednika dok ta sprečenost traje.
  - (11) Predsedništvo je ovlašćeno da u hitnim slučajevima kolektivno vrši pojedine poslove iz nadležnosti Predsedništva u širem sastavu, s tim što je dužno da ga o tome obavesti na prvoj narednoj sednici.

the Extended Board of the Court of Arbitration shall be elected and discharged by the Assembly of the Chamber of Commerce and Industry of Serbia for a term of four years and may be re-elected.

- (4) The Chairman, and in his absence, one of the Vice-Chairmen designated by the Chairman, shall represent the Court of Arbitration and organize its work, chair the meetings, and carry out other tasks provided for by these Rules.
- (5) The Board shall make a preliminary determination on whether the parties have concluded a written arbitration agreement, and a preliminary decision as to the jurisdiction of the Court of Arbitration, confirm the appointment of and appoint arbitrators and presidents of arbitral tribunals, conciliators and presidents of conciliation committees in cases provided under these Rules and their Annexes, decide on challenges of arbitrators and carry out other tasks within its jurisdiction under these Rules.
- (6) The Extended Board shall supervise the application of these Rules, follow and discuss the practice of the resolution of disputes, and carry out other tasks within its jurisdiction under these Rules.
- (7) The quorum for the meeting shall exist if more than half of the members are present at the meeting. Members may participate in the meeting through the use of telephone or video conference, or the Internet.
- (8) The decision shall be taken by unanimous vote or by majority vote of the members present. In the event of a tie the Chairman shall have a casting vote.
- (9) Decisions may be adopted through correspondence. The provisions of paragraphs 7 and 8 shall apply by analogy. In such case the Chairman shall submit a written proposal to the members and shall set the time limit within which they will cast their vote in writing.
- (10) When the Chairman or a Vice-Chairman is prevented from carrying out his respective duties over a longer period, the Extended Board of the Court of Arbitration shall designate one of its members as a Deputy Chairman or Vice-Chairman for the period during which he is prevented.
- (11) In urgent cases, the Board shall be authorized to carry out collectively certain duties falling within the jurisdiction of the Extended Board, but shall notify the Extended Board about it at the first following meeting.

## SEKRETARIJAT I SEKRETAR ARBITRAŽE

### Član 4

- (1) Sekretarijat Arbitraže vrši stručne i administrativne poslove Arbitraže.
- (2) Sekretar Arbitraže rukovodi Sekretarijatom, potpisuje tekuću prepisku Arbitraže, učestvuje bez prava glasa u radu Predsedništva i vrši druge poslove predviđene ovim Pravilnikom.
- (3) Sekretar i saradnici Arbitraže zaposleni su kod Privredne komore Srbije.
- (4) Na dužnost sekretara Arbitraže raspoređuje se radnik Komore u skladu sa opštim aktima Komore, po pribavljenom mišljenju Predsedništva Arbitraže.

## ARBITRI

### Član 5

- (1) Stranke su slobodne u izboru arbitara čije imenovanje treba da potvrdi Predsedništvo.
- (2) Arbitar može biti svako fizičko lice koje je poslovno sposobno, osim ukoliko stranke nisu sporazumno predvidele posebne dodatne uslove u pogledu kvalifikacija arbitara.
- (3) Arbitri mogu biti domaći i strani državljani.
- (4) Stranka koja je predložila arbitra, dužna je da Arbitraži uz njegovo ime, dostavi i njegovu adresu i kvalifikacije.
- (5) Predsednik ili potpredsednik Arbitraže može biti biran samo za predsednika arbitražnog veća ili arbitra pojedinca, dok ostali članovi Predsedništva u širem sastavu mogu biti birani i za člana arbitražnog veća.
- (6) Arbitraža nema listu arbitara. Radi pomoći strankama oko izbora arbitara, Arbitraža će obezbediti uvid u spisak lica sa odgovarajućim kvalifikacijama za obavljanje dužnosti arbitra. Ovakve informacije nemaju karakter preporuke, niti na bilo koji način obavezuju stranke ili Arbitražu.

## NADZOR

### Član 6

Privredna komora Srbije obezbeđuje materijalna sredstva potrebna za vršenje delatnosti Arbitraže i vrši nadzor nad administrativnim i materijalnim poslovanjem Arbitraže.

## THE SECRETARIAT AND THE SECRETARY

### Article 4

- (1) The Secretariat shall carry out technical and administrative work of the Court of Arbitration.
- (2) The Secretary of the Court of Arbitration shall direct the work of the Secretariat, sign day-to-day correspondence of the Court of Arbitration, participate in the work of the Board without the right of vote, and carry out other tasks provided for by these Rules.
- (3) The Secretary and the assistants of the Court of Arbitration are employees of the Chamber of Commerce and Industry of Serbia.
- (4) In accordance with the internal regulations of the Chamber of Commerce and Industry of Serbia, an employee of the Chamber is appointed to the office of the Secretary of the Court of Arbitration, after an opinion is obtained from the Board.

## ARBITRATORS

### Article 5

- (1) The parties are free in their choice of arbitrators, subject to confirmation of the appointment by the Board.
- (2) Any natural person having contractual capacity may act as an arbitrator, unless the parties have agreed upon particular qualifications of the arbitrator as an additional condition.
- (3) The arbitrators may be domestic or foreign nationals.
- (4) A party that proposed an arbitrator shall provide to the Court of Arbitration his name, as well as his address and qualifications.
- (5) The Chairman and the Vice-Chairmen of the Court of Arbitration may be elected as presidents of arbitral tribunals, while other members of the Extended Board may also be elected as members of the arbitral tribunals .
- (6) The Court of Arbitration has no roster of arbitrators. In order to assist the parties in their choice of an arbitrator, the Court of Arbitration shall provide them with a list of persons with appropriate qualifications to act as arbitrators. Such information does not have the character of a recommendation nor is it binding in any way upon the parties or the Court of Arbitration.

## SUPERVISION

### Article 6

The Chamber of Commerce and Industry of Serbia shall provide funds necessary for the work of the Court of Arbitration, and shall supervise the administrative and financial operation of the Court of Arbitration.

## II NADLEŽNOST ARBITRAŽE

### REŠAVANJE SPOROVA

#### Član 7

Rešavanje sporova iz međunarodnih poslovnih odnosa, za koje je ugovorena nadležnost Arbitraže u skladu sa ovim Pravilnikom, vrši arbitar pojedinac ili arbitražno veće.

### FORMA ARBITRAŽNOG SPORAZUMA

#### Član 8

- (1) Nadležnost Arbitraže može se zasnovati samo pisanim sporazumom stranaka. Ovaj sporazum se može zaključiti kako u pogledu određenog spora, tako i u pogledu budućih sporova koji mogu proisteći iz određenog pravnog odnosa.
- (2) Pod pisanim sporazumom podrazumevaju se i sporazumi o nadležnosti Arbitraže zaključeni razmenom poruka putem sredstava komunikacije, koja omogućavaju pisani dokaz o sporazumu stranaka, bez obzira da li su te poruke stranke potpisale.
- (3) Arbitražni sporazum je punovažno zaključen i kada se stranke u pisanom ugovoru pozovu na drugo pismeno koje sadrži sporazum o arbitraži (opšti uslovi za zaključenje pravnog posla, tekst drugog ugovora i sl.) ako je cilj tog pozivanja da sporazum o arbitraži postane sastavni deo ugovora.
- (4) Smatra se da postoji sporazum o arbitraži ako tužilac pisanim putem pokrene arbitražni spor, a tuženi izričito prihvati arbitražu i s tim se saglasi u pisanoj formi ili u izjavi na zapisniku na ročištu, kao i ako uzme učešće u arbitražnom postupku i do upuštanja u raspravljanje o predmetu spora ne istakne prigovor da ne postoji sporazum o arbitraži, odnosno ne ospori nadležnost Arbitraže.

### PRIMENA ARBITRAŽNIH PRAVILA

#### Član 9

Stranke koje su ugovorile nadležnost Arbitraže prihvatile su time i odredbe ovog Pravilnika, osim ukoliko nisu, u skladu sa članom 43, predvidele da se na vođenje spora primenjuju „Arbitražna pravila Komisije Ujedinjenih nacija za međunarodno trgovinsko pravo (UNCITRAL) pred Spoljnotrgovinskom arbitražom pri Privrednoj komori Srbije“.

## II JURISDICTION OF THE COURT OF ARBITRATION

### RESOLUTION OF DISPUTES

#### Article 7

Disputes arising out of international business relations for which jurisdiction of the Court of Arbitration has been agreed upon in accordance with these Rules, shall be resolved by a sole arbitrator or an arbitral tribunal.

### THE FORM OF ARBITRATION AGREEMENT

#### Article 8

- (1) The jurisdiction of the Court of Arbitration may only be established by an agreement concluded by the parties in writing. Such an agreement may be concluded with regard to a particular dispute or with regard to future disputes that may arise out of a particular legal relationship.
- (2) An agreement on the jurisdiction of the Court of Arbitration is deemed to be in writing if concluded in an exchange of messages through means of communication which provide a written record of the parties' agreement, notwithstanding whether the messages have been signed by the parties.
- (3) An arbitration agreement shall also be deemed to have been validly concluded when the parties in a written agreement make a reference to a document containing an arbitration agreement (general conditions for conclusion of a contract, text of another contract, etc.), provided that the purpose of such reference is to make the arbitration agreement part of the contract.
- (4) An arbitration agreement is also deemed to exist if the claimant initiates the arbitral dispute, and the respondent expressly accepts arbitration and consents to it in writing or in a statement given on the record at the hearing, or if the respondent takes part in the arbitral proceedings and fails to raise a plea concerning the existence of an arbitration agreement before it enters into discussion on the subject-matter of the dispute, or fails to object to the jurisdiction of the Court of Arbitration.

### APPLICATION OF ARBITRATION RULES

#### Article 9

Parties who have agreed upon the jurisdiction of the Court of Arbitration shall be deemed to have accepted the provisions of these Rules, unless they provided in accordance with Article 43 that the conduct of the proceeding shall be governed by the "Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL) before the Foreign Trade Court of Arbitration of the Chamber of Commerce and Industry of Serbia".



## AUTONOMNOST ARBITRAŽNOG SPORAZUMA

### Član 10

Ništavost ili nepostojanje osnovnog ugovora ne povlači sa sobom ništavost arbitražnog sporazuma.

## UTVRĐIVANJE POSTOJANJA ARBITRAŽNOG SPORAZUMA

### Član 11

- (1) Ako tužena strana ospori postojanje arbitražnog sporazuma ili ne odgovori na tužbu, Predsedništvo prethodno utvrđuje da li je u ispravama koje je tužilac podneo sadržan sporazum o nadležnosti Arbitraže.
- (2) Kad Predsedništvo prethodno utvrdi da je u ispravama, koje je tužilac podneo, sadržan sporazum o nadležnosti Arbitraže, postupak se nastavlja i ako druga stranka odbije da učestvuje u njemu.
- (3) Odlukom iz stava 2. ovog člana ne prejudicira se konačna odluka arbitražnog veća ili arbitra pojedinca o postojanju i punovažnosti arbitražnog sporazuma, kao i o nadležnosti Arbitraže.

## PRIHVATANJE NADLEŽNOSTI

### Član 12

Ako Predsedništvo utvrdi da u ispravama koje je tužilac podneo nije sadržan sporazum o Arbitraži, Sekretarijat Arbitraže poziva tuženog da se u roku od 30 dana od dana prijema poziva izjasni da li prihvata nadležnost Arbitraže. Ako tuženi ne odgovori ili odbije da prihvati nadležnost, Sekretarijat Arbitraže obaveštava tužioca da se ne može pristupiti arbitraži i određuje iznos naknade prouzrokovanih troškova koji će se tužiocu odbiti od uplaćenih arbitražnih troškova.

## ODBIJANJE NADLEŽNOSTI

### Član 13

- (1) Arbitraža može da odbije da rešava spor i kada je njena nadležnost ugovorena, ako arbitražni sporazum ili ugovor o osnovnom poslu sadrže odredbe koje nisu u skladu sa nadležnostima i načelima arbitraže, kao i kada su zahtevi i postupanje stranaka u toku postupka takvi

## INDEPENDENCE OF THE ARBITRATION AGREEMENT

### Article 10

The decision that the contract is null and void or non-existent does not entail the invalidity of the arbitration agreement.

## DETERMINING THE EXISTENCE OF AN ARBITRATION AGREEMENT

### Article 11

- (1) When the respondent contests the existence of an arbitration agreement or fails to submit an answer to the claim, the Board shall make a preliminary determination whether the documents submitted by the claimant contain an agreement on the jurisdiction of the Court of Arbitration.
- (2) When the Board makes a preliminary determination that the documents submitted by the claimant contain an agreement on the jurisdiction of the Court of Arbitration, the arbitration shall proceed even if the other party refuses to participate therein.
- (3) The decision of the Board referred to in the preceding paragraph shall not prejudice the final decision of the arbitral tribunal or the sole arbitrator regarding the existence and validity of the arbitration agreement, or the jurisdiction of the Court of Arbitration.

## ACCEPTANCE OF JURISDICTION

### Article 12

When the Board determines that the documents submitted by the claimant contains no agreement on the jurisdiction of the Court of Arbitration, the Secretariat of the Court of Arbitration shall invite the respondent to state, within the period of 30 days from the date of receipt of the request, whether he accepts the jurisdiction of the Court of Arbitration. If the respondent fails to reply, or refuses to accept jurisdiction, the Secretariat of the Court of Arbitration shall notify the claimant that the arbitration cannot proceed and shall fix the amount of costs incurred that shall be deducted from the arbitration costs paid by the Claimant.

## DECLINING OF JURISDICTION

### Article 13

- (1) The Court of Arbitration may decline to resolve a dispute even when its jurisdiction has been agreed upon, if the arbitration agreement or the underlying contract contain provisions which

- da onemogućavaju normalno odvijanje arbitražnog postupka.
- (2) Odluku o odbijanju nadležnosti donosi Predsedništvo.

## UTVRĐIVANJE NADLEŽNOSTI

### Član 14

Arbitražno veće i arbitar pojedinac paze po službenoj dužnosti u toku celog postupka da li se radi o sporu iz nadležnosti Arbitraže u smislu člana 7. ovog Pravilnika.

## PRIGOVOR NENADLEŽNOSTI

### Član 15

- (1) Prigovor nenadležnosti tuženi može da istakne u odgovoru na tužbu ili drugom podnesku pre rasprave, a na raspravi, pre upuštanja u raspravljanje o predmetu spora, samo ako nije dostavio odgovor na tužbu ili drugi podnesak.
- (2) O prigovoru nenadležnosti raspravlja se u kontradiktornom postupku. Ako je prigovor nenadležnosti odbijen, arbitražno veće ili arbitar pojedinac donosi delimičnu odluku ili zaključak koji se obrazlaže u konačnoj odluci o predmetu spora.
- (3) Kada je odbijen prigovor nenadležnosti, bez obzira da li je o ovom pitanju odlučeno zaključkom ili odlukom, spor se nastavlja pred arbitrom pojedincem ili arbitražnim većem.
- (4) Arbitražno veće ili arbitar pojedinac donosi odluku ako usvoji prigovor nenadležnosti i oglasi se nenadležnim.

## III SASTAV ARBITRAŽNOG SUDA

### BROJ ARBITARA

### Član 16

- (1) Spor rešava arbitar pojedinac, kada stranke tako predvide ili kada se radi o sporu čija vrednost nije veća od 50,000 EUR.
- (2) U svim ostalim slučajevima, spor rešava arbitražno veće, koje je sastoji od tri člana.

are inconsistent with the powers of the Court of Arbitration and its principles, or if the requests and actions of parties during the proceedings are such as to make the normal conduct of the arbitral proceedings impossible.

- (2) A decision to decline jurisdiction shall be taken by the Board.

## DECIDING ON JURISDICTION

### Article 14

The arbitral tribunal or the sole arbitrator shall at their own initiative and throughout the proceedings take care whether the dispute falls within the jurisdiction of the Court of Arbitration in the sense of Article 7 of these Rules.

## A PLEA CONTESTING JURISDICTION

### Article 15

- (1) The respondent may raise a plea contesting jurisdiction in his answer to the claim or in another submission before the hearing; the respondent may also raise a plea contesting jurisdiction at the hearing, before entering into discussion on the subject-matter of the dispute, unless he had submitted an answer to the claim or any other written submission.
- (2) Both parties have a right to be heard in the proceedings concerning a plea contesting jurisdiction. When the plea contesting jurisdiction is rejected the arbitral tribunal or the sole arbitrator shall either make a partial award or decide on this issue in a ruling. The reasons for the ruling shall be stated in the final award.
- (3) When a plea contesting jurisdiction is rejected, notwithstanding whether by a ruling or by an award, the arbitration shall proceed before the sole arbitrator or before the arbitral tribunal.
- (4) When the plea contesting jurisdiction is accepted, the arbitral tribunal or the sole arbitrator shall declare the lack of jurisdiction in an award.

## III COMPOSITION OF ARBITRAL TRIBUNAL

### NUMBER OF ARBITRATORS

### Article 16

- (1) A dispute shall be settled by a sole arbitrator when the parties have agreed so, or when the sum in dispute is below EUR 50,000.00.
- (2) In all other cases, a dispute shall be settled by an arbitral tribunal consisting of three members.

## POTVRDA IMENOVANJA ARBITARA

### Član 17

- (1) Imenovanje arbitra pojedinca ili članova arbitražnog veća koje su predložile stranke, proizvodi pravno dejstvo kada ga potvrdi Predsedništvo. U slučaju da ne potvrdi imenovanje arbitra, Predsedništvo nije dužno da za to navede razloge.
- (2) Kada nije potvrdilo imenovanje, Predsedništvo može zatražiti dostavljanje, u razumnom roku, novog predloga za imenovanje arbitra.

## ARBITAR POJEDINAC

### Član 18

- (1) Stranke mogu sporazumno, u roku od 30 dana od odgovora na tužbu, da izaberu arbitra pojedinca i da o tome pismeno obaveste Arbitražu. Za arbitra pojedinca može da bude izabran i predsednik ili potpredsednik Arbitraže, ili jedan od članova Predsedništva u širem sastavu.
- (2) Stranke mogu da sporazumno prepuste Predsedništvu izbor i imenovanje arbitra pojedinca.
- (3) Ako stranke u navedenom roku ne izaberu sporazumno arbitra pojedinca, njegovo imenovanje vrši Predsedništvo. Predsednik ili potpredsednik Arbitraže ne može biti imenovan na ovaj način.

## KONSTITUISANJE ARBITRAŽNOG VEĆA

### Član 19

- (1) U sporovima koje rešava arbitražno veće, tužilac će izabrati svog arbitra prilikom podnošenja tužbe, odnosno prilikom uplate arbitražnih troškova, a tuženi u odgovoru na tužbu.
- (2) Ako jedna ili obe stranke ne izaberu svoje arbitre u rokovima iz stava 1. ovog člana, ili ako u roku od 30 dana ne izaberu drugog arbitra, ukoliko izabrani arbitar ne prihvati svoje imenovanje ili ako imenovanje prepuste Arbitraži, arbitre imenuje Predsedništvo u daljem roku od 30 dana, o čemu se obaveštavaju stranke i imenovani arbitri, u roku od osam dana od imenovanja.
- (3) Ako stranka dva puta uzastopno izabere za arbitra lica koja se ne prihvataju imenovanja, ili čije imenovanje nije potvrđeno, pravo imenovanja prelazi na Predsedništvo.

## CONFIRMATION OF ARBITRATORS

### Article 17

- (1) The appointment of the sole arbitrator or members of the arbitral tribunal proposed by the parties will be subject to confirmation by the Board. In the event of non-confirmation the reasons for such decision of the Board do not have to be communicated.
- (2) When the appointment has not been confirmed, the Board may request the party to submit a new proposal for appointment of the arbitrator within a reasonable period.

## THE SOLE ARBITRATOR

### Article 18

- (1) Within 30 days of the answer to the claim the parties may agree on the choice of a sole arbitrator and notify the Court of Arbitration thereof in writing. The Chairman or a Vice-Chairman of the Court of Arbitration, or a member of the Extended Board may be chosen as a sole arbitrator.
- (2) The parties may agree to leave to the Board to appoint the sole arbitrator.
- (3) When the parties fail to agree on the choice of a sole arbitrator within the stated time limit, the sole arbitrator shall be appointed by the Board. The Chairman or a Vice-Chairman of the Court of Arbitration may not be appointed in this manner.

## APPOINTMENT OF THE ARBITRAL TRIBUNAL

### Article 19

- (1) In disputes to be decided by an arbitral tribunal, the claimant shall select his arbitrator at the time of submitting his claim, i.e. at the time of making a payment of a sum to cover the costs of arbitration, and the respondent in his answer to the claim.
- (2) When one or both parties fail to select their arbitrators within the time limits specified in paragraph 1, or if they fail to select another arbitrator within 30 days in case the selected arbitrator refused to accept the appointment, or if they leave it to the Court of Arbitration to appoint an arbitrator, the arbitrators shall be appointed by the Board within the following 30 days, and the parties and the appointed arbitrators shall be notified thereof within 8 days from the date of appointment.
- (3) When a party twice in a row selects a person who refuses the appointment, or whose appointment is not confirmed, the right of appointment shall pass to the Board.
- (4) Within 30 days from the date of receipt of the notice of their appointment, the appointed arbitrators shall agree upon

- (4) U roku od 30 dana od dana prijema izveštaja o svom imenovanju, imenovani arbitri sporazumno biraju trećeg arbitra kao predsednika veća. Oni mogu da izaberu za predsednika veća, predsednika ili potpredsednika Arbitraže, ili jednog od članova Predsedništva u širem sastavu.
- (5) Ako imenovani arbitri u roku od 30 dana ne izvrše izbor, predsednika veća imenuje Predsedništvo u daljem roku od 30 dana. Predsednik ili potpredsednik Arbitraže ne može biti imenovan na ovaj način.
- (6) Odredba iz stava 3. ovog člana primenjuje se i u slučaju izbora predsednika veća.

## ZAJEDNIČKI ARBITAR

### Član 20

Ako se u jednom sporu pojavljuju kao tužioci ili tuženi više lica, oni će se prethodno sporazumeti o izboru zajedničkog arbitra. Ako se ne sporazumeju u rokovima predviđenim ovim Pravilnikom, arbitra imenuje Predsedništvo.

## IZJAVA ARBITRA

### Član 21

- (1) Lice koje treba da bude arbitar pisanim putem izjavljuje da li se prihvata ove dužnosti i dužno je da otkrije bilo koju okolnost koja može da izazove sumnju u njegovu nepristrasnost ili nezavisnost.
- (2) Ova izjava se podnosi Sekretarijatu koji je dostavlja strankama.
- (3) Ukoliko stranke ne stave primedbe u roku od 15 dana od dana prijema izjave, a Predsedništvo potvrdi imenovanje, arbitar će se smatrati imenovanim.
- (4) Ukoliko jedna ili obe stranke stave primedbe, o konačnom imenovanju arbitra odlučuje Predsedništvo.
- (5) Ovom odredbom ne dira se u odredbe o izuzeću arbitra.

## ZABRANE ZA ARBITRE

### Član 22

- (1) Arbitri ne mogu dati, pismeno ili usmeno, mišljenje ili savet, niti mogu biti zastupnici u sporu koji se vodi pred Arbitražom.
- (2) Zaposleni kod stranaka, članovi njihovih organa i stalni saradnici, ne mogu biti imenovani za arbitre u sporovima u kojima učestvuju te stranke.

choice of a third arbitrator to act as the president of the tribunal. They can select the Chairman or a Vice-Chairman of the Court of Arbitration, or a member of the Extended Board to act as the president of the tribunal.

- (5) When the appointed arbitrators fail to select the president within 30 days, the president of the tribunal shall be appointed by the Board, within the following 30 days. The Chairman or a Vice-Chairman of the Court of Arbitration may not be appointed in this manner.
- (6) The provision of paragraph 3 of this Article applies also in the case of appointment of the president of the tribunal.

### JOINT APPOINTMENT OF AN ARBITRATOR

#### Article 20

When there are several claimants and/or respondents in a dispute, they shall agree in advance on joint selection of an arbitrator. If they fail to agree within the time limits provided for by these Rules, the arbitrator shall be appointed by the Board.

### ARBITRATOR'S STATEMENT

#### Article 21

- (1) A person appointed to be an arbitrator, shall state in writing whether he accepts this function, and shall disclose any circumstances, which might give rise to doubts with respect to his impartiality or independence.
- (2) The statement shall be submitted to the Secretariat and then communicated by the Secretariat to the parties.
- (3) If the parties fail to state an objection within 15 days from the date of receipt of the statement, the arbitrator shall be deemed appointed.
- (4) When one or both parties state an objection, the final decision on the appointment of the arbitrator shall be made by the Board.
- (5) This provision shall not prejudice the provisions on challenge of an arbitrator.

### RESTRICTIONS ON ARBITRATORS

#### Article 22

- (1) Arbitrators may not state an opinion or advice in writing or orally, and cannot act as representatives in a dispute conducted before the Court of Arbitration.
- (2) Employees of the parties, members of their governing bodies and their permanent associates may not be appointed as arbitrators in disputes in which those parties are involved.



## POVLAČENJE I OPOZIV ARBITARA

### Član 23

- (1) Ako arbitar iz pravnih ili stvarnih razloga nije više u mogućnosti da obavlja svoje dužnosti ili iz drugih opravdanih razloga ne izvršava svoje dužnosti u primerenom roku, njegov mandat prestaje ako se povuče sa funkcije.
- (2) Stranke se mogu sporazumeti o opozivu arbitra ako on iz stvarnih ili pravnih razloga nije više u stanju da obavlja svoje dužnosti ili ih ne obavlja u primerenom roku.
- (3) Svaka stranka može zatražiti da Predsedništvo odluči o prestanku mandata arbitra iz razloga navedenih u stavu 2. ovog člana.
- (4) Činjenica da je na osnovu ovog člana ili člana 24. arbitru prestala funkcija, ne znači da se time priznaje kao osnovan bilo koji od razloga pomenutih u ovom članu ili u članu 24. stav 1.

## IZUZEĆE ARBITARA

### Član 24

- (1) Izuzeće arbitra može se tražiti samo ako postoje okolnosti koje mogu izazvati opravdanu sumnju u njegovu nepristrasnost ili nezavisnost ili ako arbitar nema kvalifikacije koje su stranke sporazumno utvrdile. Stranka može zahtevati izuzeće arbitra čije je imenovanje predložila sama ili zajedno sa protivnom strankom samo iz razloga koji je nastao ili za koji je saznala posle izvršenog imenovanja.
- (2) Zahtev za izuzeće mora da se podnese u roku od 15 dana pošto je stranka saznala za razloge izuzeća ili od imenovanja arbitra, a može da se podnese do donošenja odluke.
- (3) O zahtevu za izuzeće obavestavaju se druga stranka, arbitar čije se izuzeće traži i drugi članovi arbitražnog veća. Odluku o izuzeću donosi Predsedništvo po pribavljenom izjašnjenju arbitra čije se izuzeće zahteva. Odluka Predsedništva ne mora biti obrazložena.

## ZAMENA ARBITRA

### Član 25

- (1) Ako za vreme trajanja mandata arbitar bude sprečen u vršenju svojih funkcija, stranka koja ga je izabrala, najkasnije u roku od 15 dana od dana prijema poziva Arbitraže, predlaže imenovanje drugog arbitra.

## WITHDRAWAL AND TERMINATION OF MANDATE OF AN ARBITRATOR

### Article 23

- (1) When an arbitrator becomes *de jure* or *de facto* unable to perform his functions or for other justifiable reasons fails to perform his functions within the proper time limits, his mandate shall be terminated if he withdraws from his office.
- (2) The parties may agree to terminate the mandate of an arbitrator if he becomes *de jure* or *de facto* unable to perform his functions or fails to perform them within the proper time limits.
- (3) Any party may request the Board to decide on the termination of the mandate of an arbitrator for reasons specified in paragraph 2.
- (4) The fact that an arbitrator's mandate has been terminated pursuant to this Article or Article 24, does not imply acceptance of validity of any ground mentioned in this article or in article 24 paragraph 1.

## CHALLENGE OF ARBITRATORS

### Article 24

- (1) An arbitrator may be challenged only if circumstances exist that may give rise to justifiable doubts as to his impartiality or independence, or if he does not possess qualifications agreed to by the parties. A party may challenge an arbitrator whose appointment was proposed by that party alone or jointly with another party, only for reasons which have arisen or of which the party became aware of after the appointment has been made.
- (2) A challenge must be made within 15 days after the party became aware of the reasons for the challenge or of the date of the arbitrator's appointment; the challenge may be made until the making of the award.
- (3) A notice of the challenge shall be sent to the other party, the arbitrator concerned and other members of the arbitral tribunal. The Board shall decide on the challenge after giving the arbitrator concerned the opportunity to comment upon the challenge. The decision on challenge does not have to include a statement of reasons.

## REPLACEMENT OF ARBITRATORS

### Article 25

- (1) When during his mandate an arbitrator becomes unable to perform his functions, the party who selected him shall propose the appointment of another arbitrator within the period of 15 days from the date it has been invited by the Court of Arbitration to appoint him.
- (2) If an arbitrator that has become unable to perform his

- (2) Ako je arbitra koji je sprečen da vrši svoje funkcije, imenovalo Predsedništvo, na njegovo mesto Predsedništvo imenuje drugog arbitra u roku od 15 dana.
- (3) Ako su predsednika veća, koji je sprečen u obavljanju svoje funkcije, izabrali arbitri stranaka, novog predsednika veća biraju arbitri stranaka u roku od 30 dana.
- (4) Ako je Predsedništvo imenovalo predsednika veća koji je sprečen da obavlja svoju funkciju, novog predsednika veća imenuje Predsedništvo, u roku od 30 dana.

## IV ARBITRAŽNI POSTUPAK

### ZAPOČINJANJE POSTUPKA

#### Član 26

Arbitražni postupak može se započeti i bez prethodnog postupka mirenja.

### PODNOŠENJE ZAHTEVA ZA ARBITRAŽU ILI TUŽBE

#### Član 27

- (1) Spor počinje podnošenjem zahteva za arbitražu ili tužbe Sekretarijatu Arbitraže.
- (2) Zahtev za arbitražu ili tužba se podnosi Sekretarijatu Arbitraže u pet primeraka.
- (3) Zahtev za arbitražu sadrži:
  - a) ime (poslovno ime) tužioca i tuženog, njihova prebivališta, odnosno sedišta;
  - b) dokaz o postojanju sporazuma o Arbitraži;
  - c) predlog za imenovanje arbitra.
- (4) Tužba sadrži pored elemenata navedenih u stavu 3. ovog člana još i tužbene zahteve, opis predmeta spora i dokaze.
- (5) Zahtev za arbitražu ili tužba i dokazi podnose se na srpskom jeziku i na jeziku na kome je između stranaka sačinjen ugovor.
- (6) Ako u sporu ima više lica na strani tuženog, Sekretarijat Arbitraže će zahtevati da mu se dostavi odgovarajući broj prepisa zahteva za arbitražu ili tužbe sa priložima.
- (7) Sekretarijat Arbitraže dostavlja zahtev za arbitražu ili tužbu sa priložima tuženoj strani na odgovor, uz naznačenje u kom broju primeraka odgovor sa priložima treba da bude podnet.

functions was appointed by the Board, the Board shall appoint another arbitrator in his place within 15 days.

- (3) If the president of the arbitral tribunal who has become unable to perform his functions was appointed by the arbitrators selected by the parties, the new president of the arbitral tribunal shall be selected by the arbitrators selected by the parties within 30 days.
- (4) If the president of the arbitral tribunal who has become unable to perform his functions was appointed by the Board, the new president of the arbitral tribunal shall be appointed by the Board within 30 days.

## IV ARBITRAL PROCEEDINGS

### COMMENCEMENT OF THE PROCEEDINGS

#### Article 26

Arbitral proceedings may commence without a prior conciliation procedure.

### SUBMITTING OF THE REQUEST FOR ARBITRATION OR STATEMENT OF CLAIM

#### Article 27

- (1) A dispute begins by submitting a request for arbitration or a statement of claim to the Secretariat of the Court of Arbitration.
- (2) The request for arbitration or a statement of claim shall be submitted to the Secretariat of the Court of Arbitration in five copies.
- (3) The request for arbitration shall include:
  - a) The name (company name) of claimant and respondent, their permanent places of residence, i.e. registered offices;
  - b) Evidence of the existence of an arbitration agreement;
  - c) The proposal for an appointment of an arbitrator.
- (4) In addition to the elements referred to in paragraph 3, the statement of claim shall include the claim for legal relief, the description of the subject-matter of dispute and evidence.
- (5) The request for arbitration or the statement of claim and evidence shall be submitted in the Serbian language and in the language of the contract that exists between the parties.
- (6) When there are several respondents in the dispute, the Secretariat of the Court of Arbitration shall request for an appropriate number of copies of the request for arbitration or statement of claim and enclosed documents to be submitted to it.
- (7) The Secretariat of the Court of Arbitration shall send the request for arbitration or the statement of claim with enclosed documents to the respondent for its answer, specifying the number of copies which the answer with enclosed documents needs to be submitted in.

## ODGOVOR NA ZAHTEV ZA ARBITRAŽU ILI TUŽBU

### Član 28

- (1) Rok za dostavljanje odgovora na zahtev za arbitražu ili tužbu je 30 dana od dana prijema zahteva ili tužbe.
- (2) U odgovoru, tuženi se izjašnjava o zahtevima tužioca i iznosi svoja sredstva odbrane zajedno sa odgovarajućim dokumentima.
- (3) Jedan primerak odgovora Sekretarijat Arbitraže dostavlja tužiocu.

## PROTIVTUŽBA

### Član 29

- (1) Tuženi može sve do zaključenja glavne rasprave podneti protivtužbu, ako zahtev protivtužbe proističe iz istog pravnog odnosa.
- (2) Protivtužba se dostavlja drugoj stranci, koja može u roku od 30 dana od dana prijema protivtužbe dostaviti svoj odgovor.

## SPAJANJE TUŽBI I POSTUPAKA

### Član 30

Ako su pred Arbitražom stranke jedna protiv druge podnele više tužbi, koje potiču iz raznih pravnih odnosa, Sekretarijat Arbitraže nastojće da se postupak po ovim tužbama spoji i da o njima odluči isto arbitražno veće radi ekonomičnosti postupka.

## DOSTAVLJANJE

### Član 31

- (1) Dostavljanje poziva i drugih pismena strankama u toku postupka vrši se na poštansku adresu primaoca, putem pošte, preporučenim pismom uz povratnu potvrdu o prijemu ili na drugi način kojim se obezbeđuje pisani dokaz o tome da je pismeno upućeno.
- (2) Poštanska adresa je adresa na koju primalac redovno prima poštu. Ako primalac nije odredio drugu adresu ili ako drugo ne proizilazi iz okolnosti slučaja, poštanskom adresom se smatra adresa poslovnog sedišta pravnog lica ili njegovog ogranka, odnosno adresa redovnog boravišta fizičkog lica ili adresa navedena u sporazumu o arbitraži.
- (3) Ako se adresa iz stava 2.ovog člana ne može utvrditi,

## ANSWER TO THE REQUEST FOR ARBITRATION OR TO THE STATEMENT OF CLAIM

### Article 28

- (1) An answer to the request for arbitration or to the statement of claim shall be submitted within the period of 30 days from the date of receipt of the request or the statement of claim.
- (2) In his answer the respondent shall state his position towards the claimant's claims and present his defense together with the relevant documents.
- (3) The Secretariat of the Court of Arbitration shall send a copy of the answer to the claimant.

## COUNTERCLAIM

### Article 29

- (1) The respondent may submit a counterclaim up to the closing of the main hearing if the counterclaim arises out of the same legal relationship as the claim.
- (2) The counterclaim shall be sent to the other party, who may within the period of 30 days from the date of receipt thereof submit his answer.

## JOINING OF CLAIMS AND PROCEEDINGS

### Article 30

When the parties have submitted to the Court of Arbitration several statements of claim against each other which arise out of different legal relationships, the Secretariat of the Court of Arbitration shall try to join the proceedings concerning these claims and to have them decided by the same arbitral tribunal, for the purpose of efficiency of proceedings.

## WRITTEN NOTIFICATIONS

### Article 31

- (1) In the course of the proceedings, notifications and other written communications shall be made to the parties' mailing addresses by regular mail, by registered letter against a receipt or by any other means which provides a written record of the fact that the written communication has been sent.
- (2) A mailing address is the address at which the addressee regularly receives his mail. When the addressee has not designated any other address or if the circumstances of the case do not indicate otherwise, a mailing address is the address of the legal entity's principal place of business or branch, natural person's habitual residence, or the address referred to in the arbitration agreement.
- (3) When none of the addresses referred to in paragraph 2 of this

- smatra se da je pismeno primljeno ako je upućeno na posljednju poznatu poštansku adresu primaoca.
- (4) Smatra se da je dostavljanje punovažno izvršeno i onda kada stranka ili njen punomoćnik odbiju da prime poziv i druga pismena.
  - (5) Ako su stranke odredile svoje punomoćnike, svi pozivi i pismena upućuju se na adresu punomoćnika.
  - (6) Dostavljanje pismena vrši se direktno ili neposredno stranci, kada je za svog punomoćnika odredila lice koje je kod nje zaposleno.
  - (7) Ako uredno pozvani tuženi ne odgovori na tužbu ili poziv, ili odbije da uzme učešće u arbitražnom postupku, arbitražni postupak se nastavlja prema odredbama ovog Pravilnika.

## USMENA RASPRAVA

### Član 32

- (1) Usmena rasprava se održava kada arbitražno veće ili arbitar pojedinac, smatra da su se za to ispunili uslovi.
- (2) Ako arbitri utvrde da su pisani podnesci i dokazi dovoljni za donošenje odluke i bez usmene rasprave, ako nijedna od stranaka ne zahteva održavanje usmene rasprave, neće se zakazivati usmena rasprava, već će se obavestiti stranke da će odluka biti doneta na osnovu podnetih pisanih dokaza.
- (3) Ako ni jedna od stranaka u roku od 15 dana od dana prijema ovog saopštenja ne zahteva usmenu raspravu, arbitri donose odluku bez rasprave, na osnovu podnetih dokaza.
- (4) Predlog da se odluka donese bez održavanja usmene rasprave mogu podneti i stranke sporazumno.
- (5) Usmena rasprava će se održati uvek kada jedna stranka to zahteva.
- (6) Usmenu raspravu pisanim putem zakazuje predsjednik arbitražnog veća, u ime i u dogovoru sa ostalim arbitrima, odnosno arbitar pojedinac.

## ROKOVI

### Član 33

- (1) Rokovi određeni ovim Pravilnikom mogu se produžiti na zahtev stranaka u opravdanim slučajevima. Zahtev stranaka za produženje roka podnosi se u pisanoj formi, najkasnije posljednjeg dana prvobitnog roka. Zahtev mora biti obrazložen, uz podnošenje odgovarajućeg dokaza ako je to potrebno.
- (2) Veće, odnosno arbitar pojedinac vodi računa da se ne odugovlači postupak.

article can be found, a written notification shall be deemed to have been made if it is sent to the addressee's last known mailing address.

- (4) A written notification shall be deemed to have been properly made even if the party or its attorney refuses to receive the written notification or any other written communication.
- (5) When the parties have appointed their attorneys, all notifications and other written communications shall be sent to the attorneys' addresses.
- (6) Written notifications shall be sent directly to the party, if the party has appointed its employee as its representative.
- (7) When the respondent, although duly notified, fails to submit his answer to the claim or to a written notification, or refuses to take part in the arbitral proceedings, the arbitration shall proceed in accordance with the provisions of these Rules.

## A HEARING

### Article 32

- (1) A hearing shall be held when the arbitral tribunal or the sole arbitrator considers that the conditions for it have been fulfilled.
- (2) When the arbitrators determine that the written submissions and evidence are sufficient to make an award without a hearing, they shall not schedule a hearing, but shall notify the parties that the award will be made on the basis of the written evidence, provided that none of the parties has requested a hearing.
- (3) If within the period of 15 days from the date of receipt of such a notification none of the parties has requested a hearing, the arbitrators shall make the award without holding a hearing, on the basis of the submitted evidence.
- (4) A request to make the award without holding a hearing may also be jointly made by the parties.
- (5) A hearing shall always be held when a party so requests.
- (6) The sole arbitrator or the president of the arbitral tribunal, acting on behalf and in agreement with other arbitrators, shall schedule a hearing by a written notice.

## TIME LIMITS

### Article 33

- (1) The time limits set by these Rules may in justified circumstances be extended at the request of the parties. The request for extension shall be submitted by a party not later than on the last day of the original time limit. The request shall be reasoned and appropriate evidence shall be submitted if necessary.
- (2) The arbitral tribunal or the sole arbitrator shall make sure that the proceedings are not unnecessarily delayed.



## MESTO ODRŽAVANJA USMENE RASPRAVE

### Član 34

- (1) Usmene rasprave se, po pravilu održavaju u sedištu Arbitraže.
- (2) Na predlog stranaka, arbitražno veće ili arbitar pojedinac može odlučiti da se rasprava održi i u nekom drugom mestu.
- (3) Rasprave su nejavne, ako se stranke nisu drugačije sporazumele.
- (4) Stranke prisustvuju raspravi lično ili preko ovlašćenog punomoćnika, koji može biti domaći ili strani državljanin.
- (5) Strankama mogu na raspravi pomagati njihovi savetnici.
- (6) Ako jedna ili obe stranke, iako uredno pozvane, ne dođu na usmenu raspravu, arbitri, pošto utvrde da su stranke uredno pozvane na usmenu raspravu i da nemaju opravdanih razloga za svoje odsustvo, mogu pristupiti raspravljajući spora kao da su stranke prisutne.
- (7) Arbitar pojedinac ili arbitražno veće će, uz prethodnu konsultaciju sa strankama, odlučiti o načinu vođenja zapisnika i beleženja usmene rasprave, ako je njeno održavanje predviđeno.

## JEZIK

### Član 35

- (1) Stranke mogu sporazumno odrediti jezik ili jezike koji će se koristiti u arbitražnom postupku. Ako se stranke nisu o tome sporazumele, jezik ili jezike arbitražnog postupka odrediće arbitar pojedinac ili arbitražno veće, uzimajući u obzir sve okolnosti spornog slučaja, a naročito jezik arbitražnog sporazuma.
- (2) Jezik arbitražnog postupka važiće za sve pisane izjave stranaka, za usmenu raspravu, za odluke i zaključke, osim ako se stranke drugačije ne sporazumeju. Uz sve pisane dokaze, ukoliko su sačinjeni na nekom drugom jeziku, prilaže se i prevod na jezik postupka.
- (3) Prepiska Sekretarijata sa strankom koja nije zastupana od strane domaćeg lica, a očigledno ne vlada srpskim jezikom, vodi se na srpskom uz prevod na engleski jezik.

## IZVOĐENJE DOKAZA

### Član 36

- (1) Arbitri odlučuju o izvođenju dokaza po predlozima stranaka ili po svojoj inicijativi. Oni mogu narediti izvođenje dokaza u toku celog postupka.

## LOCATION OF THE HEARING

### Article 34

- (1) As a rule, hearings shall be held at the seat of the Court of Arbitration.
- (2) At the request of the parties, the arbitral tribunal or the sole arbitrator may decide that a hearing be held at another location.
- (3) Hearings shall be held *in camera*, unless the parties have agreed otherwise.
- (4) The parties shall attend the hearing in person or through an authorized representative who may be a domestic or foreign national.
- (5) The parties may be assisted at hearings by their counsel.
- (6) When one or both parties, although duly notified, fail to appear at the hearing, the arbitrators shall, after they determine that the parties were duly notified of the hearing and that they have no justified reasons for absence, have the power to proceed with the arbitration as if the parties were present.
- (7) When the hearing is to be held, the sole arbitrator or the arbitral tribunal, after consulting the parties, shall decide on the manner of keeping minutes and of providing a record of the hearing.

## LANGUAGE

### Article 35

- (1) The parties may agree on the language or languages to be used in the arbitral proceedings. If the parties have not agreed thereon, the language or languages of the arbitral proceedings shall be determined by the sole arbitrator or by the arbitral tribunal, taking into account all circumstances of the case, and in particular the language of the arbitration agreement.
- (2) The language of the arbitral proceedings shall apply to all written statements by a party, any hearing, and any award or ruling, unless the parties have agreed otherwise. Any documentary evidence if made in another language shall be accompanied by a translation to the language of the proceedings.
- (3) The written correspondence of the Secretariat with a party that is not represented by a domestic national, and that has clearly no knowledge of the Serbian language, is conducted in Serbian accompanied by a translation to English.

## TAKING OF EVIDENCE

### Article 36

- (1) The arbitrators shall decide on the presentation of evidence according to the proposals of the parties or at their

- (2) Arbitri cene dokaznu snagu izvedenih dokaza po slobodnom uverenju.
- (3) Stranke su dužne saradivati u izvođenju dokaza i izvršavati sve mere koje se od njih u tom cilju zahtevaju.

## SVEDOCI I VEŠTACI

### Član 37

- (1) U dokaznom postupku dokazivanje se može izvesti saslušanjem svedoka, stranaka i veštačenjem.
- (2) Arbitri mogu naložiti strankama da privedu svedoke, a isto tako mogu svedocima neposredno uputiti poziv.
- (3) Saslušanje svedoka i veštaka vrši se, po pravilu, pred arbitražnim većem odnosno arbitrom pojedincem.
- (4) Arbitri mogu zatražiti od redovnih sudova da izvedu pojedine dokaze koje sami nisu u mogućnosti da izvedu.
- (5) Veštaka određuje arbitražno veće, odnosno arbitar pojedinac koji mu određuju zadatak.
- (6) Na izuzeće veštaka primenjuju se odredbe ovog Pravilnika o izuzeću arbitara.

## ZAKLJUČCI O UPRAVLJANJU POSTUPKOM

### Član 38

- (1) U toku postupka arbitražno veće ili arbitar pojedinac može da donosi zaključke o upravljanju arbitražnim postupkom koje smatra potrebnim, kao što su: polaganje predujma na ime troškova za veštake i svedoke, obezbeđenje dokaza, rokovi, spajanje predmeta i ostale potrebne zaključke.
- (2) Ako stranka, koja je predložila dokaze, ne položi predujam neće se pristupiti izvođenju dokaza.

## UMEŠAČ

### Član 39

Lice koje ima pravni interes da učestvuje u arbitražnom sporu može se pridružiti jednoj od stranaka samo uz saglasnost obe stranke, pod uslovima i na način koje odredi arbitražno veće ili arbitar pojedinac.

## PRIVREMENE MERE I MERE OBEZBEĐENJA

### Član 40

- (1) Ako se stranke nisu drugačije sporazumele, arbitražno

own initiative. They may order the presentation of evidence throughout the course of the proceedings.

- (2) The arbitrators shall assess the probative force of the submitted evidence at their own discretion.
- (3) The parties shall cooperate in the taking of evidence and shall take all measures required of them for that purpose.

## WITNESSES AND EXPERTS

### Article 37

- (1) The evidence may be taken by hearing of witnesses, the parties and experts.
- (2) The arbitrators may order the parties to bring witnesses, and may also directly summon witnesses.
- (3) As a rule, witnesses and experts shall be heard by the arbitral tribunal or the sole arbitrator.
- (4) The arbitrators may request courts of law to take individual items of evidence which they themselves are unable to take.
- (5) The arbitral tribunal or the sole arbitrator may appoint an expert and determine its terms of reference.
- (6) The provisions of these Rules on the challenge of an arbitrator shall apply to the challenge of an expert.

## RULINGS ON THE CONDUCT OF THE PROCEEDINGS

### Article 38

- (1) In the course of the proceedings, the arbitral tribunal or the sole arbitrator may make rulings on procedural matters which they deem necessary, such as: depositing an advance to cover the costs of experts and witnesses, securing evidence, time limits, joining cases, and other rulings that are necessary.
- (2) When the party who has proposed evidence fails to deposit the requested advance, such evidence shall not be taken.

## THIRD-PARTY INTERVENTION

### Article 39

A person that has a legal interest to participate in the arbitral proceedings may join one of the parties only with consent of both parties, under the conditions and in the manner determined by the arbitral tribunal or the sole arbitrator.

## INTERIM AND CONSERVATORY MEASURES

### Article 40

- (1) Unless the parties have agreed otherwise, the arbitral tribunal or the sole arbitrator may, at the request of a party,

veće ili arbitar pojedinac može, na predlog jedne stranke, odrediti privremenu meru koju smatra potrebnom s obzirom na predmet spora, a može istovremeno da odredi da ta stranka položi odgovarajuće obezbeđenje.

- (2) Privremena mera može se odrediti u formi zaključka ili arbitražne odluke.

## TRAJANJE POSTUPKA

### Član 41

- (1) Arbitražni postupak će se, po pravilu okončati u roku od jedne godine od dana konstituisanja arbitražnog veća ili imenovanja arbitra pojedinca.
- (2) Izuzetno od odredbe iz stava 1. ovog člana arbitražno veće ili arbitar pojedinac može da odluči, uz prethodnu saglasnost Predsedništva, da se arbitražni postupak produži i nakon isteka ovog roka ako potrebe pribavljanja dokaza to nalažu, ako stranke to predlože ili iz drugih opravdanih razloga.

## ODREĐIVANJE PRAVILA POSTUPKA

### Član 42

- (1) Na postupak pred Arbitražom primenjuju se odredbe ovog Pravilnika i odredbe sporazuma o arbitraži.
- (2) Ako Pravilnik ne sadrži odredbu koja se odnosi na pitanje koje se postavlja, stranke, a ukoliko one to ne učine, arbitražno veće odnosno arbitar pojedinac mogu da odrede pravila koja smatraju celishodnim, u granicama imperativnih odredaba Zakona o arbitraži Republike Srbije.

## PRIMENA DRUGIH PRAVILA

### Član 43

- (1) Stranke mogu ugovoriti da se na vođenje spora pred Arbitražom primenjuju "Arbitražna pravila Komisije Ujedinjenih nacija za međunarodno trgovinsko pravo (UNCITRAL) pred Spoljnotrgovinskom arbitražom pri Privrednoj komori Srbije".
- (2) Ako u "Arbitražnim pravilima Komisije Ujedinjenih nacija za međunarodno trgovinsko pravo (UNCITRAL) pred Spoljnotrgovinskom arbitražom pri Privrednoj komori Srbije" ne postoje odgovarajuće odredbe, primenjuju se odredbe ovog Pravilnika.

order any provisional measure as it may consider necessary taking into account the subject-matter of the dispute, and may at the same time require that party to provide appropriate security.

- (2) An interim measure may be ordered in the form of a ruling or an arbitral award.

## LENGTH OF THE PROCEEDINGS

### Article 41

- (1) As a rule, arbitral proceedings shall be completed within a year from the date of constitution of the arbitral tribunal or appointment of the sole arbitrator.
- (2) As an exception from the provision referred to in paragraph 1 of this Article, the arbitral tribunal or the sole arbitrator may decide, upon obtaining the consent of the Board, that the arbitral proceedings be extended after the expiration of the above time limit if the needs of obtaining evidence make this necessary, or if the parties make such a request, or for other justified reasons.

## RULES GOVERNING THE PROCEDURE

### Article 42

- (1) The proceedings before the Court of Arbitration shall be governed by these Rules and by the provisions of the arbitration agreement.
- (2) When the Rules do not contain a relevant provision as to the issue posed, the parties, or if they fail to do so, the arbitral tribunal or the sole arbitrator, may determine the rules that they deem appropriate within the limits set by the provisions of the Arbitration Act of the Republic of Serbia.

## APPLICATION OF OTHER RULES

### Article 43

- (1) The parties may stipulate that the “Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL) before the Foreign Trade Court of Arbitration of the Chamber of Commerce and Industry of Serbia” be applied to the proceedings before the Court of Arbitration.
- (2) When the “Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL) before the Foreign Trade Court of Arbitration of the Chamber of Commerce and Industry of Serbia” do not contain a relevant provision, the provisions of these Rules shall apply.

## OKONČANJE ARBITRAŽNOG POSTUPKA

### Član 44

- (1) Arbitražni postupak okončava se donošenjem konačne arbitražne odluke ili zaključkom arbitražnog veća odnosno arbitra pojedinca o obustavljanju postupka koji se donosi u skladu sa odredbama iz stava 2. ovog člana.
- (2) Arbitražno veće ili arbitar pojedinac donosi zaključak o obustavljanju arbitražnog postupka:
  - (a) kada tužilac ne podnese tužbu u skladu sa ovim Pravilnikom;
  - (b) kada tužilac povuče tužbu, osim ako se tuženi tome ne usprotivi, a arbitražno veće odnosno arbitar pojedinac oceni da tuženi ima opravdan interes da se donese konačna arbitražna odluka u sporu;
  - (c) kada se stranke sporazumeju o obustavi postupka;
  - (d) kada arbitražno veće odnosno arbitar pojedinac utvrdi da je nastavak arbitražnog postupka iz bilo kog drugog razloga postao nepotreban ili nemoguć.

## V ARBITRAŽNA ODLUKA

### PRIMENA PRAVA

### Član 45

- (1) Arbitražno veće i arbitar pojedinac dužni su primeniti pravo ili pravna pravila koje su stranke odredile kao materijalno pravo merodavno za njihov ugovorni odnos.
- (2) Ako stranke to nisu odredile, arbitražno veće ili arbitar pojedinac odrediće pravo ili pravna pravila na koje upućuju kolizione norme čiju primenu arbitražno veće, ili arbitar pojedinac smatra najprikkladnijim u tom slučaju.
- (3) U svim slučajevima arbitražno veće ili arbitar pojedinac donosi odluku u skladu sa odredbama ugovora i uzima u obzir trgovinske običaje koji se mogu primeniti na taj posao.
- (4) Odluka se može doneti isključivo po načelu pravičnosti samo ako su stranke izričito dale takvo ovlašćenje arbitražnom veću ili arbitru pojedincu.

### DONOŠENJE ODLUKE

### Član 46

- (1) Arbitražno veće ili arbitar pojedinac može u toku arbitražnog postupka da donese međuodluku i delimičnu od-

## TERMINATION OF THE ARBITRAL PROCEEDINGS

### Article 44

- (1) Arbitral proceedings are terminated by a final award or by a ruling of the arbitral tribunal or the sole arbitrator on termination of the proceedings which is made in accordance with the provisions of paragraph 2 of this Article.
- (2) The arbitral tribunal or the sole arbitrator shall make a ruling on termination of the arbitral proceedings when:
  - (a) the claimant fails to submit the statement of claim in accordance with these Rules;
  - (b) the claimant withdraws his claim, unless the respondent objects thereto and the arbitral tribunal or the sole arbitrator recognize a legitimate interest on his part in obtaining a final award in the dispute;
  - (c) the parties agree on the termination of the proceedings;
  - (d) the arbitral tribunal or the sole arbitrator determines that the continuation of the proceedings has for any other reason become unnecessary or impossible.

## V THE AWARD

### APPLICABLE LAW

### Article 45

- (1) The arbitral tribunal and the sole arbitrator shall apply the law or legal rules designated by the parties as the substantive law applicable to their contractual relationship.
- (2) When the parties have failed to designate it, the arbitral tribunal or the sole arbitrator shall determine the applicable law or legal rules designated by the conflict of laws rules that the arbitral tribunal or the sole arbitrator deems to be the most appropriate to the case.
- (3) In all cases, the arbitral tribunal or the sole arbitrator shall make the award in accordance with the provisions of the contract, and shall take into account trade usages that may be applicable to the transaction.
- (4) The award may be made exclusively on the basis of equity (*ex aequo et bono*), only if the parties have given such power to the arbitral tribunal or the sole arbitrator.

### MAKING OF THE AWARD

### Article 46

- (1) In the course of the arbitral proceedings, the arbitral tribunal or the sole arbitrator may make an interim award or partial award. The final award is made after the arbitral proceedings have been completed.
- (2) The award shall state the reasons in terms of the facts and



- luku. Konačna odluka donosi se kada je arbitražni postupak završen.
- (2) Odluka treba da bude činjenično i pravno obrazložena i formulisana tako da može da bude izvršena u zemljama u kojima se očekuje da će biti traženo njeno izvršenje.
  - (3) Kada odluku donosi arbitražno veće, odluka se donosi jednoglasno ili većinom glasova posle većanja u kome moraju da učestvuju svi arbitri, osim ako se stranke nisu drugačije sporazumele. Odluka se donosi na nejavnoj sednici, kojoj prisustvuju samo arbitri. Prilikom glasanja o odluci, predsednik veća to čini poslednji. O većanju i glasanju se sačinjava zapisnik, koji potpisuju svi arbitri.
  - (4) Konačna odluka donosi se u roku od 60 dana od dana poslednje održane nejavne sednice arbitražnog veća.

## PORAVNANJE

### Član 47

- (1) Ako se stranke poravnaju pred arbitražnim većem odnosno pred arbitrom pojedincem, poravnanje se unosi u zapisnik koji potpisuju pored arbitara i stranke, i konstatuje se u vidu odluke, bez posebnog obrazloženja.
- (2) Poravnanje je zaključeno kad stranke posle pročitanoog zapisnika o poravnanju potpišu zapisnik.
- (3) Zaključeno poravnanje ima snagu arbitražne odluke.

## SADRŽINA ODLUKE

### Član 48

- (1) Pisano izrađena odluka ima uvod, izreku i obrazloženje:
  - (a) uvod odluke sadrži naziv Arbitraže, ime i prezime predsednika i članova veća, odnosno arbitra pojedinca, poslovno ime ili ime i prezime, zanimanje i sedište odnosno prebivalište stranaka, njihovih zastupnika ili punomoćnika, kratko označenje predmeta spora i datum i mesto donošenja odluke;
  - (b) izreka sadrži odluku o usvajanju ili odbijanju pojedinih zahteva koji se tiču predmeta spora kao i odluku o troškovima;
  - (c) obrazloženje sadrži zahteve stranaka, hronologiju spora, stavove i relevantne navode stranaka o razmatranim činjeničnim i pravnim pitanjima, dokaze koji su podneti i izvedeni, pravo i pravila koji su primenjeni i razloge zbog kojih je odlučeno u izreci.

law and be worded in the manner that enables its enforcement in the countries in which it is expected that such enforcement may be requested.

- (3) The award of the arbitral tribunal shall be made by unanimous or majority vote after deliberation in which all arbitrators must participate, unless the parties have agreed otherwise. The award shall be made at a meeting held *in camera* and attended solely by the arbitrators. When the vote is taken on the award, the president of the Tribunal shall be the last one to vote. A record of deliberations and voting shall be made and signed by all the arbitrators.
- (4) The final award shall be made within the period of 60 days after the date on which the last *in camera* meeting of the arbitral tribunal was held.

## SETTLEMENT

### Article 47

- (1) When the parties reach a settlement before the arbitral tribunal or the sole arbitrator, the settlement shall be recorded in the form of an arbitral award that states no particular reasons; the record shall be signed by the arbitrators and the parties.
- (2) A settlement shall be deemed to have been reached when the parties sign the record of the settlement after having read it.
- (3) A settlement reached in this manner shall have the force of an arbitral award.

## CONTENT OF THE AWARD

### Article 48

- (1) The arbitral award in writing shall contain an introduction, an operative part and a statement of reasons:
  - (a) the introduction of the award shall contain the name of the Court of Arbitration, the names of the president and members of the arbitral tribunal or the name of the sole arbitrator, the parties' names or company names, occupation and place of permanent residence or registered office, the names of the parties' representatives or attorneys, short description of the subject-matter of the dispute and the date and place of making of the award.
  - (b) the operative part of the award shall contain the decision to grant or refuse particular claims related to the subject-matter of the dispute, as well as the decision on costs;
  - (c) the statement of reasons shall contain the requests of the parties, chronology of the dispute, statements and allegations of the parties concerning the factual and legal issues that were considered, evidence submitted and taken, the law and rules that were applied and the reasons for making the decision contained in the operative part of the award.

- (2) Odluka ne mora biti činjenično i pravno obrazložena ako su stranke izjavile da to ne traže.
- (3) Odluka se može objaviti u celosti samo uz pristanak stranaka. Po ovlašćenju Predsedništva, odluka se može objaviti u stručnim i naučnim glasilima, bez navođenja imena stranaka i podataka koji mogu biti štetni po interese stranaka.

## RAZMATRANJE ODLUKE

### Član 49

- (1) Predsedništvo Arbitraže razmatra odluku pre njenog potpisivanja. Ono može ukazati arbitražnom veću, odnosno arbitru pojedincu na formalne nedostatke arbitražne odluke i na arbitražnu praksu po pojedinim pravnim pitanjima.
- (2) Predsedništvo Arbitraže može skrenuti pažnju arbitražnom veću, odnosno arbitru pojedincu ukoliko smatra da postoje određeni razlozi zbog kojih bi arbitražna odluka mogla biti poništena, odnosno ne bi mogla biti izvršena.
- (3) Pisani izveštaj o donetoj odluci sačinice, ukoliko je to potrebno, predsednik arbitraže ili član Predsedništva koga odredi predsednik.

## POTPISIVANJE ODLUKE

### Član 50

- (1) Izvornik odluke i sve prepise potpisuju svi članovi arbitražnog veća, odnosno arbitar pojedinac.
- (2) Odluku o usvajanju prigovora nenadležnosti potpisuju svi članovi arbitražnog veća.
- (3) Odluka je punovažna i kada jedan arbitar uskrati da potpiše dostavljenu mu odluku, ako je odluku potpisala većina članova arbitražnog veća i na odluci utvrdila uskraćivanje potpisa, sa svojim potpisima.
- (4) Arbitar koji je uskratio potpis može u razumnom roku, a naročito pre razmatranja odluke od strane Predsedništva, da dostavi svoje pisano izdvojeno mišljenje, koje se priključuje spisima i stavlja na uvid strankama.
- (5) Sekretarijat Arbitraže dostavlja strankama prepise odluke koji su potpisani od strane arbitara, odnosno arbitra pojedinca.
- (6) Stranke mogu dobiti naknadne prepise odluke, overene od sekretara Arbitraže, ali se takvi prepisi ne mogu izdati trećim licima.

- (2) The award need not specify the reasons in terms of the facts or law, if the parties have stated that they do not require it.
- (3) The full text of the award may be published only with consent of the parties. The Board may authorize the publication of the award in periodicals of professional and doctrinal character without disclosing the names of the parties or information that may be damaging to the interests of the parties.

### SCRUTINY OF THE AWARD

#### Article 49

- (1) The Board of the Court of Arbitration shall scrutinize the award before it is signed. It may advise the arbitral tribunal or the sole arbitrator of the formal deficiencies of the arbitral award, or draw its attention to the arbitral practice on certain issues of law.
- (2) The Board of the Court of Arbitration may draw the attention of the arbitral tribunal or the sole arbitrator to the grounds upon which it considers the arbitral award might be set aside, or upon which its enforcement might be refused.
- (3) A written report on the award that was rendered shall be made, if necessary, by the Chairmen of the Court of Arbitration or by a member of the Board designated by the Chairman.

### SIGNING OF THE AWARD

#### Article 50

- (1) The original of the award and all copies thereof shall be signed by all members of the arbitral tribunal or the sole arbitrator respectively.
- (2) The Award accepting a plea contesting jurisdiction shall be signed by all members of the arbitral tribunal.
- (3) The award shall be valid even if an arbitrator refuses to sign the award submitted to him for signature, provided the award has been signed by the majority of the members of the arbitral tribunal, and provided they have noted in the award the refusal of signature by their own signatures.
- (4) The arbitrator who refused to sign the award may within a reasonable period, and especially before the scrutiny of the award by the Board, submit his dissenting opinion in writing; such dissenting opinion shall be enclosed to the documents and submitted to the parties.
- (5) The Secretariat of the Court of Arbitration shall send to the parties the copies of the award signed by the arbitrators or by the sole arbitrator respectively.
- (6) The parties may obtain additional copies of the award, certified true by the Secretary of the Court of Arbitration, but such copies may not be issued to any third parties.

## ISPRAVKE, TUMAČENJA I DOPUNE ODLUKE

### Član 51

- (1) Stranke mogu da traže da arbitražno veće ili arbitar pojedinac ispravi u odluci računске, tipografske i druge greške u pisanju ili bilo koje slične greške ili da izvrši tumačenje te odluke. Arbitražno veće ili arbitar pojedinac može po svojoj inicijativi vršiti takve ispravke.
- (2) Svaka stranka može da traži da arbitražno veće ili arbitar pojedinac donese dopunsku odluku o zahtevima iznetim u arbitražnom postupku o kojima nije odlučeno u arbitražnoj odluci.
- (3) Zahteve iz st. 1. i 2. ovog člana stranka mora da podnese najkasnije u roku od 30 dana od dana prijema odluke.
- (4) Ispravke, tumačenja i dopune odluke se vrše u pisanom obliku shodno odredbama člana 48. ovog Pravilnika.
- (5) Odluka o ispravkama, tumačenjima i dopunama je sastavni deo odluke na koju se odnosi.

## KLAUZULA IZVRŠNOSTI

### Član 52

- (1) Klauzulu izvršnosti odluke stavlja Sekretarijat Arbitraže.
- (2) Klauzula izvršnosti daje se najranije po proteku roka od osam dana od isteka roka za zahtevanje ispravke odluke u slučaju odsustva takvog zahteva, a u drugim slučajevima najranije po proteku roka od osam dana od dana prijema ispravke odluke.

## DEJSTVO I IZVRŠENJE ODLUKE

### Član 53

- (1) Arbitražna odluka je konačna i protiv nje nema mesta žalbi. Ona ima snagu pravnosnažne presude redovnog suda.
- (2) Prihvatanjem nadležnosti Arbitraže, stranke se obavezuju da će njenu odluku izvršiti.

## VI TROŠKOVI ARBITRAŽE

### TARIFA

### Član 54

- (1) Tužilac je dužan da u celosti uplati iznos arbitražnih troškova, uključujući naknade za rad arbitara i admini-

## CORRECTION AND INTERPRETATION OF THE AWARD; ADDITIONAL AWARD

### Article 51

- (1) The parties may request the arbitral tribunal or the sole arbitrator to correct in the award any computational, typographical or clerical errors, or any errors of similar nature, or to give an interpretation of the award. The arbitral tribunal or the sole arbitrator may correct such errors on their own initiative.
- (2) Any party may request the arbitral tribunal or the sole arbitrator to make an additional award as to claims presented in the arbitral proceedings but omitted from the award.
- (3) A party may make a requests referred to under paragraphs 1 and 2 of this Article within 30 days of receipt of the award.
- (4) The corrections, interpretation and additional award are made in writing in accordance with the provisions of Article 48 of these Rules.
- (5) Any correction or interpretation of the award or the additional award shall constitute part of the award to which it relates.

## THE CONFIRMATION OF ENFORCEABILITY

### Article 52

- (1) The enforceability of the award shall be confirmed by the Secretariat of the Court of Arbitration.
- (2) The enforceability of the award may be confirmed at the earliest upon expiry of the period of 8 days from the date of expiry of the time-limit for requesting the correction of the award in case of absence of such request, or in other cases at the earliest upon expiry of the period of 8 days after the date of receipt of the correction of the award.

## EFFECT AND ENFORCEMENT OF THE AWARD

### Article 53

- (1) The arbitral award shall be final and subject to no appeal. It shall have the force of a final judgment of a court of law.
- (2) By accepting the jurisdiction of the Court of Arbitration, the parties have undertaken to carry out the resulting award.

## VI ARBITRATION COSTS

### SCALE OF ARBITRATION COSTS

#### Article 54

- (1) The claimant has a duty to pay the whole amount of arbitration costs, including the arbitrators's fees and administrative costs of arbitration which are determined by the

- strativne troškove Arbitraže koje, u skladu sa vrednošću tužbenog zahteva, određuje predsednik Arbitraže u granicama utvrđenim Tarifom arbitražnih troškova koju utvrđuje Komisija za finansijska pitanja Skupštine Privredne komore Srbije. Tuženi je dužan da na isti način postupi u pogledu protivtužbe ili prigovora kompenzacije.
- (2) Ukoliko u postupku učestvuje više od dve stranke, za svaku dodatnu stranku obračunava se uvećanje administrativnih troškova Arbitraže za 10% i uvećanje iznosa naknade za rad arbitara za 10%.
  - (3) Prilikom podnošenja zahteva za arbitražu ili tužbe, protivtužbe ili prigovora kompenzacije stranka u pitanju dužna je da položi Sekretarijatu Arbitraže 200,00 EUR na ime registracionih troškova.
  - (4) Ako se u toku daljeg postupka pokaže da je prvobitno određen iznos nedovoljan za pokriće troškova arbitraže, predsednik Arbitraže će odlučiti o naknadnim iznosima, koji treba da budu položeni u skladu sa tarifom troškova.
  - (5) Ako stranka u roku od dva meseca od kada je pozvana ne uplati troškove, smatraće se da je njen zahtev povučen.

## TROŠKOVI ARBITARA

### Član 55

- (1) Za troškove puta i boravka, arbitru koji stanuje van mesta održavanja arbitraže, pripada naknada, koja pada na teret stranaka.
- (2) Domaćem arbitru ova naknada se određuje po važećim propisima.
- (3) Za putne i ostale troškove stranog arbitra, stranka koja ga je izabrala ili za koju je tog arbitra imenovalo Predsedništvo, uplaćuje paušalni iznos i snosi ih u celini, prema konačnom obračunu koji vrši Sekretarijat Arbitraže.
- (4) Ukoliko je za arbitra pojedinca ili predsednika arbitražnog veća imenovan strani državljanin, svaka stranka uplaćuje po polovinu određenog paušalnog iznosa na ime putnih i ostalih troškova stranog arbitra, i snosi ih u istom odnosu prema konačnom obračunu koji vrši Sekretarijat Arbitraže.
- (5) Ukoliko se postupak vodi na srpskom jeziku, a jedan od članova arbitražnog veća ili arbitar pojedinac očigledno ne vlada srpskim jezikom, obe stranke snose troškove prevođenja isprava i dokaza, usmenih rasprava i nejavnih sednica arbitražnog veća.

Chairman of the Court of Arbitration in accordance with the value of the claim within the limits of the Scale of Arbitration Costs set by the Finance Committee of the Assembly of the Chamber of Commerce and Industry of Serbia. The respondent has a duty to do the same with respect to the counterclaim or set-off claim.

- (2) When there are more than two parties in the proceedings, administrative fees of the Court of Arbitration shall be increased by 10% and the arbitrators' fees shall be increased by 10% for each additional party.
- (3) At the time of submitting a request for arbitration, a statement of claim, a counterclaim, or a set-off claim, the party shall deposit with the Secretariat of the Court of Arbitration a sum of EUR 200.00 as a registration fee.
- (4) When it is found in the course of proceedings that the initially determined sum is insufficient to cover the costs of Arbitration, the Chairman of the Court of Arbitration shall decide on additional sums that need to be deposited within the limits of the Scale of Arbitration Costs.
- (5) When a party fails to pay the costs within two months from the date of the invitation to do so, it shall be deemed that its claim has been withdrawn.

### ARBITRATORS' EXPENSES

#### Article 55

- (1) The arbitrator that resides outside the place of arbitration is entitled to compensation of travel and accommodation expenses, at the charge of the parties.
- (2) The expenses of a domestic arbitrator are determined pursuant to the regulations presently in force.
- (3) The party that appointed a foreign arbitrator or the party for which the Board appointed a foreign arbitrator shall deposit a lump sum for his travel and other expenses and shall bear the final amount of these expenses, which will be fixed by the Secretariat of the Court of Arbitration.
- (4) When the parties appoint a foreign citizen to be the sole arbitrator, or the president of the arbitral tribunal, each party shall deposit a half of the determined lump sum for travel and other expenses of the foreign arbitrator, and shall bear the same proportion of the final amount of these expenses, which will be fixed by the Secretariat of the Court of Arbitration.
- (5) When the proceedings are conducted in the Serbian language and a member of the arbitral tribunal, or the sole arbitrator has clearly no knowledge of the Serbian language both parties shall bear the expenses of translation of the documents and evidence, hearings and *in camera* meetings of the arbitral tribunal.



## IZDACI ZA PROCESNE RADNJE

### Član 56

- (1) Za izdatke u vezi sa vršenjem pojedinih procesnih radnji odgovarajući iznos polaže unapred stranka koja podnosi predlog.
- (2) Ukoliko se postupak vodi na stranom jeziku ili jezicima, stranke su dužne da snose sve dodatne troškove vezane za prevođenje isprava, dokaza i usmene rasprave.
- (3) Iznos koji treba položiti određuje zaključkom arbitražno veće, odnosno arbitar pojedinac.
- (4) Za izdatke prouzrokovane procesnim radnjama koje je naredilo arbitražno veće, odnosno arbitar pojedinac po svojoj inicijativi, zaključkom veća odnosno arbitra pojedinca određuje se koja će stranka položiti potreban iznos.

## RASPRAVA VAN SEDIŠTA

### Član 57

- (1) Ako arbitražno veće, odnosno arbitar pojedinac održi raspravu van stalnog sedišta Arbitraže, Predsednik određuje naknadni iznos iz koga će se pokriti troškovi održavanja tog ročišta.
- (2) Ako se ročište van stalnog sedišta Arbitraže održi po predlogu jedne stranke, naknadni iznos polaže stranka koja je predlog učinila. Ako se ročište održi po zajedničkom sporazumu stranaka, svaka stranka polaže polovinu naknadnog iznosa.

## POVLAČENJE TUŽBE

### Član 58

- (1) Ako tužilac povuče tužbu, deo uplaćenih sredstava iz člana 54. vratiće mu se:
  - (a) pre obrazovanja arbitražnog veća, odnosno imenovanja arbitra pojedinca - 50%;
  - (b) pre zakazane usmene rasprave - 40%;
  - (c) po zakazanoj, a pre održane usmene rasprave - 15%.
- (2) Po održanoj usmenoj raspravi ili po donetoj odluci arbitražnog veća ili arbitra pojedinca da se rasprava ne održava, navedena sredstva se ne vraćaju.
- (3) Sredstva uplaćena na ime registracionih troškova Arbitraže, ne vraćaju se.

## EXPENSES INCURRED IN CONNECTION WITH PROCEDURAL ACTS

### Article 56

- (1) For expenses incurred in connection with performance of particular procedural acts, an appropriate sum shall be deposited in advance by the party that requested them.
- (2) When the proceedings are conducted in a foreign language or languages the parties have a duty to bear all additional expenses connected to the translation of documents, evidence and hearings.
- (3) The sum to be deposited shall be determined by a ruling of the arbitral tribunal or the sole arbitrator.
- (4) For expenses caused by procedural acts ordered by the arbitral tribunal or the sole arbitrator at their own initiative, the arbitral tribunal or the sole arbitrator shall determine by a ruling which of the parties shall deposit the necessary sum.

## HEARING OUTSIDE THE SEAT OF THE COURT OF ARBITRATION

### Article 57

- (1) When the arbitral tribunal or the sole arbitrator holds a hearing outside the permanent seat of the Court of Arbitration, the Chairman shall determine the additional sum to cover the costs of holding such a hearing.
- (2) When a hearing is held outside the permanent seat of the Court of Arbitration at the request of a party, the additional sum shall be deposited by the requesting party. When such a hearing is held at the joint request of the parties, each party shall deposit a half of the additional sum.

## WITHDRAWAL OF THE CLAIM

### Article 58

- (1) When the claimant withdraws his claim, the following proportion of the sum deposited under Article 54 shall be returned to him:
  - (a) When the claim is withdrawn before the constitution of the arbitral tribunal or before appointment of the sole arbitrator - 50%;
  - (b) When the claim is withdrawn before the hearing was scheduled - 40%;
  - (c) When the claim is withdrawn after the hearing was scheduled, but before it was held - 15%.
- (2) After the hearing was held, or after the decision of the arbitral tribunal or the sole arbitrator that the hearing shall not be held is rendered, the deposited sum shall not be returned.
- (3) The sum deposited as a registration fee of the Court of Arbitration shall not be returned.

## NAKNADE

### Član 59

- (1) Tarife administrativnih troškova Arbitraže, naknada za rad arbitara kao i naknada predsedniku, potpredsednicima i članovima Predsedništva Arbitraže u širem sastavu, određuju se odlukom koju donosi Komisija za finansijska pitanja Skupštine Privredne komore Srbije.
- (2) Posle donete odluke, zaključenog poravnanja ili obustavljanja postupka, predsednik Arbitraže utvrđuje iznos naknade arbitrima, u skladu sa odlukom navedenom u stavu 1. ovog člana.
- (3) Bruto iznos naknada za rad članova arbitražnog veća određuje se tako što predsedniku pripada 40%, a svakom koarbitru pripada 30% od iznosa utvrđenog od strane predsednika Arbitraže, primenom Tarife naknada za rad arbitara.
- (4) Stranom arbitru naknada pripada u stranoj valuti.
- (5) Predsednik Arbitraže u skladu sa odlukom iz stava 1. ovog člana određuje naknade učesnicima sednica predsedništava u širem i užem sastavu.

## VII PRELAZNE I ZAVRŠNE ODREDBE

### SPOROVI NA KOJE SE PRIMENJUJE PRAVILNIK

### Član 60

Ovaj Pravilnik se primenjuje na sve sporove pokrenute posle njegovog stupanja na snagu.

### PRESTANAK VAŽNOSTI

### Član 61

Danom stupanja na snagu ovog Pravilnika prestaje da važi Pravilnik o Spoljnotrgovinskoj arbitraži pri Privrednoj komori Srbije („Službeni glasnik RS“ br. 52/07).

### STUPANJE NA SNAGU

### Član 62

Ovaj Pravilnik stupa na snagu osmog dana od dana objavljivanja u „Službenom glasniku Republike Srbije“.

## FEES

### Article 59

- (1) The Scale of Administrative Costs of the Court of Arbitration, the arbitrators fees, as well as fees of the Chairman, Vice-Chairmen and members of the Extended Board of the Court of Arbitration, shall be set by the decision of the Finance Committee of the Assembly of the Chamber of Commerce and Industry of Serbia.
- (2) After the award is made, or a settlement reached, or proceedings are terminated, the Chairman of the Court of Arbitration shall fix the amount of arbitrators' fees, in accordance with the decision referred to in paragraph 1 of this Article.
- (3) The gross amount of fees for work of the members of the arbitral tribunal shall be determined by apportioning 40% of the amount fixed by the Chairman of the Court of Arbitration pursuant to the Scale of Arbitrators' Fees to the president, and 30% to each of the coarbitrators.
- (4) A foreign arbitrator is entitled to a fee in foreign currency.
- (5) The Chairman of the Court of Arbitration shall, in accordance with the decision referred to in paragraph 1 of this Article, determine the fees of participants in the meetings of the Board and the Extended Board.

## VII FINAL PROVISIONS

### DISPUTES TO WHICH THE RULES ARE APPLICABLE

#### Article 60

The present Rules shall apply to all disputes initiated after their entry into force.

### ABROGATION OF THE FORMER RULES

#### Article 61

The Rules of the Foreign Trade Court of Arbitration of the Serbian Chamber of Commerce (“Official Journal of the Republic of Serbia” no. 52/07 dated 8 June 2007) are abrogated by entry into force of the present Rules.

### ENTRY INTO FORCE

#### Article 62

The present Rules shall enter into force on the eighth day of their publication in the “Official Journal of the Republic of Serbia”.

## ANEKS I PRAVILNIK O MIRENJU PRED ARBITRAŽOM

### POSREDOVANJE ARBITRAŽE

#### Član 1

- (1) U slučajevima u kojima Arbitraža može biti nadležna za rešavanje sporova, svaka stranka, bez obzira da li je ugovorena nadležnost Arbitraže, može se obratiti Arbitraži za posredovanje radi mirenja prema odredbama ovog Pravilnika.
- (2) Postupak mirenja nezavisan je od arbitražnog postupka, a ako postupak mirenja ne uspe, ništa što je u toku postupka učinjeno ili izjavljeno usmeno ili pismeno, ne obavezuje stranke.
- (3) Pristanak na postupak mirenja ne znači pristanak na nadležnost Arbitraže u slučaju neuspeha mirenja.

### PREDLOG ZA POKRETANJE POSTUPKA

#### Član 2

- (1) Predlog za pokretanje postupka mirenja podnosi se pismeno Sekretarijatu Arbitraže.
- (2) Predlog može podneti jedna stranka sama ili obe zajedno. U predlogu će se naznačiti predmet spora, odnos iz koga je spor proistekao i relevantne činjenice.
- (3) Prilikom podnošenja predloga za pokretanje postupka mirenja stranka u pitanju dužna je da položi Sekretarijatu Arbitraže 200,00 EUR na ime registracionih troškova. Ukoliko predlog podnose obe stranke zajedno, svaka od njih je dužna da uplati polovinu navedenog iznosa.
- (4) Zajedničkim podnošenjem predloga ili podnošenjem predloga od jedne stranke i njegovim prihvatanjem od druge stranke smatra se da su stranke prihvatile odredbe Pravilnika u pogledu postupka mirenja.
- (5) Svaka stranka može u svako doba odustati od postupka mirenja, i u tom slučaju snosi sve dotadašnje troškove postupka.
- (6) U postupku mirenja stranke mogu učestvovati lično ili preko uredno ovlašćenog punomoćnika.

### ULOGA SEKRETARIJATA

#### Član 3

- (1) Ako je predlog za pokretanje postupka mirenja podnela

**ANNEX I**  
**RULES ON CONCILIATION BEFORE THE COURT OF**  
**ARBITRATION**

**CONCILIATION BY THE COURT OF ARBITRATION**

**Article 1**

- (1) In cases which may fall under the jurisdiction of the Court of Arbitration, each party, regardless of whether the Court of Arbitration's jurisdiction has been stipulated or not, may apply to the Court of Arbitration to intervene for the purpose of conciliation in conformity with these Rules.
- (2) The conciliation proceedings shall be independent of arbitral proceedings; if the conciliation proceedings fail nothing that has been done or stated orally or in writing during the conciliation proceedings shall be binding upon the parties.
- (3) Consent to the conciliation proceedings shall not be deemed to mean consent to the jurisdiction of the Court of Arbitration in case the conciliation proceedings have failed.

**REQUEST FOR CONCILIATION**

**Article 2**

- (1) A request for conciliation shall be submitted in writing to the Secretariat of the Court of Arbitration.
- (2) Such a request may be submitted by one party alone or by both parties jointly. The request shall indicate the subject-matter of the dispute, the relationship from which the dispute arose and the relevant facts.
- (3) When submitting the request for conciliation the party shall deposit EUR 200.00 to the Secretariat of the Court of Arbitration as a deposit for registration fees. When the proposal is submitted by both parties jointly, each of them shall deposit half of the amount.
- (4) A joint submission of the request, or submission of the request by one party and its acceptance by the other party, shall be deemed to mean acceptance by the parties of the provisions of these Rules pertaining to the conciliation proceedings.
- (5) Each party may at any time withdraw from the conciliation proceedings and shall in such case bear all the costs of the conciliation proceedings that have arisen until that moment.
- (6) The parties may take part in the conciliation proceedings in person, or through a duly authorized representative.

**THE ROLE OF THE SECRETARIAT**

**Article 3**

- (1) When a request for conciliation is submitted by one party,

jedna stranka, Sekretarijat Arbitraže obaveštava o tome drugu stranku i poziva je da se u određenom roku izjasni da li prihvata taj predlog i ako ga prihvata, da u istom roku pismeno izloži činjenično stanje, podnese sve potrebne dokumente i izloži svoje gledište.

- (2) Ako druga stranka u ostavljenom roku ne odgovori ili ne prihvati predlog, Sekretarijat Arbitraže obaveštava predlagača da se postupak mirenja ne može sprovesti.

## POSREDNIK (KOMISIJA ZA MIRENJE)

### Član 4

- (1) Mirenje vrši posrednik koga zajednički biraju stranke.
- (2) Stranke se mogu dogovoriti da mirenje vrši komisija za mirenje, koju sačinjavaju po jedan predstavnik koga imenuje svaka stranka, i predsednik komisije koga zajednički imenuju stranke.
- (3) Pre početka postupka pred posrednikom, sekretar Arbitraže određuje predujam za troškove postupka mirenja, koji odgovara umanjenom iznosu iz Tarife arbitražnih troškova, utvrđene u odnosu na vrednost spora. Iznos predujma u jednakim delovima polažu obe stranke. Ako stranke ne polože predujam za postupak mirenja do početka postupka, sekretar Arbitraže poziva ih da to učine u naknadno određenom roku. Ako u naknadno određenom roku stranke ne polože predujam za postupak mirenja, smatra se da mirenje nije uspelo. Sredstva uplaćena na ime registracionih troškova Arbitraže, ne vraćaju se.
- (4) Ako stranke ne izaberu posrednika, predsednika komisije za mirenje odnosno svoje predstavnike u komisiji za mirenje, Sekretarijat Arbitraže poziva ih da to naknadno učine. Ako to ne učine u naknadno ostavljenom roku, posrednike imenuje Predsedništvo.
- (5) Stranka može za svog predstavnika izabrati i stranog državljanina. Putne i ostale troškove inostranog posrednika dužna je da snosi stranka koja ga je izabrala.
- (6) Stranke se mogu saglasiti da postupak mirenja izvrši sam predsednik Arbitraže, drugi član Predsedništva u širem sastavu, ili posrednik koga imenuje Predsedništvo.

the Secretariat of the Court of Arbitration shall notify the other party thereof and shall invite the other party to state within a specified period of time whether it accepts the request, and if it does, to present within the same period of time a written statement of the facts and of its case, and to submit all the relevant documents.

- (2) When the other party fails to respond within the period of time fixed, or rejects the request, the Secretariat of the Court of Arbitration shall notify the requesting party that the conciliation proceedings cannot take place.

### CONCILIATOR (CONCILIATION COMMISSION)

#### Article 4

- (1) Conciliation is conducted by a conciliator jointly appointed by the parties.
- (2) The parties may agree that the conciliation be conducted by a conciliation commission, which will consist of a representative appointed by each party, and of the president of the conciliation commission jointly appointed by the parties.
- (3) Before the proceedings before the conciliation commission begin, the Secretary of the Court of Arbitration shall fix an advance to cover the costs of the conciliation proceedings, which will correspond to the reduced amount fixed on the basis of the value of the dispute pursuant to the Scale of Arbitration Costs. The advance shall be deposited by both parties in equal parts. When the parties fail to deposit the advance to cover the costs of the conciliation proceedings, the Secretary of the Court of Arbitration shall invite them to do so within a newly fixed time limit. If the parties fail to deposit the advance to cover the costs of the conciliation proceedings within the newly fixed time limit, it shall be deemed that the conciliation has failed. The amounts paid as registration fees of the Court of Arbitration shall not be returned.
- (4) When the parties have not appointed the conciliator, the president or their representatives in the conciliation commission, the Secretariat of the Court of Arbitration shall invite them to do so within a newly fixed time limit. If they fail to do so within the newly fixed time limit, the conciliators shall be appointed by the Board.
- (5) A party may select a foreign national as its representative. Travel and other expenses of a foreign conciliator shall be paid by the party who has appointed him.
- (6) The parties may agree that the conciliation proceedings will be conducted by the Chairman of the Court of Arbitration himself, or by some other member of the Extended Board, or conciliator appointed by the Board.



## POSTUPAK POSREDOVANJA

### Član 5

- (1) Posrednik sprovodi postupak mirenja na način koji u dogovoru sa strankama smatra celishodnim, pružajući strankama pomoć u cilju iznalaženja obostrano prihvatljivih rešenja. Ukoliko su stranke saglasne posrednik može strankama da predloži rešenje spora. U svakom slučaju on može organizovati zajedničke sastanke sa strankama ili sastanke sa svakom strankom posebno.
- (2) Rezultati postupka mirenja konstatuju se u zapisniku, koji potpisuje posrednik i stranke.
- (3) Iznos troškova postupka mirenja utvrđuje sekretar Arbitraže prema vrednosti spora, na osnovu umanjenog iznosa iz Tarife arbitražnih troškova. Raspodelu troškova postupka mirenja vrši posrednik ako se stranke nisu sporazumele o svom učestvovanju u troškovima, što se konstatuje u zapisniku.
- (4) Poravnanje je zaključeno kada stranke posle pročitano g zapisnika u kome je konstatovano da su se poravnale, taj zapisnik potpišu. Ovako postignuto poravnanje nema snagu pravosnažne odluke Arbitraže, nego snagu poravnanja postignutog van Arbitraže.
- (5) Posrednik, odnosno članovi komisije za mirenje, ne mogu biti imenovani za arbitra niti učestvovati u raspravi u kojoj se spor po kome nije postignuto poravnanje rešava pred Arbitražom.
- (6) Ako su stranke odsutne, dostavlja im se poravnanje radi potpisa sa upozorenjem da će se smatrati da mirenje nije uspelo ako ga u roku od sedam dana od prijema poravnanja ne vrata potpisano Sekretarijatu Arbitraže.
- (7) Ako to stranke saglasno predlože, može se poravnanje postignuto u postupku za mirenje doneti u vidu arbitražne odluke.

## CONCILIATION PROCEDURE

### Article 5

- (1) The conciliator shall conduct the conciliation proceedings in the manner which he or she considers appropriate after consulting with the parties; the conciliator shall assist the parties to find mutually acceptable solutions. If the parties agree, the conciliator may propose a solution of the dispute to the parties. In any case, the conciliator may organize joint meetings with the parties or meet with each of the parties separately.
- (2) The results of the conciliation proceedings shall be noted in a record to be signed by the conciliator and by the parties.
- (3) The amount of costs of conciliation proceedings shall be fixed by the Secretary of the Court of Arbitration according to the value of the dispute in the reduced amount pursuant to the Scale of Arbitration Costs. The costs of the conciliation proceedings shall be apportioned between the parties by the conciliator unless the parties have agreed as to their participation in the costs, which shall be noted in the record.
- (4) A settlement shall be deemed to have been concluded when the parties, after having read the record in which it is noted that they have reached a settlement, sign this record. A settlement reached in this way shall not have the effect of a final arbitral award, but only the effect of a settlement reached outside of the arbitration.
- (5) The conciliator or the members of the conciliation commission in the dispute in which no settlement was reached, may not be appointed as arbitrators or participate in the proceedings before the Court of Arbitration.
- (6) When the parties are absent, the document of settlement is sent to them for signature accompanied with a notice that it shall be deemed that the conciliation has failed if they fail to sign and return the document to the Secretariat of the Court of Arbitration within seven days from the date of receipt.
- (7) When the parties make a joint proposal to this effect, the settlement reached in the conciliation proceedings may be made in the form of an arbitral award.

## **ANEKS II ARBITRAŽA KAO ORGAN IMENOVANJA**

Ukoliko je Arbitraža pozvana da postupa kao organ imenovanja, podnosilac zahteva je dužan da uplati iznos naknade od 500,00 EUR za svaki zahtev. Arbitraža će postupiti po zahtevu tek po uplati ukupnog iznosa naknade. Ovlašćenja koja pripadaju organu imenovanja vrši Predsedništvo.

Ovaj Pravilnik je objavljen u „Službenom glasniku RS“ br. 2/14 od 10. januara 2014. godine i stupio na snagu 18. januara 2014. godine.

**ANNEX II**  
**THE COURT OF ARBITRATION AS THE APPOINTING**  
**AUTHORITY**

When the Court of Arbitration is requested to act as the appointing authority, the applicant shall deposit the fee in the amount of EUR 500.00 per each such request. The Court of Arbitration shall act upon the request only after the amount of fees has been paid in full. The powers of the appointing authority shall be exercised by the Board.

These Rules were published in the „Official Journal of the Republic of Serbia”, no. 2/14 of January 10, 2014, and entered into force on January 18, 2014.

## TARIFA ARBITRAŽNIH TROŠKOVA

Prilikom podnošenja zahteva za arbitražu ili tužbe, protivtužbe ili prigovora kompenzacije ili predloga za pokretanje postupka mi-  
renja, stranka u pitanju je dužna da položi Sekretarijatu Arbitraže 200,00 EUR na ime registracionih troškova za rad Sekretarijata.

### 1. Administrativni troškovi Arbitraže

VREDNOST SPORA U EUR	IZNOS TROŠKOVA U EUR
do 5.000	350
od 5.001 - 10.000	350 + 6% na iznos preko 5.000
od 10.001 - 20.000	650 + 4,5% na iznos preko 10.000
od 20.001 - 50.000	1.100 + 2% na iznos preko 20.000
od 50.001 - 100.000	1.700 + 1,6% na iznos preko 50.000
od 100.001 - 500.000	2.500 + 1% na iznos preko 100.000
od 500.001 - 1.000.000	6.500 + 0,4% na iznos preko 500.000
od 1.000.001 - 2.000.000	8.500 + 0,2% na iznos preko 1.000.000
od 2.000.001 - 5.000.000	10.500 + 0,15% na iznos preko 2.000.000
od 5.000.001 - 10.000.000	15.000 + 0,1% na iznos preko 5.000.000
od 10.000.001 - 20.000.000	20.000 + 0,05% na iznos preko 10.000.000
preko 20.000.000	25.100 + 0,01% na iznos preko 20.000.000

## COSTS OF THE ARBITRATION

At the time of submitting a request for arbitration, a statement of claim, a counterclaim, or a set-off claim, the party shall deposit with the Secretariat of the Court of Arbitration a sum of EUR 200.00 as a registration fee.

### 1. Administrative costs

SUM IN DISPUTE IN EUR	COST IN EUR
up to 5.000	350
from 5.001 - 10.000	350 + 6% for the amount over 5.000
from 10.001 - 20.000	650 + 4,5% for the amount over 10.000
from 20.001 - 50.000	1.100 + 2% for the amount over 20.000
from 50.001 - 100.000	1.700 + 1,6% for the amount over 50.000
from 100.001 - 500.000	2.500 + 1% for the amount over 100.000
from 500.001 - 1.000.000	6.500 + 0,4% for the amount over 500.000
from 1.000.001 - 2.000.000	8.500 + 0,2% for the amount over 1.000.000
from 2.000.001 - 5.000.000	10.500 + 0,15% for the amount over 2.000.000
from 5.000.001 - 10.000.000	15.000 + 0,1% for the amount over 5.000.000
from 10.000.001 - 20.000.000	20.000 + 0,05% for the amount over 10.000.000
over 20.000.000	25.100 + 0,01% for the amount over 20.000.000

## 2. Naknade za rad arbitara

VREDNOST SPORA U EUR	IZNOS TROŠKOVA U EUR
do 5.000	550
od 5.000 - 10.000	550 + 10% na iznos preko 5.000
od 10.001 - 20.000	1.050 + 7% na iznos preko 10.000
od 20.001 - 50.000	1.750 + 5% na iznos preko 20.000
od 50.001 - 100.000	3.250 + 3,5 na iznos preko 50.000
od 100.001 - 500.000	5.000 + 2% na iznos preko 100.000
od 500.001 - 1.000.000	13.000 + 1,1% na iznos preko 500.000
od 1.000.001 - 2.000.000	18.500 + 0,61% na iznos preko 1.000.000
od 2.000.001 - 5.000.000	24.600 + 0,25% na iznos preko 2.000.000
od 5.000.001 - 10.000.000	32.100 + 0,23% na iznos preko 5.000.000
od 10.000.001 - 20.000.000	43.600 + 0,12% na iznos preko 10.000.000
preko 20.000.000	55.600 + 0,02% na iznos preko 20.000.000

## 2. Arbitrator's fees

SUM IN DISPUTE IN EUR	COST IN EUR
up to 5.000	550
from 5.000 - 10.000	550 + 10% for the amount over 5.000
from 10.001 - 20.000	1.050 + 7% for the amount over 10.000
from 20.001 - 50.000	1.750 + 5% for the amount over 20.000
from 50.001 - 100.000	3.250 + 3,5% for the amount over 50.000
from 100.001 - 500.000	5.000 + 2% for the amount over 100.000
from 500.001 - 1.000.000	13.000 + 1,1% for the amount over 500.000
from 1.000.001 - 2.000.000	18.500 + 0,61% for the amount over 1.000.000
from 2.000.001 - 5.000.000	24.600 + 0,25% for the amount over 2.000.000
from 5.000.001 - 10.000.000	32.100 + 0,23% for the amount over 5.000.000
from 10.000.001 - 20.000.000	43.600 + 0,12% for the amount over 10.000.000
over 20.000.000	55.600 + 0,02% for the amount over 20.000.000



**PRAVILNIK**  
**O SPOLJNOTRGOVINSKOJ ARBITRAŽI PRI**  
**PRIVREDNOJ KOMORI SRBIJE**

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