

## **SCL ADJUDICATION SCHEDULE OF CHARGES**

This schedule of adjudication costs (the Schedule), as amended from time to time by the SCL, forms part of the SCLA Rules, and will apply in all current and future adjudications as from its effective date.

### **1. ADMINISTRATIVE CHARGES**

1.1 Registration Fee (payable in advance of the Dispute Notice being lodged with the SCL: non-refundable): **£500 plus VAT**

### **2. FEES AND EXPENSES OF THE ADJUDICATOR**

2.1 The fees and expenses of the Adjudicator will be calculated and charged to the parties in accordance with the relevant provisions of the SCLA Rules.

2.2 The Adjudicator's fees will be calculated by reference to time spent in connection with the adjudication and will be charged at a rate as shall be advised in writing to the SCL Chairman by the Adjudicator prior to his/her appointment. Such rate shall not exceed that which the SCL Chairman considers appropriate in light of the nature of the adjudication and the qualification and experience of the Adjudicator. In any event (but subject to paragraph 2.4 below) the rate shall not exceed £450 per hour.

2.3 The rate will be advised by the SCL Chairman to the parties at the time of the appointment of the Adjudicator.

2.3.1 If, exceptionally, following consultation with the Adjudicator, the SCL Chairman considers it appropriate to recommend to the parties that an Adjudicator be appointed at an hourly rate that exceeds **£450** in the particular circumstances of a particular adjudication, a higher rate may be fixed provided that such higher rate is agreed expressly by all parties.

2.4 Save where the SCLA Rules provide otherwise, the Adjudicator may:

2.4.1 charge for time spent travelling;

2.4.2 charge for time reserved but not used as a result of late postponement or cancellation of hearings, provided that the basis for such charge shall be advised in writing to, and approved by, the SCL; and

2.4.3 recover such expenses as are reasonably incurred in connection with the proceedings, and as are reasonable in amount, provided that claims for expenses should be supported by invoices or receipts.

2.5 Charges may be subject to Value Added Tax at the prevailing rate.

### **3. FEES AND EXPENSES OF THIRD-PARTY ADVISORS**

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- 3.1 The fees and expenses of any Third-Party Advisor will be calculated and charged to the parties in accordance with the relevant provisions of the SCLA Rules.
- 3.2 The Third-Party Advisor's fees will be calculated by reference to work done in connection with the adjudication and will be charged at a rate appropriate to the particular circumstances of the case, including its complexity and the qualification of the Third-Party Advisor. The Third-Party Advisor shall agree in writing upon fee rates conforming to the Schedule prior to his/her appointment by the parties.
- 3.3 Fees shall be at hourly rates not exceeding,
- 3.3.1 **£450 plus VAT** per hour in respect of the appointment of a Technical Expert as a Third-Party Advisor; and
- 3.3.2 **£450 plus VAT** in respect of the appointment of a Lawyer as a Third-Party Advisor.
- 3.4 Subject to paragraph 3.1 above, the Adjudicator may:
- 3.4.1 charge for time spent travelling;
- 3.4.2 charge for time reserved but not used as a result of late postponement or cancellation of hearings, provided that the basis for such charge shall be advised in writing to, and approved by the Adjudicator; and
- 3.4.3 recover such expenses as are reasonably incurred in connection with the proceedings, and as are reasonable in amount, provided that claims for expenses should be supported by invoices or receipts.
- 3.5 Charges may be subject to Value Added Tax at the prevailing rate.

#### 4. **LIMITATION OF LIABILITY**

None of the SCL (including its officers, members, agents and employees), the SCL Chairman, the Adjudicator and any Third-Party Advisors engaged to assist the Adjudicator, shall be liable to any party howsoever for any act or omission in connection with the proceedings to which the Schedule relates, save (i) where the act or omission is shown by that party to constitute conscious and deliberate wrongdoing committed by the body or person alleged to be liable to that party and (ii) the extent to which any part of this provision is prohibited by any applicable law.

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