



Tribunal Arbitral do Desporto

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**PRESIDENCY OF THE COUNCIL AND  
MINISTRY OF JUSTICE**

**Ministerial Directive No. 301/2015  
of September 22**

An essential measure in the programme of the 19th Constitutional Government foresaw the creation of a Court of Arbitration for Sport, which was justified by the need for sports to have an alternative for resolving disputes that is compatible with its specificities for a specialised and efficient justice system.

Law No. 74/2013 of September 6 amended by Law No. 33/2014 of June 16 created the Court of Arbitration for Sport with the specific power to administer justice regarding disputes that arise from the sports legal system or which relate to sports.

The Court of Arbitration for Sport is an independent judicial body – namely from the public sport offices and the bodies that make up the sporting system – with administrative and financial autonomy.

The creation of the Court of Arbitration for Sport complied with the purpose of respecting the autonomy of the sporting organisation opting to maintain the domestic jurisdiction of federations. However, the Court of Arbitration for Sport was granted exclusive jurisdiction and its intervention became mandatory in order to establish a uniform and specialised justice system in sports.

With the creation of the Court of Arbitration for Sport in the legal and sports system with 'mandatory' jurisdiction in certain fields, the latter's jurisdiction and powers may be extended to other fields as a voluntary arbitration court whenever legally permissible and the intervention of this arbitration court is the intent of the interested parties. In this context, the jurisdiction of arbitration was extended to the labour matter since it is believed that in the case of a sports contract there is no reason preventing someone from resorting to arbitration in order to resolve matters regarding the termination of the contract and it is convenient to channel the way to a 'uniform' legal system capable of incorporating the labour and sports scopes.

Now we need to establish the arbitration fees and procedural costs within the scope of mandatory arbitration as well as the fees for separate acts.

Hence:

The Government orders – through the Minister of Justice and the Minister of the Presidency and Parliamentary Affairs under Article 76 and Article 79 of Law No. 74/2013 of September 6 amended by Law No. 33/2014 of June 16 – the following:

**Article 1**

**Object**

This Ministerial Directive establishes the arbitration fees and procedural costs within the scope of mandatory arbitration as well as all fees for separate acts pursuant to Law No. 74/2013 of September 6 amended by Law No. 33/2014 of June 16.





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## Article 2

### **Arbitration fees within the scope of mandatory arbitration**

1- The mandatory arbitration fees correspond to the sum owed for the procedures instigated by the interested parties and are established by the President of the Court of Arbitration for Sport based on the value of the act pursuant to Annex 1 in this Ministerial Directive, which is an integral part thereof.

2- It is up to the arbitration court to establish the value of the act pursuant to the Procedure Rules of the Administrative Courts.

3- If arbitration ends before the final sentence is delivered, the President of the Court of Arbitration for Sport may reduce the arbitration fees taking into consideration the stage at which the arbitration proceedings were closed or any other circumstance considered to be relevant in compliance with the fee reduction for arbitrators.

4- Arbitration procedural costs are all expenses resulting from its handling, namely arbitrator fees and costs incurred with producing evidence as well as other expenditures set out by arbitrators.

5- The final fees for the arbitration proceedings and eventual split between the parties will be announced on the arbitration decided by the arbitration court based on the value of the act pursuant to Annex 1.

## Article 3

### **Legal fees for separate acts**

The fees for separate acts and the terms of

the concerned payment are included in Annex 2 in this Ministerial Directive, which is an integral part thereof.

## Article 4

### **Legal Aid**

In mandatory arbitration proceedings where legal aid has been granted to one or more of the interested parties in the form of exemption from the legal fees and other procedural costs or in the form of staggered payment of the legal fees and other procedural costs, arbitration fees and those for separate acts as well as all costs that are the responsibility of the interested party benefiting from legal aid shall be borne by the entity in the judicial area that is responsible for collecting the revenue and making the payment within the scope of this legal aid.

## Article 5

### **Entry into force**

This Ministerial Directive shall enter into force on the date that Law No. 74/2013 of September 6 amended by Law No. 33/2014 of June 16 enters into force.

The Minister of Justice, *Paula Maria von Hafe Teixeira da Cruz*, on September 18th, 2015.

The Minister of the Presidency and Parliamentary Affairs, *Luís Maria de Barros Serra Marques Guedes*, on September 17th, 2015.



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ANNEX 1

(Referred to in Article 2(1) and (5))

**Arbitration fees and procedural costs within the scope of mandatory arbitration**

Value of the act	Arbitration Fee *	Arbitration procedural costs	
		Fees for Group of Arbitrators **	Administrative Costs *
Until 30 000.00	€750.00	2 500.00	€75.00
From €30 000.01 to €40 000.00	€900.00	€3 000.00	€90.00
From €40 000.01 to €80 000.00	€1 200.00	€4 000.00	€120.00
From €80 000.01 to €150 000.00	€1 500.00	€6 000.00	€150.00
From €150 000.01 to €200 000.00	€2 000.00	€8 000.00	€200.00
From €200 000.01 to €250 000.00	€2 500.00	€10 000.00	€250.00
From €250 000.01 to €300 000.00	€3 000.00	€12 500.00	€300.00
From €300 000.01 to €350 000.00	€3 500.00	€15 000.00	€350.00
From €350 000.01 to €400 000.00	€4 000.00	€20 000.00	€ 400.00
From €400 000.01 to €450 000.00	€4 500.00	€25 000.00	€450.00
From €450 000.01 to €500 000.00	€5 000.00	€30 000.00	€500.00

\* Value to be paid for each procedural subject.

\*\* Value to be split into 40% for the Chair of the arbitration and 30% for each arbitrator.

In addition to €500 000.00, €500.00 will be added to the arbitration fee for every €50 000.00 or fraction.

In addition to €500 000.00, €5 000.00 will be added to the fees for the group of arbitrators for every €50 000.00 or fraction.

In addition to €500 000.00, €50.00 will be added to the administrative costs for every €50 000.00 or fraction.

ANNEX 2

(Referred to in Article 3)

**Fees for separate acts**

1- Half of 1 Unit of Value shall be due for every service or notification made in person, posting notices, or other separate endeavours as well as legally established transportation costs.

2- Services, notifications, and posted notices in the same place shall count as one.

3- Fees due for issued certificates, transcripts, certified copies, or extracts shall be established as follows:

a) Up to 50 pages, the value to be paid for the whole set is a fifth of 1 Unit of Value;

b) Over 50 pages, one tenth of 1 Unit of Value shall be added to the value mentioned above for every set or fraction of 25 pages.

4- Certificates, transcripts, copies, or extracts submitted by e-mail shall result in the payment of a legal fee of one tenth of 1 Unit of Value.

5- For every simple copy, the value to be paid per page is 1/500 of 1 Unit of Value.

6- The cost for separate acts shall be assessed and paid immediately or within ten days after being notified for this purpose if the interested party is not present.