

## ANNEX 1

### Cost of Mediation – Per Party

Monetary Value of Dispute	Length of Mediation		
	3 Hours	Half Day (4 hours)	One Day (8 Hours)
Claims up to £15,000	£350		
£15,000 to £50,000		£450	
£50,000 to £100,000		£750	£1,500
£100,000 to £500,000			£2,000
£500,000 to £1 million			£3,000
Claims above £1 million	Fee to be assessed on value and complexity of dispute		

The fee is based per Party on a two-party dispute. In cases involving three or more Parties, each Party shall pay the fee quoted in the table subject to a 15% reduction.

The fee is set according to the value of the original Claim and Counter Claim. If during the mediation it becomes apparent that the amount in dispute is higher than that originally stated by the Parties or if a Counter Claim or Counter-Counter Claim presents itself, then the mediator is entitled to an increased fee based on the aggregate value.

VAT will be added to all charges

### Terms and Conditions of Payment

#### The Mediation Fees include:

- A total of 3 hours preparation and travel time, where the Total Fee is up to £3,000.
- A total of 4 hours preparation and travel time, where the Total Fee is £3,000 to £4,000.
- A total of 6 hours preparation and travel time, where the Total Fee is £4,000 to £6,000.
- A total of 10 hours preparation and travel time, where the Total Fee is greater than £6,000.
- Case Administration (including timetable, venue and document exchange)

**The Mediation Fees do not include** (and therefore payable by the Parties equally as extras in the absence of agreement to the contrary):

- The costs of the hire of the venue or accommodation, if required.
- Out of pocket expenses incurred by the Mediator including travel costs and subsistence.
- A charge for extra time required for travel and preparation exceeding the stated total: submitted with the prior consent of the Parties
- A charge for time spent over the stated length of the Mediation.

The duration of the Mediation may be extended with the agreement of the Parties and the Mediator. The time charge for each additional hour, or part thereof, shall be:-

- £100 per Party, where the original mediation was 3 hours.
- £125 per Party, where the original mediation was 4 hours and the value of the dispute did not exceed £50,000.
- 12.5% of the Mediation Fee for one day, per Party, where the value of the dispute exceeds £50,000.

Mediation fees are due for payment either when the Mediation Agreement has been signed or when the date of the Mediation has been agreed, whichever is earlier. Expenses and extra time charges will be paid within seven days of the date of invoice.

The fee for a Mediation that is adjourned or takes less time than the agreed duration will remain as the Agreed Fee stated in the Schedule.

### **Cancellation Charges**

In the event that a Mediation is cancelled by either or both of the Parties, the Parties shall reimburse ELROND Consulting all expenses incurred in making arrangements for, or in connection with, the Mediation and shall pay ELROND Consulting a Cancellation Charge as follows:

- A minimum payment of £100 + VAT, if cancellation occurs any time after the mediation date has been agreed with both (all) Parties to the dispute
- £100 + VAT or 50% of the mediation fee (whichever is the greater) if the cancellation occurs less than five clear working days before the date agreed for the mediation
- The whole mediation fee will be charged if the cancellation occurs less than two clear working days before the date and time agreed for the mediation.

No cancellation fee will be charged if the mediation date simply has to be rescheduled to an alternative date, provided that the mediation takes place within 28 days of the original mediation date, failing which the mediation provider may treat the adjournment as if it were a cancellation in accordance with the above provisions.

If the mediation fee has already been paid by both/all Parties at the time the mediation is cancelled, the mediator/mediation organisation will refund the mediation fee less any cancellation charge.

The cancellation date will be determined by the date when the mediator/mediation organisation is contacted by one Party, or both or all Parties, by either email or telephone.

If the cancellation of the mediation is agreed by both/all Parties, the Parties shall equally share the applicable cancellation payment. However, if the decision is made unilaterally, the Party cancelling the mediation shall be liable for the whole cancellation payment.