



## RESOLUTION NO. 04 - 2016

### AMENDING ANNEX A [RULES FOR COMPUTING THE SUM IN DISPUTE (SID)] OF CIAC RESOLUTION NO. 07-2013 [ADJUSTING CIAC FEES AND CHARGES AND REVISING THE CIAC TABLE OF FEES]

**WHEREAS**, to address questions on the computation of the Sum in Dispute (SID) on which the CIAC Table of Fees is based, the Commission, in its 156<sup>th</sup> Regular Meeting held on 2 October 2013, agreed to incorporate a footnote in CIAC Resolution No. 07-2014, defining the SID as follows:

1. The sum of the total claims and the total counterclaims; and
2. Addition of cross-claims which are not related to the main claim, but exclusion of compulsory cross-claims or those related to the main claim;

**WHEREAS**, in its 157<sup>th</sup> Regular Meeting held on 13 November 2013, the Commission, based on a modification of the above definition, approved the inclusion of Annex A in CIAC Res. No. 07-2013, providing for the following rules for computing the SID:

*"1. Where there are only two parties to arbitration or mediation:*

*1.1 total claims made by Claimant added to all the counterclaims made by Respondent that is not directly related to the claims (permissive counterclaims) shall constitute the sum in dispute (SID);*

*1.2 Compulsory counterclaims, or those directly related to the claims shall be treated only as defenses and not be added to the claims to compute the SID;*

*2. Where two Respondents are sued by Claimant and a cross-claim is made by Respondent 1 against Respondent 2:*

*2.1 amount of a cross-claim that seeks only to pass on the liability of Respondent 1 to Respondent 2, shall not be added to the computation of the SID;*

*2.2 amount sought by Respondent 1 against Respondent 2 that is based on a different cause of action, shall be added to compute the SID;*