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GUIDELINES ON ARBITRATORS' EXPENSES

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VIENNA RULES 2021 AND VIENNA INVESTMENT ARBITRATION RULES 2021
(IN THE VERSION OF 1 JANUARY 2025)

1. Purpose and Application

1.1. The VIAC Guidelines on Arbitrators' Expenses (hereinafter "the Expenses Guidelines") govern the reimbursement of expenses incurred by arbitrators in proceedings administered by the Vienna International Arbitral Centre ("VIAC"). They supplement the provision of Art. 44 para. 1 Vienna Rules 2021 ("Vienna Rules"), which define the costs of the proceedings and specifically the arbitrators' fees and expenses.

1.2. Arbitrators' expenses will be reimbursed upon request in accordance with these Expenses Guidelines.

1.3. Requests for reimbursement must be submitted within the time limit set by the Secretary General or at the latest before the finalisation of the Determination of Costs. VIAC may decline reimbursement if the request is submitted after the finalisation of the Determination of Costs.

1.4. Expenses will be reimbursed from the Advance on Costs paid by the parties pursuant to the Vienna Rules and the Schedule of Fees (Annex ./3 Vienna Rules). VIAC estimates an approximate amount for such cash expenses in the calculation of the Advance on Costs. If an Arbitral Tribunal anticipates that the cash expenses will be particularly high, the Arbitral Tribunal shall inform VIAC to allow VIAC to request an additional Advance on Costs from the parties in a timely manner (Art. 42 Vienna Rules). The Arbitral Tribunal, while not privy to VIAC's internal estimations, may rely on its experience in similar cases to foresee unusually high expenses. Should the Arbitral Tribunal require clarification in this regard, it is invited to contact VIAC in a timely manner.

2. General Principles

2.1. Arbitrators are entitled to reimbursement of their reasonable expenses. Expenses are reimbursed only to the extent that they are reasonable, necessary, and directly connected with the arbitrator's duties in the respective case.

2.2. VIAC may request proof of payment and/or documentation supporting any claimed expense and may decline reimbursement where the expenditure is disproportionate, excessive, or insufficiently justified. In such cases, the Secretary General may first consult with the arbitrators and then with the parties before deciding on the reimbursement. Where cash expenses are numerous or complex, VIAC may request a tabular overview of such expenses, if this supports the efficient finalisation of the Determination of Costs.

2.3. Expenses exceeding the limits set out in these Expenses Guidelines may be reimbursed only in exceptional circumstances. The arbitrator must demonstrate that the higher cost was necessary, reasonable, and unavoidable. The Secretary General may decide within her own discretion and may, if she deems necessary, request approval from the parties for such expenses.

2.4. Any amounts claimed by arbitrators for cash outlays may include any applicable value-added tax (VAT). All amounts for per diem and overnight allowances stated in these Expenses Guidelines include all potential taxes and charges. If cash outlays are stated in a currency other than Euro, VIAC converts this amount into Euros as of the date of the receipts or invoice. Cash outlays will be refunded in Euros.

3. Per Diem and Overnight Allowances

3.1. Per diem allowances are deemed to cover all personal living expenses, meals, laundry and housekeeping services, local transport, communications, and gratuities. No additional reimbursement is made for items included within the per diem allowance. Overnight allowances are deemed to cover accommodation costs. Per diem and overnight allowances are jointly referred to as “Allowances”.

3.2. The system of Allowances is intended to simplify the administration of expenses and to avoid the need for detailed itemisation of personal living costs, consistent with the Arbitral Tribunal’s duty to conduct the proceedings efficiently under Art. 28 para. 1 Vienna Rules.

3.3. Arbitrators from a different place of business or domicile (non-residents) are entitled to a per diem allowance and an overnight allowance.

3.4. Resident arbitrators are not entitled to Allowances, but rather to reimbursement of their reasonable expenses upon provision of respective receipts or invoices (e.g. meals, local transport, communications, incidental expenses, and gratuities as per local standard).

3.5. Arbitrators may claim Allowances for each day / night on which their presence is required for in-person case management conferences, hearings, or deliberations. No per diem allowance is payable for travel days rather solely for the actual case management conference, hearing, or deliberation day/s.

3.6. For all overnight allowances claimed, arbitrators shall indicate the purpose of their stay and the number of days claimed. As per point 2 above, VIAC may request additional documentation where necessary to verify the reasonableness of a Claim.

3.7. The applicable Allowances are set out below:

Category	Amount	Documentation	Scope
Per diem allowance	EUR 300/day	No invoice required	Includes meals, local transport, communications, incidental expenses; does not include accommodation
Overnight allowance	EUR 400/night maximum	Invoice required	Accommodation
Overnight allowance, if no invoice	EUR 250/night	If no invoice is available	Accommodation

4. Travel Expenses

4.1. Travel expenses are reimbursed on the basis of actual costs incurred, subject to the limitations set out below. All travel expenses must be supported by receipts or invoices. Travel expenses will be accepted from and to the arbitrator's usual place of business as declared in the Arbitrator's Acceptance of Office form. Any reimbursement requests from a different place of business need to be justified and will be granted based on the discretion of the Secretary General.

4.2. Flights are, in principle, reimbursed at the cost equivalent to the applicable standard business-class airfare. If such airfare would lead to unreasonable expenses in light of all circumstances of the case, the Secretary General may limit the reimbursable expenses to the price of an economy-class ticket. First-class fares are not reimbursed. Should an arbitrator nonetheless travel in first-class, the fare will be reimbursed up to the cost of a comparable business-class ticket. Arbitrators are encouraged to book flexible fares, where necessary, for the efficient conduct of the proceedings, in line with Art. 28 para. 1 Vienna Rules.

4.3. Train travel is reimbursed at the cost of a first-class ticket.

4.4. Necessary local transport, including taxis, rideshare services, and public transport, is reimbursed at cost (unless per diem allowance is requested). Transfers to and from airports or railway stations are reimbursed at the rate for standard local ground transportation, i.e. local taxis or economy ride-hailing services. Premium, comfort, limousine, or chauffeur services are generally excluded.

4.5. Where an arbitrator uses a private vehicle, reimbursement is made at the official Austrian mileage allowance currently at EUR 0.50 per kilometre or the applicable official Austrian mileage allowance at the time of travel, capped at the equivalent recoverable airfare for the same route. Parking fees and tolls are reimbursed at cost.

Mode of Transport	Reimbursement Basis	Notes
Air travel	Business-class ticket, unless unreasonable under the circumstances	First class not reimbursed
Train travel	First-class ticket	-
Local transport	Actual cost	Taxi, rideshare, public transport (unless per diem allowance is requested); transfers to and from airports or railway stations are reimbursed at the rate for standard local ground transportation
Private car	EUR 0.50/km	Capped at equivalent airfare; parking/tolls reimbursed

5. Other expenses

5.1. If it is necessary for arbitrators to send documents in hard copy per post or courier, VIAC will reimburse these expenses where supported by receipts or invoices.

5.2. If an arbitrator incurs reasonable, appropriate, and case-related expenses that are not expressly addressed in these Expenses Guidelines, such expenses may also be submitted to VIAC for reimbursement, provided they are supported by receipts or invoices.

6. Nonrefundable expenses

6.1. General office expenses and overheads such as printing, telephone and clerical assistance incurred in the ordinary course of business by an arbitrator in connection with the arbitration proceedings are not reimbursable.

6.2. No refund shall be made for expenses in relation to the use of legal database services, for the purchase of legal literature as it is presumed that arbitrators avail of a certain basic administrative infrastructure.

7. Tribunal Secretary

7.1. The principles contained in these Expenses Guidelines apply mutatis mutandis to Tribunal Secretaries.

7.2. Tribunal Secretaries may not claim any Allowances. Tribunal Secretaries will be reimbursed for all reasonable travel, accommodation costs and other reasonable expenses e.g. meals, local transport, communications, incidental expenses (as per the above), where supported by receipts or invoices. The latter will in principle be capped with the comparable Allowances.

8. Transitional Provision

8.1. These Expenses Guidelines apply to all proceedings commenced on or after 1 July 2026.



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