



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 1190/18)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Rhodri Thomas

in the arbitration proceedings between

Omladinski Košarkarski Klub Spars 05

Ulica Provare 38, 71000 Sarajevo, Bosnia and Herzegovina

- Claimant -

represented by Mr. Blaž Bolcar, attorney at law,
Cesta IX. Korpusa 46, 5250 Solkan, Slovenia

vs.

Basketball Club AEK NEW KAE

466 Irakleiou and Kuprou, Herakleion Attica, 14122 Athens, Greece

- Respondent -

AWARD

Upon providing both parties with an opportunity to be heard, having examined his jurisdiction and considered the factual and legal arguments as well as the requests for relief submitted in this case, the Arbitrator decides as follows:

- 1. Basketball Club AEK NEW KAE shall pay to Omladinski Košarkarski Klub Spars 05 EUR 75,000.00 as compensation for unpaid transfer fees plus interest at a rate of 5% per annum from 11 August 2017 until payment.**
- 2. The costs of this arbitration until the present Award, which were determined by the President of the BAT to be in the amount of EUR 2,970.00, shall be borne by Basketball Club AEK NEW KAE alone. Accordingly, Basketball Club AEK NEW KAE shall pay EUR 2,970.00 to Omladinski Košarkarski Klub Spars 05. The balance of the Advance on Costs, in the amount of EUR 2,863.62, will be reimbursed by the BAT to Omladinski Košarkarski Klub Spars 05.**
- 3. Basketball Club AEK NEW KAE shall pay to Omladinski Košarkarski Klub Spars 05 EUR 5,000.00 as a contribution to its legal fees and expenses.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 31 October 2018

Rhodri Thomas
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2 of the BAT Rules:

“By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that, where the value of the dispute does not exceed EUR 100,000, the Arbitrator shall issue an award without reasons, provided, however, that the Arbitrator shall deliver reasons if a party

- a) files a request to that effect at any stage from when the Request for Arbitration is filed until no later than ten (10) days after the notification of the award without reasons; and*
- b) pays the respective advance on costs as determined and within the time limit set by the BAT Secretariat.”*

The Parties are herewith informed that the amount to be paid as an advance on costs for a reasoned award in this case has been set by the BAT Secretariat to EUR 5,000.00. The time limit for payment thereof will be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.