1 September 2026

Explanatory Note on Invoicing and VAT Applicable on ICC Administrative Expenses

A. General

1. This Explanatory Note sets out invoicing and charging principles with respect to French Value-Added Tax ("VAT") applicable on ICC administrative expenses under the ICC Rules of Arbitration ("Rules"). It also sets out information on the electronic invoicing process for ICC administrative expenses. It is effective as of 1 September 2026.

B. Invoicing of ICC Administrative Expenses

2. In accordance with French invoicing requirements, ICC is required to issue invoices relating to ICC administrative expenses.

3. French invoicing requirements do not apply in cases administered by the Secretariat of the ICC International Court of Arbitration's office in New York (SICANA, Inc.) or the office in Sao Paulo (SCIAB Ltda).

C. French Electronic Invoicing Reform

4. As of 1 September 2026, in accordance with the French electronic invoicing reform, for each payment relating to ICC administrative expenses received by ICC from, or made by the ICC to, French companies, ICC will issue an electronic invoice directly to the party concerned through its electronic invoicing platform, without sending a copy to the representatives of the party in the case or to the other party(ies).

5. As is our current practice, in multiparty cases (*i.e.*, cases with multiple parties as claimants and/or respondents and/or one or more additional parties), the invoice will be issued to the first party of the respective groups as set out in the case caption; namely, Claimant 1, Respondent 1 and Additional Party 1.

6. In application of the above:

   a. Companies registered in France should provide their (i) SIREN number and (ii) electronic invoicing routing code (“*code d'adressage électronique*” of the “*plateforme de dématérialisation partenaire (PDP)*” they have chosen to use).

   b. French individuals and non-French parties will not receive an invoice automatically. However, ICC will provide this only upon written request.

D. Invoicing when payment is made in substitution by another party

7. The invoice will be issued to the party who was first requested to make payment, irrespective of the entity which may ultimately make payment, either by way of third party payment or substitution. For example, where Respondent has been requested to pay 50% towards the advance on costs pursuant to the Rules and fails to make payment, Claimant is invited to pay in substitution. Upon receipt of the payment from Claimant, the invoice will be processed in accordance with French invoicing requirements and addressed to Respondent 1.

8. Invoices cannot be altered by ICC, including to change the name of the party to which they are addressed. However, if payment is being made in substitution, on written request, the ICC can provide a certificate detailing the name of the party who made the payment and that they paid in substitution for the party who was originally requested to pay.

E. Invoicing of other amounts

9. ICC is not legally authorised to issue an invoice for advances corresponding to arbitrators' fees and expenses or any other amount, which ICC collects solely on behalf of the arbitrators. Upon request, ICC may issue a disbursement note setting out the amounts paid, or to be paid in advance, by the parties to cover the arbitrators' fees and expenses only.

10. The invoicing of VAT due by the parties to the arbitrators is a matter solely between the arbitrators and the parties. ICC is not legally authorised to issue any documentation for such amounts.

F. Charging of VAT

11. ICC administrative expenses do not include VAT (Article 2(14) of Appendix III to the 2021 Rules / 6(14) of Appendix III to the 2026 Rules). To the extent that VAT is applicable, ICC administrative expenses will be subject to VAT and may be increased by the corresponding amount at the prevailing rate as set out below. The applicable rate under French tax law is currently 20%.

12. VAT will not be charged on ICC administrative expenses in cases administered by the Secretariat of the ICC International Court of Arbitration's office in New York (SICANA, Inc.) or office in Sao Paulo (SCIAB Ltda).

G. VAT Amounts and Services Concerned

13. Where applicable, VAT will be charged on the requested advance payments corresponding to the ICC administrative expenses. Indicatively, VAT will be charged and invoiced on:

   a. The filing fee (Article 4(4)(a) of the 2021 Rules / Article 5(4) of the 2026 Rules and Article 7(3) of the 2021 Rules / Article 8(3) of the 2026 Rules).

b. The portion of requested payments corresponding to ICC administrative expenses of:
   (i) Advances on costs (Article 37 of the 2021 Rules / Article 40 of the 2026 Rules);
   (ii) Additional advances on costs (Article 36(5) of the 2021 Rules / Article 6(10) of Appendix III to the 2026 Rules); and
   (iii) Costs of the Emergency Arbitrator Proceedings (Article 7(1) of Appendix V to the 2021 Rules / Article 8(1) of Appendix IV to the 2026 Rules).

c. Any abeyance fee (Article 2(7) of Appendix III to the 2021 Rules / Article 6(8) of Appendix III to the 2026 Rules).

ICC will not charge VAT on the portion of the advance on costs corresponding to the arbitrators' fees and expenses. The invoicing and, where applicable, collection of VAT due by the parties to the arbitrators is a matter solely between the arbitrators and the parties.

H. Identification of Parties to be charged VAT

14. Any amount required under the Rules for the purposes of the filing fee, advances on costs, additional advances on costs, costs of Emergency Arbitrator Proceedings and abeyance fees is payable by the party or parties identified in the payment requests issued by the Secretariat. Pursuant to Article 2(iii) of the Rules, "party" or "parties" include claimants, respondents or additional parties.

15. In addition, ICC will issue invoices for the purposes of VAT on administrative expenses as follows:

    a. In cases between a single claimant and a single respondent, ICC administrative expenses alongside the arbitrators' fees and expenses will be charged to each of them. As per the principles set forth in paragraph 18 below, invoices may include VAT charged on ICC administrative expenses.

    b. In multiparty cases (*i.e.*, cases with multiple parties as claimants and/or respondents and/or one or more additional parties), ICC administrative expenses alongside the arbitrators' fees and expenses will be charged to the first party of the respective groups as set out in the case caption; namely, Claimant 1, Respondent 1 and Additional Party 1. As per the principles set forth in paragraph 18 below, invoices may include VAT charged on ICC administrative expenses.

16. In application of the above:

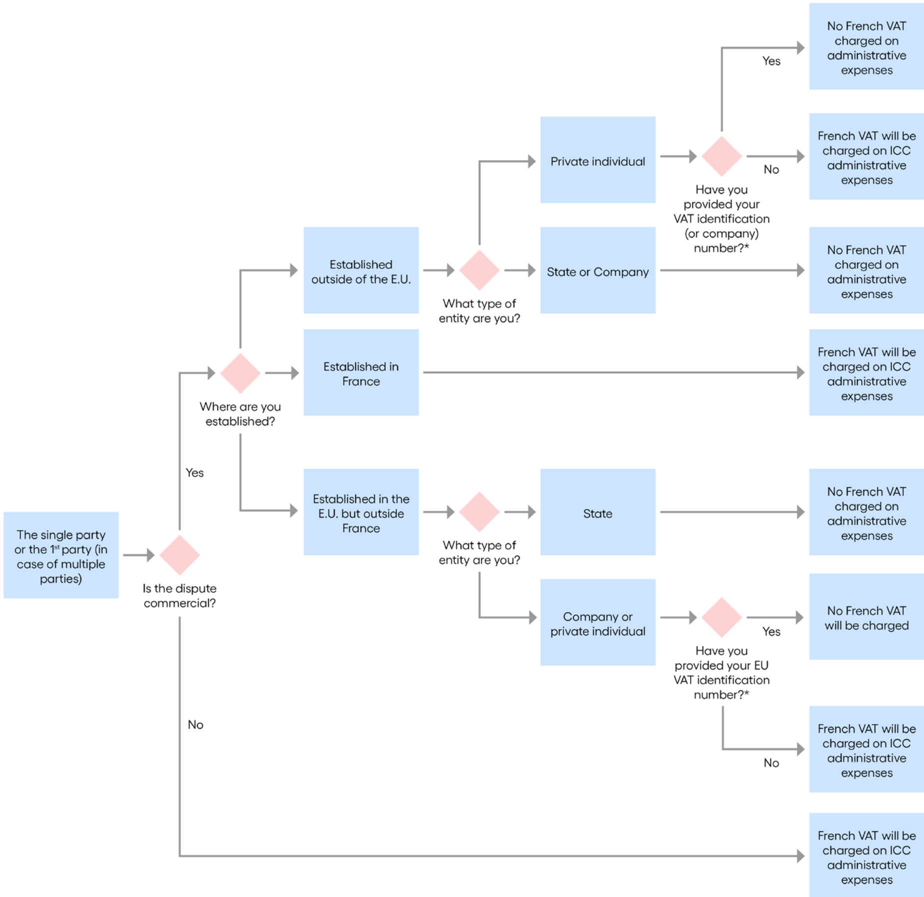
    a. **Companies** registered in the European Union ("EU") must provide a document evidencing their EU value-added tax registration number.

    b. **Private individuals** must (i) state whether their involvement in the case should be understood as relating to business/professional activity for the purpose of VAT and (ii) if so, to provide a document evidencing their VAT identification number.

    c. For **public bodies,** including governments and states, invoices may include VAT depending on the nature of the dispute.

I. VAT Charging Principles

17. Upon identification of the parties to be invoiced, ICC will proceed with charging or not charging VAT on ICC administrative expenses based on the below:



J. Other Provisions

18. This Explanatory Note applies *mutatis mutandis* to ICC administrative expenses payable under other ICC dispute resolution services, such as those provided (i) under the Rules of ICC as Appointing Authority in UNCITRAL or Other Arbitration Proceedings and (ii) by the ICC International Centre for ADR.

19. Updates to this Explanatory Note will be posted on the ICC website with a changed date at the beginning of the document.

20. The contents of this Explanatory Note are subject to French tax law and are provided for information purposes only. They may be modified at any moment and without prior notice in accordance with any changes introduced to French tax law. Parties are solely responsible for their own fiscal treatment of VAT.