

Fee Model (as of 2/10/2025)

Overview

- Art. 1: Subject**
- Art. 2: Definitions**
- Art. 3: Cost structure and remuneration**
- Art. 4: Fee amount**
- Art. 5: Due date and invoicing**
- Art. 6: Review and update of the Fee Model**

Article 1

Subject

1. This Fee Model sets out the necessary fees, which are to be determined in accordance with Art. 21(5) DSA to the out-of-court dispute settlement body **Platform Control** ('the body') for carrying out its work in accordance with its Rules of Procedure.
2. At the beginning of the dispute's proceedings, the parties will be informed by email of the currently valid version of the Fee Model, which can be accessed on the website under <https://platform-control.com/fee-model/>.

Article 2

Definitions¹

1. For the purposes of this Fee Model, the following definitions shall apply:
 - a. 'Administrative fee' means a fee the amount of which depends on the stage of the dispute before the body. Its purpose is to ensure the costs of setting up and the body's technical and actual organisational structure as well as its independence. It is specified in Art. 4 No. 2;
 - b. 'Decision fee' means a fee the amount of which depends on the decision taken by the body in question. Its purpose is to compensate the case decision-maker who makes the decision to ensure independent decision-making. It is specified in Art. 4 No. 3;
 - c. 'Evident inadmissability assessment' or 'inadmissability assessment (evident)' means an assessment terminating the dispute when the inadmissibility of the complaint is established before/without delivery of the complaint to the Online Platform, or the inadmissibility was established after the complaint was delivered to the Online Platform on the basis of the Online Platform's opinion, but this assessment did not require a detailed legal examination;
 - d. 'inadmissability decision' or 'inadmissability decision (non-evident)' means a decision terminating the proceedings which rejects the complaint as out of scope on the basis of the Online Platform's opinion;

¹ Besides cf. also the definitions laid out in Art. 2 Rules of Procedure.

- e. 'recognition' means a decision terminating the proceedings which is sent at the request of a party, provided that the Online Platform has immediately remedied the User's complaint;
- f. 'Default decision' means a decision terminating the proceedings on the basis of the facts submitted by the User, provided that the Online Platform does not respond to the complaint (cf. Art. 8 No. 3 Rules of Procedure);
- g. 'Regular decision' means a decision terminating the proceedings on the basis of the facts submitted by the User, provided that the Online Platform responds to the complaint (cf. Art. 8 No. 2 Rules of Procedure).

2. All articles without further explanation are those of this Fee Model.

Article 3

Cost structure and remuneration

- 1. The services of the body are free of charge for Users. This also applies to the submission of both an inadmissible or out-of-scope complaint, unless the User is clearly acting in bad faith. The positive assessment of bad faith requires clear evidence. Users acting in bad faith are liable to pay an administrative fee set out in Art. 4 No. 2. lit. b.
- 2. The Online Platform shall reimburse the body - regardless of the outcome of the proceedings - in accordance with Art. 21(5) DSA (cf. Art. 4). Even if the dispute is decided in favour of the Online Platform, the User is not obliged to pay any fees to the body. This does not apply if the User has acted in bad faith.
- 3. The body's case decision-makers (the arbiters and/or experts, cf. Art. 2 No. 1 lit. i, Art. 10 No. 3 lit. a-b, No. 4 lit. a-b Rules of Procedure) are remunerated on a case-by-case basis. The remuneration is not tied to the outcome of the dispute.
- 4. The specific cost structure per case is divided into an administrative fee and a decision fee. They are added together.

Article 4

Fee amount

1. The amount of the administrative fee (Art. 4 No. 2) depends on the stage of the dispute. The amount of the decision fee (Art. 4 No. 3) depends on the type of decision that terminates the dispute.
2. The **administrative fee** is:
 - a. if the inadmissibility of the complaint is assessed before/without delivery of the complaint to the Online Platform, or if the inadmissibility was established after the complaint was delivered to the Online Platform based on the Online Platform's opinion, but this determination did not require a detailed legal examination ('*evident inadmissibility assessment*'),
 - **0,- EUR.**
 - b. provided that the complaint has been delivered to the Online Platform, and the body only determines the inadmissibility of the complaint afterwards, whereby the reasons for the inadmissibility only became apparent through the admission of the Online Platform and did require detailed legal examination ('*inadmissibility decision*'),
 - **50,- EUR plus VAT.**
 - c. provided that the Online Platform recognises the illegality of its content moderation decision and immediately remedies the User's complaint ('*recognition*')
 - **100,- EUR plus VAT.**
 - d. if the complaint has been delivered to the Online Platform, the Online Platform does not react to it (cf. Art. 8 No. 3 Rules of Procedure), so that a *default decision* is prepared,
 - **150,- EUR plus VAT.**
 - e. if the complaint has been delivered to the Online Platform, the Online Platform reacts to it (cf. Art. 8 No. 2 Rules of Procedure), so that a *regular decision* is prepared,
 - **150,- EUR plus VAT.**
3. The **decision fee** is for:

- a. The assessment of the inadmissibility before/without delivery of the complaint to the Online Platform, or if the inadmissibility was established after the complaint was delivered to the Online Platform based on the Online Platform's opinion, but this assessment did not require a detailed legal examination ('*evident inadmissibility assessment*')
 - **0,- EUR.**
- b. '*inadmissibility decisions*' after delivery of the complaint to the Online Platform, whereby the reasons for the inadmissibility only became apparent through the admission of the Online Platform and required detailed legal examination,
 - **150,- EUR plus VAT.**
- If the admissibility decision is evident on the basis of the Online Platform's opinion, the body shall refrain from charging the fee. Only in cases in which complex legal considerations were to be made to decide the inadmissibility, which justify the fee, the fee shall be charged.
- c. '*recognitions*', only if one of the parties requests that a recognition is to be sent,
 - **50,- EUR plus VAT.**
- d. '*default decisions*',
 - **250,- EUR plus VAT** in the case of a decision by a arbiter (cf. Art. 10 No. 3 lit. a, No. 4 lit a Rules of Procedure), respectively
 - **400,- EUR plus VAT** in the case of a decision by an expert (cf. Art. 10 No. 3 lit. b, No. 4 lit. b Rules of Procedure).
- e. '*regular decisions*'
 - **250,- EUR plus VAT** in the case of a decision by a arbiter (cf. Art. 10 No. 3 lit. a, No. 4 lit a Rules of Procedure), respectively
 - **400,- EUR plus VAT** in the case of a decision by an expert (cf. Art. 10 No. 3 lit. b, No. 4 lit. b Rules of Procedure).

4. The possible total fee plus VAT is broken down for each case type in a fee table in the appendix.

Article 5

Due date and invoicing

1. The obligation to pay fees arises when a dispute is pending between the parties by the body, i.e. as soon as the User submits a complete complaint within the body's scope laid out in Art. 6 Rules of Procedure. Exceptionally, in case of an *inadmissability* decision pursuant to Art. 4 No. 2 lit. b, No. 3 lit. b, the Online Platform shall bear the costs of a dispute even though it was out of scope.
2. The fee is due at the end of the dispute's proceedings (cf. Art. 9 Rules of Procedure). In the following month, the body is to invoice the fee-based Online Platform for all cases that were terminated in the previous month. Payment must be made no later than thirty (30) days after the invoice has been issued; otherwise, payment is deemed in arrears.

Article 6

Review and update of the Fee Model

1. The body regularly reviews this Fee Model for sustainability and cost coverage. The body shall review the administrative fees in accordance with Art. 4 No. 2 at least once a year, taking into account the scope of the procedures carried out in the previous year and the procedures to be expected for the next financial year.
2. The amount of the fees in their entirety is proportionate to the costs incurred by the body. Any change to this Fee Model must be notified to the BNetzA as the competent coordinator for digital services.



Appendix: Fee table

case type		administrative fee	decision fee	total fee
a. inadmissability assessment (evident)	without delivery	0,- EUR²	0,- EUR³	<u>0,- EUR</u>
	with delivery	0,- EUR⁴	0,- EUR⁵	<u>0,- EUR</u>
b. inadmissability decision (non-evident)		50,- EUR⁶	150,- EUR⁷	<u>200,- EUR</u>
c. recognition	without decision request	100,- EUR⁸	0,- EUR⁹	<u>100,- EUR</u>
	with decision request	100,- EUR¹⁰	50,- EUR¹¹	<u>150,- EUR</u>
d. default decision	by arbiter	150,- EUR¹²	250,- EUR¹³	<u>400,- EUR</u>
	by expert	150,- EUR¹⁴	400,- EUR¹⁵	<u>550,- EUR</u>
e. regular decision	by arbiter	150,- EUR¹⁶	250,- EUR¹⁷	<u>400,- EUR</u>
	by Expert	150,- EUR¹⁸	400,- EUR¹⁹	<u>550,- EUR</u>

² Cf. Art. 4 No. 2. lit. a.

³ Cf. Art. 4 No. 3. lit. a.

⁴ Cf. Art. 4 No. 2. lit. a.

⁵ Cf. Art. 4 No. 3. lit. a.

⁶ Cf. Art. 4 No. 2. lit. b.

⁷ Cf. Art. 4 No. 3. lit. b.

⁸ Cf. Art. 4 No. 2. lit. c.

⁹ Cf. Art. 4 No. 3. lit. c.

¹⁰ Cf. Art. 4 No. 2. lit. c.

¹¹ Cf. Art. 4 No. 3. lit. c.

¹² Cf. Art. 4 No. 2. lit. d.

¹³ Cf. Art. 4 No. 3. lit. d. Alt. 1.

¹⁴ Cf. Art. 4 No. 2. lit. d.

¹⁵ Cf. Art. 4 No. 3. lit. d. Alt. 2.

¹⁶ Cf. Art. 4 No. 2. lit. e.

¹⁷ Cf. Art. 4 No. 3. lit. e. Alt. 1.

¹⁸ Cf. Art. 4 No. 2. lit. e.

¹⁹ Cf. Art. 4 No. 3. lit. e. Alt. 2.