

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

TMA Australia Pty Ltd and others

v.

Republic of the Philippines

(ICSID Case No. ARB/24/41)

PROCEDURAL ORDER NO. 3

(Decision on Procedural Calendar)

Members of the Tribunal

Ms. Meg Kinnear, President of the Tribunal

Dr. Bernardo M. Cremades, Arbitrator

Mr. J. Christopher Thomas KC, Arbitrator

Assistant to the Tribunal

Dr. Randi Ayman

Secretary of the Tribunal

Ms. Aurélia Antonietti

July 16, 2025

Procedural Order No. 3

1. On July 14, 2025, the Claimant advised the Tribunal that it had been the subject of a cyberattack, which was interfering with the preparation of its Memorial on Jurisdiction and the Merits, due July 23, 2025. The Claimant therefore proposed the following modification to the calendar in Annex B of Procedural Order No. 1:

Procedural step	Party / Tribunal	Date / period of time	Agreed adjustment
Memorial on Jurisdiction and the Merits	Claimants	23 July 2025	3 September 2025
Request for Bifurcation	Respondent	6 September 2025 [45 days from Memorial]	15 November 2025
Observations on Request for Bifurcation	Claimants	21 October 2025 [45 days]	30 December 2025
Decision on Bifurcation	Tribunal	20 November 2025 [30 days, pursuant to Arbitration Rule 44(1)(e)]	29 January 2026

2. On the same date, the Respondent consented to the proposed revised calendar.
3. In light of the circumstances and the consent of the Parties, the Tribunal approves this adjustment to the calendar.
4. For the foregoing reasons, the Tribunal orders as follows:
- (a) The Claimant's Memorial on Jurisdiction and the Merits shall be filed by September 3, 2025;
 - (b) The Respondent's Request for Bifurcation shall be filed by November 15, 2025;
 - (c) The Claimant's Observations on the Request for Bifurcation shall be filed by December 30, 2025; and
 - (d) The Tribunal's Decision on Bifurcation shall be issued by January 29, 2026.

On behalf of the Tribunal,

[signed]

Ms. Meg Kinnear
President of the Tribunal
Date: July 16, 2025