

Guidelines for Registration Panel of Mediators

GUIDELINES FOR REGISTRATION

PANEL OF MEDIATORS

Entry in the Panel of Mediators can only be in the name of an individual.

The applicant must provide a declaration (as stated on the online application form) as to whether they have:

- conducted at least five (5) mediations;
- undertaken at least six (6) hours of mediation specific Continuing Professional Development (CPD) training in the twelve (12) months preceding the date of application;
- sufficient command of the English language; and
- sufficient knowledge of the Common Law system and the DIFC Courts' Mediation Service Centre Rules and procedures in order to conduct mediation before the DIFC Courts.

Supporting documents required for registration:

- copy of CV or resumé;
- copy of degree or professional qualification;
- confirmation of the applicant's registration with an accredited professional mediation institution within their relevant jurisdiction;
- completion of an accredited mediation training course;
- completion of at least six (6) hours of mediation specific CPD training in the twelve (12) months preceding the date of application;
- copy of passport;
- passport size photo (which will be used for the online public Register);
- copy of visa page (for UAE Residents); and

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- schedule of mediation experience. The schedule should highlight the applicant's experience in mediation, outline the current practice of the applicant with a list of (representative) cases, value of the claim and a brief outline of the type of claim.

Renewals:

- completion of at least six (6) hours of mediation specific CPD training in the twelve (12) months preceding the date of renewal

The procedure for Individuals applying for registration will be as follows:

- If an applicant meets the eligibility criteria, they can apply to be listed as a member of the Panel of Mediators with the DIFC Courts through the online application form on the website.
- Once an application is submitted online, it is reviewed to assess the applicant's suitability for the role.
- The applicant may be requested to appear for an interview if deemed necessary on a case-by-case basis.
- In the event of refusal of an application or registration, the individual concerned may lodge a written and reasoned appeal to the Head of the Ancillary Services within fourteen (14) calendar days.
- The Head of the Ancillary Services shall deliberate on the individual's appeal and provide a decision within fourteen (14) calendar days of receiving the appeal.
- If an Individual is still not satisfied with the decision and reasoning, they may lodge a written and reasoned appeal, within sixty (60) calendar days, with the Director of the DIFC Courts. The letter must be addressed to the Director, emailed to Mediation@difccourts.ae, which will be shared with the Director internally.
- The decision of the Director will be final and there will be no further avenues to appeal the decision.

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Important Notes:

1. The Mediation Registry may at any time, after a registration has been confirmed, re-assess and recommend that the Mediator's registration be re-considered based on complaints brought by Parties or concerns around the Mediator's conduct. In this case, the Mediator may be subject to a probationary period of up to 6 months, or until the next mediation session, after which the registration shall be either suspended or re-confirmed. The concerned Mediator may be required to consider undertaking certain training in order to maintain their registration.
2. In the event that a registration has been suspended, and the applicant applies to re-register, the Mediation Registry may request that the applicant follow the full registration process (including filing the required documents) and re-assess whether the applicant remains eligible for registration with the DIFC Courts.
3. Mediators must inform the Mediation Registry, at the time of registration, whether there is (or has been) any code of conduct proceedings against them – the DIFC Courts shall then decide if any further steps should be taken in terms of the registration. The DIFC Courts reserve the right to vary the set-out procedures relevant to registration in the interest of justice. Further, the DIFC Courts may request evidence or a finding by a court, disciplinary or regulatory body including the facts relied upon in connection with the current proceedings or the decision found by the regulator.
4. A Mediator has an ongoing duty, owing an obligation to inform the Mediation Registry promptly about any breaches of code of conduct, or any change to information previously disclosed to the DIFC Courts in support of their application, after it has been made. The obligation continues once the Mediator has been registered.
5. Registered Mediators should refer and adhere to the Mediation Service Centre Rules when they retain clients in DIFC Courts related matters.
6. Documents in a language other than English must be accompanied by a certified legal translation in English.

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