

## The HKIE List of Mediators

1. Eligibility for inclusion in the **HKIE List of Mediators** shall be determined by the Construction Dispute Resolution Committee (the Committee) based on the following requirements:

The applicant shall:

- ◆ *be a HKIE Corporate Member;*
- ◆ *be a HKMAAL Accredited General Mediator<sup>Note</sup>; and*
- ◆ *demonstrate previous exposure in mediation.*

*Note:*

The HKIE joined as a member of the Hong Kong Mediation Accreditation Association Limited (HKMAAL) with effective from 25 October 2013. The HKMAAL, as a single accreditation body in Hong Kong, is a non-profit-making company limited by guarantee. The founder members of HKMAAL are the Hong Kong Bar Association, the Law Society of Hong Kong, the Hong Kong International Arbitration Centre and the Hong Kong Mediation Centre. More information of the HKMAAL can be found at their website at <http://www.hkmaal.org>.

In this connection, the HKIE will no longer accredit mediators. Should members be interested to apply for inclusion as an accredited mediator on the HKIE List of Mediators, you are required to first apply for the HKMAAL Panel of Mediator and send us the relevant approval document(s) issued by the HKMAAL for inclusion in the HKIE List. Please contact HKMAAL at 2525 2381 or visit their website aforementioned for application details of the HKMAAL Panel of Mediators.

2. A member who is applying for the inclusion in the HKIE List of Mediators and wishes to be considered for inclusion in the Register for Nomination to the Joint Mediation Helpline Office (JMHO) must fill in and submit the Registration Form as appended below along with this application form.
3. The Applicant shall confirm that he/she has not been found guilty by a Court or disciplinary tribunal of misconduct, or been convicted of a criminal offence in accordance with *section (2) (1) of the Rehabilitation of Offenders Ordinance, Cap 297* and undertake to inform the Committee if the applicant is charged with a triable criminal offence during the time of being included in the HKIE List of Mediators.
4. By submitting the application and any information to the Committee, the Applicant is deemed to have provided his/her consent to the HKIE to make the information available to the public and third parties for the purposes of listing and referral of mediators.
5. Copies of the documents relating to your education certificates, professional qualifications and experience that demonstrate previous exposure in mediation are required to facilitate the assessment process by the Committee.
6. The Committee reserves the right to accept and reject any application without any explanation.
7. The decision of the Committee shall be absolutely final on all matters about the assessment or the definitions, interpretations of guidelines of application and disclaimers.
8. If, after the application is successful, any information supplied in the respective application is found to be fraudulent or untrue, or an Applicant is found to be associated with a fraudulent or dishonourable act, the Committee reserves the right to withdraw the name of the Applicant from the HKIE List of Mediators.
9. None of the information, details and materials submitted with the application will be returned. The Committee will destroy all such information, details and materials, at its sole discretion.

**Disclaimers on Personal Data:**

- ♦ In this application, you will be requested to provide some personal data. The provision of your personal data is voluntary and it will assist in the process of your application to the HKIE List of Mediators. However, if you do not provide the personal data, it may not be possible to process or consider your application. Please read the following statements about the use of your personal data and your rights in respect of them.
- ♦ The personal data provided by means of this application will be used for matters and activities relating to the processing and assessment of the application for admitting to the HKIE List of Mediators and the compilation of the relevant statistics to facilitate reviews of the list.
- ♦ Upon successful application, the purposes for which data relating to applicants may be used for all matters and activities relating to the mediation.
- ♦ In accordance with *section 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance*, you have the right to request access to and request the correction of the data provided by you. Please contact the Construction Dispute Resolution Committee for these purposes, at “The Construction Dispute Resolution Committee, The Hong Kong Institution of Engineers, 9/F, Island Beverley, No 1 Great George Street, Causeway Bay, Hong Kong”.

**The HKIE List of Mediators  
Application Form**

**PART I : Personal Particular**

Name : \_\_\_\_\_  
(In English) (In Chinese)

Membership No. : \_\_\_\_\_

Organisation : \_\_\_\_\_

Position : \_\_\_\_\_

Contact Address : \_\_\_\_\_  
\_\_\_\_\_

Tel : \_\_\_\_\_ Fax : \_\_\_\_\_

Email : \_\_\_\_\_

Practice Location/  
Jurisdiction : \_\_\_\_\_

Discipline/  
Expertise : \_\_\_\_\_

Language : \_\_\_\_\_

**PART II : Education (in chronological order)**

Name of educational institutes Attended / attending	Qualifications	Year obtained / to be obtained

<b>PART III : Professional Qualifications</b>		
Full name of issuing authorities	Qualifications	Year obtained / to be obtained

<b>PART IV: Relevant Professional Experience/ Career History</b>		
From Month/Year	To Month/Year	Employer/ Position/ Responsibility

**PART V : Relevant experiences in arbitration/mediation/other dispute resolution mechanisms***Please use a separate sheet if necessary***Note:**

**For member who wishes to also be considered for inclusion in the Register for Nomination to the Joint Mediation Helpline Office (JMHO), please fill in the Registration Form at Appendix and submit together with this application form.**

***Declaration***

I hereby declare that I have read, observed and acknowledged the disclaimers of the application for inclusion in the HKIE List of Mediators for which I am now applying and the information given in support of this application is accurate and complete. I understand that I am bound and agree to be bound by the disclaimers throughout. I agree that my personal data can be used for the purposes and otherwise in accordance with the statements about personal data as described in the section “Disclaimers”.

I confirm that I have not been found guilty by a Court or disciplinary tribunal of misconduct, neither been charged with a triable criminal offence in accordance with *section (2) (1) of the Rehabilitation of Offenders Ordinance, Cap 297* nor have criminal cases pending against me.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix

### Register for Nomination to JMHO Referral Cases Registration Form

Title	Surname	Given Name	Academic Qualifications	Professional Qualifications
<i>Example</i>				
<i>Ir Dr</i>	<i>CHAN</i>	<i>Tai Man John</i>	<i>BSc(Eng), LLB, PhD</i>	<i>CEng, MICE, MHKIE, FCI Arb</i>

#### Area of Practice (in accordance with JMHO Case Nature)

	Nature of Cases	Interested in being nominated? (Y=Yes)	Number of mediation cases (mediation hours) participated in the past 3 year
1	Business/ Partnership		
2	Debt		
3	Personal injury		
4	Financial/ Banking		
5	Goods and services		
6	Inheritance		
7	Rental/ Tenancy agreement		
8	Ownership/ Use of property		
9	Construction/ Renovation		
10	Employment/ Salary		
11	Professional negligence		
12	Insurance		
13	Building management		
14	Libel/ Slander		
15	Possession of lands		
16	Damage of property		
17	Compulsory sale of land		
18	Neighborhood		
19	Nuisance		
20	Intellectual property		
21	Complain on government policy		
22	Discrimination		