

**Community Mediation Centres Act  
(CHAPTER 49A)**

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**COMMUNITY MEDIATION CENTRES ACT**

**(CHAPTER 49A)**

**(Original Enactment: Act 10 of 1997)**

**REVISED EDITION 1998**

**(30th May 1998)**

An Act to provide for the establishment and operation of Community Mediation Centres to provide mediation services connected with certain disputes.

[9th January 1998]

## PART I

### PRELIMINARY

#### Short title

1. This Act may be cited as the Community Mediation Centres Act.

#### Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“Community Mediation Centre” means a Community Mediation Centre established under section 3;

“Director” means a person holding office or duly acting as Director of a Community Mediation Centre;

“functions” includes powers, authorities and duties;

“mediation” includes —

- (a) the undertaking of any activity for the purpose of promoting the discussion and settlement of disputes;
- (b) the bringing together of the parties to any dispute for that purpose, either at the request of one of the parties to the dispute or on the initiative of a Director; and
- (c) the follow-up of any matter the subject of any such discussion or settlement;

“mediation session” means a meeting in accordance with this Act between 2 or more parties who are in dispute on any matter;

“mediator”, in relation to a Community Mediation Centre, means —

- (a) the Director of the Centre; or
- (b) any person for the time being appointed under section 8 as a mediator for the Centre.

(2) A reference in this Act to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(3) A reference in this Act to the parties to a mediation session includes a reference to the parties to a dispute in respect of which an application for a mediation session is duly

made, but does not include a reference to the mediator conducting the mediation session.

(4) A reference in this Act to the conduct of a mediation session by a mediator includes a reference to the conduct of a mediation session in the presence, or under the supervision, of the mediator.

## PART II

### COMMUNITY MEDIATION CENTRES

#### **Establishment of Community Mediation Centres**

3. Community Mediation Centres shall be established at such premises as the Minister may, by order published in the *Gazette*, determine and shall be operated in accordance with this Act for the purpose of providing mediation services.

#### **Directors**

4. The Minister shall appoint a Director for each Community Mediation Centre and the same person may be the Director for more than one Community Mediation Centre.

#### **Delegation by Director**

5.—(1) The Director of a Community Mediation Centre may authorise any member of the staff, employee or officer of the Centre to exercise such of the Director's functions (but excluding this power of authorisation) as the Director thinks fit, and the Director may revoke wholly or in part any such authorisation.

(2) function which is authorised to be exercised under this section may, while the authorisation remains unrevoked, be exercised from time to time in accordance with the terms of the authorisation.

(3) An authorisation under this section may be made subject to conditions or limitations.

(4) Notwithstanding any authorisation under this section, the Director may continue to exercise all or any of the functions to which the authorisation relates.

(5) Any act or thing done in the exercise of a function by a person authorised under this section to exercise the function has the same force and effect as if it had been done by the Director.

#### **Place of operation of Community Mediation Centres**

6.—(1) The principal office of a Community Mediation Centre shall be at the

premises specified in relation to the Centre in the order under section 3.

(2) The activities of a Community Mediation Centre may be conducted at its principal office or at such other places as the Director may approve from time to time.

## **Records**

7.—(1) The Director of a Community Mediation Centre shall ensure that such records relating to the activities of the Centre are made and kept as are necessary or appropriate to enable a proper evaluation of Community Mediation Centres under section 16 to be made.

(2) The records of a Community Mediation Centre relating to any dispute before a mediator in the Centre shall be kept for a period of 3 years after the date of settlement of the dispute before the mediator, or the date of withdrawal from or termination of the mediation, as the case may be.

## **Mediators**

8.—(1) The Minister may, on the recommendation of the Director of a Community Mediation Centre, appoint any person (other than the Director) as a mediator for the Centre and may revoke any such appointment.

(2) A mediator appointed under subsection (1) is entitled to be paid such remuneration as may be determined by the Minister and shall abide by the terms of any Code of Conduct as may be approved by the Minister.

## **PART III**

### **MEDIATION**

#### **Provision of mediation services**

9.—(1) The Director of a Community Mediation Centre is responsible for the provision of mediation services and for the operation and management of the Centre.

(2) Each mediation session shall be conducted by one or more mediators assigned for the purpose by the Director.

(3) Subject to section 15, no dispute shall be accepted for mediation except with the consent of the Director of a Community Mediation Centre who may decline to consent to the acceptance of any dispute for mediation under this Act at the Centre.

(4) A mediation session may be terminated at any time by the mediator or by the Director.