

**SAMPLE MEDIATION CONTRACT CLAUSES**

*(January 2024)*

# A. Mediation

The parties agree that any disputes arising from this agreement or subsequent agreements concluded as a result of this agreement, including any disputes regarding its interpretation, breach, termination, or validity, shall be dealt with in accordance with [NAME ADR organization] mediation regulations.

The seat of the mediation proceedings will be [INSERT CITY AND COUNTRY] although meetings may take place online or in any other physical location mutually agreed to by the parties. The language of the mediation proceedings will be [INSERT LANGUAGE].

# B. Negotiations followed by mediation (with time-limit option)

1. The parties agree that in the first instance they shall endeavor to resolve any disputes arising from this agreement or subsequent agreements concluded as a result of this agreement in mutual consultation.
2. Should it prove impossible to arrive at a settlement during the negotiations (as required: within (*45*) days after the receipt of notification that negotiations are to commence) then the party taking the initiative shall request that this dispute be settled in accordance with the [NAME] mediation regulations.

# C. Mediation followed by arbitration

1. The parties agree that any disputes arising from this agreement or subsequent agreements concluded as a result of this agreement shall be settled in accordance with the [NAME] mediation regulations.
2. Should it prove impossible to arrive at a settlement during the negotiations (as required: within (*45*) days after the receipt of notification that negotiations are to commence) then the party taking the initiative shall request that this dispute be settled in accordance with the Arbitration Regulations of the (***select Arbitration Institute***).

# D. Mediation followed by legal proceedings

1. The parties agree that any disputes arising from this agreement or subsequent agreements concluded as a result of this agreement shall be settled in accordance with the [NAME] mediation regulations.
2. Should it prove impossible to arrive at a settlement during the negotiations (as required: within (*45*) days after the receipt of notification that negotiations are to commence) then the party taking the initiative shall request that this dispute be settled by the competent court (***or select other city/town***) by the Court of (***city/ town***).

# E. Mediation with time limit followed by arbitration for General Terms and Conditions

1. Any disputes that may arise between A (***own organization***) and B (***client/customer, etc.***) pursuant to an agreement concluded between A and B shall be settled in accordance with the [NAME] mediation regulations.
2. Should it prove impossible to arrive at a settlement in the aforementioned manner within (*45*) days after the other party has given written notification that a dispute has arisen, then either party is entitled to have this dispute settled in accordance with the Arbitration Regulations of the (***select Arbitration Institute***).