

## Rule 3 : Initiating Mediation

- (a) The initiation of Mediation at BIAC may be in any of the following forms:
- (i) Where a mediation clause exists in the original contract and a dispute arises out of or in relation to it, the party initiating mediation shall provide BIAC with three copies of the written Request for Mediation, identifying the subject, issues, value of the dispute, copy of the mediation clause, nomination of a Mediator or Mediators thought suitable, which it has sent to the other party. The requesting party shall inform BIAC of the names, addresses, phone numbers, fax numbers, e-mail addresses (as available) of the parties. If the party initiating the mediation wishes to nominate a person to represent it, the name and contact details of such person should also be provided. Non-refundable Registration Fee, in cash or by A/c payee certified cheque or bank draft in the name of Bangladesh International Arbitration Centre, must accompany any Request for Mediation.
  - (ii) Where a mediation clause does not exist and the parties have not agreed in writing that the dispute arising out of or relating to their contract should be settled by Mediation, a party may request BIAC in writing to invite the other party to settle the dispute through Mediation under BIAC Mediation Rules. If the other party, in response to such a request from BIAC, agrees in writing within 14 days of receipt of the request, BIAC will inform the initiating party about the other party's concurrence. Thereupon, the party making the request, within seven days of receipt of the information from BIAC, shall provide the other party with a written Request for Mediation along with all information, documents as laid down in 3(a)(i), above and send three copies of the same along with Registration Fee to BIAC.

- (b) On receipt of Request for Mediation, as per Rule 3(a)(i), BIAC shall send a copy of the Request for Mediation with a Notice of Mediation as soon as possible to the other party/parties by courier or transmit by fax or e-mail or any other means of communication that provides a record of its transmission. The starting point of the time limit shall be counted from the date BIAC delivers the Notice of Mediation along with Request for Mediation from the initiating party to the other party.
  
- (c) Where the Court has directed the parties to mediate the dispute under BIAC Mediation Rules, both the parties in the court proceedings jointly or severally, within seven days of receipt of the Court's order, shall provide BIAC two copies of a statement containing a general description of the issues. The Party/Parties shall also inform BIAC if they have selected a Mediator to mediate the dispute or failed to select any.