



THE STATUTES OF THE REPUBLIC OF SINGAPORE

MEDIATION ACT 2017

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

Mediation Act 2017

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An Act to promote, encourage and facilitate the resolution of disputes by mediation and for connected purposes.

[1 November 2017: Except section 16]

Short title

1. This Act is the Mediation Act 2017.

General interpretation

- 2.—(1) In this Act, unless the context otherwise requires —
“approved certification scheme” means an accreditation or a certification scheme designated as an approved certification scheme under section 7;

“certified mediator” means a mediator who is certified under an approved certification scheme;

“designated mediation service provider” means a mediation service provider designated under section 7;

“mediated settlement agreement”, in relation to a mediation, means an agreement by some or all of the parties to the mediation settling the whole or part of the dispute to which the mediation relates;

“mediation agreement” means a mediation agreement described in section 4;

“mediation communication”, in relation to a mediation, means —

- (a) anything said or done;
- (b) any document prepared; or
- (c) any information provided,

for the purposes of or in the course of the mediation, and includes a mediation agreement or mediated settlement agreement;

“mediation institution” means a body or an organisation that administers an accreditation or a certification scheme for mediators;

“mediation service provider” means a body or an organisation that provides services for the conduct of mediation and has in place procedures or rules to govern the conduct of mediation;

“mediator” means an individual who is appointed to be a mediator for a mediation;

“party to a mediation” means any party to the whole or part of a dispute that is referred for mediation, but does not include any mediator conducting the mediation;

“third party”, in relation to a mediation, means a person who is —

- (a) not a party to the mediation;

- (b) not a mediator for the mediation; and
- (c) not a mediation service provider.

(2) Where more than one mediator is appointed for a mediation, a reference to a mediator under this Act is a reference to all the mediators for the mediation.

Meaning of “mediation”

3.—(1) In this Act, “mediation” means a process comprising one or more sessions in which one or more mediators assist the parties to a dispute to do all or any of the following with a view to facilitating the resolution of the whole or part of the dispute:

- (a) identify the issues in dispute;
- (b) explore and generate options;
- (c) communicate with one another;
- (d) voluntarily reach an agreement.

(2) For the purposes of subsection (1), a session is a meeting between the mediator, or one or more mediators (where more than one mediator is appointed for a mediation), and one or more of the parties to the dispute, and includes any activity undertaken (whether by a mediator, a party to the dispute or some other person) —

- (a) to arrange or prepare for such a meeting, whether or not the meeting takes place; and
- (b) to follow up on any matter or issue raised in such a meeting.

(3) For the purposes of subsection (2), a meeting includes a meeting conducted by electronic communication, video conferencing or other electronic means.

(4) In this section —

“data message” means information generated, sent, received or stored by electronic, magnetic, optical or similar means, including, but not limited to, electronic data interchange (EDI), electronic mail, telegram, telex or telecopy;