

Mediation Clauses for Contracts

If you would like to include a mediation clause for any of your contracts, both contracts created by you and for contract negotiations with external contractors, here are two examples of text that you can include:

Example 1:

Company A and the Client will always seek to resolve tensions and conflict directly and collaboratively. If a specific dispute arises which we cannot resolve directly, the issue will be referred to independent mediation, without precluding litigation as a last resort.

Example 2:

Company A and the Client agree that they shall endeavour to resolve any dispute or claim arising in relation to the Agreement with the Client by means of good faith negotiations. If the dispute is not resolved within 14 days from the commencement of such negotiations the parties shall endeavour to resolve the dispute through independent mediation. The parties will select a mutually acceptable mediator. The fees and expenses of the mediator and the mediation organisation shall be borne equally by the parties. If the parties fail to reach an agreement which resolves all matters in the dispute within a further 30 days then either party shall be entitled to seek such legal remedies as may be appropriate.

For information on mediation

Visit: www.scottishmediation.org.uk

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The Scottish Mediation Network is a registered charity funded by the Justice Directorate of the Scottish Government.

Scottish Charity Number SC034921 Company Registered in Scotland SC258173 Registered Office: 18 York Place, Edinburgh EH1 3EP