

CODE OF CONDUCT FOR MEDIATORS

This Code of Conduct (this Code) applies to all mediators assigned by Tripartite Alliance Limited (TAL) for its mediation sessions.

1 Impartiality

- 1.1 The mediator will treat all parties with professionalism and respect and will act impartially in helping parties to resolve the dispute.

2 Conflict of Interest

- 2.1 The mediator shall avoid any conflict of interest between official duties and personal interests. The mediator may not directly or indirectly use any official information or his official position to further his private interest. In handling a case, he will inform his supervisor if :
- (a) he has acted in any capacity for any of the parties;
 - (b) he has a financial interest (direct or indirect) in any of the parties or the outcome of the mediation; or
 - (c) he has any confidential information about the parties or the dispute under mediation derived from sources outside the mediation or TAL.
- 2.2 The supervisor may assign the case to another mediator if any actual or potential conflict of interest is detected.

3 Confidentiality

- 3.1 Any document or information adduced by parties or collected or disclosed in the course of the mediation shall be confidential and in accordance with the Personal Data Protection Act (PDPA). The mediator will only disclose the document or information if required by relevant authorities, or with the consent of all the parties, or if such disclosure is necessary to implement or enforce any settlement agreement.
- 3.2 The mediator shall not act for any parties in any matter relating to or arising out of the same subject matter discussed at mediation, without the written consent of all parties.
- 3.3 Notwithstanding any parts of this Code of Conduct, information pertaining to the subject of mediation, including any Mediation Communication (as defined in para 3.4 below), may be disclosed to Tripartite Alliance Limited (TAL) and/or Ministry of Manpower (MOM) for purposes of case management, coaching, auditing or such other purposes as may be required by the applicable laws and regulations.
- 3.4 For the purpose of para 3.3, "**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 mediated agreement or mediated settlement agreement.

4 Withdrawal

4.1 The mediator has the discretion to recuse from a mediation:

- (a) when he knows that he could be at risk of any breach of any parts of this Code; or
- (b) when there is a request to do so in writing by any of the parties.

The mediator shall, on the occurrence of (a), or (b) above, immediately inform TAL/his supervisor.