

NORFOLK



ISLAND

MEDIATION REGULATIONS 2005

Regulations No. 9 of 2005

I, Grant Ernest John Tambling, Administrator of Norfolk Island, acting in accordance with the advice of the Executive Council of Norfolk Island, make the following regulations under the *Mediation Act 2005*.

Dated 6 December 2005.

Grant Tambling
Administrator

By His Honour's Command
Geoffrey R. Gardner
Chief Minister

Short title

1. These Regulations may be cited as the *Mediation Regulations 2005*.

Commencement

2. These Regulations will commence operation on the date upon which notification of their being made is published in the gazette.

Application for registration as a registered mediator

3. (1) A person who wishes to be registered as a mediator must apply to the Registrar of the Supreme Court in the prescribed form.

(2) An application in accordance with subsection (1) must be accompanied by evidence that the applicant is currently recognised or accredited as a mediator by an approved agency.

Registration of applicants

4. (1) If the Registrar is satisfied that an applicant is currently recognised or accredited as a mediator by an approved agency the Registrar shall register the applicant as a registered mediator and issue a certificate in the prescribed form.

(2) If the Registrar considers from the information provided by an applicant that the areas in respect of which the applicant is registered or accredited to mediate are limited to particular areas, the Registrar shall make an entry in the Register of those areas and the mediator must not practice as a mediator other than in those areas.

Penalty: 10 penalty units.

Renewal of registration

5. A registered mediator whose registration has not expired may apply in the prescribed form to the Registrar for his or her registration to be renewed and shall provide to the Registrar evidence that he or she remains registered with or accredited by the approved agency in respect of which he or she was originally registered and has undergone any further education in matters relating to mediation that may be required by the approved agency.

Cancellation of registration

6. If a registered mediator ceases to be a member of, or to be registered with or accredited by, the recognised agency in respect of which he or she was originally registered, the registered mediator must forthwith notify the Registrar thereof and if the Registrar is satisfied that as a result thereof the registered mediator is no longer entitled to practice as a mediator in respect of that registration or accreditation the Registrar must cancel the registration and notify the registered mediator in the prescribed form.

Register and forms

7. (1) The register of mediators shall be in such form as the Registrar may determine provided it contains all of the information required to be provided to the Registrar under the Act or the Regulations.

(2) The forms for use in accordance with sub-regulations 3(1), 4(1), 5 and 6 are set out in Schedule 1.

Fee

8. The fees payable for registration and renewal of registration as a mediator are set out in Schedule 2.

SCHEDULE 1**MEDIATION ACT 2005**

Regulation 7(2)

FORM 1

Regulation 3(1)

APPLICATION TO BE REGISTERED AS A MEDIATOR

To:

The Registrar of the Supreme Court of Norfolk Island —

I, [name] of [address] apply to be entered on the register of mediators.

I am a member of _____, an approved agency and am registered or accredited by that agency as a mediator.

My registration or accreditation has not been cancelled or suspended.

My registration or accreditation is *unlimited/limited to the following areas —

I consent to the making of inquiries of and the exchange of information with the above named approved agency regarding my membership and my registration or accreditation by that agency regarding matters relevant to this application.

I attach evidence supporting my said membership and registration or accreditation.

My application fee is enclosed.

.....

Signature of applicant

Date:

***delete as appropriate**

FORM 2
APPLICATION FOR RENEWAL OF CERTIFICATE OF
REGISTRATION AS A MEDIATOR

Regulation 5(1)

To:

The Registrar of the Supreme Court of Norfolk Island —

I, [name] of [address] apply for renewal of my registration as a mediator.

Since the issue of my certificate of registration as a mediator

I have not ceased to be a member in good standing of _____ ,
the approved agency in respect of which my registration was granted.

My name has not been removed or suspended from registration or
accreditation by the said agency or by any other approved agency.

Since my registration I have completed any further education requirements of
the approved agency as I am required to complete as a condition of
maintaining my registration or accreditation.

My renewal application fee is enclosed.

.....

Signature of applicant

Date:

FORM 3
CERTIFICATE OF REGISTRATION AS A MEDIATOR

Regulation 4(1)

This is to certify that [name] is registered as a mediator in Norfolk Island in
accordance with the *Mediation Act 2005* and is empowered to mediate in *all
areas/the areas only of _____ .

This certificate expires on _____ .

.....

Registrar of the Supreme Court

*delete as required

FORM 4
NOTICE OF CANCELLATION OF REGISTRATION AS A
MEDIATOR

Regulation 6

To:

This is to certify that your name was on the _____ day of _____ 20____ , removed from the
register of mediators in accordance with the *Mediation Act 2005*

.....

Registrar of the Supreme Court

SCHEDULE 2**MEDIATION ACT 2005**

Regulation 8

FEEs

The fees payable under Regulation 8 are as follows:

- | | |
|--|---------------|
| 1. For application to be registered as a mediator – | 3 fee units |
| 2. For application to renew registration as a mediator – | 1.5 fee units |
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