

Secretariat Netherlands Arbitration Institute

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Introduction

A NAI mediation is commenced by submitting a request for mediation to the administrator at the above e-mail address (Article 3(1) and Article 14(1) of the NAI Mediation Rules). A request may be filed by all the parties to the dispute jointly or by one or more of them.

The requirements a request for arbitration must meet are stated in Article 3(3) of the Rules. Furthermore the agreement that the parties will submit their disputes to mediation in accordance with the Rules of the NAI should be submitted. If the request for mediation has not been filed by all the parties involved jointly, the Secretariat will forward copies of the request to the other party or parties involved and will request them to notify the Secretariat in writing whether they are willing to resolve the dispute by means of mediation.

1. Identity of Party 1 involved (Article 3(3)(b))

Name : _____

Address : _____

Place of residence : _____

Telephone number : _____

E-mail address : _____

VAT – number : _____

If applicable, contact details of representative of party 1 involved

Name of authorised representative : _____

(Office) address : _____

Place of residence : _____

Telephone number : _____

E-mail address : _____

2. Identity of Party 2 involved (Article 3(3)(b))

Name : _____

Address : _____

Place of residence : _____

Telephone number : _____

E-mail address : _____

VAT – number : _____

If applicable and known, contact details of representative of party 2 involved

Name of authorised representative : _____

(Office) address : _____

Place of residence : _____

Telephone number : _____

E-mail address : _____

3. Brief description of the subject of the dispute (Article 3(3)(a))

(If necessary the description of the dispute may be given on an attachment to the request for mediation.)

4. Brief description of the matters in dispute to be resolved and the related mutual interests of the parties involved (Article 3(3)(c))

(If necessary the description of the dispute may be given on an attachment to the request for mediation.)

5. A clear description of the monetary value of the matters in dispute

(The information mentioned below serves as introduction of the procedure and information for the NAI Administrator)

6. Mediation agreement and any other agreement to which the mediation relates

(A copy of the agreement(s) should be submitted with the request for mediation.)

The agreement that the parties will submit their disputes to mediation in accordance with the Rules of the Netherlands Arbitration Institute appears from the following:*

- (a) the enclosed submission agreement(s)
- (b) the enclosed contract(s) (confirmation) with mediation clause dated _____
- (c) other written evidence, namely _____

7. Number of mediators

(The model agreement between the parties, appendix to the Mediation Rules, mentions 1 mediator.)

As regards the number of arbitrators:*

- (a) The parties have agreed that the number of mediators is _____ .

(b) The parties have not agreed on a number, but party 1 involved has a preference for _____ mediator(s).

(c) The parties have not agreed on a number, but party 2 involved has a preference for _____ mediator(s).

8. Appointment of mediator(s) (Article 4)

(On the basis of the NAI Mediation Rules of 1 January 2017 parties jointly appoint the mediator(s) (Article 4(2)). If parties cannot come to an appointment of a mediator, the mediator will be appointed following the list procedure (Article 4(3)).)

(a) Contact details of the mediator, appointed by the parties jointly:

Name : _____

Address : _____

Place of residence : _____

Telephone number : _____

E-mail address : _____

VAT number : _____

(b) The parties have agreed the list procedure as provided in Article 4(3).

9. Qualification of mediator(s)

As regards the qualifications of the mediator(s):*

(a) The parties have agreed that the mediator will have the following qualifications:

(b) The parties have not agreed on the qualifications, but party 1 involved has a preference for:

(c) The parties have not agreed on the qualifications, but party 2 involved has a preference for:

10. Language of mediation

As regards the language:*

(a) The parties have agreed that this will be: _____

(b) The parties have not agreed on a language, but party 1 involved has a preference for:

(c) The parties have not agreed on a language, but party 1 involved has a preference for:

11. Further particulars concerning the mediation

(Any further particulars concerning the mediation which the parties involved would like mentioned should be stated here. If a request is not filed by all the parties involved jointly, party 2 involved may file a response to the request for mediation and mention the particulars therein).

(Place) _____, (date) _____ 20_____

(Signature party 1 involved,
or its representative)

(Signature party 2 involved,
or its representative)

* Please complete what is applicable; delete what is not.