

The Mediation Act, 2023

Section 8 - Appointment of mediators

- (1) Unless otherwise agreed upon by the parties, a person of any nationality may be appointed as a mediator: Provided that mediator of any foreign nationality shall possess such qualification, experience and accreditation as may be specified.
- (2) The parties shall be free to agree upon the name of mediator and the procedure for their appointment.
- (3) If the parties do not reach any agreement on a matter referred to in sub-section (2), then the party seeking initiation of mediation shall make an application to a mediation service provider for the appointment of a mediator.
- (4) Upon receiving an application under sub-section (3), the mediation service provider shall, within a period of seven days, appoint, --
- (i) the mediator as agreed by the parties; or
 - (ii) in case the parties are unable to reach agreement as to the appointment of mediator or mediator agreed by them refuses to act as mediator, a mediator from the panel maintained by it, with his consent.
- (5) The person appointed under clause (i) of sub-section (4) shall communicate his willingness or otherwise within a period of seven days from the date of receipt of communication of such appointment.