

## Model Mediation Clauses and Agreements

Various types of model mediation clauses for inclusion in contracts and models of agreements to submit a dispute to mediation are available on our website: [www.swissarbitration.org](http://www.swissarbitration.org).

### MODEL FINANCIAL MEDIATION CLAUSES

For cases subject to FinSA, the Customer does not need to have signed a contract including such a clause to benefit of the SCAI Rules of Mediation Procedure for Financial Services Disputes. It is sufficient that the Financial Service Provider is affiliated with the Mediation Organ of the Swiss Chambers' Arbitration Institution.

#### MODEL FINANCIAL MEDIATION CLAUSE FOR CONTRACTS

*Any dispute, controversy or claim arising out of or in relation to this contract, including the validity, invalidity, breach or termination thereof, shall be submitted to mediation in accordance with the Rules of Mediation for Financial Services Disputes of the Swiss Chambers' Arbitration Institution in force on the date when the request for mediation was submitted in accordance with these Rules.*

*The seat of the mediation shall be... [city] in... [country], although the meetings may be held in... [city] in... [country].*

*The mediation shall be conducted in ... [specify desired language].*

#### MODEL FINANCIAL MEDIATION AGREEMENT WHEN PARTIES ARE ALREADY INVOLVED IN A DISPUTE

*The parties hereby agree to submit the following dispute to mediation in accordance with the Rules of Mediation for Financial Services Disputes of the Swiss Chambers' Arbitration Institution:*

*[brief description of the dispute]*

*The seat of the mediation shall be ... [city] in ... [country], although the meetings may be held in ... [city] in ... [country].*

*The mediation shall be conducted in ... [specify desired language].*

## FINANCIAL MEDIATION AND ARBITRATION

### MODEL FINANCIAL MEDIATION AND ARBITRATION CLAUSE FOR CONTRACTS

*Any dispute, controversy or claim arising out of or in relation to this contract, including the validity, invalidity, breach or termination thereof, shall be submitted to mediation in accordance with the Rules of Mediation for Financial Services Disputes of the Swiss Chambers' Arbitration Institution (SCAI) in force on the date when the request for mediation was submitted in accordance with these Rules.*

*The seat of the mediation shall be... [city] in... [country], although the meetings may be held in... [city] in... [country].*

*The mediation shall be conducted in ... [specify desired language].*

*If such dispute, controversy or claim has not been fully resolved by mediation within 60 days from the date when the Ombudsperson(s) has (have) been appointed by the SCAI Secretariat, it shall be settled by arbitration in accordance with the Swiss Rules of International Arbitration of SCAI in force on the date when the Notice of Arbitration was submitted in accordance with those Rules.*

*The number of arbitrators shall be ... ["one", "three", "one or three"].*

*The seat of the arbitration shall be... [city] in... [country], although the hearings may be held in... [city] in... [country].*

*The arbitration shall be conducted in ... [specify desired language].*

*The arbitration shall be conducted in accordance with the provisions for Expedited Procedure [if so wished by the parties].*

### MODEL FINANCIAL MEDIATION AND ARBITRATION AGREEMENT WHEN PARTIES ARE ALREADY INVOLVED IN A DISPUTE

*The parties hereby agree to submit the following dispute to mediation in accordance with the Rules of Mediation for Financial Services Disputes of the Swiss Chambers' Arbitration Institution (SCAI):*

*[brief description of the dispute]*

*The seat of the mediation shall be ... [city] in ... [country], although the meetings may be held in ... [city] in ... [country].*

*The mediation shall be conducted in ... [specify desired language].*

*If such dispute, controversy or claim has not been fully resolved by mediation within 60 days from the date when the Ombudsperson(s) has (have) been appointed by the SCAI Secretariat, it shall be settled by arbitration in accordance with the Swiss Rules of International Arbitration of SCAI in force on the date when the Notice of Arbitration was submitted in accordance with those Rules.*

*The number of arbitrators shall be ... ["one", "three", "one or three"];*

*The seat of the arbitration shall be... [city] in... [country], although the hearings may be held in... [city] in... [country].*

*The arbitration shall be conducted in ... [specify desired language].*

*The arbitration shall be conducted in accordance with the provisions for Expedited Procedure [if so wished by the parties].*