

SUBSIDIARY LEGISLATION 474.01

**MEDIATION ACT (TARIFF OF FEES)
REGULATIONS**

1st December, 2008*

LEGAL NOTICE 309 of 2008.

1. The title of these regulations is the Mediation Act (Tariff of Fees) Regulations. Citation.

2. A non-refundable fee, hereinafter referred to as "the registration fee" shall become payable to the Malta Mediation Centre, hereinafter referred to as "the Centre", for disputes referred to the Centre. The applicable registration fees shall be as follows: Fees payable for disputes referred to Centre.
 - (a) for disputes referred to the Centre after litigious proceedings would have already commenced in a Court or other adjudicatory authority, whether such dispute is referred to the Centre by such Court or other adjudicatory authority or by the parties to the proceedings, the applicable registration fee shall be 50 euro;

 - (b) for disputes that are referred to the Centre voluntarily by the mediation parties or according to law, the applicable registration fees shall be as follows:
 - (i) for family mediations 35 euro;
 - (ii) for mediations involving voluntary organizations as defined by article 3 of the Voluntary Organisations Act 35 euro; Cap. 492.
 - (iii) for mediations involving any other authority, in all cases 50 euro;
 - (iv) for disputes that do not involve a monetary value 70 euro; and
 - (v) for all other disputes 120 euro.

3. (1) The Board of Governors of the Centre shall in all cases have the authority to determine, on the basis of the provisions of these regulations, the registration fee payable in connection with a particular referral for mediation. Determination of registration fee.

- (2) The authority granted to the Board of Governors of the Centre according to sub-regulation (1) may be designated to, and accordingly become exercisable by, the Registrar of the Centre.

- (3) All registration fees shall become payable to the Centre upon the referral being made and in any event before the commencement of the mediation process.

4. Mediators shall be entitled to receive such fees, established Fees due to mediators.

*see regulation 1(2) of these Regulations, as originally promulgated.

prior to the commencement of proceedings, from the parties to the mediation as may be agreed in writing between the mediator and the parties; in the absence of an agreement as aforesaid mediators shall be entitled to a fee computed on the basis of a flat rate of 50 euro per hour, excluding value added tax.

Payment of fee in advance.

5. The registration fee due to the Centre shall be paid in advance and the Centre shall not be obliged to appoint a mediator or in any manner to take cognizance of any case referred to it unless full payment of the fees has been effected.
