

# The Panel of Mediators

## 1.0 General

- 1.1 Engineers Ireland has established a Panel of Mediators, based on criteria set out below, of persons it feels are suitable to act as Mediator in the dispute resolution process.
- 1.2 Details of Panel members, together with a summary CV and contact details in each case, are available on the Engineers Ireland website.
- 1.3 The selection, maintenance and monitoring of this Panel is the responsibility of the Dispute Resolution Board of Engineers Ireland, referred to generally as the Board.

## 2.0 Criteria for admission to the Engineers Ireland Panel

- 2.1 Applicants for inclusion on the Panel must:
  - be a Fellow of Engineers Ireland or a Chartered Member of Engineers Ireland for at least ten years, or have achieved a similar status in an equivalent professional body;
  - have a knowledge of contract law;
  - be an Accredited Mediator;
  - have conducted at least 5 commercial mediations/conciliations, with an aggregate value in dispute of €2.0 million, in the previous 2 years;
  - have knowledge and experience of commercial dealings;
  - have worked in the construction industry and acquired a detailed working knowledge of at least one of the generally used standard forms of construction contracts; and,
  - satisfy an interview committee, established by the Board, that the applicant

has sufficient technical and dispute resolution knowledge and experience allied to the personal skills and attributes to satisfactorily conduct a mediation.

- 2.2 In exceptional circumstances, the Board may waive any of the above requirements except the need to attend for interview.
- 2.3 It is the policy of the Board to provide a diversity of choice to those using the Panel of Mediators; in selecting panel members who are not members of Engineers Ireland the Board's approach will be to choose leading practitioners who can add to that diversity.

### 3.0 Panel requirements

- 3.1 Membership of the Panel is at the discretion of the Board, which may revise any of these requirements as and when it sees fit. Each Panel member is deemed to have agreed to comply with all such current requirements.
- 3.2 Each Panel member shall pay an annual fee, to be set by the Board, to help defray Engineers Ireland's costs in setting up and maintaining the Panel.
- 3.3 Panel members shall submit a curriculum vitae and contact details in an approved form and shall update them as requested.
- 3.4 Continuing Professional Development: It is the responsibility of every Panel member to keep abreast of the most recent developments in the field of arbitration. Each Panel member shall undertake regular ongoing training and continuing professional development (CPD) that is specific to mediation and dispute resolution. Such CPD shall be a minimum of 100 hours over a five-year period, with not less than 16 hours in any one calendar year.

Types of CPD that are acceptable for the purpose of these Panel requirements:

- in-company training courses or lectures – as attendee (actual duration) or trainer (actual lecture time);
- external training courses or lectures – as attendee (actual duration) or trainer (actual lecture time);
- academic/university courses – as student (up to 100 hours CPD per annum) or lecturer (actual lecture time);

- conferences or seminars – as attendee (actual duration) or speaker (actual speaking time);
- participating in a committee, council or special task force of a professional institution (up to 8 hours CPD per annum);
- structured reading (up to 4 hours CPD per annum).

Each Panel member shall maintain a CPD record, and shall provide the relevant details of CPD when making the Annual Return required in section 3.5 below.

- 3.5 Each Panel member shall submit an Annual Return for each calendar year, giving details of work carried out in mediation and other dispute resolution processes, whether acting as Mediator, as party representative, or in any other capacity.

#### **4.0 Panel review**

- 4.1 Panel membership will be reviewed annually by the Board, normally in Autumn, by reference to each Panel member's Annual Return. A Panel member may be asked to attend for interview as a result of that review.
- 4.2 A Panel member may be removed from the Panel, at any time and for any reason, by the Board but only after the member has been given an opportunity to make a submission on the matter.
- 4.3 A Panel member who fails to meet the requirements set out in section 3.0 above, after one reminder from the Board, will be deemed to have resigned from the Panel.

*Approved by the Board, December 2013.*