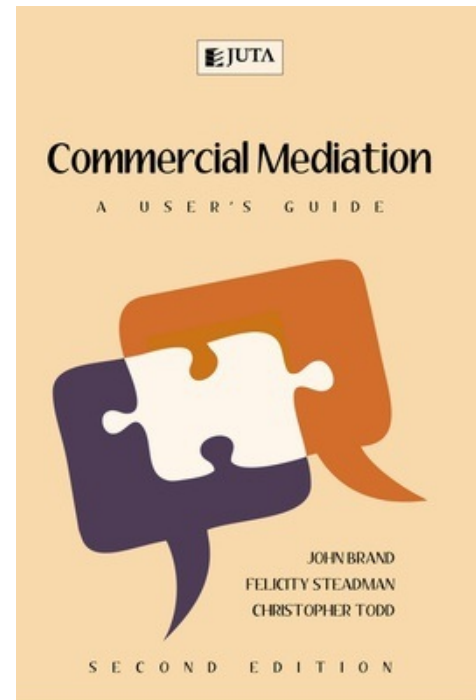


Commercial Mediation

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About this Publication:

Commercial Mediation is the first South African publication that explains how to conduct mediation in commercial matters. While mediation is well established in many parts of the world as a speedier, less costly and more effective method of resolving commercial disputes than traditional litigation, it is only beginning to emerge as an option in the dispute resolution landscape of South Africa. In March 2014, the Department of Justice and Constitutional Development promulgated a mediation rule. The rule is set out and discussed in this second edition of the book.

Commercial Mediation explains the processes that take place before and during commercial mediation and analyses the different types of consensus-seeking approaches and the key principles of mediation. The book includes specimen agreements to mediate and a specimen clause which allows for referral to mediation or arbitration. Each chapter concludes with a useful summary.

Contents Include:

- Commercial mediation in South Africa
- Mediation among the range of processes for resolving disputes
- Key characteristics of mediation
- A typical mediation process
- Court-annexed mediation
- The decision to mediate
- Getting to mediation
- Preparing for mediation
- In the mediation: the representative's role
- Ethics in the mediation process
- Annexures:
 - Statutes which make provision for mediation
 - Rules regulating the conduct of proceedings in the magistrates' courts
 - Specimen contract clause
 - Specimen agreements to mediate

Of Interest and Benefit to:

- Commercial litigation attorneys
- Magistrates
- Dispute resolution organisations
- Mediators