

The Mediation Center of the Chinese Arbitration Association, Taipei

Code of Ethics for Mediators

Effective as of March 26, 2009

Article 1 The Mediation Center (the “Center”) of the Arbitration Association of the Republic of China (the “Association”), passes this code to ensure objectivity, impartiality, and independence of the mediators affiliated with the Center, and to maintain the Center’s reliability and integrity.

Article 2 Any mediator affiliated with the Center shall comply with this code and other relevant rules and laws.

Article 3 A mediator shall not solicit using any illegal or improper means to be appointed as mediator.

Article 4 A mediator shall be neutral, impartial, objective, and independent, and he or she shall attend to matters candidly, patiently, and courteously.

Article 5 A mediator shall observe the pertinent laws and the Center’s mediation rules. He or she must apply professional knowledge and exercise the highest level of duty of care.

Article 6 A mediator shall maintain the integrity of mediation, shall not act against the laws, and shall not accept illegal payoffs.

Article 7 A mediator shall inform disputing parties of the following matters promptly:

- (1) any conflict of interest matters according to Article 32 of the Rules of Civil Procedure in the event of which a judge shall recuse himself or herself;
- (2) that the mediator is acting or has acted as agent of, or is currently or has been employed by, a disputing party;
- (3) that the mediator is or has been employed or retained by a disputing party’s agent or a key witness; or
- (4) any other matters by which a disputing party may deem a mediator biased, or unfit to handle the mediation.

In any of the above circumstances, the disputing parties may, by mutual accord, request the Center to replace the mediator.

Article 8 A mediator shall not attend any illicit social activities with a disputing party, his or her agent, witness, expert examiner, or any interested parties.

Article 9 A mediator may meet with a disputing party alone according to the Center's mediation rules. The mediator however shall refrain from discussing the case matters with a party, his or her agent, or any interested parties alone. If a mediator must meet with a disputing party or an interested party alone, he or she shall notify the other party immediately.

Article 10 The mediator shall not collect any fees other than the mediation fees the Center pays him or her.

Article 11 The mediator may not terminate the mediation, unless:

- (1) a disputing party abuses the mediation procedure;
- (2) reaching a settlement is impossible; or
- (3) the mediator believes that a possible settlement is illegal or cannot be enforced under the law.

Article 12 This code, as well as any amendments thereto, shall enter into force on the date on which the board of directors resolves to adopt it.