



# Application for mediation of a small business dispute

## Resolving a small business dispute

### Mediate

Whether your dispute involves another business, or a government agency or authority, we can help you to resolve the problems by talking to the other side.

### What is mediation?

Mediation is an informal process where parties try to negotiate a lasting agreement that both parties can live with.

An impartial mediator will help parties settle the dispute in a way that is acceptable to all parties. The mediator is not a judge, and has no power to decide the matter or impose a resolution on anyone.

Mediation is confidential. Nothing said in mediation can be used in court.

Mediation is cheaper, quicker and often less stressful than going to court.

## After you submit an application

We aim to organise the mediation for a date that suits both parties and the mediator within 3 - 5 weeks from the date we receive the application.

Mediations are generally held in government offices within travelling distance of the rented premises.

If you are able to reach an agreement with the other party prior to mediation, you may cancel the mediation.

### Cost

The cost of the mediator is shared equally between the parties. Each party will be asked to pay \$330 (incl. GST) for the mediation.

Parties may be asked to pay further fees if the mediation goes over 4 hours.

Please note that there is a cancellation fee of \$456 unless we have at least 3 working days notice before the scheduled mediation.

If you or the other party need an interpreter at the mediation we will arrange one for you free of charge, upon request. We can also assist with other special needs if you let us know prior to the mediation.

### For more information

**Visit our website:** [www.smallbusiness.nsw.gov.au](http://www.smallbusiness.nsw.gov.au)

If you need an interpreter call 131 450 and ask them to contact us on 1300 795 534.

## 1. Applicant's details (Your details)

### Applicant (as per contract or agreement)

Company name(s) / Trading name(s)

Include ABN / ACN if applicable

Contact first name

Contact last name

### Does applicant have an Agent / Representative?

Agent / Representative company name(s)

Contact first name

Contact last name

### Does applicant have a solicitor?

Solicitor / Firm name(s)

Contact first name

Contact last name

### Who is the best person to contact to discuss this application on your behalf?

(Please provide full contact details)

Company name(s)

Contact first name

Contact last name

Suburb

Postcode

Phone number

Fax number

Email address

### What is their role?

Small Business Operator  Agent  Solicitor  Other (specify)

Do you require an interpreter? If yes, which language?

## 2. Respondent's details (The other person / Company)

You can add multiple respondents by copying this page or attach details separately

### Respondent

Company name(s) / Trading name(s)

Include ABN / ACN if applicable

Contact first name

Contact last name

### Does respondent have an Agent / Representative?

Agent / Representative name(s)

Contact first name

Contact last name

### Does respondent have a solicitor?

Solicitor / Firm name(s)

Contact first name

Contact last name

### Who is the best person to contact to discuss this application on behalf of the respondent (other side)?

(Please provide full contact details)

Company name(s)

Contact first name

Contact last name

Shop / Unit No.

Street No.

Street name

Suburb

Postcode

Phone number

Email address

### What is their role?

Small Business Operator  Agent  Solicitor  Other (specify)

Do you require an interpreter? If yes, which language?

### 3. Details of the business

#### Principal place of business

Shop / Unit No.

Street No.

Street name

Suburb

Postcode

Type of business:

#### What is the dispute about? What issues would you like to raise at mediation?

NB All details provided on this application form will be provided to the respondent(s)

**(Attach extra pages if necessary)**

#### What do you hope to achieve from mediation? How would you like the dispute to be resolved?

**Attach extra pages if necessary**

Total estimate of claim

\$

(excluding interest and costs)

#### 4. Attachments

You should attach a copy of the lease and other documents which are relevant to the dispute.

**Please label each attachment with letters A, B, C, etc.**

List the attachments below, or attach extra pages if necessary

#### 5. Declaration

I hereby declare the following:

- The information provided in this application form is true and accurate so far as I am aware;
- I am legally authorised to sign this application for and on behalf of the applicant;
- I undertake to pay my share of the costs of the mediator on the day of mediation, and;
- I consent to my application and attached documents being provided to the other party and the mediator under section 26(2) of the *Privacy and Personal Information Protection Act 1998* (NSW).

First name

Last name

Position / Authority

Signature

Date

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#### Contact information:

NSW Small Business Commission

**Website** [www.smallbusiness.nsw.gov.au](http://www.smallbusiness.nsw.gov.au)

If you need an interpreter call 131 450 and ask them to contact us on 1300 795 534.

#### Privacy collection notice

Refer to our [privacy collection notice](#) for more information.

Please email the completed form to [we.assist@smallbusiness.nsw.gov.au](mailto:we.assist@smallbusiness.nsw.gov.au)