

[For Publication on 1st June, 2020]

*The Financial Dispute Resolution Centre (FDRC) issued Guideline No. 5 pursuant to Paragraph 3.2 of Section A in the Terms of Reference (ToR). The Guideline is published by the FDRC on its web site as of today and shall take immediate effect in accordance with Paragraph 3.2 of Section A in the ToR.*

**Guideline No. 5: Procedure on terminating a case with an un-contactable party at the mediation stage** (w.e.f. 1 Jun 2020)

The Financial Dispute Resolution Centre (FDRC) will adopt the following procedure in handling an accepted case in which one of the parties concerned becomes un-contactable and thus hinder further progress of the mediation process.

2. Normally, if a Standard Eligible Dispute or an Extended Eligible Dispute is accepted by the FDRC and both parties to the dispute paid the relevant fees, the accepted case will proceed onto the mediation stage. In the rare situation where one of the parties concerned becomes un-contactable and the mediation process cannot proceed further, the FDRC will use reasonable efforts to contact the party concerned again. If after 21 calendar days and a minimum of 3 attempts (written and verbal included) the party concerned remains un-contactable, the FDRC may issue a final written notice to that party at its last known correspondence/ business/ residential address(es). The final written notice will advise the party concerned that it must contact the FDRC within a period of 90 calendar days.

3. If the un-contactable party complies with the requirement of the final written notice the mediation process for the case will be resumed as normal. If not, the case concerned will be terminated and closed by the FDRC and all the mediation fees already paid by the parties will be forfeited. Also, the FDRC will not entertain any request for re-opening the case after closure.