

APPLICATION FOR SERVICE UNDER MEDIATION SCHEME

WIN-WIN PLAN

調解方案的服務申請-雙贏計劃

[For Official use only: HKMSL Ref :

]

THE APPLICANT NAMED BELOW HEREBY REQUESTS THE HONG KONG
MEDIATION SERVICES LIMITED TO PROVIDE SERVICES FOR MEDIATION

下文所述的申請人現要求香港調解服務有限公司提供服務作調解用途

I / We _____ (the ‘Applicant’) understand and agree that information given below is to be referred to the Mediation Scheme Win-Win Plan (“Win-Win Plan”) for resolving the non-insurance claim and dispute between I / we and _____ (the “Responding Party”).

我/我們 _____ (“申請人”)明白並同意以下資料用於調解方案-雙贏計劃 (“雙贏計劃”)，以解決我/我們與 _____ (“應訴方”) 之間非涉及保險的賠償及爭議。

I / We understand and agree that mediation under the Win-Win Plan is administratively supported by the Hong Kong Mediation Services Limited (“HKMSL”) and that the HKMSL adopts an impartial stance in handling these disputes referred to it.

本人 / 我們明白和同意在“雙贏計劃”下，香港調解服務有限公司 (“HKMSL”) 提供行政上的支援，並且 HKMSL 在處理這些爭議時採取不偏不倚的立場。

I / We confirm that I / we understand and agree the Mediation Scheme Win-Win Rules (“Win-Win Rules”) and now agree and consent to refer the dispute to the Win-Win Plan for resolution by mediation under the Win-Win Rules.

本人/我們確認本人/我們明白和同意調解方案所定的雙贏規則 (“雙贏規則”)，現同意並授權將涉及的爭議通過“雙贏計劃”以調解方式解決爭議。

I / We also agree to abide by the following terms and conditions:

我/我們也同意遵守以下條款和條件：

1 I / We will cooperate with the staff of the HKMSL and the Mediator, by providing all relevant documents and information, when requested, including information that may be

personal data, to enable such staff of the HKMSL and the Mediator to handle the dispute.

我 / 我們將與 HKMSL 的工作人員及調解員合作，應要求提供所有相關檔和資料，包括可能是個人資料，以便 HKMSL 的工作人員及調解員能夠處理爭議。

2 I / We undertake to keep all matters and information concerning and relating to the mediation confidential and will not disclose such matters and information to any person, other than the Responding Party, the staff of the HKMSL, the HKMSL, the Observer and the Mediator, save and to the extent required by the laws.

我/我們承諾對所有與調解有關的事項和資料保密。除了應訴方、HKMSL 的工作人員、HKMSL、觀察員和調解員及應法庭要求的範圍內，這些事項和資料將不會透露給其他人。

3 I / We confirm that I / we will not hold the Win-Win Plan, the staff of the HKMSL, the Observer and the Mediator liable for any dispute s, loss or damages in relation to the outcome or proceedings of the dispute under the Win-Win Plan.

我/我們確認我/我們在“雙贏計劃”下、不論在處理爭議的過程中或結果，都不會追究及要求 HKMSL 職員、觀察員及調解員負責任何索償、損失或損害。

4 I / We understand that the Win-Win Plan is one of the many alternatives to settle this dispute. I / We also understand that, if a settlement agreement is reached in mediation, the contract of the settlement agreement may affect the relevant rights (if any) to litigate or to dispute.

我/我們明白“雙贏計劃”是解決爭議的眾多備選方案之一。我/我們亦明白，若果在調解過程中達成了和解協定，該和解協定可能會影響相關的訴訟或爭議的權利（如有）。

5 I / We further confirm that the information given below is true and accurate.

我/我們更確認以下提供的資料是真實準確的。

Name / Authorized person 姓名/授權人

HKID card no. 身份證號碼

Company chop 公司印章

Date 日期

Date 日期: _____

(i) THE APPLICANT (PARTY 1) NAMED BELOW HEREBY REQUESTS THE HONG KONG MEDIATION SERVICES LIMITED TO PROVIDE SERVICES FOR MEDIATION.

申請人（第 1 方）要求香港調解服務有限公司提供調解服務。

(ii) DETAILS OF PARTIES

<p>PARTY 1: Claimant / Respondent in the dispute 第 1 方: 爭議中的申索方 / 應訴方 Name姓名: _____ _____ /Organization 機構: _____ _____ Address地址: _____ _____ Telephone電話: _____ Fax傳真: _____ E-mail電郵: _____</p>	<p>Legal representative, if applicable 法律代表, 如果有 Name姓名: _____ Company name公司名稱: _____ Address地址: _____ _____ Telephone電話: _____ Fax傳真: _____ E-mail電郵: _____ Ref 檔案: _____</p>
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<p>PARTY 2: Claimant / Respondent in the dispute 第 2 方: 爭議中的申索方 / 應訴方 Name姓名: _____ _____ /Organization 機構: _____ _____ Address 地址: _____ _____ Telephone電話: _____ Fax傳真: _____ E-mail電郵: _____</p>	<p>Legal representative, if applicable 法律代表, 如果有 Name姓名: _____ Company name公司名稱: _____ Address地址: _____ _____ Telephone電話: _____ Fax傳真: _____ E-mail電郵: _____ Ref 檔案: _____</p>
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(iii) Brief self-explanatory statement of the nature of the dispute and the quantum in dispute (if any), the relief or remedy to be sought, and documents with illustration. (Use separate sheet or enclose pleadings / documents if you think necessary.)

對爭議性質和爭議金額（如有）、期望解決方法或補救措施的簡要說明，以及附有說明的文件證據。（如果您認為有必要，可以另頁書寫及夾附相關文件。）

(iv) LANGUAGE in mediation 調解所用的語言：

Please indicate by ticking the box 請在方格內打勾

- Cantonese 廣東話 English 英文 Putonghua / Mandarin 普通話/國語
 Other, please specify 其他的請說明_____

I / We request the HKMSL to appoint a Mediator and agree the HKMSL to appoint an Observer to attend the mediation meeting

本人 / 我們要求HKMSL委任一位調解員，並同意HKMSL委任一位觀察員出席調解會

(v) APPLICANT'S CONFIRMATION 申請人的確認:

a. The personal data and documents provided by the Applicant is for the purpose of processing the mediation. In this connection, the data and documents so provided will be handled by or revealed to the following:

申請人提供的個人資料和文件是為了處理調解事務，因此，這些個人資料和文件將會交向以下人士披露及交由他們處理

1. Staff of the HKMSL 香調解服務有限公司的員工;
2. Potential Mediators/Experts/Observer 潛在的調解員/專家/觀察員；
3. Mediator engaged by the Applicant 申請人聘請的調解員。

b. The Mediator, the Observer and the HKMSL are not required to maintain any documents after mediation services.

在調解服務完結後，調解員、觀察員和HKMSL無需保留任何文件。

c. The Applicant agrees that the HKMSL, its staff and the Observer shall not be liable to any party for any act including act of negligence or omission and/or in relation to the conduct of the Mediator arising out of or in connection with the mediation conducted;

申請人同意HKMSL及其職員和觀察員不需要對任何一方當事人因所進行的調解而引起的或與調解有關的任何行為，包括疏忽或不作為承擔責任；

d. The Applicant confirms that all of the information provided in this Application are true and accurate and on a voluntary basis.

申請人確認，本申請中提供的所有資料均真實準確，且屬自願提供的。

Signature of Applicant 申請人簽署

Name / Authorized person 姓名/授權人

HKID card no. 身份證號碼

Company chop 公司印章

Date 日期

Notice Regarding the Personal Data (Privacy) Ordinance

(1) The personal data provided by means of this form will be used by the Hong Kong Mediation Services Limited for the following purposes:

- (a) Processing the mediation service.
- (b) Communication in the normal course and in case of emergencies.

(2) The provision of personal data by means of this form is voluntary. However, if insufficient information is provided, the application / request may be delayed or not be considered or processed.

(3) Applicant will have a right to request access to or the correction of his / her/ their personal data as stated in this form in accordance with the Personal Data (Privacy) Ordinance.

(4) Enquiries concerning the personal data collected by means of this form including the request for access and correction, should be addressed to Hong Kong Mediation Services Limited at 28400789 (Tel) or 25238127 (Fax).

有關個人資料(私隱)條例

(1) 香港調解服務有限公司將使用表格上的個人資料作下列用途：

- (a) 辦理調解服務事宜；及
- (b) 在一般情況下或發生緊急事故時聯絡申請人。

(2) 表格上的個人資料均由申請人自願提供。不過，假如申請人提供的資料不足，可能會延遲審批，甚至不接納或不辦理其申請/要求。

(3) 根據個人資料(私隱)條例，申請人有權要求查閱或改正表格上的個人資料。

(4) 如欲查詢本表格上的個人資料，包括查閱或改正已填報的個人資料，請致電 28400789 或傳真 25238127，與香港調解服務有

限公司聯絡.

Signature of Applicant 申請人簽署

Name / Authorized person 姓名/授權人

HKID card no. 身份證號碼

Company chop 公司印章

Date 日期

Please send the application together with prescribed fee to
Hong Kong Mediation Services Limited
5C, Hung Kei Building, 5-8, Queen Victoria Street, Central, Hong Kong.
Tel: 28400789 Fax: 25238127
Email: inquiry@hk-mediation.com

請將申請書連同所需費用送交
香港調解服務有限公司
香港域多利皇后街 5 至 8 號鴻基大廈 5C 室
電話:28400789 傳真:25238127
電郵: inquiry@hk-mediation.com