

**20131884657**

**THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA**

Pursuant to Article 75 paragraphs 1 and 2 of the Constitution of the Republic of Macedonia, the President of the Republic of Macedonia and the President of the Assembly of the Republic of Macedonia issue this

**DECREE  
FOR PROMULGATION OF  
THE LAW ON MEDIATION**

The Law on Mediation, adopted by the Assembly of the Republic of Macedonia, on its session held on 27 December 2013, is hereby promulgated.

No. 07- 5137/1 President of the  
27 December 2013 Republic of Macedonia  
Skopje **Gjorge Ivanov**, handwritten

President of the  
Assembly of the  
Republic of Macedonia,  
**Trajko Veljanoski**, handwritten

**LAW ON MEDIATION**  
I. GENERAL PROVISIONS  
**Subject of the Law and area of application**

Article 1

(1) This law regulates mediation in disputed relations in which the parties may freely dispose with their claims, unless other law stipulates exclusive jurisdiction of a court or other authority regardless whether it is carried out prior or after the beginning of court or other procedure.

(2) Mediation shall apply particularly in property and legal affairs disputes, domestic, labour, commercial, consumer, insurance disputes, disputes in the area of education, protection of the environment, disputes regarding discrimination, and other disputed relations

where mediation is relevant to the character of the disputed relations and may assist dispute settlement.

(3) Provisions of this Law shall also apply to criminal disputes, unless otherwise stipulated by a separate law.

### **Definition of Mediation**

#### Article 2

“Mediation” is any intermediation, regardless of its name, during settlement of the disputed relation in the mediation procedure where parties involved are enabled to resolve the same through negotiation, in a peaceful manner, by involving one or more licensed mediators (hereinafter: mediator), in order to achieve mutually acceptable solution in the form of a written agreement.

### **Contractual provisions for mediation**

#### Article 3

In their contractual agreement, parties may enter provisions under which they are obliged in case of a dispute, to try to resolve the dispute through direct negotiations or mediation prior to the start of court or other procedure for legal protection.

### **International mediation**

#### Article 4

(1) International mediation, in terms of this Law, is mediation in disputed relations with foreign element, particularly:

- 1) if parties during achieving consent for mediation have residence or seat in other country;
- 2) if some of the obligations arising from the contractual agreement between the parties should be executed in another country or
- 3) if the party involved in disputed relation bears the consequences from the disputed relation in another country.

(2) When mediation in disputed relations under paragraph (1) of this Article is conducted in the Republic of Macedonia, provisions of this Law are applied, unless otherwise agreed by parties in writing.

### **Application of principles and standards of mediation**

#### Article 5

Issues not strictly regulated by this Law, shall be solved in accordance with the principles of mediation prescribed by this Law.

## II. PRINCIPLES OF MEDIATION

### **Voluntariness**

#### Article 6

- (1) Mediation procedure is conducted based on a strict written consent from the parties, unless in disputed relations where by a separate law the start of the mediation procedure is envisaged as a condition for conducting a court or other procedure.
- (2) The court or other authority, bind by a separate law to indicate to parties the possibility of using mediation, shall provide necessary information to the parties about the possibilities of mediation.
- (3) The requirement under paragraph (2) of this Article the court or other authority may meet by referring the parties to the Chamber of Mediators.
- (4) Should the parties fail to agree on the manner of conducting mediation, the mediator implements mediation in the manner s/he considers appropriate, bearing in mind the parties' proposals, the circumstances of the case and the need for fast resolution of the disputed relation.

### **Equality**

#### Article 7

- (1) The parties are equal in the mediation procedure.
- (2) It is the mediator's duty, recognising all the circumstances of the disputed relation, to provide equal status to the parties.

### **Neutrality**

#### Article 8

In the mediation procedure, the mediator shall act neutrally and impartially in regard to the parties or the disputed relation.

### **Confidentiality**

#### Article 9

- (1) All the information that results from or is related to the mediation procedure shall remain confidential, unless otherwise agreed in writing by the parties.

(2) The parties, their legal representatives and proxy representatives, mediators, third parties present at the mediation procedure, as well as other persons performing administrative tasks for the needs of the mediation, shall ensure confidentiality of all data, proposals and statements regarding mediation procedure and be liable for any damage caused by the breach of this obligation.

(3) Proposals presented during mediation, presented strictly in terms of reaching the agreement, may not be used in court, arbitration or any other procedure, nor otherwise communicated.

(4) The court or the other authority that conducts the procedure shall not accept the proposals of paragraph (3) of this Article, if they are presented by any of the parties or their representatives.

(5) Certain information under paragraph (1) of this Article shall not have confidential nature if:

- 1) it is envisaged by a separate law;
- 2) it is required in order to ensure protection of the children's interests of the parties in the mediation;
- 3) it is required to prevent harm to the physical or psychological integrity of the person concerned in the disputed relation;
- 4) it is required by the public interest and
- 5) it is necessary for implementing the agreement that arises from the mediation procedure.

### **Exclusion of the public in mediation**

#### Article 10

(1) Public is excluded from the mediation procedure.

(2) Participants in mediation procedure are the parties.

(3) The party that does not have capacity to contract, as well as the party with a limited capacity to contract, outside the limitations of the capacity to contract, is represented by a legal representative.

(4) The legal entity shall be represented by a legal representative, that is, by a proxy representative.

(5) The parties' proxy representatives may participate in the mediation procedure, unless their participation is otherwise excluded by a separate law.

(6) Third parties may be present at the mediation procedure only with permission of all parties involved in the mediation procedure.

## **Equality of parties**

### **Article 11**

- (1) Parties shall have equal opportunities to participate in the mediation procedure and they will be informed in a clear and understandable manner about this by the Mediator.
- (2) In the mediation procedure, the mediator shall treat the parties equally, bearing in mind the given circumstances.

## **Availability of Information about Mediation in other Procedures**

### **Article 12**

The parties, their legal representatives and proxy representatives, mediators, third parties present at the mediation procedure, as well as other persons performing administrative tasks for the needs of the mediation may not in any kind of court or other procedure refer to facts, testify or propose as evidence:

- 1) a fact that one of the parties proposed a mediation procedure or expressed willingness to participate in that procedure;
- 2) opinions and viewpoints expressed by the parties involved in the mediation procedure, or proposals set out in that procedure strictly for the purpose of reaching an agreement;
- 3) the possible ways for settlement of the disputed relation which during the mediation procedure were presented by the mediator and the fact that one of the parties in the procedure expressed willingness to accept the proposed manner of settlement of the disputed relation or
- 4) a statement prepared exclusively for the needs of the mediation procedure, unless under the criteria in Article 9 paragraph (5) of this Law.

## **Efficiency**

### **Article 13**

The Mediation is economical, efficient and fast procedure, which is easily and equally accessible for the parties.

## **Fairness**

### **Article 14**

- (1) The fairness shall be guaranteed in the mediation procedure.
- (2) Parties should be encouraged by the mediator to fully cooperate in the course of the procedure and to provide information for fair settlement of the disputed relation.

### III. MEDIATION PROCEDURE

#### **Initiation of Mediation Procedure**

##### Article 15

- (1) Mediation begins on the date when the parties to the dispute agree in writing to participate in the mediation or by signing a statement of consent that they will participate in the mediation submitted to court's minutes.
- (2) The party that deems there is a disputed relation sends a written request through the mediator to the other party or more parties, if the dispute involves more parties.
- (3) Within seven days on receiving the invitation for mediation the invited party should appear at a meeting with the mediator or at a joint meeting with the mediator and the party that sent the invitation for mediation.
- (4) If at the meeting one of the parties is not consensual to settle the dispute in the mediation procedure shall confirm the same in a written form.
- (5) If a party that invited the other party to mediation does not receive an acceptance of the invitation within 15 days from the day of sending the invitation or within a shorter period of time as specified in the invitation, it shall be considered that the proposal for invitation of a mediation procedure has been rejected.
- (6) When a separate law prescribes the start of the mediation procedure as a condition for conducting a court or other procedure, that is, if the parties when concluding the agreement committed themselves to solve the dispute through mediation prior to the start of court or other procedure, the mediation procedure shall start by submitting an invitation for mediation.

#### **Statute of limitation and Preclusion**

##### Article 16

- (1) Upon reaching the mediation agreement of Article 15 paragraph (1) of this Law, suspension of the period of prescription of the claim, which is the subject of dispute, shall start and shall last until the end of the mediation procedure, which may not last longer than 60 days of the date of commencement of the mediation of Article 15 paragraph (1) of this Law.
- (2) When the mediation procedure is complete without reaching settlement, the period of prescription of the claim under paragraph ( 1 ) of this Article shall continue to run from the time of completion of the mediation procedure in which no agreement has been reached.

(3) Parties that began a mediation procedure shall not begin, simultaneously or during the mediation procedure, a lawsuit, arbitration or other proceedings for the dispute that is the subject of mediation, unless it is a temporary measure or security measures.

### **Number and Selection of Mediators**

#### Article 17

(1) The parties shall consensually determine if the mediation procedure will be implemented by one or more mediators and shall consensually select them from the Official Registry of Mediators.

(2) Should the parties fail to agree on the number or persons determined for mediators, they may ask the Chamber of Mediators to recommend or determine the number of mediators or to appoint a mediator in the given dispute relation.

### **Conducting a Mediation Procedure**

#### Article 18

(1) Prior the beginning of the mediation procedure, the mediator shall inform the parties about the aims of mediation, role of the mediator, rules and costs of the mediation procedure.

(2) The parties freely agree on the manner of conducting mediation, respecting the principles of mediation defined by this Law.

(3) The mediator may conduct joint or separate discussions with the parties, as well as transfer proposals and viewpoints from one party to another, with prior consent from the party.

(4) Any of the parties may withdraw from further participation in the procedure at any stage of the mediation procedure upon which they shall immediately notify the mediator in writing.

(5) The mediator may terminate the mediation procedure before the termination of the time limit determined by Article 16 paragraph (1) of this Law, if s/he deems that further proceeding with mediation procedure is no longer justified.

(6) The mediator shall respect the principles of mediation, bearing in mind all the circumstances of the disputed relation, the parties' interests and the need for fast and permanent resolution of the disputed relation.

### **Presentation of Proposals**

#### Article 19

- (1) The parties and the mediator, unless otherwise agreed, may present their proposals concerning the agreement that is to resolve the dispute, at any time during the procedure.
- (2) Each party shall be given an opportunity to make comments on the given proposals in cases referred to in paragraph (1) of this Article.

### **Ending of Mediation Procedure**

#### Article 20

- (1) The mediation procedure shall end:
  - 1) by conclusion of a written agreement for settlement of the disputed relation by the parties on the date of the conclusion thereof;
  - 2) by a written declaration by the mediator, upon consultations with the parties to the effect that further proceeding with the mediation procedure is no longer justified on the date of the written declaration;
  - 3) by a written declaration of the parties addressed to the mediator to the effect that the mediation is ended on the date of the written declaration;
  - 4) by a written declaration of any of the parties to the other party and the mediator to the effect that the mediation is ended on the date of the written declaration;
  - 5) with the death of one of the parties in the disputed relation and
  - 6) with the termination of one's capacity as a mediator that conducted the mediation procedure.
- (2) Mediation procedure shall end within 60 days of the date when the statement for starting the procedure is signed, regardless of its outcome.

### **Parties' Agreement**

#### Article 21

- (1) The agreement reached in the mediation procedure shall be prepared in written form by the parties in the procedure or upon their request by the mediator and signed by the parties within three working days from the date of reaching the agreement. Parties shall determine the content of the agreement.
- (2) The agreement under paragraph (1) of this Article signed prior to initiating court proceedings, shall be verified by the mediator's signature and reported in the Ministry of Justice to be listed in the Register of Mediation Procedure Records.
- (3) Should the parties fail to reach an agreement due to disagreement on legal issues, they may reach written consent for the actual issues.

(4) The actual issues enclosed by the consent under paragraph (3) of this Article shall be regarded indisputable in court or other procedure.

### **The agreement as an executive document**

#### Article 22

(1) Should the mediation procedure occur prior to the starting of the court procedure, and the parties want to give the agreement the power of an executive document, the contents of the agreement in written form, signed by the parties shall be verified by a notary according to law.

(2) If the mediation procedure is conducted upon a court referral, it is mediator's duty to inform the court about the final result of the mediation procedure within three working days from the completion of the procedure. Within three working days upon signing the agreement reached as a result of a referral to mediation during termination of court procedure, the mediator shall submit the agreement to the court and it shall be regarded as grounds for court settlement.

### **Application of the Law on Obligations**

#### Article 23

(1) For the conclusion, the effect and termination of the agreement achieved in the mediation procedure, the provisions of the Law on Obligations that determine the extra judicial settlement shall apply.

(2) For the material liability of the mediator, the general principles concerning the basics of liability for causing damage shall apply, in compliance with the Law on Obligations.

### **Liability for damage**

#### Article 24

(1) The mediator shall be liable for the damages caused to the parties and third parties, by illegal proceedings and failure to meet liabilities as a mediator in accordance with this Law.

(2) Third parties shall be considered all persons that have suffered damage, except persons that are parties in the mediation.

(3) The illegal proceeding or the failure to meet liabilities of the mediator determined by this Law shall be defined by a court decision in a contentious procedure.

(4) The minimum amount of insurance for which the mediator must conclude an insurance contract equals 50,000 euro in denar equivalent at the middle rate of the National Bank of the Republic of Macedonia on the day of the payment.

### **Costs of the Mediation Procedure and Mediators' Remuneration**

#### Article 25

(1) In the mediation procedure each party shall cover its own costs arising from the procedure, whereas the joint costs shall be covered by the parties on an equal basis, unless otherwise agreed by the parties.

(2) The joint costs shall consist of the mediators remuneration and the costs of the mediator regarding the mediation procedure.

(3) The amount of remuneration and compensation of costs of the mediator are determined by the Tariff Book enacted by the Ministry of Justice upon a prior opinion of the Chamber of Mediators.

(4) Mediator's remuneration for the completed mediation shall be determined according to:

- 1) the invested labour and time in the procedure, according to the Tariff Book for Remuneration and Compensation of Mediators;
- 2) type of dispute and
- 3) number of parties.

(5) The compensation of real costs of the mediator shall be determined according to the administrative technical costs, including costs incurred by starting and carrying out the procedure.

(6) The mediation procedure may be free of charge for the parties in case where the parties and the mediator agree to do so or in case where it is regulated by law.

### **Deposit**

#### Article 26

(1) The mediator may request that each party deposit advance payment of anticipated costs during the procedure.

(2) If the assets under paragraph (1) of this Article are not paid in full by both parties within eight days from the day when the mediator requested that under paragraph (1) from this Article, s/he may with a written statement reject his/her engagement in the mediation procedure, which will have an effect from the date of its issuance.

(3) Upon the completion of mediation procedure, the mediator shall submit evidence of the spent assets to the parties, as well as a summary of actions taken, charged according to the Tariff Book for Remuneration and Compensation of Mediators.

(4) The assets that have not been spent shall be returned to the parties in the mediation procedure.

(5) The mediator may initiate a procedure for collection of compensation of costs and remuneration that result from the mediation procedure, if the assets are not paid within seven days from the signing of the agreement by the parties in the mediation procedure.

#### IV. ASSISTANCE TO MEDIATION

##### **Development of mediation**

###### Article 27

(1) The Government of the Republic of Macedonia shall adopt a program for development of mediation, that determines the measures and instruments which provide assistance to mediation.

The program shall cover at least four years.

(2) Specific programs for assistance to mediation shall be adopted by the Judicial Council of the Republic of Macedonia and the Supreme Court of the Republic of Macedonia.

##### **Subsidising**

###### Article 28

(1) In development of mediation in the Republic of Macedonia, the state shall subsidise part of the cost of mediation, if:

1) by a separate law the start of mediation procedure shall not be determined as a condition for conducting of court or other procedure;

2) the mediation procedure shall be conducted prior to the start of a court procedure,

3) one of the parties in the mediation procedure shall be a natural person;

4) the mediator shall report the mediation case as completed in the Registry of Mediation Procedure Records and

5) the mediator submitted expenses claim form for collected remuneration and compensation of costs of mediators.

(2) The state shall subsidise only one mediation procedure between same parties for one disputed relation.

(3) The beneficiary of the subsidy shall be the mediator when the conditions under paragraph (1) of this Article are met.

(4) The required funds for subsidizing of mediation annually shall be provided and paid by the Ministry of Justice within its own budget.

(5) The subsidy is paid in the amount of the collected mediator's remuneration and expenses in accordance with the Tariff Book for Remuneration and Compensation of Mediators.

(6) More specific criteria and manner of subsidising and the expenses claim form for collected remuneration and compensation of costs of mediators shall be stipulated by the Minister of Justice.

## V. RELATION OF MEDIATION AND COURT OR OTHER PROCEDURE

### **Referring to Mediation by a Court**

#### Article 29

(1) The court during first instance procedure shall recommend the parties to solve the dispute through a mediation procedure and it will be noted in the minutes of the appearance in court.

(2) The judge may, in accordance with the parties in the dispute, at any stage of the court procedure, terminate the procedure and refer parties to mediation.

### **Obligation to pay fees in case of mediation**

#### Article 30

(1) Should the parties start a mediation procedure in court procedures to first appearance for main debate in court, they shall not pay the court fees determined by law.

(2) If the mediation procedure under paragraph (1) of this Article does not conclude with reaching an agreement between the parties and the court procedure continues, the parties are obliged to pay the corresponding court fee determined by law.

### **Providing technical conditions for conducting mediation**

#### Article 31

Should the mediation procedure start during the court procedure, the court may enable implementation of mediation within the court premises, in accordance with the court's rules of procedure.

## **VI. Organization of the mediators**

## **Chamber of Mediators**

### Article 32

- ( 1 ) The licensed mediators listed in the Directory of Mediators must be organized in Chamber of mediators of the Republic of Macedonia ( hereinafter : the Chamber) .
- ( 2 ) The Chamber protects the reputation and honour of the mediators and cares they conduct the mediation in accordance with the principles prescribed in this Law and Code of Conduct for Mediators and cares for promotion and advancement of the mediation in the Republic of Macedonia.
- ( 3 ) The chamber operates as a non-profit organization with legal person personality .
- ( 4 ) The seat of the Chamber is in Skopje.
- ( 5 ) The Chamber may have offices in other cities in the Republic of Macedonia, according to the Statute of the Chamber ( hereinafter: the Statute ) .

## **Entrusted public authorizations of the Chamber**

### Article 33

- ( 1 ) The Chamber shall be entrusted with the following public authorities :
- 1 ) keeping the Directory of Mediators ;
  - 2 ) issuing facts certificates for which it keeps records and
  - 3 ) determining the membership fee amount for the members of the Chamber .
- ( 2 ) In the performance of the duties under paragraph ( 1 ) of this Article , the provisions of the Law on General Administrative Procedure shall be applied, unless the law stipulates otherwise .

## **Statute and other general acts of the Chamber**

### Article 34

- ( 1 ) The Statute shall be adopted by the Assembly of the Chamber on the basis of prior approval from the Ministry of Justice .
- ( 2 ) The Statute shall regulate the organization and operation of the Chamber , species, composition , manner of election and scope of the Chamber bodies that are not regulated by this Law , other general acts of the Chamber , as well as other issues of importance for the operation to the Chamber .

### **Financing of the Chamber operation**

#### Article 35

( 1 ) The Chamber operation shall be funded by:

- 1 ) incomes from the members fee of the Chamber ;
- 2 ) incomes acquired from publishing ;
- 3 ) incomes from gifts and donations and
- 4 ) other incomes acquired in accordance with law .

( 2 ) The amount of membership fee of the Chamber is determined by an act of the Chamber .

### **Supervision of the work of the Chamber**

#### Article 36

(1) The supervision of the work of the Chamber relevant to the implementation of the provisions of this Law shall be performed by the Ministry of Justice .

( 2 ) For the supervision the Minister of Justice shall establish a Committee consisting of three representatives from among civil servants in the Ministry of Justice . At the time of supervision by the Commission the President of the Chamber or a person authorized by him shall be present.

( 3 ) The President of the Chamber shall allow access on the Commission under paragraph ( 2 ) of this section to all premises and inspect in all acts and records kept by the Chamber. Due to the inability of the President of the Chamber, upon his authorization he can be replaced by the Management Committee.

(4) For the conducted supervision a report shall be made and it shall point out the detected possible defects and their removal.

(5) The Ministry of Justice within 30 days after the performed supervision has to submit a copy of the report for the conducted supervision to the Chamber of Mediators.

(6) The Chamber shall be obliged to submit a report on the work of the Chamber every year in the first week of April to the Ministry of Justice which contains the final bill submitted to the Public Revenue Office, and a general assessment of the work of mediators and proposed measures to promote the use of the mediation.

( 7 ) The content of the report referred to in paragraph ( 6 ) of this Article and the manner of performance of the supervision are prescribed by the Minister of Justice .

### **Authorities of the Chamber**

#### Article 37

( 1 ) The highest authority of the Chamber is the Assembly of the Chamber.

( 2 ) Other authorities of the Chamber are the Supervisory Committee , Management Committee , the President and the Chamber Council of Ethics.

### **The Assembly of the Chamber**

#### Article 38

( 1 ) The Assembly of the Chamber shall consist of all licensed mediators listed in the Directory of Mediators .

( 2 ) The Assembly of the Chamber shall perform the following duties:

- 1 ) represent and protect the professional interests of its members ;
- 2 ) adopt the work program of the Chamber ;
- 3 ) adopt the annual work program of the Management Committee of the Chamber ;
- 4 ) discuss on a complaint , petition , complaint or suggestion of the Management Committee or any member of the Chamber in situations when there is initiated a proceeding for disqualification from membership and deleting of a mediator from the Directory of Mediators ;
- 5 ) adopt the Statute of the Chamber , Code of Ethics for Mediators , other acts provided by this law and cares of their application ;
- 6 ) discuss on issues directly related to the goals and objectives of the association into the Chamber ;

- 7 ) elect members of the Chamber Authorities in accordance with the provisions of this Law ;
- 8 ) adopt the annual report of the Ethics Council of the Chamber ;
- 9 ) adopt the Rules of Procedure for the Assembly of the Chamber ;
- 10 ) adopt the annual financial report for the operation and use of the funds of the Chamber ;
- 11 ) make decision to use the funds for a specific purpose in an amount that exceeds the amount of 5.000 euros in denar counter value ;
- 12 ) decide on the amount of the membership fee and the method of its payment and use;
- 13 ) take care for the promotion and development of the mediation in the Republic of Macedonia and
- 14 ) perform other duties prescribed by law and the Statute .

( 3 ) The Assembly Chamber meets regularly at least once a year, throughout March . On the session the presence of at least half of mediators listed in the Directory of Mediators is required.

( 4 ) If on the session of the Assembly do not attend at least half of the total number of mediators , immediately a new meeting is scheduled within eight days from the date of unsuccessfully held session , for which all licensed mediators are informed electronically.

( 5 ) For the work of the new session of the Assembly the presence of a third of the mediators listed in the Directory of mediators is required and a majority of the present members is required for making decisions.

### **Assembly for election of the Chamber authorities**

#### **Article 39**

( 1 ) The election of members of the Chamber authorities shall be performed on an Assembly for election of the Chamber authorities ( hereinafter : Electoral Assembly ) , from among the members of the Chamber . On the Electoral Assembly the presence of at least half of mediators listed in the Directory of Mediators is required.

( 2 ) At the Electoral Assembly of the Chamber authorities first an election of the members of the Supervisory Board is performed, then of the members of the Management Committee, and ultimately the election of the President of the Chamber is performed.

( 3 ) The Electoral Assembly shall be schedule 60 days before the expiration of the mandate of the authorities of the Assembly.

( 4 ) The Candidates for members of the Chamber shall be obliged within deadline not less than seven days to highlight their candidacy to the Commission for verification of the candidates of the Chamber - established in accordance with the Statute of the Chamber, which is responsible and shall publish them on the website of the Chamber .

( 5 ) Any candidate for President of the Chamber shall submit a complete program for the mandate that would perform and the same shall be published on the website of the Chamber , prior to the holding of the Electoral Assembly.

( 6 ) The members of the Chamber authorities shall hand over the functions of the newly elected members of the Chamber authorities within 15 days after the holding of the Electoral Assembly.

( 7 ) The election of all authorities of the Chamber in the Assembly is done in person, through secret ballot.

( 8 ) The election of the Chamber authorities, with the exception of the President of the Chamber shall be made with simple majority .

( 9 ) For President shall be elected the candidate who wins the majority of votes of the members present at the Electoral Assembly. If the presidential candidates do not receive the necessary number of votes a second round of voting shall be organized.

( 10 ) The two candidates that have the highest number of votes shall enter in the second round of voting for the election of the president .

( 11 ) For elected president in the second round shall be considered the candidate who receives the most votes of the members present at the Electoral Assembly , but not less than one -fourth of the total members present at the Electoral Assembly.

( 12 ) If after the second round the President is not elected, the procedure shall be repeated for the third time , as the rules for the second round , and for elected president is considered the candidate who receives the most votes of the present members of the Assembly .

## **Supervisory Committee**

### Article 40

( 1 ) The Supervisory Committee shall follow application of the provisions of this law , the Statute and other general acts of the Chamber by the authorities and bodies of the Chamber. The Supervisory Committee shall examine the material and financial operations of the Chamber.

( 2 ) All authorities and bodies of the Chamber shall be obliged to provide conditions for work of the Supervisory Committee, relevant to the supervision performance.

( 3 ) The Supervisory Committee has three members appointed by the Assembly Chamber in accordance with the provisions of the Article 39 of this Law .

( 4 ) The mandate of the members of the Supervisory Committee shall be two years with an option for a single re-election .

## **Management Committee**

### Article 41

( 1 ) The Management Committee is the executive body of the Assembly .

( 2 ) The Management Committee shall consist of seven members, and the manner of the Management Committee work regulated by the Statute of the Chamber and the Rules of procedure of the Management Committee .

( 3 ) The mandate of the members of the Management Committee is two years with an option for a single re-election .

( 4 ) Management Committee :

1 ) prepare the sessions of the Assembly of the Chamber ;

2 ) determine the draft of the Statute and other acts of the Chamber which the Assembly Chamber adopts and obtains prior approval from the Ministry of Justice for the acts for which it is provided by the provisions of this law ;

3 ) implement politics and performs the conclusions and decisions carried from the Assembly of the Chamber ;

4 ) take care for the payment of the membership fee;

5 ) manages and is responsible for the assets and property of the Chamber ;

- 6 ) prepare draft of periodic and annual estimation;
- 7 ) decide on other matters within its jurisdiction in accordance with law or the Statute ;
- 8 ) ensures the application of the Statute , Code of Ethics for the mediators and other general acts of the Chamber ;
- 9 ) provides expert assistance to the members of the Chamber to improve the practice of implementation of the mediation ;
- 10 ) monitors the implementation of the regulations relevant for the mediation ;
- 11 ) publishes studies , collections of papers , technical manuals, newsletters and other documents relating to the mediation ;
- 12 ) organizes scientific and professional conferences in the field of mediation ;
- 13 ) inform the professional and general public about the mediation and
- 14 ) perform other duties prescribed by this law , the Statute and general laws of the Chamber

### **President of the Chamber**

#### Article 42

- ( 1 ) The Chamber of Mediators represents and presents the President of the Chamber. The President of the Chamber by function is the president of the Management Committee.
- ( 2 ) In the absence of the President, upon its authorization or decision of the Management Committee, the Chamber can be advocated from a member of the Management Committee.
- ( 3 ) The President of the Chamber shall sign the decisions of the Assembly and the Management Committee.
- ( 4 ) The President of the Chamber is elected by the Assembly with a term of two years , with an option for a single re-election .

### **Ethical Council of the Chamber**

#### Article 43

- (1) The Ethical Council of the Chamber (hereinafter: Ethical Council) shall take care for the application of the Code of Ethics for the mediators.
- (2) The Ethical Council is composed of seven members for a term of three years with no right to re-election .
- (3) The mandate of a member of the Ethical Council shall terminate prior to the expiration of the duration of which is elected in case of death, resignation or disciplinary sanction or a final court judgment .
- (4) If the mandate of a member of the Ethical Council terminates prior to the expiration of the duration of which is chosen, then the Assembly shall elect a member of the Ethic Council within three months.
- (5) The President of the Ethical Council is elected from among the members of the Ethic Council.
  
- ( 6 ) For member of the Ethical Council cannot be elected a person for which in the last five years disciplinary sanction is given or a final court judgment.
- ( 7 ) For member of the Ethical Council cannot be elected a person who is below 35 years at the time when the election is made and to be a member of the Chamber at least three years.
- ( 8 ) For member of the Ethical Council shall be elected a mediator which promotes the program mission and the ethics handling of the mediator in the society in written or oral form .
- ( 9 ) The Ethical Council shall adopt Rules of Procedures for its own work.
- ( 10 ) The Ethical Council shall meet at least once in two months , and shall minutes for its meetings.
- ( 11 ) The Ethical Council for its work shall inform with written report the Management Committee in which gives an opinion, guidance and suggestions to overcome the outstanding issues listed in the report .
- ( 12 ) The Ethical Council discusses on the initiative or on the draft of the application of the Ethical Code , submitted in writing , signed by the petitioners .

( 13 ) The Ethical Council shall deliver an invitation to the parties to whom the proposal or initiative may concern.

( 14 ) The Ethical Council after the termination of the hearing referred to in paragraph ( 12 ) of this Article shall adopt an opinion by a majority of the total number of members of the Ethical Council .

( 15 ) The opinion of the Ethical Council shall be submitted to the Assembly of the Chamber which is responsible to set it for consideration at a meeting of the Assembly, after what it makes a decision on acceptance or rejection of the same.

#### Article 44

Petitioners of the initiative , i.e. the proposal of the Article 43 paragraph ( 11 ) of this law on the application of the Ethical Code may be the authority of the Chamber , mediator - a member of the Chamber , a group of mediators , the parties in the mediation process , and other natural person or legal entity affected by the dispute .

### **Directory of Mediators**

#### Article 45

( 1 ) The mediator who has a license for execution of mediation work of the Article 46 of this Law shall be recorded in the Directory of mediators which is lead by the Chamber .

( 2 ) It is considered that entries to the Directory of mediators is made on the day when the mediator who meets the requirements prescribed in this law shall submit an application for registration in the Chamber .

## **VII. MEDIATOR**

### **Terms of mediator and execution of mediation works**

#### Article 46

( 1 ) A mediator shall be a capable business person who holds a license to perform mediation works ( hereinafter : license for mediator ) .

( 2 ) A license for mediator shall be issued to the person who has passed an exam to test the theoretical knowledge and practical skills of mediation ( hereinafter exam mediators ) in front the Commission for ensuring , monitoring and evaluating the quality of mediation works (

hereinafter: Commission ) and shall present a contract for liability insurance for damages in accordance with the Article 24 paragraph ( 4 ) of this law.

( 3 ) The issued license is valid for five years and it can be continued or withdraw depending on the results of the evaluation of the quality of work of the mediator .

( 4 ) The evaluation of the quality of the work by the mediators shall be performed from the Commission at least once in every five years in accordance with the methodology and procedure for monitoring and evaluating the quality of the work of mediators .

( 5 ) The form and content of the license for mediator shall be signed by the Minister of Justice .

### **Exam for mediators**

#### Article 47

( 1 ) The mediator examination can be taken by people who have submitted an application for examination to the Commission for examination along with a proof of :

a) passed university education VII / I or 300 credits under the European Credit Transfer System ( ECTS ) in the Republic of Macedonia or solution for the suitable recognition of the higher education qualifications acquired abroad issued by the Ministry of Education and Science ;

b) completed training by an accredited training program for mediators of at least 70 hours in the Republic of Macedonia, i.e. abroad , or a decision adopted by the Commission to recognize the completes proper training abroad;

c) at least three years of work experience after the graduation ;

d) followed at least four mediation procedures implemented by the mediator for what is issued the mediators certificate confirmed with an certificate from the Records Registry of procedures for mediation for the appropriate procedures ;

e) a psychological test shall be conducted and a test of integrity issued by a licensed professional ;

f) Certificate of Citizenship of the Republic of Macedonia and

g) at least five references from people who know the applicant professionally .

( 2 ) The examination for mediator shall check the knowledge and understanding of the general theory , the legal regulations regulating the mediator activity , process and procedure of mediation and mediation practice , based on written tests , essays and reports .

( 3 ) The person referred to in paragraph ( 1 ) of this Article shall pay the costs for the examination .

( 4 ) The Minister of Justice shall determine the actual costs incurred for the exam , necessary for the implementation of the first and second part of the exam , the preparation of databases of questions and case studies , implementation of electronic test, preparation of materials and invitations and preparations of certificates .

( 5 ) The cost of the examination shall be paid on individual income account of the revenues of the Ministry of Justice .

( 6 ) If the costs are not paid to the appropriate account of the Ministry of Justice, at least 15 days prior to the day given for start of the test session, the person will not be allowed to take the exam .

( 7 ) If the person within one year from the date of payment of funds is not taking the exam , the payment of funds is returned in accordance with the law.

### **Programme of examination for mediator and test sessions**

#### Article 48

( 1 ) The examination consists of three parts , namely:

- First part (theoretical part) , which inspects the theoretical knowledge
- Second part (case study) , which inspects the ability to implement the process of mediation in practice and
- The third part, which assesses the personality and characteristics and practical skills , abilities and knowledge for mediation .

( 2 ) The examination referred to in paragraph ( 1 ) , items 1 and 2 of this Article shall be taken in writing on electronically manner by answering a definite number of questions in the form of answering an electronic test on the computer in the area of :

- 1 ) knowledge of mediation ;
- 2 ) skills of the mediator ;
- 3 ) establishing good relations;
- 4 ) motivation of the participants for the mediation process ;
- 5 ) implementation of the communication between the participants ;
- 6 ) regulation of the mediation process and
- 7 ) comprehension of the content of the conflict issue.

( 3 ) The second part of the exam consists of a study of two individual cases for implementation of a procedure of mediation and questions which the person needs to answer based on the analysis of the case .

(4) The third part of the test is implemented as an interview with the person in order to assess its personal qualities, characteristics and necessary skills and the capability of the mediator to be able to hear the parties, to understand what was said by them and to paraphrase, sublime and eloquently present it in front of them in a form that reflects their interests. The person through a particular case (role playing) shall demonstrate and present the procedures and techniques of mediation.

( 5 ) The exam is taken twice during the year according to the program which contains the substance and regulations .

( 6 ) The examination program is adopted by the Minister of Justice .

**Creation of the question data for the first part and case studies database for the second part of the exam for mediators**

Article 49

( 1 ) The base of questions for the first part and the base of case studies in the second part of the exam shall be formed by the Commission.

( 2 ) The Minister of Justice shall hire judges , professors from the faculties of accredited universities in the Republic of Macedonia , sociologists , psychologists, lawyers , businessmen , mediators and others in order to prepare the questions from the first part of the exam , the case studies in the second part of the exam and cases for assessment of the skills .

(3) The Board shall review and update the database of questions and databases of case studies referred to in Article 48 of this law at least once a year.

( 4 ) Together with the review, the Commission shall consider the amendments to the legal regulations on which the question is based on, i.e. the case , the number of people who have answered it, the success in the answering of the same and other criteria that may impact on the improving of the quality of databases from the Article 48 of this Law .

( 5 ) The persons referred to in paragraph ( 2 ) of this Article and the Commission members have a right to compensation as determined by the Minister of Justice .

( 6 ) The amount of the compensation under paragraph ( 5 ) of this Article shall be determined based on the number of prepared questions and case studies .

( 7 ) The annual amount of compensation referred to in paragraph ( 5 ) of this Article shall not

exceed the level of monthly salary of a judge in the Court of Appeals .

### **Taking the exam**

#### Article 50

(1) The professional and administrative affairs required for carrying out the exam for mediators are done by the Ministry of Justice, and the exam is technically carried out by a legal entity registered in the Central Register and chosen by the Minister of Justice.

(2) The exam is taken in a room for taking exams, specially equipped for taking a professional exam with material, technical and information equipment, internet connection and equipment for recording the examination.

(3) The examination is recorded and transmitted live on the web page of the Ministry of Justice, and if the recording is interrupted by technical reasons, the recording of the whole examination is posted on the web page of the Ministry of Justice

(4) The criteria related to the spatial conditions and the material, technical and information equipment in the rooms for taking the exam for mediators are prescribed by the Ministry of Justice

(5) During the examination, the person is not allowed to use mobile phones, lap-top computers and other technical and information means, law texts, previously prepared subjects etc. Communication between the people who are taking the exam is also not allowed.

(6) In the room used for taking the exam, during the examination, one representative of the Ministry of Justice, one representative from the Ministry of Information Society and Administration and one representative from the Government of the Republic of Macedonia proposed by the Office of the Prime Minister are present.

(7) The authorized representatives of the paragraph (6) of this Article, during the examination should not stay more than five seconds near the person taking the exam, except in case of resolving a technical problem when they should not stay more than 5 minutes.

(8) If the technical problem with the computer is resolved in five minutes, the examination will continue, and if it is not resolved in this term, the exam will be interrupted only for that

person and will continue in a period of maximum three days from the day of interrupting the exam. If there are technical problems on more than five computers and they are not resolved in five minutes, the examination will be interrupted for all people and will continue in a period of maximum three days from the day of interrupting the exam.

(9) If the person taking the exam is acting contrary to the paragraph (5) of this Article, he/she is not allowed further examination and it is established that the person failed the exam in the register for taking the exam.

(10) The first part of the exam is consisted of minimum 50 questions with five options to choose, from which only one is correct, two are similar and one is not correct in small range (by choosing that option, a few points are lost) and one which is not correct in a large range (by choosing that option, a lot of points are lost). In case the person achieves 70% of the total number of points in the first part of the examination for mediator, then he/she acquires the right to take the second part of the exam.

(11) The second part of the exam from the Article 48 paragraph (3) from this Law is consisted of two studies of a case related to conducting the process of mediation. The questions that are part of the studies of a case have ten possible answers from which one is correct, five are similar and four are different. In case the person achieves 70% of the total number of points in the second part of the examination for mediator, then he/she acquires the right to take the third part of the exam.

(12) The third part of the exam, the person is taking in front of a Commission of five members, consisted of representatives of the Committee. The Commission grades the person for mediator with a grade “satisfactory” or “non-satisfactory”, in accordance with the valuable criteria for assessment of the personal features, characteristics and required skills and abilities for mediator, appointed by the Minister for Justice. The person who gets the grade “satisfactory”, passes the exam and gains the right to apply for a license for a mediator.

(13) A penalty in the amount of 4000 to 5000 euros in denar counter value will be passed to the authorized person from the paragraph (1) of this Article who technically carries out the examination if he/she doesn't record, transmit live on the web page of the Ministry of Justice in accordance with the paragraph (3) of this Article.

(14) A penalty in the amount of 500 to 1000 euros in denar counter value will be passed to the authorized person from paragraph (6) of this Article, if he/she acts contrary to paragraph (7) of this Article

(15) A penalty in the amount of 4000 to 5000 euros in denar counter value will be passed to the authorized person from the paragraph (1) of this Article who technically carries out the examination if he/she doesn't interrupt the examination in accordance to paragraph (8) of this Article.

(16) The competent court will initiate a misdemeanour procedure and pass a misdemeanour sanction for the misdemeanours prescribed with this Article.

### **A manner of taking the exam**

#### Article 51

(1) Taking the first part of the exam for mediators is carried out by answering the questions.

(2) The exam questions are valued with certain number of points depending on the difficulty and they are electronically answered.

(3) The exam questions of the first part of the exam for mediators and their answers are kept in a unique electronic system for taking the exam for mediators.

(4) The electronic system from the paragraph (3) of this Article also contains a base of minimum 2000 questions required for the first part of the examination which is available for the public, as well as a base of minimum 100 studies of case required for the second part of the exam which is available for the public.

(5) The electronic system contains indicating to the regulations and non-fiction literature which contains the answers to the questions of the first part of the exam and regulations for the second part of the exam.

(6) The results of taking the first and the second part of the exam are available to the person, the computer on which the person was taking the exam, immediately after its termination.

(7) The electronic system for taking the exam cannot allow existence of identical content of the electronic test for the first part of the exam, i.e. electronic study of case for the second part of the exam, in one term for more than one person.

(8) The conditions and the manner of taking the exam for mediators are prescribed by the Minister of Justice.

### **Mediators for specific areas**

#### Article 52

(1) To mediate in disputes in certain areas where the law prescribes obligatory experiment for mediation, additional conditions may be settled, that despite the conditions projected in Article 46 of this Law, should be fulfilled by the person who is taking the exam for mediator in the specific area, as well as the monitoring and control over their operation.

(2) For the cases in paragraph (1) of this Article, information about the specific area is entered in the license for mediator.

### **Conditions for trainer for mediators and conducting the training for mediators**

#### Article 53

(1) The training for mediators is conducted by the trainers for mediators.

(2) A trainer for mediators can be every natural person that has entrepreneurial skills and has a license for trainer for mediators (hereinafter: a license for trainer).

(3) A license for trainer is issued to the people that will submit a request to the Committee for issuing a license along with an evidence for:

1) completed training for trainers for mediators of at least 32 hours in the Republic of Macedonia, i.e. foreign country in the last three years or a higher degree for completed higher education VII/I or 300 credit in accordance with the European Credit Transfer System (ECTS) in the Republic of Macedonia in the area of mediation, resolving conflicts, negotiation, i.e. pacifying or a decision for approving the appropriate qualification for higher

education acquired in a foreign country in the appropriate area issued by the Ministry of Education and Science in the Republic of Macedonia;

2) registration in the Mediators Registry or an appropriate registry in a foreign country, if the applicant is a foreign citizen, for a function of mediator;

3) registration in the Registry for the record of the procedures for mediation or an appropriate registry in a foreign country, if the applicant is a foreign citizen, for at least 12 conducted procedures for mediation in the last three years and

4) minimum two recommendations from people that professionally know the applicant and testify his capabilities for transferring theoretical and practical knowledge.

(4) The issued license for trainer can be extended or taken away depending on the results of the evaluation of the working quality of the trainers for mediators.

(5) The evaluation of the working quality of the trainers is carried out by the Committee at least once in five years in accordance with the methodology and procedure for carrying out an evaluation of the working quality of the trainers for mediators.

(6) Invited by the trainers for mediators and in their presence, a part of the training for mediators which is not bigger than 10%, can be also conducted by eminent experts from the practice in the appropriate area related to mediation.

(7) The form and content of the license for trainer are prescribed by the Minister for Justice.

### **Conditions for accreditation of a program for training mediators**

#### Article 45

(1) The training for mediators is conducted in accordance with accredited programs for training mediators.

(2) The accreditation is issued for programs that will fulfil the conditions for accreditation of the programs for training mediators.

(3) The conditions for accreditation of the programs for training mediators and the range of people who can submit the request for accreditation of the programs are determined by the Committee.

(4) The issued accreditation can be extended or taken away depending on the results of the evaluating the quality of conducting accredited programs for training mediators.

(5) The Committee is evaluating the quality of conducting accredited programs for training mediators at least once in five years in accordance with the methodology and procedure for monitoring and evaluation of the quality of conducting accredited programs for training mediators.

### **Registries and keeping registries**

#### Article 55

(1) People that have a license for trainer are registered in the Registry for trainers for mediators.

(2) The programs for training mediators that have been accredited are registered in the registry for accredited programs for training mediators.

(3) People, i.e. programs which license has been taken away, i.e. the accreditation are deleted from the appropriate registry.

(4) The Registry for trainers for mediators and the registry for accredited programs for training mediators are kept by the Committee.

### VIII. Ensuring, following and evaluating the quality of the operations of the mediation

#### **Committee for ensuring, following and evaluating the quality of the operations of the mediation**

#### Article 56

(1) The quality of the operations of the mediation are ensured, followed and evaluated by the Committee.

(2) The Committee has a seal that contains title the Republic of Macedonia – Committee for ensuring, following and evaluating the quality of the operations of the mediation – Skopje. In the middle of the seal is the coat of arms of the Republic of Macedonia.

## **Composition of the Committee**

### *Article 57*

(1) The Committee is composed of ten members appointed by the Government of the Republic of Macedonia and those are:

- one member proposed by the Chamber of the mediators registered in the Mediator Directory,
- one member proposed by the Judicial Council of the Republic of Macedonia from the judges in that Council,
- one member proposed by the Bar Association in Macedonia from the lawyers,
- one member proposed by Inter-University Conference from the professors in the institutions for higher education,
- one member proposed by the Chamber of Psychologists in Macedonia from the qualified psychologists with a special license for conducting psychological activity,
- one member proposed by the Ministry of Justice from the employees that work on questions from the area of mediation,
- one member proposed by the Ministry of Labor and Social Policy from the employees that work on questions from the area of mediation,
- one member proposed by the Ministry of Economy from the employees that work on questions from the area of mediation,
- one member proposed by the chambers of commerce in the Republic of Macedonia and
- one member proposed by the Association of customers in the Republic of Macedonia.

(2) The Government of the Republic of Macedonia appoints a president chosen from the Committee that will represent and present the Committee and carry out other actions determined by law.

## **Tenure of the Committee members**

## Article 58

(1) Committee members are appointed for a period of four years. A person cannot be appointed as a Committee member more than two consecutive times. The Committee president is appointed for a period of four years without a right for reelection.

(2) The tenure of a Committee member terminates with the timeout for which he/she is appointed in the following cases:

- by personal request,
- when the Committee ascertains that he/she is not capable for fulfilling their obligations longer than six months or
- when existence of conflict of interest is determined or when two functions cannot be connected in accordance with a law.

## **Scope of Committee operation**

### Article 59

(1) On the basis of the principle for independence and professionalism, the Committee carries out the following actions:

- a) determines the fulfilment of the conditions for issuing a certificate for completed training for mediators;
- b) forms the base of questions for taking the exam for mediators;
- c) determines the exam sessions and the manner of taking the exam for mediators, organizes and conduct the examination and issues the certificates for passed exam;
- d) issues the licenses for mediators and trainers for mediators;
- e) accredits programs for training mediators and creates a system for following the procedures for mediation within training people that attend training for mediator;
- f) keeps a registry of trained mediators, trainers for mediators, i.e. accredited programs for training mediators;

g) determines the methodology and the manner for monitoring and evaluation of the working quality of the mediators, trainers for mediators, i.e. the conducting of the accredited programs for training mediators, follows and evaluates the quality of the mediators, trainers of mediators, i.e. the conducting of the accredited programs for training mediators and on the basis of the results from the periodical evaluation brings decisions for extending or taking away the licenses, i.e. accreditations;

h) examines and decides upon the complaints for the work of the trainers for mediation, i.e. conducting the programs for training for mediation

i) carries out other action prescribed by law.

(2) The manner of carrying out the actions from paragraph (1) of this Article is regulated by the Correspondence Register of the Committee, after previously being approved by the Government of the Republic of Macedonia.

### **Organization and operation of the Committee**

#### Article 60

(1) The constitutive meeting of the Committee is called and controlled by the Minister of Justice.

(2) For performing the actions of its own range, the Committee forms professional and examinational commissions from its members. If necessary the Committee can hire external competent people in the commissions.

(3) The professional and administrative actions for the needs of the Committee are carried out by the Ministry of Justice.

### **Means for the work of the Committee**

#### Article 61

(1) Means for the work of the Committee are provided by the Budget of the Republic of Macedonia and by personal revenue.

(2) The Minister of Justice passes a Tariff for the level of costs that are really necessary for taking the exam for mediator, approving the training completed in a foreign country and issuing the licenses, i.e. accreditations from this law

(3) The costs from the paragraph (2) from this Article are paid by the applicant.

## **IX. Briefing**

### Article 62

The Ministry of Justice, the courts of the Republic of Macedonia and the Chamber publish the Directory for mediators on their web pages. The courts publish the Directory for mediators on the notice boards in the courts as well.

## **X. Transitional and final provisions**

### Article 63

People who until the day when this law came into force are registered in the Directory for mediators, as well as people who up to the day when this law came into force completed training for mediators, in accordance with the Rulebook for the manner and procedure for conducting the training for mediators (“Official Gazette of the Republic of Macedonia” number 12/11), subject to the procedure for licensing from the Article 46 from this Law, whereupon they have an obligation to present an evidence for fulfilment of the conditions from the Article 47 paragraph (1) items e), f) and g) from this law.

### Article 64

(1) In a period of one month from the day when this law came into force, the Committee for ensuring, following and evaluating the quality of the operations of the mediation will be formed.

(2) In a period of two months after the formation, the Committee will determine the program and the manner for taking exams for mediator and will form the professional and examinal commissions of the Committee in accordance with the provisions of this Law.

(3) In a period of six months after the formation, the Committee will organize the first exam for mediators.

(4) In a period of seven months after the formation, the Committee will initiate the procedure for licensing the mediators.

#### Article 65

In a period of four months after the day when this law came into force, the Minister of Justice will pass the by-laws prescribed by this law.

#### Article 66

The Chamber of mediators formed in accordance with the Law on Mediation (“Official Gazette of the Republic of Macedonia” number 60/2006, 22/2007 and 114/2009) terminates to function on the day of constitution of the Chamber in accordance with this Law.

#### Article 67

The Chamber prescribed in Article 32 from this law will hold its Electoral Assembly and will elect its authorities in accordance with this law. The Electoral Assembly will call the Minister of Justice, and until the election of the authorities it will be controlled by the Committee president for ensuring, following and evaluating the working quality of the operations of the mediation.

#### Article 68

On the day of applying this law, the Law on Mediation expires (“Official Gazette of the Republic of Macedonia” number 60/2006, 22/2007 and 114/2009).

Article 69

If the procedure for mediation is established by a special law as a legal premise that lead up to initiation of a legal procedure, those legal provisions determined by the special law have value of three years from the day of application of the special law.

Article 70

This Law comes into force on the eighth day after the publication in the “Official gazette of the Republic of Macedonia”, and it will be applied nine months after coming into force.