

## **MEDIATION & ASSESSMENT CLAUSE**

A dispute concerning a Bill(s) of Costs in terms of this Agreement exists once a party notifies the others in writing of the nature of the dispute and requires it to be resolved under this clause.

The parties must refer any dispute to be resolved by: mediation; failing which assessment.

The parties must refer the dispute for resolution by mediation under the rules of the Board of Legal Costs Mediators ("BLCM") (or its successor or body nominated in writing by it in its stead).

If mediation fails, the parties must refer the dispute within 15 business days for resolution by assessment ("taxation") (including any appeal against the assessor's decision) by one assessor (appointed by BLCM) under the then current rules for assessment of BLCM.

The periods for mediation may be shortened or lengthened by written agreement between the parties.

This clause will not preclude any party from access to an appropriate court of law for interim relief in respect of urgent matters by way of an interdict, or mandamus pending finalisation of this dispute resolution process, for which purpose the parties irrevocably submit to the jurisdiction of a division of the High Court of the Republic of South Africa.

This clause is a separate, divisible agreement from the rest of this Agreement and must remain in effect even if the Agreement terminates, is nullified, or cancelled for any reason or cause.