

15 March 2024
BY EMAIL

To: All SIMI Accredited Mediators

SIMI Admin Circular 2/2024 : Updated Terms and Conditions for SIMI Mediators

1. Clause 1.4 of the Terms and Conditions for SIMI Mediators (SIMI Ts & Cs) allows SIMI to vary or modify the same by giving reasonable notice to you. This clause plays an important role in facilitating the review of the SIMI Ts & Cs from time to time, to ensure that SIMI's relationship with its accredited mediators is tailored to trends its current operating environment.

Trends necessitating a review of the SIMI Ts & Cs

2. Over the last 2 years, SIMI has observed:
 - (a) Many SIMI Accredited Mediators not paying their annual fees despite various reminders.
 - (b) A perceptible number of Accredited Mediators requesting to withdraw from the SIMI register, following receipt of their invoice for annual fees, or a reminder to pay the same.

As part of good financial governance, we have had to establish a clear process on how to address these 2 trends.

Development of principles/processes to address these trends

3. On (a), we had in late 2021 established a Board-approved internal system to write-off one's annual fees if such fees remained unpaid, and subsequently de-register the mediator.
4. The Board agreed that (amongst other things) it would be:
5. On (b), Accredited Mediators who request to withdraw from the SIMI register towards the end of the calendar year in which the fees are due pose a financial dilemma. SIMI would be obliged to issue a credit note late in the year which would ultimately impact SIMI's projected income. We could be faced with auditors' queries why such income is being reversed so late, with some impact on revenue figures.
 - (i) Costly and complex to allow the mediator to remain on the register indefinitely, beyond the year in which payment is due (e.g. need to track accounts receivable), and
 - (ii) Unfair (and poor financial stewardship) to allow such a mediator to free-ride on the benefits of being on SIMI's register.

Amendments to SIMI Ts & Cs

6. In view of the above, the SIMI team has worked with its Finance function to update the SIMI Ts & Cs, so that these trends are addressed transparently. The key changes include:
 - (i) Addition of a **new Clause 3A** to inform the mediator how a withdrawal from the SIMI register will be affected, and the effect of such withdrawal.
 - (ii) Addition of a **new Clause 5**, informing the mediator what happens when there is non-payment of annual fees, and the consequences of such fees being written off.
7. Other minor editorial amendments have also been made to the SIMI Ts & Cs.

Other Ts & Cs

8. We would like to take this opportunity to highlight the following:
 - (a) **Clause 6** of the SIMI Ts & Cs (Re-accreditation Requirements) has not been enforced all along. SIMI Accredited Mediators therefore need not be concerned about fulfilling re-accreditation requirements at this time.

We have recently closed a consultation on proposed enhancements to the Re-accreditation Requirements for SIMI Mediators. Please refer to the consultation paper circulated on 17 January 2024 for information. SIMI is currently assessing the feedback received and will discuss this with the SIMI Board before we announce any next steps.
 - (b) We wish to encourage wide usage of the SIMI mediator level logo by SIMI Accredited Mediators as a marketing tool. Please refer to **Clause 7** of the SIMI Ts & Cs for usage guidelines. Feel free to reach out to us at admin@simi.org.sg if you have any questions.
9. The updated Terms and Conditions for SIMI Mediators is attached for your reference and record. It will take effect at the **beginning of FY 2024, i.e 1 April 2024.**

Alvin Sim
Executive Director