

## **Mediation Advice (Not Visit in Person)**

⊙ **The consumer has already filed the complainant, and schedules to apply for reconsideration or mediation.** ⊙

**Q1 : What the following procedure may be performed if the complaint is not responded to by the trader properly upon receipt of the official letter?**

A1 : You may file the second complaint (negotiation by the mediator) or apply for mediation of consumer dispute (by Mediation Committee).

**Q2 : What is the difference between the two?**

<b>Similar</b>		
<ol style="list-style-type: none"> <li>1. Both refer to one of the approaches to settle a consumer dispute at no cost for the negotiation or mediation.</li> <li>2. Both the complainant and trader are required to attend the negotiation or mediation at the city government, but it is impossible to ask both parties to attend the same compulsorily.</li> <li>3. Without a judge's competence, it is impossible to ask the trader to accept the settlement terms and conditions compulsorily.</li> </ol>		
<b>Different</b>		
	2 <sup>nd</sup> Complaint	Mediation of Consumer Dispute
Chairperson	1 mediator	1 or more mediation committee member (mostly 1 member)
Scheduled Time	Within 30-50 days upon receipt of the application (A total of 5 consumer ombudsmen take turn conducting the negotiation, for the time being.)	Within 20 days upon receipt of the application (A total of 11 consumer ombudsmen t take turn conducting the negotiation, for the time being.)
Procedure	Application for mediation may be filed, if no agreement is reached through negotiation.	Legal action may be initiated with a court, if no agreement is reached through mediation.
Effect of settlement	Only with the effect of the general settlement in a civil	The mediation agreement will have the same binding effect as

	<p>action, if either party rejects to comply with the requirement, it is impossible to conduct the compulsory execution.</p>	<p>a court's judgment upon the court's authorization. If either party rejects to comply with the requirement, <b>“a petition for compulsory execution may be filed with the court on the ground of the mediation agreement”</b>.</p>
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**★The prescription of the right to exercise to initiate a civil action will not be interrupted by the time spent in our operating procedure for settlement of the dispute. If you still need to file a civil action, we suggest that you file the legal action with the court directly to avoid any delay in the case.**

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### **Tips**

Where your complaint against the dispute is not responded to by the trader properly within 15 days upon receipt of the official letter demanding that the trader should resolve the dispute properly (i.e., original to: the trader, cc: the Complainant) and you still wish to continue the complaint, please sign the Advice and then mail or fax it to us. Please call to make sure whether the Advice is received.

Tel.: Consumer protection hotline 1950 or 04-22289111\*23700 for mobile phone or city call

Fax: 04-22259509 Address: Wenxin Building 10F, No. 99, Sec. 3, Taiwan Blvd., Xitun Dist., Taichung City.

**★According to Article 43 of the Consumer Protection Act, traders shall handle the consumer's complaint within 15 days. If you are not responded to by the trader upon expiration of said-noted time limit, please return the Advice via mail or fax. We will schedule the mediation after verifying that no settlement is reached within 15 days upon receipt of the Advice.**

**I have understood said procedure. If the complaint is not responded to by the trader properly and the claim remains unchanged, I agree to apply for**

**mediation via phone and the Advice shall serve to be the application form for mediation.**

**Please sign here \_\_\_\_\_**