

Our Ref : FDRC/DC/
Date received: _____
(for official use only)

Complaint Form (DC-1)

Against a Mediator on the FDRC List of Mediators and/or an Arbitrator on the FDRC List of Arbitrators

Please read the guidance notes before filling in this form. Please fill in this form in black or dark blue ink. Please put a "✓" in the where appropriate.

Section 1 – Complainant's Particulars

1.1 Title Mr Mrs Ms Miss

1.2 Name

1.3 Address

1.4 Contact Number

1.5 Name of the
Company
(if applicable)

1.6 Name of the
Representative of
the Company
(if applicable)

1.7 Company's
Address
(if applicable)

1.8 Company's
Contact Number
(if applicable)

Section 2 – Details of the Mediator/ Arbitrator you are complaining against

2.1 Name of the Mediator/ Arbitrator

2.2 Date of Mediation/ Notice to Arbitrate
(Submission of Mediation Certificate / Notice To Arbitrate as documentary proof)

2.3 Time or period of the event

2.4 Parties Involved

Section 3 – Details of the Complaint

3.1 Does this complaint involve any on-going court proceedings? Yes No

3.2 Have you raised this complaint with other organisations or authorities (e.g. the Hong Kong Police Force, the ICAC, the Equal Opportunities Commission, the Privacy Commissioner for Personal Data, etc.)? Yes No

If yes, name of the organisation(s) or authorities:

Please tell us the progress or result of the complaint:

3.3 When did the event that gave rise to your complaint take place?

If there has been a lapse of time exceeding one year in making this complaint, please state why:

3.4 Please set out your complaint:

If this form does not have enough space for you to give details of your complaint, please write on extra sheets of paper.

3.5 Are you enclosing extra sheets of paper? Yes No
Number of
extra sheets
attached
___pages

3.6 Have you enclosed any copies of other documents? Yes No
(Please do not send original documents)

If yes, please list the documents you have enclosed:

(If this space is not enough for you to give details of your complaint, please write on extra sheet of paper)

3.7 Please give us the names and addresses of any other people whom you believe may be able and willing to help us to investigate the complaint.

3.8 Have you written to us about this matter before? Yes No

If yes, please give the date of the letter:

3.9 Have you complained to us about any other matter before? Yes No

If yes, please give the date of the complaint:

Section 4 – Your Agreement

- 4.1 I/We would like the Disciplinary Committee of the Financial Dispute Resolution Centre (“FDRC”) to look into the complaint. I/We confirm that I/we have read the guidance notes to this form before filling in this form.
- 4.2 I/We understand that the FDRC will send a copy of this form together with any other information provided by me/us in relation to the Mediator/Arbitrator that I/we am/are complaining against, the FDRC Disciplinary Committee, the FDRC Disciplinary Tribunal, the prosecutor in relation to the complaint, any person appointed by the FDRC to conduct investigation, a mediator or potential mediators whom FDRC may approach for resolving any dispute in connection with the complaint, court, relevant government departments, related authorities and organisations and/or agencies which are authorised to receive information relating to law enforcement, prosecution or review of the FDRC Disciplinary Committee’s decision.
- 4.3 I/We agree that the FDRC and its Disciplinary Committee has the ultimate discretion to conduct or NOT to conduct investigation into my complaint; and the decision of the FDRC and its Disciplinary Committee is final.
- 4.4 I/We agree that I/we will provide any further relevant information within my/our power necessary for the FDRC Disciplinary Committee’s disciplinary process in respect of this complaint.
- 4.5 I/We agree that I/we will assist the FDRC Disciplinary Committee by acting as a witness in the event that the FDRC Disciplinary Committee commences disciplinary proceedings against the Mediator/Arbitrator.
- 4.6 I/We agree that the FDRC, its Disciplinary Committee and its Disciplinary Tribunal have no obligation to give reasons for any decision it makes in respect of a complaint against the Mediator/Arbitrator.
- 4.7 I/We acknowledge and agree that the personal data given in this form may be used by the FDRC for purposes relating to the performance of its disciplinary function and may be transferred to the Mediator/Arbitrator whom I/we are complaining against, the FDRC Disciplinary Committee, the FDRC Disciplinary Tribunal, the prosecutor in relation to the complaint, any person appointed by the FDRC to conduct investigation, a mediator or potential mediators whom FDRC may approach for resolving any dispute in connection with the complaint, court, relevant government departments, related authorities and organisation and/or agencies which are authorised to receive information relating to law enforcement, prosecution or review of the FDRC Disciplinary Committee’s decision.

- 4.8 The provision of the personal data in this form is voluntary. The personal data provided in this form will be kept by the FDRC in accordance with the Personal Data (Privacy) Ordinance (Cap. 486) after the FDRC has dealt with the complaint.
- 4.9 I/We understand that I/we have a right of access including the right to obtain a copy of my/our personal data and to have any mistakes with respect to personal data corrected under the Personal Data (Privacy) Ordinance (Cap. 486).
- 4.10 I/We declare that the information included and attached to this complaint form is true and accurate.

(When you have read this form, please sign below, date it and send to the Disciplinary Committee of FDRC.)

Your signature

Then send to:

The Disciplinary Committee
of FDRC
Room 408-409, 4/F, West Wing,
Justice Place, 11 Ice House Street,
Central, Hong Kong

Date

Enquiries concerning personal data collected by this form should be addressed to:

Data Protection Officer
The FDRC
Room 408-409, 4/F, West Wing,
Justice Place, 11 Ice House Street,
Central, Hong Kong

(Acknowledgement: DC-1 is formulated with reference to the similar note from the Law Society of Hong Kong (“LSHK”). The LSHK has consented to the FDRC adopting DC-1 for its own complaint handling procedures. The LSHK gives no warranty representation or assurance that DC-1 is suitable for use or adoption by the FDRC for the above purpose.)