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## STATUTORY INSTRUMENTS

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# 2011 No. 1133

## The Cross-Border Mediation (EU Directive) Regulations 2011

### PART 4

#### Extension of Time Limits in View of Mediation in Certain Cross-border Disputes - Amendments to Secondary Legislation

##### **Amendments to the Land Registration Rules 2003**

73. After paragraph 12, insert—

##### **“Extension of time limits because of mediation in certain cross-border disputes**

13.—(1) In this paragraph—

- (a) “Mediation Directive” means Directive [2008/52/EC](#) of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters;
- (b) “mediation” has the meaning given by article 3(a) of the Mediation Directive;
- (c) “mediator” has the meaning given by article 3(b) of the Mediation Directive; and
- (d) “relevant dispute” means a dispute to which article 8(1) of the Mediation Directive applies (certain cross-border disputes).

(2) Sub-paragraph (3) applies where—

- (a) a period of time is prescribed by paragraphs 1(1) or 6(1) in relation to the whole or part of a relevant dispute;
- (b) a mediation in relation to the relevant dispute starts before the period expires; and
- (c) if not extended by this paragraph, the period would expire before the mediation ends or less than eight weeks after the mediation ends.

(3) The period expires instead at the end of eight weeks after the mediation ends (subject to sub-paragraph (4)).

(4) If a period mentioned in sub-paragraph (2)(a) has been extended by this paragraph, sub-paragraphs (2) and (3) apply to the extended period as they apply to a period mentioned in sub-paragraph (2)(a).

(5) Where more than one period applies in relation to a relevant dispute, the extension by sub-paragraph (3) of one of those periods does not affect the others.

(6) For the purposes of this paragraph, a mediation starts on the date of the agreement to mediate that is entered into by the parties and the mediator.

(7) For the purposes of this paragraph, a mediation ends on date of the first of these to occur—

- (a) the parties reach an agreement in resolution of the relevant dispute;

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**Status:** Point in time view as at 20/05/2011. This version of this provision has been superseded.  
**Changes to legislation:** There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) Regulations 2011, Section 73. (See end of Document for details)

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- (b) a party completes the notification of the other parties that it has withdrawn from the mediation;
- (c) a party to whom a qualifying request is made fails to give a response reaching the other parties within 14 days of the request;
- (d) the parties, after being notified that the mediator’s appointment has ended (by death, resignation or otherwise), fail to agree within 14 days to seek to appoint a replacement mediator; or
- (e) the mediation otherwise comes to an end pursuant to the terms of the agreement to mediate.

(8) For the purpose of sub-paragraph (7), a qualifying request is a request by a party that another (A) confirm to all parties that A is continuing with the mediation.

(9) In the case of any relevant dispute, references in this paragraph to a mediation are references to the mediation so far as it relates to that dispute, and references to a party are to be read accordingly.”.

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**Commencement Information**

**II** [Reg. 73](#) in force at 20.5.2011, see [reg. 2](#)

**Status:**

Point in time view as at 20/05/2011. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cross-Border Mediation (EU Directive) Regulations 2011, Section 73.