

SKILLS AND WORKFORCE DEVELOPMENT AGENCY (SWDA)
TERMS OF REFERENCE FOR DISPUTE RESOLUTION CENTRES

[as provided in the Private Education (Dispute Resolution Schemes) Regulations 2016]

REFERING MATTERS TO DISPUTE RESOLUTION CENTRES

1. To manage disputes relating to the provision of private education services when a case is referred in writing by SWDA:
 - 1.1 Subject to the dispute not requiring for resolution of offences that are criminal in nature and so covered under the Penal Code and/or any such Acts or provisions dealing with criminal matters, nor where conclusive decisions or finality have already been achieved in the review or dispute resolution mechanisms provided for or achieved in the Small Claims Tribunal (unless the parties otherwise agree); and
 - 1.2 In accordance with the established mediation or arbitration rules, in so far as they do not differ from the specifications of the Private Education (Dispute Resolution Schemes) Regulations 2016 (hereinafter “the Scheme”) as defined in the Memorandum of Understanding first entered on 22 April 2010 and amended on 7 March 2025.
2. To refer a dispute for arbitration if the parties involved fail to reach a settlement at the mediation stage
3. To adopt the procedure in accordance with the respective dispute resolution centres’ rules.
4. To charge each party the fees amount as specified in the Scheme. A dispute resolution centre may review the fees once every two years in consultation with SWDA. Any change in fees is subject to SWDA’s approval.

REPORTING AND NOTIFICATION UPON RESOLUTION

5. To inform SWDA of the outcome of the mediation or arbitration in writing upon request.