

## NMAS to AMDRAS Transition Rules

1. Nature and purpose of Transition Rules
  - a. These are Rules made by the Mediator Standards Board pursuant to sub-clauses 18.1(a), (b) and (f) of the MSB Constitution to further the objects of Mediator Standards Board Limited set out in clause 3 of the Constitution.
  - b. These Rules may be referred to as the *NMAS to AMDRAS Transition Rules*.
  - c. These Rules provide for the transitional arrangements for the replacement of the National Mediator Accreditation System (NMAS) by the Australian Mediator and Dispute Resolution Accreditation Standards (AMDRAS).
  
2. Terms

In these Rules, the following terms carry the following meanings:

<b>AMDRAS</b>	The Australian Mediator and Dispute Resolution Accreditation Standards.
<b>NMAS</b>	The National Mediator Accreditation System.
<b>The Board</b>	Currently the Mediator Standards Board.
<b>AMDRAS Member</b>	A person or body recognised by the Board as AMDRAS Members.
<b>Operative Date</b>	1 July 2024.
<b>Transition Period</b>	Commencing at 12:01am on the Operative Date and concluding at midnight on 30 June 2025.
<b>Transition Date</b>	1 July 2025.
<b>National Register</b>	The National Register of Dispute Resolution Practitioners.
<b>Recognised Provider</b>	A person or body authorised that is a Recognised Accreditation Provider and/or Recognised Training Provider.
<b>Recognised Accreditation Provider</b>	A person or body authorised to grant accreditation under AMDRAS.
<b>Recognised Training Provider</b>	A person or body authorised under AMDRAS to provide training and other AMDRAS-related training under AMDRAS.
<b>Registered Practitioner</b>	A practitioner accredited under AMDRAS and listed on the National Register.
<b>AMDRAS Accreditation</b>	Accreditation granted pursuant to Parts 4 and 6 of AMDRAS.
<b>AMDRAS Training</b>	Training delivered pursuant to Parts 4 and 6 of AMDRAS.
<b>NMAS RMAB</b>	Mediator Accreditation Bodies recognised under Part IV of NMAS.
<b>NMAS Accredited Mediator</b>	A practitioner registered as a Nationally Accredited Mediator under Part V of NMAS.
<b>NMAS Training</b>	Training delivered and completed pursuant to the NMAS Approval Standards.
<b>NMAS Accreditation</b>	Accreditation granted pursuant to the NMAS Approval Standards.

<b>NMAS Training Organisation</b>	An organisation that provides training that meets the training requirement contained in Section 2.4 of the NMAS Approval Standards to at least 25 participants per year.
<b>MSB Member</b>	A person or body recognised as a member of the MSB under Part VI of NMAS.  Note. This includes all NMAS RMAB's and NMAS Training Organisations.

3. Effective from the Operative Date:

- a. AMDRAS will replace NMAS.
- b. All MSB Members will become AMDRAS Members.
- c. All NMAS RMAB's will become Recognised Accreditation Providers:
  - i. until the Transition Date; and
  - ii. without having to meet the requirements prescribed by Part 6 of AMDRAS.
- d. All NMAS Training Organisations will become Recognised Training Providers:
  - i. until the Transition Date; and
  - ii. without having to meet the requirements prescribed by Part 6 of AMDRAS.
- e. All NMAS Accredited Mediators will become and may remain Registered Practitioners:
  - i. without having to meet the requirements prescribed by Part 4 of AMDRAS; and
  - ii. until the later of 31 December 2025 or the expiration of their current NMAS Accreditation by which time they must have renewed their accreditation pursuant to Part 4 of AMDRAS.
- f. Persons that have successfully completed NMAS Training and NMAS Accreditation Assessment will be entitled to apply to become a Registered Practitioner:
  - i. within 6 months of successfully completing their NMAS Accreditation Assessment; and
  - ii. pursuant to NMAS or AMDRAS.
- g. Persons that have successfully completed NMAS Training will be entitled to complete NMAS or AMDRAS Accreditation Assessment within 6 months of successfully completing their NMAS Training.

4. During the Transition Period:

- a. NMAS RMABs (now Recognised Accreditation Providers):
  - i. will remain entitled to grant NMAS Accreditation; and
  - ii. may become entitled to grant AMDRAS Accreditation.
- b. NMAS Training Organisations (now Recognised Training Providers):
  - i. will remain entitled to deliver NMAS Training; and
  - ii. may become entitled to deliver AMDRAS Training.
- c. All other MSB Members (now AMDRAS Members) will remain AMDRAS Members subject to maintaining the structure and standards against which the MSB approved their MSB membership.

- d. Non-MSB Members may apply to become AMDRAS Members and/or Recognised Providers.
  - e. Registered Practitioners may become accredited and reaccredited pursuant to NMAS or AMDRAS.
  - f. Registered Practitioners that qualify for accreditation as an Advanced Mediator may be entitled to apply to become an Advanced Mediator within the meaning and operation of Part 4 of AMDRAS.
  - g. Registered Practitioners that qualify for accreditation as a Leading Mediator may be entitled to apply to become a Leading Mediator within the meaning and operation of Part 4 of AMDRAS.
  - h. Registered Practitioners that qualify for accreditation as a Specialist Practitioner may be entitled to apply to become a Specialist Practitioner within the meaning and operation of Part 4 of AMDRAS.
  - i. All NMAS RMABs (now Recognised Accreditation Providers) that do not intend to remain Recognised Accreditation Providers from the Transition Date must notify all Registered Practitioners accredited or recognised by them of this decision both in writing and by no later than 31 March 2025.
5. Effective from the Transition Date:
- a. To remain a Recognised Provider, Recognised Providers must comply and continue to comply with Part 6 of AMDRAS.
  - b. To remain a Recognised Training Provider, Recognised Providers must comply and continue to comply with Part 6 of AMDRAS.
  - c. To remain a Recognised Accreditation Provider, Recognised Providers must comply and continue to comply with Part 6 of AMDRAS.
  - d. To remain a Registered Practitioner, Registered Practitioners must comply and continue to comply with AMDRAS and these Rules.
  - e. All Recognised Training Providers that do not comply with AMDRAS must notify all Registered Practitioners accredited or recognised by them of this fact both in writing and by no later than 31 July 2025.
6. At all times:
- a. Only those Registered Practitioners that have become accredited or reaccredited pursuant to AMDRAS will be entitled to use post-nominals specified by the Board pursuant to Part 4 of AMDRAS.
  - b. the Board may exercise its discretion to waive compliance with any transitional Rule:
    - i. in whole or in part;
    - ii. with or without conditions;
    - iii. upon receipt of an application from an AMDRAS Member; and/or
    - iv. on its own initiative.