

RULE 37

ALTERNATIVE DISPUTE RESOLUTION

- 37.1 Each Dealer Member shall participate in or become a member of an arbitration programme or organization approved by the Board of Directors which provides for the mandatory submission to binding arbitration by the Dealer Member of any dispute, claim or controversy between a Dealer Member and a client on request by the client. The Dealer Member shall comply with and be bound by the rules, procedures, decisions and orders of or made under such approved programme or organization.

Neither the participation nor membership of a Dealer Member in any such programme or organization nor any decision or order made thereunder in respect of a Dealer Member shall affect the jurisdiction of the Corporation or any of the Board, a District Council, committee or member, representative or employee of any of them, from exercising any authority under the By-laws, [Rules](#), Rulings, or Forms of the Corporation or a District Council.

The Board of Directors may approve one or more arbitration programmes or organizations for Dealer Members, or any class of Dealer Members, and on such terms and conditions as it may in its sole discretion determine.

- 37.2 Each Dealer Member shall participate in an ombudsperson service approved by the Board of Directors. On the client's request, any dispute, claim or controversy between a Dealer Member and a client shall be submitted to the ombudsperson service. The determination of eligibility of any dispute, claim or controversy shall be made by the ombudsperson service according to criteria defined in the service's terms of reference. The Dealer Member shall comply with and be bound by the rules, procedures and standards of the ombudsperson service. The ombudsperson's recommendations are non-binding on each participant in the service.

Neither the participation of a Dealer Member in the ombudsperson service nor any recommendations made by the ombudsperson service in respect of the Dealer Member shall affect the jurisdiction of the Corporation or any of the Board, a District Council, committee or member, representative or employee of any of them, from exercising any authority under the By-laws, [Rules](#), Rulings, or Forms of the Corporation or a District Council.

- 37.3 Repealed.

- 37.4 A Dealer Member or any person approved by, or under the jurisdiction of, the Corporation, that is requested by the ombudsperson service to provide information in connection with an investigation shall submit the requested information, books, records, reports, filings and papers to the service in such manner and form, including electronically, as may be prescribed by such service.

No information, answer or statement made in connection with an investigation or the review of a complaint by the ombudsperson shall be provided to the Corporation by the ombudsperson, except for an investigation under Rule 19 or a hearing pursuant to Rule 20 into an allegation that the Dealer Member, with intent to mislead the ombudsperson provided information, documentation, answers or statements knowing them to be false; or failed to provide any information as required by Rule 37.