



The Institute of Arbitrators Australia

(Incorporated in the Australian Capital Territory)

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10 September 1996

Mr Alan Smith
Cape Bridgewater Holiday Camp
PORTLAND
VIC 3305

Dear Mr Smith,

I acknowledge and reply to your letter dated 21st August received by fax. I am disturbed that you feel aggrieved following the arbitration proceedings between yourself and Telstra.

I note that you have referred the matter to the Telecommunications Industry Ombudsman and that you have also obtained advice from Law Partners, Barristers and Solicitors of Melbourne. I see that they have expressed a view on the basis of your discussions with them that it may be possible that the arbitrator's decision may be set aside. No doubt they can advise you on how best that may be achieved and what other avenue of appeal may be open to you under the relevant legislation..

This Institute is a learned society whose principal function is the training, examination and grading of arbitrators. It will also nominate suitable arbitrators from its lists of graded, practising arbitrators if requested to do by the parties. It selects nominees of appropriate technical expertise and grading (i.e. experience) from its published lists.

I am advised by our Chief Administrative Officer that no reference was made to us in the appointment of the arbitrator in the matter in which you are involved and there is always a risk in these circumstances.

I much regret that it appears that we are powerless to assist you.

Yours faithfully,

J.I. Muirhead.
President.