

4TH NATIONAL LAW UNIVERSITY ODISHA
INTERNATIONAL MARITIME
ARBITRATION MOOT



31 March – 2 April, 2017

RULES & REGULATIONS



1. DEFINITIONS

1.1 ‘Advanced Round’ means the Final Round, Semi-Final Round, Quarter-Final Round, of the Competition.

1.2 ‘Claimant’ means the side that argues on behalf of the Claimant.

1.3 ‘Competition’ means the 4th National Law University Odisha Maritime Law Moot Court Competition, 2017.

1.4 ‘The Moot Society’ or ‘TMS’ means the Moot Society of National Law University Odisha and the members therein, formed for the purposes of regulating and conducting moot activities in the University.

1.5 ‘Memorial’ means the written submissions of each team, submitted according to these Rules.

1.6 ‘Moot Proposition’ means the Proposition of the Competition as released by The Moot Society.

1.7 ‘Respondent’ means the side that argues on behalf of the Respondent.

2. INTERPRETATION

The interpretation placed upon these Rules by the TMS shall be conclusive. The decision of the TMS regarding the application of these Rules shall be final and binding on all the participating teams of the Competition.

3. PARTICIPATION AND ELIGIBILITY

3.1 All law schools, faculties of law and other institutions offering a law-related degree program are eligible to participate in the Competition. Each participating institution may send only one Team to the Competition. All participants must be students of the LL.B. (or equivalent) program. Students pursuing their Master’s degree in law or any post- graduation degree in law are not eligible to participate in the Competition.

3.2 Team members must be *bona fide* students of the institution they are representing.

3.3 A Team can have a minimum of two members and a maximum of three members.

3.4 All members of the team are eligible to put forth oral arguments in the Competition.

3.5 Once registered, a Team will not be permitted to vary the composition of the team in any manner. Changes, if any, may only be made with the prior approval of the TMS (at their discretion), if due reason is shown for the same.

3.6 The TMS may impose a cap on the number of participating teams. The TMS also reserves the right to debar any team from participating.

4. REGISTRATION

The online registration has to be completed by **March 1st, 2017.**

Details for payment of registration fess shall be communicated to teams after their registration.

5. CLARIFICATIONS TO THE PROBLEM

All requests for clarifications to the Moot Proposition must be e-mailed to imam@nluo.ac.in, by **February 20th, 2017.**

No requests for clarification shall be made directly to the drafters of the problem for the Competition. Any attempt made to approach the drafters of the problem, for any reason whatsoever, shall lead to immediate disqualification.

6. ANONYMITY OF TEAMS

Teams shall not reveal their University or names of the participants anywhere in the Memorial or in the course of the Oral arguments including any logo, pins etc. In the Memorials and during the course of the oral arguments, only the Team Number that will be allotted to each team after registration must identify a Team. *Non-compliance of this Rule will entail penalties which may extend to disqualification of the participating team.*

7. MEMORIALS

7.1 Each participating Team must prepare one Memorial for the Claimant and one Memorial for the Respondent.

7.2 The Memorial must be in English, and must be printed on A4 size sheets, in black ink. *Non-compliance will result in a penalty of 2 marks.*

7.3 The Memorial must maintain an equal margin of 1 inch on all sides. *Non-compliance will result in a penalty of 1 mark per page.*

7.4 The text font should be Times New Roman, size 12 and must be in 1.5 line spacing. *Non-compliance will result in a penalty of 1 mark per page.*

7.5 The footnotes must be in font Times New Roman, size 10 and singly spaced. The Bluebook: A Uniform System of Citation (20th Edition) should be followed in the memorial throughout. *Non-compliance will result in a penalty of 1 mark per page.*

7.6 The font used for the header/footer, if any, shall be Times New Roman, size 12, 1.5 spacing. *Non-compliance will result in a penalty of 1 mark per page.*

7.7 The Memorial must contain all of the following sections:

- a) Cover page;
- b) Table of Contents;
- c) Table of Abbreviations;
- d) Index of Authorities;
- e) Statement of Jurisdiction;
- f) Statement of Facts;
- g) Issues Raised;
- h) Summary of Arguments;
- i) Arguments Advanced/ Pleadings;
- j) Prayer.

Non-compliance with respect to sections (a) to (h) and (j) will result in a penalty of 2 marks for each missing section. Non-compliance with respect to section (i) will result in the Memorial not being considered for evaluation at all.

7.8 The Cover Page of the Memorial for the Claimant must be Blue and the Respondent must be Red. *Non-compliance will result in a penalty of 2 marks for each violation.*

The Cover Page of each memorial must contain the following information:

- a) The Team Registration code in the upper right-hand corner, followed by an “A” for the Memorial for the Claimant, and an “R” for the Memorial for the Respondent.

For example, Team 555 would put the code “555A” in the upper right-hand corner of its Claimant Memorial;

b) The name of the forum before which the proceedings are being conducted;

c) The year of the Competition;

d) The name of the case;

e) The Title of the Memorial (either “Memorial for Claimant” or “Memorial for Respondent”).

Non-compliance will result in a penalty of 2 marks for each deviation.

7.9 The Index of Authorities must list all the authorities cited in the Memorial. The Index must indicate the page number(s) and/or the paragraph number(s) of the Memorial in which the authority is cited.

7.10 The Statement of Facts must contain a concise statement of the relevant facts of the dispute. As far as may be, the Statement of Facts should be limited to the stipulated facts and legitimate inferences which can be drawn from those facts. Statement of Facts shall not exceed 2 pages. *Non-compliance will result in a penalty of 2 marks for each exceeded page.*

7.11 The Summary of Pleadings should contain a summary of the substance of the arguments, and should not merely be a reproduction of the various headings and sub-headings of arguments. The Summary of Pleadings should not exceed 2 pages. *Non-compliance will result in a penalty of 2 marks for each exceeded page.*

7.12 All legal arguments must be limited to the Pleadings/Arguments Advanced section of the Memorial. *Non-compliance will result in a penalty of 4 marks.*

7.13 The Pleadings/Arguments Advanced and Prayer must not exceed 25 pages. *Non-compliance will result in a penalty of 2 marks per exceeded page.*

7.14 Substantive/Speaking footnotes are strictly prohibited. *Non-compliance will result in a penalty of 2 marks per substantive citation.*

7.15 The memorials must be e-mailed in MS Word format **and** PDF format to imam@nluo.ac.in. *Non-compliance will result in a penalty of 2 marks.*

7.16 LATE SUBMISSIONS:

The soft-copy of the memorials must be submitted by **23:59 hrs on March 18th, 2017**. *Non-compliance with the aforesaid will result in a penalty of 5 marks per day.*

No memorials will be accepted after March 20th, 2015.

7.17 Teams are required to submit 5 (five) hard copies of the memorial for each side during the registration on **March 31st, 2017**. *Non-compliance will result in a penalty of 5 marks per copy not submitted.*

8. ORAL ARGUMENTS

8.1 Each Preliminary Round shall, subject to the discretion of the Judges, consist of sixty (60) minutes of argument, which shall be presented in English. The Claimant and the Respondent shall be allotted thirty (30) minutes each, subject to the discretion of the Judges. **Only two members from each Team shall make oral presentations in each round.**

8.2 Each team may allocate its thirty (30) minutes between the two speakers and the rebuttal/sur-rebuttal at their own discretion. Each Speaker must be allocated a minimum of ten minutes (10), not including the time for rebuttal/sur-rebuttal.

8.3 In the Advanced Rounds, the total time permitted to each team for presenting arguments may be extended to forty-five (45) minutes at the discretion of the judges, with corresponding changes in the minimum time prescribed for each speaker. Each Speaker must be allocated a minimum of eighteen minutes (18), not including the time for rebuttal/sur-rebuttal.

8.4 Each Preliminary Round shall be judged by a bench of three judges. The Advanced Rounds may be judged by a bench of three or more judges.

8.5 The Dress Code for Oral Rounds shall be western formals.

9. COMPETITION FORMAT & PROCEDURE

9.1 The Competition shall consist of Preliminary Rounds and Advanced Rounds.

(a) Each team shall argue in 2 Preliminary Rounds – once as Claimant and once as Respondent. The fixtures for the Preliminary Rounds shall be decided by draw of lots. In case, a team does not appear for 10 minutes after the scheduled commencement of round, the other team shall make ex-parte submissions.

(b) The Advanced Rounds shall, under normal circumstances, consist of three knock-out rounds – the Quarter-Finals, Semi-Finals and the Final. In case, a team does not appear for 10 minutes after the scheduled commencement of round, the other team shall proceed to the next round.

9.2 The scoring and tabulation for the competition shall be based on a Round Points system. The team with the higher number of Round Points wins the round.

9.3 Each preliminary round will be decided on a scale of 6 Round Points, with 3 Round Points allocated to the oral rounds, and 3 Round Points allocated to the memorial scores.

a) Memorials of each team will be marked by 3 judges with each judge giving a score out of 100. Therefore each team's memorial will have 3 scores: a highest score, a middle score and a lowest score.

(b) In each round, the highest score of the Claimant's Memorial will be compared with the highest score of the Respondent's Memorial; the middle score of the Claimant's Memorial will be compared with the middle score of the Respondent's Memorial and the lowest score of the Claimant's Memorial will be compared with the lowest score of the Respondent's Memorial. If scores being compared are the same, then each team will be awarded 0.5 points for each comparison.

(c) For scoring higher in each of the above comparisons made, a team will get 1 Round Point. Therefore, in a round between Team 1 and Team 5, if Team 1 scores more than Team 5 in all the three comparisons, then Team 1 gets 3 Round points with Team 5 getting zero Round points. If Team 1 scores higher than Team 5 only in two comparisons then Team 1 gets 2 Round Points and Team 5 gets 1 Round Point. Therefore, a total of 3 Round Points can be won for the Memorials in each round.

(d) In the Oral Pleadings each of the 3 judges' scores out of 200 for the two teams will be compared. If Judge 1 in a round between Team 10 and Team 20 gives a higher number of points to Team 10 – then Team 10 will get 1 Round Point. A similar comparison will be carried out for Judges 2 and 3. Therefore, a total of 3 Round Points can be won in the Oral Pleadings in each round.

9.4 For the purpose of the advanced rounds, the memorial points will not be taken into consideration. Each Advanced Round will be judged by three (3) Orals Judges, each of whom

shall award a maximum of 2 Round Points. The team with the higher total marks on a particular Judge's score-sheet will be the winner on that Judge's score-sheet. The winning team on a particular judge's score sheet shall be awarded 2 Round Points for that judge. In case of a tie between the two Teams, each team shall be awarded 1 Round Point for the concerned Judge. Thus, every Advanced Round will have 6 Round Points allotted to the orals.

9.5 The round winner will be determined on the basis of the Total Round Points (out of 12 points). The top eight (8) ranking teams after considering the Preliminary Rounds will qualify for the Advanced Rounds. Teams shall be ranked according to the following criteria:

- a) First, on the basis of Total Round Points scored in the Preliminary Rounds;
- b) Two or more teams tied on the Total Round Points shall be separated on the basis of the win-loss record in the Preliminary Rounds;
- c) If the round points and win-loss record is identical, the cumulative scores awarded for the oral rounds shall be used to break the tie.
- d) If the teams have the same cumulative points, the same number of wins, and also the same cumulative oral rounds marks, then the team with the higher net memorial score, i.e., the score of the memorials after deducting penalties, shall be ranked higher.

10. AWARDS

The winner of the Final Round will be declared the "Winning Team", while the losing finalists will be declared the "Runners-Up". The Team with the highest total memorial score will be awarded the "Best Memorial" award. The "Best Oralist" award shall be determined on the basis of the cumulative points secured by a speaker in the Preliminary Rounds. To be eligible for the "Best Oralist Award", a speaker must have argued in both the Preliminary Rounds.

The Winning team shall be awarded a trophy and cash prize of Rs. 25,000/-, Runners-up shall be awarded a trophy and cash prize of Rs. 15,000/-, the Best Memorial shall be awarded trophy and cash prize of Rs. 6,000/- and the Best Oralist shall be awarded a trophy and cash prize of Rs. 5,000/-.

11. SCHEDULE

7 February, 2017	Release of the moot proposition
20 January, 2017	Commencement of registration
30 January, 2017	Last date for provisional registration
20 February, 2017	Last date for seeking clarifications to the moot proposition
1 March, 2017	Last date of registration
18 March, 2017	Last date for submission of soft copy of the memorials
31 March – 2 April, 2017	4 th International Maritime Arbitration Moot Court Competition, 2017

12. TRANSPORT AND ACCOMODATION

12.1 Teams shall have to make their own arrangements for transport from the point of arrival or departure to the Accommodation.

12.2 Teams shall be provided transport facilities to and from the Accommodation and the venue of the Competition on all dates of the Competition.

12.3 Accommodation for three members of the team shall be proved from 9 am, 31st March to 9 am 3rd April 2017. Teams requiring Accommodation outside the prescribed dates shall have to make their own arrangements.

13. MISCELLANEOUS

13.1 Teams, their members, or any person associated with a team, are not permitted to be present at, or hear, a round in which that team is not participating. This rule will not apply to those teams or persons whose teams have been eliminated from the competition, and who are desirous of attending any of the Advanced Rounds thereafter. Scouting in any form in contravention of this rule shall entail disqualification of the team.

13.2 No audio or videotaping of oral pleadings is permitted without the permission of the TMS. The TMS reserves all rights of audio and videotaping, or any other form of audio or visual reproduction, of any oral round or part thereof.

13.3 All Participants are expected to maintain decorum during the Competition and are expected to conduct themselves in a manner befitting the legal profession. The TMS reserves the right to take appropriate action for any unethical, unprofessional and immoral conduct.

13.4 The decision of the TMS as regards the interpretation of rules or any other matter related to the Competition, whether contemplated by the Rules or not, shall be final and binding.

13.5 The TMS reserves the right to vary, alter, modify, or repeal any of the above rules without any prior notification, if so required and as they may deem appropriate.

14. CONTACT

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