



**KIRIT P. MEHTA  
SCHOOL OF LAW**



SVKM'S KIRIT P. MEHTA SCHOOL OF LAW

5TH INTERNATIONAL

MOOT COURT COMPETITION

# **RULES & REGULATIONS**

## **TABLE OF CONTENTS**

|     |  |    |
|-----|--|----|
| 1.  | ADMINISTRATION .....                         | 2  |
| 2.  | GENERAL RULES .....                          | 2  |
| 3.  | ELIGIBILITY FOR PARTICIPATION .....          | 3  |
| 4.  | REGISTRATION .....                           | 3  |
| 5.  | ANONYMITY OF TEAMS .....                     | 5  |
| 6.  | CLARIFICATIONS TO THE MOOT PROPOSITION ..... | 5  |
| 7.  | ACCOMMODATION, FOOD AND TRANSPORTATION ..... | 5  |
| 8.  | OFFICIAL LANGUAGE.....                       | 6  |
| 9.  | WRITTEN SUBMISSION.....                      | 6  |
| 10. | ORAL ROUNDS .....                            | 9  |
| 11. | ORAL SUBMISSIONS .....                       | 10 |
| 12. | MEMORIAL EVALUATION.....                     | 11 |
| 13. | EXCHANGE OF MEMORIALS .....                  | 12 |
| 14. | EVALUATION OF ORAL SUBMISSIONS .....         | 12 |
| 15. | COMPENDIUM .....                             | 12 |
| 16. | SCOUTING .....                               | 13 |
| 17. | PENALTIES FOR VIOLATIONS .....               | 13 |
| 18. | MISCELLANEOUS .....                          | 14 |
| 19. | CONTACT DETAILS.....                         | 16 |

## **RULES OF THE COMPETITION**

### **1. ADMINISTRATION**

- 1.1. The International Moot Court Competition is presented by SVKM's NMIMS Kirit P. Mehta School of Law, Mumbai.
- 1.2. The problem for this competition is based on International Investment Arbitration. The problem has been drafted by **Ms Priyanka Shetty, Partner (Dispute Resolution) AZB & Partners**. *Teams are forbidden from making any communications with her directly or with the firm, disobedience of the same will lead to immediate disqualification.*
- 1.3. **The Competition is scheduled to be held from 11<sup>th</sup>August, 2023 – 13<sup>th</sup>August, 2023.**
- 1.4. The Organisers shall be responsible for all administrative matters concerning the competition and shall publish and disseminate all necessary information to the participating teams.
- 1.5. The official email id for all the correspondence is **mcc.sol@nmims.edu**.

### **2. GENERAL RULES**

Unless otherwise stated, following shall be construed herein under as:

- 2.1. **“Administrator”** shall mean SVKM's NMIMS Kirit P. Mehta School of Law, Mumbai.
- 2.2. **“Competition”** means SVKM's NMIMS Kirit P. Mehta School of Law's 5<sup>th</sup> International Moot Court Competition, 2023.
- 2.3. **“Indian Participating Teams”** shall constitute the Participating Teams of colleges that are within the Indian Territory.
- 2.4. **“International Participating Teams”** shall constitute the Participating Teams of the colleges that are not within the Indian Territory.
- 2.5. **“Organizers”** means the Moot Court Committee, SVKM's NMIMS Kirit P. Mehta School of Law, Mumbai.
- 2.6. **“Participating Team”** means the team which has registered itself for the competition as per the rules given below.

- 2.7. **“Participating College/University/Institution”** shall be presumed to be the parent institution of the Participating Team.
- 2.8. All the rules are only inclusive and not exhaustive for the competition.
- 2.9. All the rules should be strictly adhered to. Any deviation thereof would attract disqualification or other penalties mentioned subsequently.
- 2.10. All decisions by the Organizers in case of any disputes/doubts, etc. will be final. The Organizers may make such rules & procedures at any point of time, as they deem fit.
- 2.11. Imposition of penalties including disqualification rests solely with the Organizers in case of failure to comply with the rule(s) and deadline(s).

### 3. ELIGIBILITY FOR PARTICIPATION

- 3.1. All students enrolled bona fide in an undergraduate i.e., 3 years/ 5 years and post graduate law programme conducted by any college or university shall be eligible for participation in the competition.
- 3.2. Each College/University/Institution shall be allowed to register **only one team** in the competition.
- 3.3. The participating team shall comprise a **minimum of two and a maximum of three** members. In a team of two members, both the members shall be designated as Speakers. In a team of three members, two members shall be designated as Speakers and the third member of the team shall be designated as a Researcher.
- 3.4. No additional member or team coach is allowed to accompany the team.

### 4. REGISTRATION

- 4.1. The teams may provisionally register themselves by filling out the following Google Form, latest by **31<sup>st</sup> May, 2023 (23:59 IST)**.  
<https://forms.gle/tzBvUAMatKUK1ZkbA>
- 4.2. Teams are required to duly fill the final registration form provided on our official website: <https://www.nmismcc.com/>
- 4.3. Payment details shall be sent to the participants via email, after they fill the final registration form. Following payment, Teams shall email a proof of payment at **mcc.sol@nmims.edu**.

#### 4.4. Registration Fees

- Registration fees for **National Teams** charged per team:

|  | Accommodation Fees (INR) | Competition Fees (INR) | GST charged at 18% (INR) | <b>Total (INR)</b> |
|--|--------------------------|------------------------|--------------------------|--------------------|
| <b>Fee Scheme I:</b> With Accommodation and bus facility   | 11,500                   | 1,000                  | 2,250                    | <b>14,750</b>      |
| <b>Fee Scheme II:</b> Without Accommodation & bus facility | -                        | 2,500                  | 450                      | <b>2,950</b>       |

- Registration fees for **International Teams** charged per Team:

|  | <b>Total (USD)</b> |
|--|--------------------|
| <b>Fee Scheme I:</b> With Accommodation and bus facility     | <b>214</b>         |
| <b>Fee Scheme II:</b> Without Accommodation and bus facility | <b>43</b>          |

4.5. Participating Teams opting for Fee Scheme I will be provided with hotel accommodation from 12 pm on 10<sup>th</sup> August 2023, to 11 am on 13<sup>th</sup> August 2023. They shall be provided with breakfast and transportation to and from the hotel to the competition venue. Changes, if any, to the above scheme shall be intimated to the participants. Further details shall be provided in the due course.

4.6. Participants opting for Fee Scheme II shall arrange for their accommodation and transportation to the competition venue themselves. They shall make sure that they strictly adhere to their reporting time paying special heed to the traffic conditions of Mumbai.

4.7. **The Registration Fee is non-refundable.**

- 4.8. The teams must complete their final registration and payment latest by **11<sup>th</sup> June 2023 (23:59 IST)** as per the above procedure conveyed.
- 4.9. Any change in the composition of the team will not be entertained once the memorials have been submitted except in cases of medical emergencies or as per the discretion of the Organisers.

## 5. ANONYMITY OF TEAMS

- 5.1. All teams that have duly registered will be allotted a team code after the expiry of the last date for the registration.
- 5.2. No team shall reveal their identity except by means of their team code during the course of the competition.
- 5.3. The memorials or any other materials (compendium, etc.) to be submitted shall not contain any sign, logo, name etc. revealing the identity of the college/institution/university/team members.
- 5.4. Any violation with regards to anonymity shall be penalized in accordance with Rule 16.
- 5.5. The decision of the Organizers shall be final.

## 6. CLARIFICATIONS TO THE MOOT PROPOSITION

- 6.1. Participating Teams may request for clarifications to the official moot problem by sending an email to [mcc.sol@nmims.edu](mailto:mcc.sol@nmims.edu) on or before **17<sup>th</sup> June 2023 (23:59 IST)**.
- 6.2. Clarifications sent after the provided deadline shall not be entertained.
- 6.3. The clarifications, if any, will be released on the official website shortly thereafter.

## 7. ACCOMMODATION, FOOD AND TRANSPORTATION

- 7.1. Accommodation shall be provided to all teams by the Organizers, as will be further notified. Teams that intend to arrive prior to or leave after the specified period of accommodation are required to inform the Organizers in advance and shall have to bear the additional expenses for the longer stay.

7.2. Food on the days of the competition and transportation to and from the venue shall be provided to all the teams on the days of the competition.

7.3. Teams should send their travel plan, as and when asked by the Organizers, once the Payment Receipt has been submitted and the registration is completed.

## **8. OFFICIAL LANGUAGE**

8.1. The official language of the Competition shall be English. All Rounds including the memorials shall be in English.

## **9. WRITTEN SUBMISSION**

9.1. Each team is required to prepare Memorials (written submissions) for both the sides, i.e., the Claimant and the Respondent.

9.2. The memorials shall contain the following:

- Cover page
- Table of Contents
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts (not exceeding two pages)
- Statement of Issues
- Summary of Arguments(not exceeding two pages)
- Arguments Advanced (not exceeding twenty pages)
- Relief (not exceeding one page)

9.3. No memorial shall exceed the maximum limit of 40 pages including the Arguments Advanced which shall not exceed 20 pages.

9.4. The formatting requirements for the memorial shall be as follows:

- Typed on Standard A4 Size Paper.
- Font Type (including foot notes): Times New Roman
- Font Size: 12

- Spacing: 1.5
- Font Size for Footnotes: 10
- Spacing for Footnotes: 1.0
- Margin: 1-inch margin on each side of the A4 Size page
- The citations shall comply with either Bluebook method of citation (20th Edition) or OSCOLA: The Oxford University for Citation of Legal Authorities (4<sup>th</sup> Edition).
- The footnotes shall include only relevant citations and any other explanatory or illustrative footnotes supporting the arguments shall not be included.

9.5. Each Memorial shall have only the following on its cover page:

- The team code on the upper-right hand corner of the cover page
- The name and place of the forum
- The relevant legal provision under which it is filed
- Name of parties and their status
- On whose behalf the Memorial is filed

9.6. The Memorials shall be spiral bound.

9.7. The Memorials shall not contain any annexure, photographs, graphs, diagrams or any other representation of the like nature.

9.8. **Memorial Submission Deadline:**

9.8.1. The *soft copy* of memorial **in pdf format** shall be sent through e-mail on or before **20th July, 2023** to *mcc.sol@nmims.edu*.

9.8.2. **All participating national teams are required to submit 8 copies (4 each side) of the memorials to the Organizers when they arrive for the competition. Further details regarding the submission of physical copies will be shared in due course.** Non submission may incur penalty applicable as under Rule 16.

9.8.3. The hard copy submission of the memorial must be identical to the soft copy. Violation of this rule would entail disqualification from the competition.

9.8.4. The name of the file for the memorial shall be the allocated team number followed by the first letter of the side represented; an 'R' for the



Respondent and 'C' for Claimant. For example, the Respondent Memorial for Team 01 shall be named as follows: '**T01R**' and the Claimant Memorial for Team 01 shall be named '**T01C**'.

9.8.5. Memorials for both sides must be submitted in the same email. The subject line should indicate team code only. For example, the subject line for team 01 will read as follows: '**Team 01 Memorials**'. **No other information revealing the identity should be included in the email.**

9.8.6. Any submission made after the official date will be subject to penalty as per Rule 16.

## 10. ORAL ROUNDS

### 10.1. General rules:

The competition will be held over a period of 3 days, comprising of 4 rounds:

- Preliminary Rounds
- Quarter Final Round
- Semi Final Round
- Final Round

### 10.2. Preliminary Rounds

10.2.1. Each Team shall appear in **two** Preliminary Rounds. They shall have to argue as the Claimant and Respondent once each.

10.2.2. No two teams shall face each other more than once in the preliminary rounds.

10.2.3. Draw of lots shall determine which two teams would face each other, as well as the side that shall be represented by each team.

10.2.4. The top eight teams decided on the basis of the aggregate of oral scores of the two Preliminary Rounds, shall qualify for the Quarter Final Round.

10.2.5. In case two or more teams have the same aggregate score, their memorial scores shall be taken into consideration.

### 10.3. Quarter Final Round

10.3.1. The Quarter Final Round shall be a knock-out round.

10.3.2. The inverse pairing method based on the aggregate scores of the Preliminary Rounds, shall determine which two teams would face each other.

10.3.3. Draw of lots shall determine the side that shall be represented by each team in the knock out rounds.

10.3.4. In case of a tie, the team with the higher memorial score will stand qualified for the semi-final round.

### 10.4. Semi Final Rounds

10.4.1. The Semi Final Round shall be knock-out rounds and the determination of opponents for the four qualifying teams shall be based on their ranking in the Quarter Final Round.

10.4.2. The inverse pairing method based on the highest scores of the Quarter Final Round, shall determine which two teams would face each other, i.e., the highest-ranking team shall compete with the lowest-ranking team and same method shall be followed for the other teams.

10.4.3. Draw of lots shall determine the side that shall be represented by each team in the knock out rounds.

10.4.4. In case of a tie, the team with the higher memorial score will stand qualified for the final round.

#### 10.5. **Final Rounds**

10.5.1. The two teams qualifying from the Semi Final Round shall compete in the final round.

### 11. ORAL SUBMISSIONS

#### 11.1. **General Rules**

11.1.1. Team composition must be in accordance with Rule 3.3.

11.1.2. Right of the teams to present rebuttals and sur rebuttals is at the sole discretion of the bench.

11.1.3. For rebuttal and sur-rebuttal, only one speaker shall be allowed to present. The time reserved for rebuttal and sur rebuttal cannot be divided between the speakers. Rebuttal time shall not be reserved beyond 3 minutes.

11.1.4. The researcher shall sit with the speakers during the oral rounds and at no point of time shall the researcher be allowed to speak or address the bench.

11.1.5. The speakers can provide the copies of the compendium, only if the same is permitted by the panel of judges in their respective court rooms.

11.1.6. Use of any electronic device during the course of the proceedings shall not be allowed, violation of the same shall attract penalty as per Rule 16.

#### 11.2. **Preliminary Rounds**

11.2.1. Each team will get a total of 20 minutes to present their case. This time will include rebuttal and sur-rebuttal time. Exceeding the stipulated time may result in deduction of marks.

11.2.2. The division of time per speaker is left to the discretion of the team subject to a lower limit of 5 minute per speaker and upper limit of 15 minute per speaker.

### 11.3. **Quarter Final Round/Semi Final Rounds**

11.3.1. Each team shall get a total of 30 minutes in the Quarter Final Round and 45 minutes in the Semi-Final Round to present their case. This time will include rebuttal and sur-rebuttal time. Exceeding the stipulated time may result in deduction of marks.

11.3.2. The division of time per speaker is left to the discretion of the team subject to a lower limit of 10 minutes per speaker and upper limit of 20 minutes per speaker in the Quarter Final Round.

11.3.3. The division of time per speaker is left to the discretion of the team subject to a lower limit of 20 minutes per speaker and upper limit of 25 minutes per speaker in the Semi-Final Round.

### 11.4. **Final Round**

11.4.1. Each team will get a total of 60 minutes to present their case. This time will include rebuttal and sur-rebuttal time. Exceeding the stipulated time may result in deduction of marks.

11.4.2. The division of time per speaker is left to the discretion of the team subject to a lower limit of 25 minutes per speaker and upper limit of 35 minutes per speaker.

## 12. MEMORIAL EVALUATION

12.1. The memorials shall be evaluated on the following criteria:

| <b>Criteria</b>   | <b>Marks</b> |
|---|--------------|
| Application and appreciation of facts                       | 20           |
| Structuring and presentation of arguments                   | 20           |
| Application of legal principles, authorities and precedents | 20           |
| Ingenuity and logical reasoning                             | 20           |
| Lucidity and writing skills                                 | 10           |
| Footnoting and formatting                                   | 10           |

### 13. EXCHANGE OF MEMORIALS

- 13.1. There shall be an exchange of memorials between the respective opposing teams, in accordance with the fixtures as determined by seeding, prior to all the rounds of the Competition.
- 13.2. The participants are prohibited from making any marks on the exchanged Memorials.
- 13.3. The participants are prohibited from making any copies of the exchanged Memorials.
- 13.4. At the conclusion of their respective rounds, the participants are required to return the exchanged Memorials to the Organizers.

### 14. EVALUATION OF ORAL SUBMISSIONS

- 14.1. The oral rounds shall be judged on the following criteria:

| <b>Criteria</b>  | <b>Marks</b> |
|--|--------------|
| Knowledge of Law- Application of Legal Principles, Use of Authorities & Precedents | 30           |
| Application of Law to Facts  | 25           |
| Ingenuity and Ability to Answer Questions  | 25           |
| Style, Poise, Courtesy & Demeanour   | 10           |
| Time Management & Organization   | 10           |

- 14.2. The evaluation of the total marks for each speaker shall be the average marks awarded by each judge.

### 15. COMPENDIUM

- 15.1. Participants are required to submit their compendiums (if any) on August 11th, 2023 along with their Memorials. The Organisers will vet the same, ensure all marks revealing the name of the Institution are removed. These compendiums will be provided to the judges prior to each hearing only if the judges allow.

## 16. SCOUTING

16.1. Scouting shall be deemed to have happened if the speakers, researcher or any other person affiliated with a team is found:

15.1.1. Witnessing, hearing, observing, etc. the oral submissions in a Round, except where the Round is one in which the team to which he/she is affiliated is participating in; or

15.1.2. Reading a Memorial of a team except where: it is of the team to which he/she is affiliated; or the Memorials have been obtained on account of an exchange of Memorials prior to a Round of the team to which he/she is affiliated. The participants shall not be allowed to observe the oral rounds of another team. Scouting is strictly prohibited.

16.2. Scouting by any participant shall entail instant disqualification.

## 17. PENALTIES FOR VIOLATIONS

| SR.NO.                    | VIOLATIONS                               | PENALTY   |
|---------------------------|--|---|
| <b>Written Submission</b> |  |   |
| 1.                        | Disclosure of team identity by any means | 5 marks   |
| 2.                        | Exceeding the page limit                 | 1 mark per page   |
| 3.                        | Violation of formatting rules            | 0.25 Mark for each violation  |
| 4.                        | Delay in submission of memorial          | 2 marks for the first hour of delay, followed by 1 mark for every hour thereafter for the next 10 hours. No memorial shall be accepted after 48 hours of the deadline of memorial submission. |
| <b>Oral Rounds</b>        |  |   |

|    |  |                  |
|----|--|------------------|
| 5. | Use of any internet sources during the Oral Rounds | Disqualification |
| 6. | Scouting   | Disqualification |

## 18. MISCELLANEOUS

- 18.1. The time split between the speakers must be communicated to the Timekeeper prior to the commencement of each Round. Once so informed, these timings shall not be changed.
- 18.2. The participants shall not disclose, in any manner whatsoever, for the entire duration of the Rounds, either their own individual identities or the identity of the institution that they represent, even if asked by the judges.
- 18.3. The participants can pass on compendium of the sources they cite in their Memorials if permitted by the judges. The participants are required to inform the Room Manager about the same in advance.
- 18.4. Delay in appearance for a round exceeding **five** minutes will render **disqualification** of the team for that round. In such a case, their opponent shall make their oral submissions *ex parte*.
- 18.5. If any one of the members of a team is notified or informed of any detail or information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.
- 18.6. The dress code to be adhered to for the duration of the Competition is- Ladies: Black Western or Indian formals; Gentlemen: Black Western formals.
- 18.7. The Proposition neither intends nor attempts to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purpose of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
- 18.8. The Organizers reserve the right to alter the rules and regulations during the course of the competition which shall be promptly communicated to the participating teams.

- 18.9. The Organizers shall have the copyright in the Written Submissions. The Organizers shall not be responsible for any loss caused to any person or institution by virtue of any content in the written submissions.
- 18.10. The right of audio and video taping including any other form of such reproduction, or any part thereof, of the oral submissions in all rounds of the competition shall vest with the Organizers.
- 18.11. Any complaints with regard to any participating team or conduct of the competition shall be made to the Organizers in written form.
- 18.12. The Organizers reserve the right to interpret the Rules and Regulations of the competition and such interpretation shall be final and binding.
- 18.13. The Organizers shall have the discretion to decide with regard to any subject that has not been covered under the Rules and any such decision shall be final and binding.
- 18.14. All e-certificates shall be given to the participants within 1 month of the event and sent across on the registered email id of the participants.



## 19. CONTACT DETAILS

- **Official Email Id.:** [mcc.sol@nmims.edu](mailto:mcc.sol@nmims.edu)
- Amruta Gijare (Chairperson): +91 8408088776
- Anuj Bhartia (Vice Chairperson 1): +91 8486658415
- Anamika Biswas (Head of Department, Communications): +91 8319813678
- Govind Nair (Head of Department, Communications): +91 9323998236
- Kashvi Obhan (Head of Department, Communications): +91 7710056633