GD Goenka -CIArb(India) International Virtual Commercial Arbitration Moot Competition 2020 November 28-29, 2020









RULES AND REGULATIONS

Knowledge Partners



INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION* ASSOCIATION





MYLAWMAN

Media Partners







Table of (Contents
------------	----------

CHAPTER I
1. SHORT TITLE AND COMMENCEMENT:
2. DEFINITIONS:
3. INTERPRETATION:
CHAPTER II
1. ELIGIBILITY:
2. TEAM COMPOSITION:
3. REGISTRATION
CHAPTER III
1. MEMORIALS AND MEMORIAL ROUND:
2 SUBMISSION OF SOFTCOPIES:
3 ASSESSMENT OF MEMORIALS:
4. RIGHTS OVER MEMORIALS
5. COMPENDIUMS
CHAPTER IV
1. DRESS CODE:
2. STRUCTURE OF THE COMPETITION:
5. ASSESSMENT CRITERION FOR ORAL PLEADINGS:
6. PENALTIES:
6. PRIZES AND AWARDES:11
CHAPTER V12
1) MISCELLANEOUS PROVISIONS:
2. FOR FURTHER DETAILS CONTACT:

CHAPTER I

1. SHORT TITLE AND COMMENCEMENT:

These rules may be called "VACR, 2020"

1.1. They shall come in to force from the date of publication, on the official website of School of Law, GD Goenka University, Gurugram <u>http://www.gdgoenkamootcourt.com/</u>

1.2. The rules are reviewed annually and are subject to change. Reliance should be placed only on "VACR, 2020" and not on any previously applicable rules.

2. DEFINITIONS:

In these rules, unless otherwise stated, a reference to a rule is reference to that rule in "VACR, 2020" and reference to a form is a reference to that form attached in the "VACR, 2020" as the case may be. In these rules, unless the context otherwise requires:

2.1 "Bench" refers to the members duly invited by the institute, to adjudge any of the rounds, Virtually;

2.2 "Clarifications" means explanation published by the institute on the moot problem, at any point of time of the competition or a query posed by any competing team within the given deadline;

2.3 "Competition" means the GD Goenka- CIArb (India) International Virtual Arbitration Moot Competition, 2020.

2.4 "Governing Council" means the student-faculty-staff body appointed for the administration and smooth conduct of the competition, including all other members conferred with powers on ad-hoc basis by the "Ex-officio Chairperson' or Faculty In – charge" of the Moot Court Association of School of Law, GD Goenka University.

2.5 "Institution" means and includes "School of Law, GD Goenka University, Gurugram"

2.6 "Memorial Round" refers to the assessment of memorials, submitted by teams, on the predefined criterion, hereinafter mentioned in these rules;

2.7 "Moot Problem" means a set of facts published by the institution for competition;

2.8 "Oral Round" refers to the oral pleadings made by the teams virtually, either by submission of audio-visuals or video-conferencing before the bench as per the requirements of the rounds for assessment, including time given for rebuttal;

2.9 "Team Code" means a unique code assigned by the institution to the applied and registered team;

2.10 "Team" means and includes only bona fide representatives of any University, may that be state, central or International or any other department recognized/authorized to impart law degrees, and who have applied and registered for the competition by complying with the procedure prescribed in these present rules;

<u>3. INTERPRETATION:</u>

The Governing Council reserves the right to interpret the rules as it deems fit in order to ensure fairness and equality in the competition. Any such interpretation shall be conclusive and the decision of the Governing Council for the application of the rules shall be final and binding.

3.1 The Governing Council may also amend, modify, change or repeal any rule from the same shall be communicated "VACR, 2020" to the teams in due time. In case of any conflict, the decision of the Governing Council shall be final and binding.

CHAPTER II

<u>1. ELIGIBILITY:</u>

1.1 Students duly enrolled and pursuing full time 5 years or 3 years undergraduate law course from India or from a foreign university with law as major may apply to participate in GD Goenka- CIArb (India) International Virtual Arbitration Moot Competition, 2020.

1.1 Students enrolled and pursuing post-graduate diploma or short-term certificate courses in law is not eligible to apply.

2. TEAM COMPOSITION:

2.1 A team shall consist of maximum three members that must include two Speakers and one researcher.

2.2 Any team, intending to change the team composition of the team shall intimate the Governing Council by sending an e-mail at <u>arbitrationmoot@gdgoenka.ac.in</u>, the change will be allowed on discretion of the Governing Council.

2.3 Any person, other than three registered team members, is not eligible to join the videoconferencing or the audio-video recording of the oral rounds, and non-compliance is a ground for disqualification.

2.4 The Researcher may be permitted to argue as Speaker only in the time bracket of 7 minutes mentioned under Chapter V- Miscellaneous provision, only in case of any unforeseen event.

Prior permission of the organizers of competition in such case shall be mandatory. In case the team fails to inform the university, decision will be final.

3. REGISTRATION

3.1 GENERAL

3.1.1. Each team shall register to GD Goenka- CIArb (India) International Virtual Arbitration Moot Competition, 2020 by filing registration form, in the prescribed manner by 17th November, 2020.

3.1.2. On receipt of the duly filled registration form the institute shall respond to the participating team, acknowledging the receipt.

3.1.3. After the deadline for the registration expires, the Governing Council shall respond to each registered team, as specified under clause 3.1.1, with a unique team code, which shall be used to identify the teams during the competition.

3.2 REGISTRATION FEE:

3.2.1 The registration fee for the competition is Rs. 2000/-

3.2.2 The registration fee for the GD Goenka- CIArb (India) International Virtual Arbitration Moot Competition, 2020 is to be paid through NEFT transfer. No other payment method shall be accepted.

3.2.3 Any additional charges incurred by the team while making the wire transfer are to be borne by the team.

3.2.4 All teams must email a scanned copy of the receipt generated on completion of the NEFT transfer at <u>arbitrationmoot@gdgoenka.ac.in</u>

Name of Beneficiary: G.D. Goenka University

Name of the Bank: HDFC Bank

Address: Site No. 2, OCF Pocket, Sector C, Vasant Kunj, New Delhi-110070, India

S.B A/C No: 02731450000270

RTGS/IFS Code No: HDFC0000273

Fax No: 0124-3315936

MICR Code: 110240034

Email id: accountsgdgu@gdgoenka.ac.in

3.3 COMPLETION OF REGISTRATION PROCESS:

3.3.1 All teams shall send a soft copy of the registration form, along with the receipt generated after the completion of the wire transfer of the registration fees, at arbitrationmoot@gdgoenka.ac.in

3.3.2 Registration to GD Goenka- CIArb (India) International Virtual Arbitration Moot Competition, 2020 shall be deemed to be confirmed only on completion of all the formalities as specified under clause 3.3.1, any failure, may be treated as withdrawal from the competition and no claim of what so ever nature shall be entertained thereafter.

4 CLARIFICATIONS:

4.1. Clarifications can be sought on any part of the moot proposition by 17th November, 2020. These clarifications are to be send via e-mail at <u>arbitrationmoot@gdgoenka.ac.in</u>

4.2. It is at the discretion of the Governing Council to decide whether a clarification sought for is valid and to be clarified.

5 ANONYMITY OF TEAMS:

5.1 Teams shall not reveal their identity in any form during the Competition, except by the means of their Team Code allotted by the Governing Council.

5.2 Teams must not reveal the name of their institution or names of the participants, anywhere in the memorials or in the course of the virtual oral argument rounds, by any visual or audio means. Teams must also not make use of or display in any manner whatsoever any logo, pins, badges etc. that indicates the university represented by them.

5.3. Any material presented to the Panel, including but not limited to compendium, should be devoid of any identification mark(s)/seal(s) of the Team. If any such mark(s)/seal(s) exist, it must be rendered unrecognizable before being presented to the judges.

5.4 Any violation of Rules 5.1- 5.3 shall attract severe penalty or disqualification as determined by the Governing Council. The decision of the Governing Council in this regard shall be final and binding; not subject to challenge.

5.5 While submitting the memorial, the e-mail should have no reference to the name of the institution and should only contain the team code.

CHAPTER III

1. MEMORIALS AND MEMORIAL ROUND:

1.1 GENERAL:

1.1.1 Each team shall research into the domain of moot problem, subject to Rules 1.2.2-1.2.5, Chapter III, and prepare memorial from both sides, namely, Claimant and respondent as the case maybe.

1.2 FORMAT OF MEMORIAL:

1.2.1 The memorials are to be submitted in the format prescribed under Rules 1.2.2- 1.2.4., Chapter III. If a team fails to comply with the given format, it may be penalized in the form of deductions from the memorial marks.

1.2.2 The memorials shall contain all of, and only, the following heads, namely-

- Cover Page (It shall include the team code of the team on upper right-hand corner, name of the case, parties on behalf of whom written submissions are made, name of the forum approached for dispute resolution and year. The Cover page of the memorial on behalf of Claimant shall be in BLUE, and respondent shall be in RED).
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts

- Issues Raised
- Summary of Arguments
- Arguments Advanced
- Prayer

1.3 FONT AND SPACING:

1.3.1 All written submissions shall be typed on A4 size paper in the following format in Times New Roman (font type), in 12 points (font size), line spacing 1.5, both sides Justified, and headings to be bold in the same font and size. Each page shall have 1-inch margin from each side.

1.3.2 The memorial shall not contain more than 15 pages (excluding cover page, table of content, list of abbreviations and index).

1.4 CITATIONS:

All teams shall give footnotes by adhering to Blue Book: A Uniform System of Citation (20th Edition).

1.5 PLAGIARISM:

The governing council reserves the right to disqualify a team, at any stage of the competition, if the memorial or any other part thereof, if found to be plagiarized.

2 SUBMISSION OF SOFTCOPIES:

2.1 Each registered team shall submit a soft copy, both in Microsoft Word format and PDF format (.docx and .pdf) of the memorials from both sides, via email to the Governing Council at <u>arbitrationmoot@gdgoenka.ac.in</u> on or before 24th November, 2020.

2.1.1 The subject of the email should be the following "Memorial Submission TC "XXX" (the team code of the team)". The name of the file containing the memorial from the claimant/s side should be "CLAIMANT" (as the case maybe). The name of the file containing the respondent/s side should be "RESPONDENT".

2.1.2 Submissions made after the specified deadline may lead to penalties in the form of deductions from the memorial marks. Every six (6) hours delay in submission would attract a penalty of two (2) marks; with an increment of deduction by two (2) marks for every six (6) hours lapse.

<u>3 ASSESSMENT OF MEMORIALS:</u>

Each side of the memorials shall be assessed out of 100 marks, by a team of experts on the predetermined criterion, as specified hereunder:

a. Identification of Issues and Nature of relief sought (10 marks)

- b. Knowledge of fact and Law (15 marks)
- c. Use of Authorities/Precedents (20 marks)
- d. Argumentation and Clarity of Thoughts (20 marks)
- e. Proper Citation and Correct Format (15 marks)
- f. Grammar and Style Presentation (10 marks)
- g. Originality (10 marks)

4. RIGHTS OVER MEMORIALS

4.1 The administrating authority of the competition reserves the rights to disseminate and produce the memorials as and when deemed necessary for the purpose of the competition. Submission of the memorials will constitute the team's consent to do the same. The Governing Council will not take any responsibility for the mistakes found in the final submission of the memorials.

5. COMPENDIUMS.

5.1 The teams are required to send their compendium, along with their memorials on arbitrationmoot@gdgoenka.ac.in

5.2 The compendium shall not exceed 5 pages, wherein, if the teams are referring to any books then the material of the book shall be quoted in following format "Name of the book/Author/Page number/Paragraph", and if the teams are referring to any website, only link of the website shall be quoted.

CHAPTER IV

1. DRESS CODE:

1.1 The participants shall adhere to the following dress code while in the courtrooms:

- a. Ladies: White shirt and black trousers or skirt along with a black blazer.
- b. Gentlemen: White shirt, black trousers, a black tie, a black blazer and black shoes.

2. STRUCTURE OF THE COMPETITION:

2.1 GENERAL:

2.1.1 The formal commencement of the competition shall be on 28th November, 2020.

2.1.2 The competition shall have one Preliminary Rounds, one Quarter Final Round, one Semi Final Round and the Final Round which will be followed by the valedictory ceremony.

2.2 PRELIMINARY AND QUARTER FINAL ROUND:

As per Rule 2.1.2, Chapter IV the Preliminary Rounds and Quarter-final round shall be held.

I. For Preliminary Rounds:

a. The Preliminary Rounds will be Knock-out round. The top 8 teams, with the highest total scores in these rounds shall qualify for the quarter-final rounds.

b. The Claimants shall be allotted a total of 15 minutes to speak. The Respondent shall be allotted 15 minutes arguments. Any extension of time beyond the specified period shall not be allowed.

c. The division of time between the speakers is the discretion of the team members, subject to a maximum of 8 minutes for one speaker.

d. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time

e. A team shall be credited with a win, if its total marks in the respective session are higher than those of its opponent teams.

f. In the case of a tie, the total marks of memorial and the preliminary rounds will be considered. The team with the higher score will advance to the Quarter Finals.

g. Kindly refer to Chapter 5 for more related rules.

II.QUARTER FINALS

a. The Quarter Finals will be Knock-out round. The top 4 teams, with the highest total scores in these rounds shall qualify for the semi-final rounds.

b. The rounds will be conducted virtually on video conferencing platform.

c. Each team shall get a total time of 20 minutes to present their case and this shall include the time for 'rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges.

d. The division of time between the speakers is the discretion of the team members, subject to a maximum of 12 minutes for one speaker.

e. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.

f. Kindly refer to Chapter 5 for more related rules.

III. SEMI-FINALS

a. The Semi-Finals will be a knock-out round. The top 2 teams, with the highest total scores in these rounds shall qualify for the Final round.

b. Each team shall get a total of 25 minutes to present their case. This time will include the time for 'rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.

c. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.

d. Kindly refer to Chapter V for more related rules.

IV.FINALS

a. The Final round will be held just after the Semi-Finals. A team will be credited with a win in the Final round if the total marks are higher than those of its opponent team.

b. Each team shall get a total of 25 minutes to present their case. This time will include the time for 'rebuttal' and 'Surrebuttal'.

c. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.

d. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.

e. Kindly refer to Chapter 5 for more related rules.

5. ASSESSMENT CRITERION FOR ORAL PLEADINGS:

Team performance of the Speakers shall be judged in all rounds out of 25 Marks on the basis of following criterion

a. Knowledge of the Facts and Laws

b. Application of Laws to the Fact and Interpretation

c. Argumentative Skills and Response to Questions

d. Clarity of Thoughts and Expression

e. Skills of advocacy and Court Mannerisms

Note for participants - To ensure uniformity in marking in each court room to do away with subjectivity to an extent, follow the points scheme given as under.

Excellent	Very Good	Good	Average	Poor

5	4	3	2	1

6. PENALTIES:

6.1. Scouting:

No member of any team or any other person will be permitted to witness the arguments, or enter the live video conferencing in which that team is not one of the participating teams whilst that team is a part of the competition or the person is not part of any of the participating team. If this rule is violated, the Governing Council shall take strict actions, which may include but may not be limited to, the expulsion of the said team from the competition.

6.2. Non – Disclosure of Identity:

Teams shall not disclose their identity, i.e. the name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular university or institution. Such disclosure shall result in disqualification subject to the discretion of the Organizers.

6.3. Copyright:

The copyright with regard to the memorials submitted for the participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers. The participants shall certify the originality of the memorials and the materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials. The Organizers shall have the right to publicly display, distribute either electronically or otherwise and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for accuracy, completeness or adequacy of the information contained in these materials.

The copyright with regard to the audio-visual files, conferencing, submitted for the participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers, which will be further posted on the social media platforms for clarity and purposes.

6. PRIZES AND AWARDES:

a. Online Certificates for participation will be given to all the participants. The Online Certificates will be accessible only after the valedictory ceremony.

b. Separate Online Certificates will be provided to the Quarter-Finalists, Semi-Finalists, Runners-up and Winners.

c. All Certificates and awards will be presented to the participants only by online medium to any participant under the current circumstances.

d. Cash awards will be sent after getting details of winners such as Institution ID card, Pan Card & Bank Accounts details.

- e. It is the responsibility of teams to distribute cash prize among themselves.
- f. After the competition is over the cash prize will be sent after the submission of due documents as required by the committee and it will be processed after the due process is followed at the University level.

CHAPTER V

1) MISCELLANEOUS PROVISIONS:

- a) No team shall indulge in any act of misconduct in during audio-visual recording or virtual conferencing, undermining the credibility of judges or that of the competition. Any act to the contrary may lead to immediate disqualification from the competition without scope of appeal.
- b) No team shall try to disclose or ask the Judges of their identities, if the team is found violating this rule, strict actions will be taken by the Governing Council.
- c) All the teams shall be bound to follow the code of conduct and the rules laid down by School of Law, GD Goenka University.
- d) Any behaviour of indiscipline with the Governing Council or any other staff member or student volunteer shall be dealt with strictly and may lead to immediate disqualification from the competition without scope of appeal.
- e) No team shall ask for feedback immediately on completion of any round. However, at the end of all the rounds the participants may talk to the judges, with minimum inconvenience caused to them.
- f) Any attempt to approach the framer of the moot problem or the panel of judges of the competition, prior to the competition shall be dealt with strictly and may lead to immediate disqualification from the competition without scope of appeal.
- g) The organising committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.
- h) If anything, not covered by rules the decision of organising committee will be binding
- i) Participants shall be readily available Laptops or PC (NO MOBILE PHONES ALLOWED)
- j) During the live rounds, the microphones of all the persons not speaking shall be on mute, any kind of disturbance created by the team members, or the team member of opponent team if found, then the team making the disturbance shall be warned, continuance of disturbance may lead to disqualification from the competition on the discretion of Judges.
- k) No team is allowed to use mobile phones during any of the oral rounds, for the purposes of research, phone call, texting, or any other purposes.

- The organiser shall not be responsible for any loss of connectivity or slow internet connection during the competition, the participants are requested to have sound internet connections and working laptop/pc (NO MOBILE PHONES ALLOWED)
- m) The platform will be informed beforehand; therefore, the teams must have knowledge of using the platform. Also, all the queries regarding anything related to use of app, or any other issues related to the platform being used shall be notified.
- n) The Participant(s) shall at all times during the rounds must have their cameras on, if in case of connectivity issues, a frame of 7 minutes will be provided to rejoin. In case the problem persists, the Participant(s) will lose their chance, or will be subjected to disqualification. Therefore, it is advisable to check the working of Camera and Internet connectivity beforehand.

2. FOR FURTHER DETAILS CONTACT:

Regarding the rules of the competition or any other queries, send your queries at <u>arbitrationmoot@gdgoenka.ac.in</u> with subject line "Competition Problem-Queries". You can also contact any of the following members of the Organizing Committee between 10 am to 4:00 pm (IST)

Phone numbers:

FACULTY MOOT COURT COMMITTEE: Shreyas Vyas: +91 7693015323		
	Abhinav Kumar: +91 8420142231	
STUDENT CO-ORDINATORS:	Vaishali Pooniwala: +91 8120939298	
	Samyak Sharma: +91 7289938118	
Email Id. arbitrationmoot@gdgoenka.ac.in		

Facebook: https://www.facebook.com/GDGULS/

Instagram: https://www.instagram.com/gdgoenkasol_official/?hl=en