

# Swansea University Commercial/Maritime Law Mooting Competition

Organised  
by

**College of Law, Institute of International Shipping and  
Trade Law**

Swansea University

Swansea

United Kingdom

**Moot Director**

Dr George Leloudas

[g.leloudas@swansea.ac.uk](mailto:g.leloudas@swansea.ac.uk)

G46

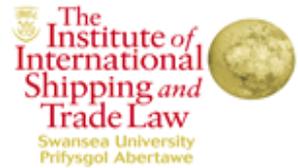
College of Law

Richard Price Building

Swansea University

SA2 8PP Swansea

Fax: +0044 (0)1792 295855



## **THE RULES**

### **Invitation/Registration**

#### *1.1 Eligibility*

The Competition is open to Colleges/Schools/Departments of Law. For more details on eligibility please see Rule 3.1 below.

#### *1.2 Registration*

Schools of Law must register their Teams by sending the registration form, which is included in the invitation, to the Moot Director (please find contact details below). The registration form can be submitted by email, fax or post. Submissions by telephone will not be accepted.

### **Moot Director**

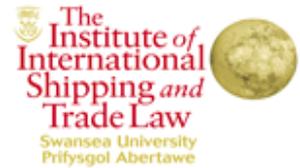
Dr. George Leloudas  
G46  
College of Law  
Richard Price Building  
Swansea University  
SA2 8PP Swansea  
[g.leloudas@swansea.ac.uk](mailto:g.leloudas@swansea.ac.uk)  
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#### *1.3 Registration Closure*

Registrations must be received by the Moot Director on or before 17:00 on the 29<sup>th</sup> April 2016. A place in the Competition cannot be guaranteed for any Teams which submit their registration forms after the deadline.

#### *1.4 Registration Fee*

The registration fee of £125 must be paid by the 6<sup>th</sup> May 2016. Teams with more than 4 members (i.e. speakers and coaches as defined in para 1.5 below) are required to pay £25 per extra member in addition to the registration fee. Further information will be provided on the registration form.



### *1.5 Team Roles Included on the Registration Form*

On the registration form the following three options are given:

Speakers: Team members who will participate in the Competition as oralists and/or researchers.

Coach: Team member who will Coach and instruct the Team.

Accompanying Persons: Friends and supporters.

Participants should be labelled as one of these three roles on the registration form.

### *1.6 Team Contact Person*

Each Team must nominate a contact person; this can be any member of the Team. On the registration form a specific field exists for his/her name and email address.

This Team member will be sent all information relating to the Competition, the Moot-Problem and other relevant material. It is the responsibility of that person to distribute such information within his or her Team.

### *1.7 Withdrawal of the Team*

Teams may withdraw their registration at any time on or before the 6<sup>th</sup> May 2016. Teams that withdraw anytime following this date will not have the registration fee refunded.

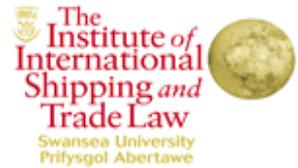
## **The Moot-Problem**

### *2.1 Subject Matter*

The Moot-Problem in the Competition involves a dispute relating to commercial/maritime law.

### *2.2 Dispute Settlement*

The parties involved in the dispute have agreed to have the case referred to an Arbitral Tribunal pursuant to the rules stipulated in the problem.



### *2.3 The Competition*

By the time the Moot begins, it is assumed that the claimant has filed its request for arbitration and preliminary submissions, the respondent has filed its preliminary submissions and the Arbitral Tribunal, consisting of three Arbitrators, has been appointed. The Problem will consist of the preliminary submissions with their exhibits plus any orders of the Arbitral Tribunal issued prior to the date on which the problem is distributed. The Moot involves the following:

1. Writing a Skeleton Argument for the claimants;
2. Writing a Skeleton Argument for the respondents; and
3. Presenting oral arguments in support of both sides.

### *2.4 Distribution*

The Problem will be distributed on 2<sup>nd</sup> May 2016 to the Team Contact Person and will also be posted on the Moot website:

<http://www.swansea.ac.uk/law/shipping-trade-law-department/mooting/>

### *2.5 Facts*

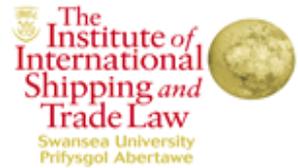
All Facts are given in the Problem and Teams must not add additional facts.

### *2.6 Clarifications*

Requests for clarification of the problem should be sent before the 27<sup>th</sup> May 2016 to the Moot Director via email at: [g.leloudas@swansea.ac.uk](mailto:g.leloudas@swansea.ac.uk). Each team is entitled to 2 clarifications.

Requests for clarification must cite the page number on which the clarification is sought.

Clarifications issued will be posted on the Moot website by the 27<sup>th</sup> May 2016. Clarifications issued will become part of the Moot-Problem.



## **The Teams**

### *3.1 Composition*

Each participating College/School/Department of Law may enter up to two Teams. Each Team must be composed of between two and six members. The members must be registered at the participating institution for the study of law, either on a part-time or a full-time basis, leading to the award of a degree. Only those students are permitted to be involved in the preparation of the Skeleton Argument.

Students may be registered in the participating institution either for a first degree or for an advanced degree in law and need not be from the country where the law school is located.

No student who has been admitted or licensed to practise law in England & Wales is eligible to participate in the Competition.

Therefore, eligible Team members are students who:

- are enrolled for a first or an advanced degree in law in a participating institution; and
- have not completed all of the units required for the completion of their degree at the time of registration; and
- are not yet admitted to practise law in England & Wales.

These rules do not apply to the Coach of the Team.

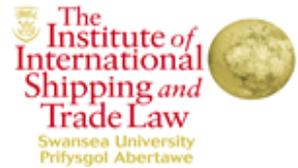
### *3.2 Participation*

All members of the Team may participate in the preparation of the Skeleton Argument. However, nobody outside the Team may assist with this task.

In each of the Oral Hearings two members of the Team must present the arguments. The remaining members of the Team, if any, must not aid them in any way during the Oral Hearing.

Different members of the Team may participate in different Oral Hearings.

Participation certificates will be issued to Team members who attend the Oral Hearings of the Competition, including researchers.



## **Skeleton Argument**

### *4.1 Skeleton Argument*

Each Team must submit a Skeleton Argument for both the claimants' side and for the respondents' side. The Skeleton Arguments must be sent to the Moot Director by 5pm on the 10<sup>th</sup> June 2016. Please note that the document must only have the Team number as an identifying feature. During the Competition Teams will be allowed to make alterations to their Skeleton Arguments.

The Skeleton Arguments of the Teams will be published on the Moot website and the original Skeleton Arguments submitted by 10<sup>th</sup> June 2016 will be graded and considered for one of the Prizes.

### *4.2 Form, Style and Length*

Each Skeleton Argument must not exceed 8 single-sided A4 pages. The document shall be written in 12-point Times New Roman with 1.5 spacing. All other issues of style and format are left to the Teams' discretion.

## **Oral Hearing**

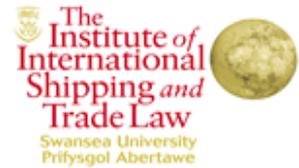
### *5.1 Venue*

The Oral Hearings will take place at Swansea University, College of Law; information as to the precise Venue will be made available to the Teams closer to the date of the Competition. Teams are responsible to arrange and fund the transportation and accommodation of their Teams (information as to accommodation provided by Swansea University will be made available in due course).

### *5.2 General Rounds*

The General Rounds will be held on the 18- 19 June 2016 at Swansea.

The official timetable of the General Rounds will be posted on the Moot website in due course. The Moot Director retains the right to make last minute changes to the timetables for reasons which are beyond his control, i.e. due to the withdrawal of a Team.



The Arbitral Tribunal will consist of three qualified professionals who have been given the Skeleton Arguments of the Teams, as well as the problem, in advance. The identity of the teams (i.e. which university/college/department they represent) shall not be revealed to the Tribunal at any time during the competition.

Should Teams wish to rely on bundles, at least one bundle must be given to the arbitration panel and at least one bundle to the opposing Team.

A Moot will only take place if both Teams are present; a 10-minute grace period is given to the Teams. Following the expiration of this 10-minute period, the Team that is not present will default on the Moot and will be awarded 0 points. The attending Team will present their arguments to the arbitration panel as if the other Team attended in order to receive points specific to their skills.

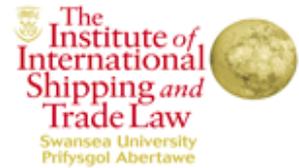
### *5.3 The Moot*

During the Oral Hearing each Team is given 30 minutes. The allocation of time between the two speakers is left to the discretion of the Teams. Teams may petition the panel for an extra 5 minutes, which is at the panel's discretion to be granted. Teams must bear in mind that questions from the panel during their submission will count towards their time limit.

The Team of claimants may reserve some time of the 30 minutes for rebuttal. If the Team wishes to take advantage of this option it must notify the panel before the start of the Oral Hearing. Surrebuttals are left to the discretion of the panel. The panel will inform the Teams whether a surrebutal is permitted at the beginning of each Moot. If the panel allows it, the respondents may reserve some time of the 30 minutes for the surrebutal.

The 5-minute extension may only be used once per Moot per Team, either at the end of the original oral submissions or at the end of the rebuttal (claimants)/surrebutal (respondents) at each Team's discretion.

The deliberations of each panel to decide the winner of the Moot will take up to 15 minutes. No one apart from the members of the panel shall be in the room of the Moot during the deliberations. Each panel shall announce the winner of the Moot and also provide short feedback on the performance of the Teams. Under no circumstances the Arbitrators shall



announce the points awarded to the Teams. The Arbitrators shall pass the score sheets to the Moot Co-ordinator at the end of each Moot.

#### *5.4 The Arbitral Tribunal*

The Arbitral Tribunal will be made up of a panel of three Arbitrators, all of whom are experienced individuals within and around the field of commercial/maritime law. They will be instructed to act during the hearing as they would act during a real arbitration. The names of the Arbitrators will be announced the morning of the first day of the Moot.

#### *5.5 Points*

Each Arbitrator has a maximum of 100 points to award on a per Team and per Moot basis. These 100 points are split into 45 points for the performance of the first speaker of a Team, 45 points for the performance of the second speaker of a Team, 10 points for the overall performance of the Team, including the quality of the Skeleton Argument presented on the day of the Competition.

A Team can therefore score a maximum of 300 points per round.

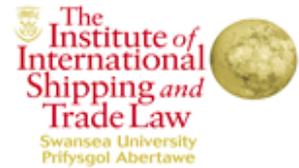
Should there be a tie for entry into the quarterfinals or semi-finals or the final, the win/loss ratios of the Teams in question will be taken into consideration. Should this not assist in determining which Team will progress to the next round, only the Team overall scores will be taken into consideration.

#### *5.6 Final*

The final will take place on 20th June 2016 in London and will be organised by 7 King's Bench Walk. The Teams will be notified in advance as to the exact venue. The identity of the teams (i.e. which university/college/department they represent) shall not be revealed to the Tribunal at any time during the competition.

#### *5.7 Results and Awards*

The Results and Awards will be presented to the Teams during the Award function in the aftermath of the final in London.



## **Coach**

### *6.1 The Coach*

The Coach may assist the Team during both the preparation and the writing of the Skeleton Argument. However, any advice should be restricted to general advice; the Coach must neither write the Skeleton Argument for the Team nor give assistance to such an extent that the students are given substantive answers to the problem.

The Coach may assist the Team in any way possible for the preparation of the Oral Hearings. However she/he is not permitted to assist them during the Oral Hearing itself. Any Coach assisting or trying to communicate with their Team during an Oral Hearing will disqualify the Team from the Competition.

The Coach may take notes of the general performance of the Team, but she/he is not permitted to make any temporary or permanent audio or video record of the Oral Hearing.

## **Awards**

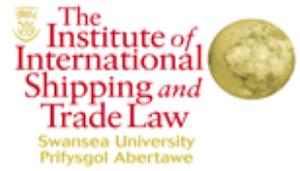
### *7.1 Awards*

The following Awards will be given at the event. For details please see the attached document entitled "Sponsors and Awards":

- a. First Place Team Award sponsored by 7 King's Bench Walk**
- b. Second Place Team Award sponsored by 7 King's Bench Walk**
- c. Best Speaker Award sponsored by Informa Law from Routledge (on the basis of the points collected in the general rounds)**
- d. Encouragement Award sponsored by the Institute of International Trade and Shipping Law of Swansea University (IISTL)**
- e. Prize for the best Skeleton Argument sponsored by the Department of Shipping and Trade Law of the College of Law, Swansea University**

### *7.2 Participation Certificates*

Each member of the Teams will be given a participation certificate.



## **Clarification of the Rules**

### *8.1 Clarifications*

For Clarification of the Rules please email the Moot Director at [g.leloudas@swansea.ac.uk](mailto:g.leloudas@swansea.ac.uk). Any decision taken by him is final.