

**RULES OF PROCEDURE FOR THE NATIONAL PRE-SELECTION ROUNDS OF  
THE INTERNATIONAL AIR LAW MOOT COURT COMPETITION**

(September 2010)

**Article 1                      Function**

- a. The present rules govern National Pre-Selection Rounds held in pursuance of Article 4 of the Rules of Procedure for The International Air Law Moot Court Competition (hereinafter the Competition).
- b. The Rules of Procedure for The International Air Law Moot Court Competition apply to National Pre-Selection Rounds when questions or issues arise which have not been explicitly provided for in the present rules.

**Article 2                      National Organisation**

- a. The designated period in which a National Pre-Selection Round shall take place shall be determined by the International Air Law Moot Court Bureau (hereinafter to be referred to as the BUREAU) and will be indicated on the Competition Time Schedule.
- b. The responsibility for the organisation of a National Pre-Selection Round lies with the National Committee.

**Article 3                      The National Committee**

- a. Upon expiration of the deadline for registration for participation indicated on the Competition Time Schedule, the BUREAU will notify the relevant universities of the necessity to appoint a National Committee. These universities shall appoint the Committee after mutual consultation.
- b. The National Committee may be formed by any organ, organisation or group of persons as the participating universities deem appropriate, as long as the National Committee remains an impartial entity.
- c. The members of the National Committee shall jointly elect a President.
- d. The BUREAU shall be informed by the relevant universities and by the National Committee of the constitution of the National Committee, and of the name, address, e-mail address, phone and fax numbers of the President as soon as possible, but no later than the deadline indicated on the Competition's Time Schedule.
- e. The National Committee is responsible for the overall organisation of the National Pre-Selection Round, for supplying all persons involved with relevant information, for

all matters concerning the National Board of Review and the National Moot Court, and for the contacts with the BUREAU.

f. The President of the National Committee is responsible for coordinating the National Pre-Selection Round, for maintaining contacts with the BUREAU and for informing the BUREAU of all matters the President considers necessary to bring to its attention.

g. The National Committee is entitled, after consultation with and approval by the BUREAU, to interpret and, if necessary, pass judgment on the present Rules. All participating teams and the BUREAU shall immediately be informed of all decisions.

h. The decisions taken by the National Committee are final and no appeal is possible.

i. Should circumstances so require, the National Committee is entitled, upon consultation with the BUREAU, to draw up its own rules for specific situations. Such rules are subject to approval by the BUREAU that shall be provided with a copy of these rules as soon as possible.

#### **Article 4                      Participation**

a. Each university in a given country may enter the National Pre-Selection Round with one (1) team.

b. The composition of the team shall be fully in conformity with Article 5 of the Rules of Procedure for The International Air Law Moot Court Competition

#### **Article 5                      The Memorials**

##### **1. Submission of the Memorials**

a. Each team participating in the Competition shall prepare an Applicant's Memorial and a Respondent's Memorial in accordance with Article 8 and 9 of the Rules of Procedure for The International Air Law Moot Court Competition

b. The BUREAU shall receive by registered mail three (3) copies of the Applicant's Memorial and three (3) copies of the Respondent's Memorial of each team participating in a National Pre-selection Round. The deadline for mailing the Memorials is the same as that for the International Round as indicated on the Competition's Time Schedule. Identical electronic copies shall be submitted by the same deadline by way of email attachment in pdf-format.

c. The National Committee shall receive by registered mail eight (8) copies of the Applicant's Memorial and eight (8) copies of the Respondent's Memorial of every team

participating in the National Pre-Selection Round, unless the National Committee requires more Memorials to be sent. The deadline for mailing the Memorials is the same as the one indicated in the previous paragraph. Identical electronic copies shall be submitted by the same deadline by way of email attachment in pdf-format.

d. A clearly legible copy of both Registered Mail receipts, as required under b. of the present Article, shall be forwarded to the National Committee and to the BUREAU.

e. The National Committee shall send the Memorials to the appropriate teams, to the members of the National Board of Review and to the members of the National Moot Court within 7 working days.

## **2. Penalties**

a. Non-compliance with Article 5 (a) - (d) shall be penalised in accordance with Article XIII of the Rules of Procedure for The International Air Law Moot Court Competition.

b. The BUREAU shall notify the President of the National Committee as soon as possible, but no later than three days before the date set for the National Pre-Selection Round at the latest, of the number of penalties awarded by it to each Memorial.

## **3. The Judging of the Memorials**

a. The Memorials shall be judged by a National Board of Review. This Board consists of a minimum of three members.

b. The National Committee shall invite duly qualified persons to act as a member of the National Board of Review. Members of the National Board of Review may also serve as members of the National Moot Court. Preferably, no faculty members of the participating universities should be invited to serve as members of the National Board of Review.

c. The National Committee shall send to the members of the National Board of Review the Rules of Procedure for The International Air Law Moot Court Competition the present Rules, a copy of the Case, the Memorials, the Guidelines for Judging the Memorials and sufficient copies of the scoring sheets.

d. Each Memorial shall be judged individually by the three members of National Board of Review, acting independently of one another.

## **4. The Scoring of the Memorials**

a. The score shall be kept on official scoring sheets supplied by the BUREAU and distributed by the National Committee.

b. The scoring by the National Board of Review shall be in accordance with Article 10 of the Rules of Procedure for The International Air Law Moot Court Competition.

c. The final score for a Memorial shall be the sum of the points awarded by the members of the National Board of Review minus any penalty points which are given by the BUREAU in accordance with Article V.2.1 of the present Rules.

d. The final score for a Memorial acquired in a National Pre-Selection Round is not reported on the scores of the Semi-Finals and Final of The International Air Law Moot Court Competition International Round. The Penalty Points for a Memorial as given by the BUREAU in accordance with Article 5 of the present Rules are taken into account on the scores of the team participating to the Semi-Finals and Final of The International Air Law Moot Court Competition.

## **Article 6                      The Oral Arguments**

### **1. Time, Place and Order**

a. The National Committee shall determine the time, place and order of the presentation of the oral arguments, with due regard to Article 2.1 of the present Rules. The participating teams shall be notified by the Committee accordingly well in advance.

b. Each team shall prepare an oral argument for the Applicant and an oral argument for the Respondent. The oral arguments shall be presented in English. Each team shall present an oral argument in at least two sessions of the National Pre-Selection Round: once as Applicant and once as Respondent.

c. The oral argument for the Applicant or for the Respondent shall, per session, be presented by two team members. Two members of the team shall act oralist for the Applicant and for the Respondent

d. The presentation of the oral arguments shall take place in accordance with Article 12 of The International Air Law Moot Court Competition.

### **2. Penalties**

Penalty points for the presentation of the Oral Arguments shall be awarded by the National Committee in analogy to and in accordance with Article 18 of The International Air Law Moot Court Competition.

### **3. The Judging of the Oral Arguments**

a. The oral argument shall be judged by a National Moot Court consisting of three judges.

b. The National Committee shall invite duly qualified persons to act as members of the National Moot Court. The members of the National Moot Court may also serve as members of the National Board of Review. Preferably, no faculty members of the participating universities should be invited to serve as members of the National Moot Court.

c. The National Committee shall see to it that the members of the National Moot Court receive the Rules of Procedure for The International Air Law Moot Court Competition, the present Rules, a copy of the Case, the Memorials and sufficient copies of the scoring sheets.

d. Each oral argument shall be judged individually by the three members of the National Moot Court, acting independently of one another.

#### **4. The Scoring of the Oral Arguments**

a. The score shall be kept on official scoring sheets supplied by the BUREAU and distributed by the National Committee.

b. The scoring by the Members of the National Moot Court shall be in accordance with Article 13 of the Rules of Procedure for The International Air Law Moot Court Competition.

c. The final score for the Oral Argument shall be the sum of the points awarded by the members of the National Moot Court minus any penalty points which are awarded by the National Committee and/or the National Moot Court.

d. The penalties and final score for the Oral Argument acquired in a National Pre-Selection Round are not taken into account for the Semi-Finals and Final of The International Air Law Moot Court Competition.

#### **Article 7**

#### **Qualification for Participation in the Semi-Finals**

a. The overall team-score is composed of the sum of the final scores for the Memorials and the final scores for the oral arguments of both the Applicant and the Respondent side of a team. Where five (5) teams or more are registered for participation, the National Committee shall designate the three (3) teams with the highest score as qualified to participate to the Semi-Finals of The International Air Law Moot Court Competition.

b. The National Committee shall immediately inform the BUREAU of the results of the National Pre-Selection Round. The information shall include the qualified teams as defined as in Article 7 (a), the overall ranking of the teams by overall team-scores, the

final scores for the Memorials and final scores for the oral arguments of the participating teams.

c. The original scoring sheets shall be forwarded to the BUREAU under separate cover. The National Committee shall forward copies of the overall ranking of the teams by overall team scores and copies of the original scoring sheets to the participating teams.

d. The teams qualified to participate in the Semi-Finals shall send twenty (20) copies of both Memorials to the BUREAU without delay.

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