

NILOS Moot Court Competition 2022

OFFICIAL RULE 9: ONLINE COMPETITION

9.1 Applicability of Official Rules 2022

(a) All rules presented in the Official Rules 2022 (Rules 1-8) shall be applicable to the online sessions of the Competition, except if explicitly provided for in Rule 9.

(b) In the case of the Official Rules 2022 (Rules 1-8) and Rule 9 conflicting, Rule 9 shall take precedence.

9.2. General rules

(a) Overriding Rule 1.2 and Rule 5.1(f) (and the penalty related thereto), the edition of the Competition will take place online and rely on Internet-enabled devices.

(b) During an online session, team members and coaches may not directly or indirectly indicate their country or university of origin to the judges, including through the display of screen names, the wearing of name tags, pins, logos, or other signifiers, or the placement of folders, files, library books, or other materials identifying their university or country in such a way as may be visible to a judge.

(c) The oralist must ensure that his, her or their name, team number and role are properly displayed during the online session.

9.3 Software and Hardware

(a) All teams are responsible to ensure they have access to software and hardware, including a stable Internet connection, that enables them to properly participate in the Competition.

(b) The executive office will provide the online platform where the sessions will be held and all necessary instructions for its use.

(c) The oralist is not permitted to share his or her screen, or present any other text or written materials at any stage.

(d) During a session, the oralist delivering the oral arguments shall configure his or her camera to permit the judges to observe his or her face. The judges shall, to the degree possible, also arrange their cameras so that their faces are visible to the speakers.

(e) All participants in a session shall have their microphone muted unless they are making their oral presentation, or they receive questions from the panel of judges. Judges should have their microphone muted unless they are asking a question.

(f) The oralists may sit or stand when making their submissions.

(g) No recording, whether audio or video, of the whole or any part of the oral pleadings is permitted by any team or observer.

9.4 Technical Difficulties

(a) Where a team or a team member is experiencing technical problems in joining an online session, they must inform the executive office immediately of the problem and the reasons (if known) for it.

(b) Where a technical problem occurs during a session, the executive office shall exercise his or her discretion as to how to proceed.

(c) If a team fails to join the online session due to technical reasons, the executive office, after waiting 30 minutes, shall allow the session to proceed *ex parte*. In an *ex parte* proceeding, the attending teams present their oral arguments, which are scored by the judges to the extent possible as if the absent team had been present and arguing. In such a case, the team that fails to appear for its scheduled session, will be rescheduled either for an *ex parte* proceeding, or for a different match-up.

(d) Where a team member, who has been designated as an Applicant or Respondent oralist, either is unable to join the session, or having joined the session has such technical difficulties as makes it impossible for him or her to commence his or her oral argument, the judges may permit another team member to be substitute and plead on behalf of that specific role, taking into account that no team member may speak for longer than the time permitted by the Rules.

9.5 Participants in the Online Session

(a) Overriding Rule 5.6, only the following people are permitted to join an online session:

- (i)** the judges assigned to that session;
- (ii)** the members of each team pleading in that session;
- (iii)** the coaches of each team pleading in that session;
- (iv)** any person nominated by NILOS to observe;

(b) Location of participants:

- (i)** No judge of any online session may be in the same room as any members of the teams pleading in that session.
- (ii)** Team members are permitted to be together in the same room, when one of the members is the oralist (if local laws, regulations, guidelines and/or institutional rules permit).
- (iii)** Coaches are not permitted to be in the same room as the designated oralists of that session.

9.6 Communication during the Online Session

(a) Overriding Rule 5.1(f) (and the penalty related thereto), team members participating in an online session may communicate with each other in any written or electronic medium.

(b) No other person, including a coach, may communicate with a team member in any way during a session, unless the reason is to give technical assistance with any equipment being used to participate in the online session.

(c) No team member may communicate with the oralist in any way while he or she is making his or her oral argument, unless the reason is to give technical assistance with any equipment being used to participate in the session.

9.7 Oral Round Penalties - addendum

(a) Overriding Rule 6.3(b)(i)-(ii), if a team or a judge believes that an infraction of the Rules has occurred during an Oral Round, they shall notify the National or Regional Administrator or NILOS in writing within one hour of the conclusion of that Oral Round.

(b) The table in Rule 6.3 (e) is amended as follows

Rule	Summary	Penalty
5.1(a)-(e)	Violation of courtroom rules	4 to 20 points
5.1 (f)	Use of electronic devices in the courtroom	20 to 50 points
5.1(g) and <u>9.2(c)</u>	Violation of anonymity in courtroom	Disqualification or up to 30 points
5.6	Direct Scouting	300 points
	Indirect Scouting	150 points
<u>9.3(e)</u>	<u>Participant's microphones not muted</u>	<u>4 points by occurrence</u>
<u>9.3(g)</u>	<u>Violation of prohibition of recording</u>	<u>Up to 30 points</u>
<u>9.6(b-c)</u>	<u>Non allowed communications</u>	<u>4 to 20 points</u>