

# INTERNATIONAL INSTITUTE OF SPACE LAW

## MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

### SPECIFIC REGIONAL RULES OF THE ASIA-PACIFIC REGIONAL ROUND ADOPTED PURSUANT TO ARTICLE 2(2) OF THE OFFICIAL RULES

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#### ARTICLE 1: GENERAL

1. These Specific Regional Rules (the “**Regional Rules**”), adopted pursuant to Article 2(2) of the Official Rules provided by the International Institute of Space Law (the “**IISL**”) of the Manfred Lachs Space Law Moot Court Competition (the “**Competition**”), govern the conduct of the Asia-Pacific Regional Round of the Competition, as held from year to year at locations throughout the Asia-Pacific Region as determined by the Regional Organizer in conjunction with the IISL.
2. The Regional Rules shall prevail in cases of inconsistency with the Official Rules. Nothing in these rules shall be construed as being inconsistent with Article 2(4) of the Official Rules.
3. The Regional Organizer has the exclusive right to interpret the Regional Rules. Such interpretation shall be final and binding.

#### ARTICLE 2: ELIGIBILITY AND PARTICIPATION

1. In order to participate in the Asia-Pacific Regional Round of the Competition, a team from an eligible university or institution must comply with the deadline and documentary and financial requirements for registration as posted on the website of the Competition.
2. A team representing a university or institution from a developing country may request a full or partial waiver of the team’s registration or other requisite fees by submitting a financial hardship application in writing to the Regional Organizer. The Regional Organizer maintains the absolute discretion to grant a waiver, whether in full or in part, and retains the discretion to revoke the waiver of registration fees granted to a team where that team fails to pay the reduced amount or any other requisite fees by the registration deadline. The Regional Organizer shall not consider an application for a waiver of registration fees after the registration deadline. The Regional Organizer shall not consider a request for a reduction or waiver of registration fees from a university or institution from a country with a National Funding Round.

## Asia-Pacific Regional Rules

### Manfred Lachs Space Law Moot Court Competition

3. No team withdrawing after the registration deadline will be refunded any fees paid under any circumstance. If the Regional Organizer granted a waiver of fees pursuant to Article 2(2) of the Regional Rules, such waiver shall be deemed automatically revoked and a debt equal in amount to the registration fees will immediately become due and payable by the withdrawing university or institution to the Competition. Until payment, the university or institution may be regarded as being in bad financial standing by the Competition.
4. For the purposes of and in addition to Article 3 of the Official Rules, the following categories of students are deemed to be *prima facie* eligible to participate:
  - (a) Students enrolled in an undergraduate law qualification or equivalent at some time within (6) months prior to the start of the oral arguments of the Asia-Pacific Regional Round;
  - (b) Students enrolled in a postgraduate coursework law qualification or equivalent at some time within six (6) months prior to the start of the oral arguments of the Asia-Pacific Regional Round; and
  - (c) Students enrolled in an undergraduate or postgraduate coursework qualification or equivalent with demonstrable elements of space law or public international law as part of the teaching program at some time within six (6) months prior to the start of the oral arguments of the Asia-Pacific Regional Round.
5. For students seeking to be eligible in accordance with Article 2(4)(c) above, the students must apply to the Regional Organizer in writing enclosing relevant evidence that the teaching program of the course enrolled contains elements of space law or public international law.
6. For the purposes of and in addition to Article 3 of the Official Rules, the following categories of students are deemed to be ineligible to participate:
  - (a) Students enrolled in a postgraduate qualification by research or equivalent at any time within six (6) months prior to the start of the oral arguments of the Asia-Pacific Regional Round;
  - (b) Students who have previously participated in the Competition without prior written approval of the Regional Organizer pursuant to Article 3(4) of the Official Rules; and
  - (c) Students representing a university or institution that is in bad financial standing with or disqualified from participating in the Competition in accordance with the Official Rules or these Regional Rules.
7. If a student is ineligible pursuant to Article 2(6)(c) above for reasons of bad financial standing, the student may participate in the Competition only when the university or institution represented by the student has paid all its outstanding amounts due and payable to the Competition.

## **Asia-Pacific Regional Rules**

### Manfred Lachs Space Law Moot Court Competition

8. Any university or institution that utilizes an ineligible team member or improper outside assistance, the Bench Memorial or the use of another team's memorial may be disqualified.
9. Registration must be accompanied by the payment of registration fees and other requisite fees. No registration can be deemed effective unless full payment has been made except where the Regional Organizer has deemed otherwise.
10. The Regional Organizer has the absolute discretion to extend the deadline for registration for one or more teams and may require such team(s) to pay a requisite late fee, provided that any such late fee does not exceed forty (40) per cent of the registration fees as payable if the team had registered and made full payment of the said registration fees prior to the extended deadline.

### ARTICLE 3: MEMORIALS

1. Each team must prepare a memorial for both the Applicant and the Respondent and comply with all requirements under the Official Rules, particularly the requirements under Article 5 of the Official Rules. The memorials must be sent, postmarked by the due date, by the means required under Article 6(1) of the Official Rules.
2. The memorials must be printed double-sided and stapled. No other means of binding is acceptable except with the express prior written permission of the Regional Organizer.
3. Each participating team is responsible for ensuring that the electronic copies of the memorials:
  - (a) Can be opened legibly in the English versions of Microsoft Word;
  - (b) Are submitted as two (2) files only, one containing the memorial for the Applicant and the other of the Respondent;
  - (c) Only the team number and side are indicated in the name of the file (e.g. 901A.doc) and any electronic identification should be deleted; and
  - (d) Submitted by e-mail to the Regional Organizer by the specified due date.
4. For teams participating in a National Funding Round, electronic and a number of printed copies of each memorial must also be sent to the organizer of the National Funding Round. The number of printed copies required for each National Funding Round shall be determined by the organizer of that National Funding Round.
5. For the purposes of Article 5(2) of the Official Rules, teams shall use either the Australian Guide to Legal Citation, 3<sup>rd</sup> edition, or, in the alternative, the most recent edition of the Uniform System of Citation. The citation system used shall be consistent throughout the document. Electronic copies of the Australian Guide to Legal Citation can be obtained from the Regional Organizer.

## Asia-Pacific Regional Rules

### Manfred Lachs Space Law Moot Court Competition

#### ARTICLE 4: ORAL ROUNDS

##### Article 4A: Oral Rounds Generally

1. Teams shall use their assigned Team Numbers to identify themselves. No team shall conduct themselves in any way that would reveal or suggest the identity of their represented university or institution to any timekeeper or judge.
2. All teams shall comply with all reasonable directions given by the Regional Organizer, his or her staff and any timekeeper concerning the conduct of each oral round.
3. Only the two (2) speaking members of each team may be seated at the bar table. During the conduct of each round, the team members of each team seated at the bar table may only communicate amongst themselves by written notes. Any form of communication between the bar table with any external person, including the third member of each team but excluding the judges, is strictly prohibited.
4. The decisions of the judges in each round are final. No team shall enter into any correspondence, whether contemporaneous or subsequent to any round or the moot, with any of the judges.
5. In the event that a judge is unable to attend, or where the number of judges required for any particular round cannot be met in any other way, the Regional Organizer may require coaches to act as stand-in judges during the preliminary rounds and, where requested, a coach must make himself or herself available as a stand-in judge during the preliminary rounds.
6. No person may make any audio or video recording of an oral round without the prior consent of the participating teams, the judges and the timekeeper.

##### Article 4B: Selection of Teams to Compete in the Oral Rounds

1. The number of teams competing in the oral rounds of the Asia-Pacific Regional Round shall be limited. The Regional Organizer will determine the number of the teams competing in the oral round in a particular year based on the number of teams participating in that particular year, the number of Preliminary Rounds each team must compete in during a particular year, and the number of participating countries in the Asia-Pacific Regional Round (the “**Determined Number of the Oral Round Competitors**”). Such calculation will be made, to the greatest extent possible, in accordance with the objective of including the largest number of teams possible without sacrificing the quality of the competition.
2. Where the number of participating teams exceeds the Determined Number of the Oral Round Competitors, an initial determination of teams advancing to the oral rounds shall be determined by selecting the team(s) with the highest aggregate final scores received for both Applicant and Respondent memorials. In the event of a tie and the number of remaining spaces is less than the number of teams, the invitation to compete in the oral rounds will be awarded to, in order:

## **Asia-Pacific Regional Rules**

### Manfred Lachs Space Law Moot Court Competition

- (a) The team(s) accruing the lesser amount of penalty points, based on the aggregate number of points from both Applicant and Respondent memorials;
  - (b) The team(s) with the highest aggregate final score for the Applicant memorial;
  - (c) Review by an individual chosen by the Regional Organizer.
3. Notwithstanding Article 4B(2) above, where a country remains unrepresented after the initial determination of teams is made, then the highest scoring team from that country, based on the aggregate final scores received for both Applicant and Respondent memorials, shall replace the lowest scoring team from a country with two or more successful teams.
4. The Regional Organizer shall announce the successful teams on or before the deadline indicated by e-mail and/or through the Competition website.
5. Teams receiving invitations to compete in the oral rounds of the Asia-Pacific Regional Round and who are not based in the city where the Asia-Pacific Regional Round is to be held for that year must submit documentary evidence of having sufficient funding to participate in the oral rounds within one (1) week of publication of the invited teams or of receiving an invitation to compete. Evidence may take the form of letter(s) committing specified sums of money as funding from the university or sponsor(s), or other forms of documentary evidence which the Regional Organizer deems acceptable. Failure to comply with this requirement without prior written approval from the Regional Organizer will result in the disqualification of the team in question.
6. Where a team is disqualified from participation from the oral rounds due to failure to comply with the requirements of Article 4B(5) above, the Regional Organizer shall award the invitation to a qualifying team from the list of remaining competitors. Where such disqualification removes a participant country's only invited team and other competing teams from that participant country exist, the invitation shall be awarded to the team with the highest aggregate score of all final scores received for both Applicant and Respondent memorials that can secure adequate funding to compete in the oral rounds. In cases where only one participating team from the participant country exists, or where no team from the participant country can secure adequate funding to participate in the oral rounds of the Asia-Pacific Regional Round, then the team with the highest aggregate of all final scores received for both Applicant and Respondent memorials which can secure adequate funding from the remaining teams shall receive the invitation.
7. Memorials submitted by teams competing in a National Funding Round who, pursuant to Article 6(3)(b) of the Regional Rules, have indicated that they will compete in the Asia-Pacific Regional Round only if they receive funding from the National Funding Round and who are unsuccessful in their attempt shall not be scored.

#### Article 4C: Preliminary Rounds

1. Each team participating in the oral rounds shall be required to compete in four (4) rounds during the preliminary phase of the competition (individually "**Preliminary Round**", collectively the "**Preliminary Rounds**"). However, the Regional Organizer may adjust the number of Preliminary Rounds that each team must compete in to two (2) or three (3)

## **Asia-Pacific Regional Rules**

### Manfred Lachs Space Law Moot Court Competition

rounds. The Regional Organizer shall announce such changes no later than one (1) month before the date of commencement of the preliminary round.

2. Pursuant to Article 7(3) of the Official Rules, during each Preliminary Round each team shall argue for thirty minutes in total and comply with the time limits as stated in said provision.
3. The judges shall not disclose the results of any moot at the conclusion of any of the Preliminary Rounds to any of the teams.
4. Except for the Regional Final, team members or persons directly or indirectly associated with any team may only attend preliminary rounds in which their team is participating. Similarly, team members or persons directly or indirectly associated with any team must not participate or observe in any occasion where two or more teams practice, moot or assist each other in any manner whatsoever before or during the Asia-Pacific Regional Rounds. Participation in or observation of a funding round which the Regional Organizer has not authorized contravenes this rule.

#### Article 4D: Determination of Semi-Finalists

1. At the conclusion of the preliminary rounds, the Regional Organizer shall tabulate the scores for each team and shall announce the four (4) teams with the highest point totals, calculated from the aggregate scores of each team's written and oral pleadings, as teams proceeding to the Regional Semi-Finals.
2. Notwithstanding the provisions in Article 4D(1), if there are seven (7) teams or less in the oral rounds of the Asia-Pacific Regional Round, the Regional Organizer shall announce two (2) teams with the highest point totals, calculated from the aggregate scores of each team's written and oral pleadings, as teams proceeding to the Regional Final.
3. In case of two or more teams having equal points, the tie shall be broken, in order:
  - (a) The team(s) accruing the greater number of victories in the Preliminary Rounds;
  - (b) The team(s) with the aggregate score from the oral arguments;
  - (c) The team(s) with the lesser number of penalty points.

#### Article 4E: Regional Finals

1. The draw for the Regional Semi-Finals shall be determined by the top ranking team competing against the lowest ranking team and the second-highest ranking team competing against the second-lowest ranking team.
2. If the teams have competed against each other during one of the Preliminary Rounds, then the teams will argue the side that they did not plead in the Preliminary Round. Otherwise the side that each team will argue in each Semi-Final round will be determined by a coin

## **Asia-Pacific Regional Rules**

### Manfred Lachs Space Law Moot Court Competition

toss, and the team with the higher ranking shall call the toss. The coin toss shall take place at the time following the announcement of the advancing teams.

3. Each Semi-Final shall be decided by the panel judges after deliberation. All decisions by the judges are final. The Regional Organizer shall announce the winners of the Semi-Finals in an open forum before the participating teams.
4. The winners of the Semi-Finals shall compete in the Regional Finals. If the teams have competed against each other during one of the Preliminary Rounds, then the teams will argue the side that they did not plead in the Preliminary Round. Otherwise the side that each team will argue in the Final will be determined by a coin toss, and the team with the higher ranking score through the Preliminary Rounds shall call the toss. The coin toss shall take place at the time following the announcement of the advancing teams.
5. The Final shall be decided by the panel of judges after deliberation. All decisions by the judges are final. The judges shall announce the winner of the Asia-Pacific Regional Round in an open forum before the participating teams.

## ARTICLE 5: REGIONAL AWARDS

1. The winner of the Regional Finals will receive an award in recognition of their achievement and attains the right to advance to the world finals of the Competition as organized by the IISL each year.
2. There shall be awards given to the runners-up, the team with the best aggregate score for the written memorials, the best oralist for the Preliminary Rounds and the best oralist for the final round.

## ARTICLE 6: NATIONAL FUNDING ROUNDS

1. With the prior written approval of the Regional Organizer, a sponsor or sponsors may organize a competition within a country in the Asia-Pacific Region in which the winning team will have its participation costs in the Competition funded, whether in full or in part (a “**National Funding Round**”).
2. A university or other institution located in a country in which a National Funding Round is held may elect to participate in that particular National Funding Round or to compete only in Asia-Pacific Regional Round without prejudice to its rights to participate in the Asia-Pacific Regional Round.
3. A National Funding Round may adopt its own supplementary rules. The organizer of a National Funding Round shall submit a copy of such rules to the Regional Organizer for comment. Nevertheless, the Regional Organizer reserves the right to require changes where the rules of a National Funding Round, in his or her determination, are in conflict with either the Official Rules or the Regional Rules.

## **Asia-Pacific Regional Rules**

### Manfred Lachs Space Law Moot Court Competition

4. The organizer of a National Funding Round shall choose the date(s) and venue(s) of the National Funding Round from a time period identified by the Regional Organizer.
5. A National Funding Round shall be conducted in a manner which reflects the highest degree of fairness and impartiality. The organizers of a National Funding Round shall ensure the interests and the reputation of the Competition are kept in the highest standing at all times. The Regional Organizer maintains the right to issue additional requirements, recommendations or suggestions to a particular National Funding Round or to the National Funding Rounds generally.
6. The organizer of a National Funding Round shall inform the Regional Organizer of all matters arising from the organization of the National Funding Round as soon as practicable, including the chosen date(s) and venue(s), the teams registered to and actually participate in the National Funding Round, the format of the rounds, the draw, and the judges involved in each round. The organizer of a National Funding Round shall inform the Regional Organizer of the winner of the National Funding Round as soon as possible.
7. Failure of a National Funding Round to comply with the provisions of this Article 6 may result in the approval of the funding round being revoked.

## ARTICLE 7: PENALTIES

1. The Regional Organizer has the exclusive discretion to impose penalties under the Official Rules and the Regional Rules. Any penalty imposed, unless expressly stated otherwise by the Regional Organizer, are final and not subject to appeal.
2. The Regional Organizer may delegate the responsibility of the imposition of penalties to another person unconnected with any team.
3. If a team or member(s) of a team has, in the opinion of the Regional Organizer, conducted itself in a manner that brought the Competition into serious disrepute, the Regional Organizer may impose penalty points of unlimited discretion on that team's preliminary round points, oralist points or memorial points and may also disqualify a team from the Competition in that year.
4. For any violation of the Regional Rules for which no applicable penalty is found in the Official Rules, the Regional Organizer has the discretion to impose up to (2) penalty points to a preliminary round.

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