


## 1. GENERAL

1.1. The Kuala Lumpur Bar E-Moot Competition 2020 (“**the Competition**”) comes under the auspices of the Organising Committee (“**the Committee**”) comprising of members of the Kuala Lumpur Bar Committee’s Young Lawyers Committee (“**KLYLC**”). The Committee has the power to:

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- (a) plan and organise the Competition;
  - (b) set, amend and/or revise these Regulations and/or any supplemental or further Regulations for the Competition, which may be implemented by the Committee from time to time without any notice to the participants, which interpretation exclusively rests on the sole unfettered discretion of the Committee;
  - (c) decide the criteria of participating Teams (defined below at Regulation 3.1) and invite such Teams to join the Competition;
  - (d) invite or appoint writer(s) of Moot problems, judges, facilitators and other persons who may assist in the Competition;
  - (e) invite or appoint collaborators and/or partners and/or sponsors for the Competition; and
  - (f) delegate all or any of its power to such person(s) to administer the Competition.

1.2. The date of the Competition shall be **28<sup>th</sup> and 29<sup>th</sup> November 2020** and will be held remotely through an electronic medium. The said electronic medium will be made known to participants by the Committee through separate announcements. For the purposes of the Competition, the Schedule annexed hereto which provides for the rules and regulations governing the applicable conduct of video conferencing, shall be construed as and forms

part of this Official Regulation and shall be binding upon all participants in the Competition.

- 1.3. The official language of the Competition is English and interpreters will not be available.
- 1.4. For the purposes of this Regulation, the term “participants” includes Team Members, Team Advisors/Coaches and spectators affiliated with the Team.

## 2. REGISTRATION

- 2.1. Participants shall submit the registration form to the Committee by email at **registration@klbar.org.my** by or before and no later than **11.59pm, 11<sup>th</sup> September 2020**. Details of the representative as a coach/representative/contact person from each Team shall be provided in the registration form. Any changes to the registration form submitted after **14<sup>th</sup> October 2020** shall not be entertained.
- 2.2. The Committee reserves the right to collect and retain all registration information provided for the purposes of the Competition as the Committee may deem fit or necessary.
- 2.3. The registration fee for every Team is fixed at RM150.00 (registration fee for every Team during the Early Bird period is fixed at RM100.00) and all Teams must pay the registration fee no later than **11.59pm, 11<sup>th</sup> September 2020** through one of the following modes of payment:
  - (a) By way of a cheque or a banker’s draft made payable to “**Kuala Lumpur Bar Committee**”, where registration will be deemed received upon clearance of the cheque or the banker’s draft;
  - (b) By way of electronic transmission to the account of **Kuala Lumpur Bar Committee (Maybank Account No. 564315003715)**; and/or

(c) By way of any other modes of payment as may be proposed and/or instructed by the Committee from time-to-time.

2.4. The Committee shall have the sole and unfettered discretion to extend the time for payment of the registration fee under considered circumstances.

2.5. Registration is only deemed completed upon payment of the registration fee and the representative of all Teams shall provide proof of payment of the registration fee to the Committee via email at **registration@klbar.org.my** before the due date pursuant to Regulation 2.3 above.

2.6. A Team number shall be allocated to the Teams upon confirmation of registration.

2.7. Registration fee paid under Regulation 2.3 above shall be non-refundable under all circumstances.

2.8. The Committee shall have the right to decide on the maximum number of participating Teams in the Competition and registration of each respective Team shall be accepted on a “first come first served” basis.

### **3. MEMBERSHIP AND ELIGIBILITY OF TEAMS**

3.1. Each Team shall consist of a minimum of two (2) members and a maximum of five (5) members, each of whom:

(a) is pursuing an undergraduate law degree or the Certificate in Legal Practice or a bar qualifying course or its equivalent, including such students who, at the time of registration, have completed their final examinations for the aforesaid courses and are waiting for their results of the final examinations;

- (b) is enrolled at a law school as a full time or part time student as at the date of the deadline of registration of the team; and
- (c) has not commenced pupillage or been admitted as an advocate and solicitor, barrister, attorney, legal practitioner or equivalent in any jurisdiction.
- 3.2. Teams shall comprise of members who are of Malaysian nationality. Non-Malaysians are permitted to participate, however each Team shall not have more than one (1) member of foreign nationality.
- 3.3. Members of each Team shall be law students from the same law faculty of the same university (“**Institution**”). There may not be more than two (2) Teams representing the same Institution, irrespective of whether such Teams are the representatives of different campuses and/or branches of the said Institution, or otherwise.
- 3.4. **Sponsored Teams**
- 3.4.1. Any Teams sponsored by third parties that are independent and not affiliated with the Team’s respective Institutions, whether directly or otherwise are known as “**Sponsored Teams**”.
- 3.4.2. All Team Members in the Sponsored Teams shall fulfil the requirements stipulated in Regulations 3.1 and 3.2 herein. For purposes of Regulation 3.3, a Sponsored Team shall be deemed as a Team representing their respective Institution and constitutes one of the two teams representing the said Institution.
- 3.4.3. A Sponsored Team shall expressly identify itself as representing their Institution in their registration for the Competition. The name of the Sponsored Team shall be identified as “**(Name of the Institution)-(Name of the Sponsor)**”.

3.4.4. In addition to the provision in Regulation 2.5 above, a Sponsored Team shall be required to furnish a written sanction from their respective Institutions endorsing the participation of the Sponsored Team in the Competition. Such documentations and/or written sanction shall be forwarded to the Committee by email to **registration@klbar.org.my** prior to the deadline for registration stipulated in Regulations 2.1 above.

3.4.5. Registration of Sponsored Team shall only be deemed completed upon the Committee having received the completed documentations which includes the written sanction stipulated in Regulation 3.4.4 above.

3.4.6. Failure by any Sponsored Team in submitting the complete registration documents stipulated in Regulation 2.5 and Regulation 3.4.4 will subject the Sponsored Team to disqualification. In such event, registration fees paid for by the Sponsored Team shall be forfeited by the Committee.

3.5. **Participation of Team members:**

3.5.1. All members of the Team shall participate in the preparation of the Written Submission.

3.5.2. There shall be two (2) members acting as Counsels on behalf of the Applicant and/or the Respondent in each round of Oral Submission.

3.5.3. During each round of Oral Submission, members of the Team other than those who are acting as Counsels are permitted to be seated with the Counsels (“**Supporting Counsels**”).

3.5.4. Supporting Counsels shall not have the right to address the Court or to make Oral Submission, Rebuttal or Sur-rebuttal.



- 3.6. Each Team may not have any outside assistance in the preparation or presentation of their cases other than general guidance on the issues involved and research sources.

#### **4. THE MOOT PROBLEM**

- 4.1. The Moot Problem will be announced at an appointed date by the Committee and the same problem will be used throughout the Competition.
- 4.2. The Moot Problem will contain multiple points of law to be decided by the Committee.
- 4.3. Any requests for clarification of the Moot Problem may be forwarded to the Committee at **melissadass@klbar.org.my** (c.c. **mootcompetition.klbar@gmail.com**) by or before **11.59p.m of 16<sup>th</sup> September 2020**. Any requests submitted after the deadline will not be entertained.
- 4.4. The Committee may at its absolute discretion resolve such ambiguities and/or release clarifications to the Moot Questions and communicated back to the Team requesting for such clarification.
- 4.5. Each Team is required to prepare Written Submissions and Oral Submission for both the Applicant and the Respondent.

#### **5. WRITTEN SUBMISSIONS**

##### **5.1. Submission of Written Submissions**

5.1.1. Each Team participating in the Competition shall prepare one (1) Written Submission for the Applicant and for the Respondent respectively.

5.1.2. Each Team shall submit its Written Submission for the Applicant and for the Respondent to **melissadass@klbar.org.my** (c.c.

**mootcompetition.klbar@gmail.com)** no later than **11.59p.m of 28<sup>th</sup> October 2020**, failing which such Teams will be subject to late penalties.

- 5.1.3. Both Written Submissions shall be submitted to the Committee in a single email message, addressed to the Committee with both Written Submission for the Applicant and the Respondent attached as separate files titled “####A” and “####R” respectively (where “####” is the allocated official Team number of the Team).
- 5.1.4. The official time of the receipt of submissions for the purpose of calculating late penalties is the time when the email message attaching the Written Submissions is received by the Committee.
- 5.1.5. Teams may resubmit their Written Submissions without penalty **prior to 28<sup>th</sup> October 2020**. A two (2) point penalty will be imposed on all resubmissions of Written Submission after 28<sup>th</sup> October 2020, in addition to any other applicable penalties.
- 5.1.6. Equipment failure or problems will not be considered justification for improper formatting or late submission of Written Submissions.
- 5.1.7. Teams who have failed to submit their Written Submissions will not be awarded any score in the component of Written Submissions and such outcome may affect the Total Round Scores awarded to the said Team.

## 5.2. **Formatting of Written Submission**

### 5.2.1. File Type

All parts of each Written Submission shall be contained in a single file in Microsoft Word format and have a .doc or .docx file extension. Written Submissions that do not conform to this Regulation, such as Written Submission in PDF format or

Written Submission using a .dat file extension and/or any other file extensions will not be accepted. Resubmissions of Written Submissions will be subject to Regulation 5.1.5.

#### 5.2.2. Paper Size/Margins

All pages of the Written Submission must be letter size, 8.5 x 11 inches (21.6 x 27.9 cm), with margins of at least one inch (2.54 cm) on all four sides. Teams that do not comply with this Regulation will be required to resubmit their Written Submissions. Resubmissions of Written Submissions will be subject to Regulation 5.1.5.

#### 5.2.3. Recommended Font, Font Size and Line Spacing

It is recommended that the font and size of the text of all parts of the Written Submission, excluding the Cover Page and page numbers but including the footnotes, be in Times New Roman 12-point, except for Footnotes which shall be in Times New Roman 10-point. The line spacing for all parts of the Written Submission shall be 1.5 lines, with the exception of the Cover Page, Table of Contents, Index of Authorities, headings and footnotes (which can be single-spaced). A quotation to sources outside of the Written Submission may be block quoted (i.e. right and left indented) and single-spaced if the quotation (excluding footnotes) has at least 50 words.

#### 5.2.4. Advance Feature of Microsoft Word

Teams that take advantage of the advanced features of Microsoft Word – including Track Changes and Comments – while drafting their Written Submissions are responsible for understanding how those advanced features work. A Written Submission with tracked changes that have not been properly accepted or comments that have not been properly removed prior to submission will be assessed



up to a five (5) point Penalty. The Committee shall accept all tracked changes and remove all comments found in an affected Written Submission before submitting it to the Written Submission Judges.

### 5.3. **Content of Written Submissions**

5.3.1. The Written Submission must contain the following parts in the following order:

- (a) Cover Page;
- (b) Table of Contents;
- (c) Index of Authorities;
- (d) Executive Summary;
- (e) Submissions; and
- (f) Conclusion.

5.3.2. Parts not enumerated in Regulation 5.3.1 above, for example, a Table of Abbreviations or a Statement of Facts, are prohibited.

### 5.4. **Cover Page**

The front cover of each Written Submission must have the following information:

- (a) The Team Number in the upper right-hand corner followed by “A” if an Applicant’s Written Submission or “R” if a Respondent’s Written Submission (e.g., Team 123 would put a “123A” in the top right-hand corner of the front cover of its Applicant Written Submission);
- (b) The name of the court (i.e. in the Federal Court of Malaysia);
- (c) The year of the Competition;

- (d) The name of the case; and
- (e) The title of the document (i.e. “Applicant’s Written Submission” or “Respondent’s Written Submission”).

#### 5.5. **Index of Authorities**

The Index of Authorities must list all legal authorities cited in any part of the Written Submission and must indicate the page number(s) of the Written Submission on which each is cited.

#### 5.6. **Executive Summary**

A well-formed Executive Summary should consist of a substantive summary of the Submissions of the Team’s Written Submission, rather than a simple reproduction of the headings contained in the Submissions.

#### 5.7. **Legal Argument Limited to Submissions**

Substantive, affirmative legal argument or legal interpretation of the facts of the Moot Problem may be presented only in the “Submissions” part of the Written Submission. Summaries of such arguments may be included in the Questions Presented and the Executive Summary.

#### 5.8. **Length**

- 5.8.1. The word count for each Written Submission shall be conducted using the standard “Word Count” feature in Microsoft Word programme.

5.8.2. The total length of the Executive Summary section, including any section title, headings, sub-headings and associated footnotes a Team might elect to include, must not be longer than 750 words.

5.8.3. The total length of the Submissions section, including the section title, any section headings, section sub-headings, the required Conclusion, associated footnotes and signature block a Team might elect to include, must be no longer than 5,000 words.

5.8.4. Manipulation of word count is prohibited and will be subject to a discretionary penalty of up to five (5) points pursuant to Regulation 5.13.5 below in addition to appropriate penalties for exceeding the word count. For example, a Team may not, in order to reduce word count, intentionally remove spaces between words or abbreviations in citations where a space would normally occur in standard citation formats, or use hyphens inappropriately, non-breaking white spaces, or macros, or otherwise modify the word processor dictionary.

#### 5.9. **Citation Requirement**

Footnotes must be used to identify the source of statements or propositions made in the body of the Written Submission. Endnotes are not permitted. Footnotes may include substantive submissions in addition to the text of the citation itself. Footnotes are included in the word limit specified under Regulation 5.8.

#### 5.10. **Citation Form**

Citations appearing in the Index of Authorities and text or footnotes of the Written Submission must include a description of each authority adequate to allow a reader to reasonably identify and locate the same in a publication or other source of general availability.

#### 5.11. **Anonymity in Written Submissions**

Names of participant and the school name of Teams may not appear on or within the Written Submission, and Team Members should not sign their Written Submissions. The Committee shall strike all references to Team Members, school names of Teams or other information and/or contents in the Written Submission, in the opinion of the Committee, capable of indicating the authors of the Written Submission from the Written Submissions before submitting them to judges.

#### 5.12. **Three-Judge Panels**

The Committee shall assign three (3) Written Submission Judges whenever possible to grade each Written Submission. In extenuating circumstances, the Committee may assign a minimum of two (2) Written Submission Judges.

#### 5.13. **Penalties**

5.13.1. Penalties for Written Submissions may be imposed by the Committee and shall be deducted from each of the individual Written Submission Judges' score on the Team's Written Submission. In the event that a Written Submission is scored by only two (2) judges, penalties shall be deducted from each of the two Written Submission Judges' scores prior to calculating the third score.

5.13.2. The minimum adjusted raw score that any Team may receive from any individual Written Submission Judge is 50 points. No further reduction may be made to scores after the minimum score is reached, regardless of unallocated Penalty points remaining.

5.13.3. In instances where only one (1) Written Submission is in violation of a Regulation, Written Submission Penalties may be deducted from the scores of the offending Written Submission only.

5.13.4. The Committee shall notify all affected Teams of imposed Penalties before the first round and shall include with such notification a reasonable deadline for any appeals from the decision to impose Penalties. A Team may appeal against any Penalty imposed against its Written Submission by submitting a formal application to the Complaints Committee in compliance in the manner prescribed in Regulation 10.1 below. No further appeal is available from this decision of the Complaints Committee.

5.13.5. Penalties shall be assessed for any infractions of the Regulations concerning Written Submissions with reference to the following table:

Summary	Penalty	
Tardiness in submitting Written Submissions to the Committee	Subject to Regulation 5.1.7, 5 points for the first day, 3 points per day thereafter.	
Resubmission of Written Submissions after deadline	2 points	
Failure to remove Tracked Changes or Comments	Up to 5 points (one-time penalty)	
Failure to include all parts of Written Submission, or inclusion of an un-enumerated part	2 points for each part	
Failure to include necessary and correct information on Written Submission Cover Page	2 points (one-time penalty)	
Excessive length: Executive Summary	2 points (one-time penalty)	
Excessive length: Submissions	1-100 words over	3 points
	101-200 words over	6 points



	200-300 words over	9 points
	301-400 words over	12 points
	401+ words over	15 points
Word Count Manipulation	Up to 5 points (one-time penalty)	
Violation of anonymity in any Written Submission	Disqualification or up to 10 points (one-time penalty)	
Plagiarism	1 to 50 points	

#### 5.14. **Plagiarism**

Teams shall not commit plagiarism. “Plagiarism” means the act of appropriating the literary composition of another, or parts or passages of another’s writings, or the ideas or language of another, and passing them off as the product of one’s own mind. After investigation and review, in a verified case of plagiarism, the Complaints Committee shall assess a Penalty between one (1) to fifty (50) points to each offending Written Submission, with the Penalty corresponding to the degree of the violation in the judgment of the Complaints Committee and in furtherance to imposing the aforesaid Penalty, the Committee may do one or both of the following: (1) disqualify the Team; (2) notify the Team’s dean and/or other university official(s) of the results of the Complaints Committee’s investigation.

## 6. **ORAL SUBMISSIONS**

### 6.1. **Duration of Presentation**

6.1.1. Each Oral Submission Round consists of fifty (50) minutes of Oral Submission. The Applicant and the Respondent are each allocated twenty-five (25) minutes, including Rebuttal and Sur-rebuttal.

6.1.2. Prior to the beginning of each Oral Submission Round, each Team must inform the Bailiff on how they intend to allocate the Prescribed Time between:

- (a) The first oralist as the Lead Counsel;
- (b) The second oralist as the Co-Counsel; and
- (c) Rebuttal (for the Applicant) or Sur-rebuttal (for the Respondent).

6.1.3. The Lead Counsel from each Team shall indicate how they intend to utilize the twenty-five (25) minutes when making their appearance during the Oral Submission.

6.1.4. Teams are limited to no more than five (5) minutes for Rebuttal or Sur-rebuttal sessions. Only one of the two Counsels participating in the Oral Submission Round, i.e. the Lead Counsel or the Co-Counsel may deliver the Rebuttal or Sur-rebuttal, but the Team need not indicate in advance as to which portion of the submission the Team Member will be submitting on.

6.1.5. A request for an extension of time shall be made to the presiding Judges, if necessary. It is the discretion of the presiding Judges to grant such request for an extension of time. There will be no automatic granting for an extension of time.

6.1.6. The cumulated or aggregate extension of time granted to each Team in each Oral Submission Round shall not exceed five (5) minutes.

6.1.7. No additional or extension of time can be requested or allocated for Rebuttal or Sur-rebuttal.

## 6.2. Order of Presentation

Lead-Counsel for the Applicant
Co-Counsel for the Applicant
Lead-Counsel for the Respondent
Co-Counsel for the Respondent
Rebuttals for the Applicant
Sur-Rebuttals for the Respondent

6.2.1. The Rebuttals for the Applicant shall immediately follow after the conclusion of submission of the Co-Counsel of the Respondent.

6.2.2. The presiding Judges may at his or her sole discretion upon the oral application from the Counsel of the Applicant, grant no more than three (3) minutes for the Applicant to prepare its Rebuttal. The Respondent is required to commence its Sur-rebuttal immediately upon conclusion of the Applicant's Rebuttal.

6.2.3. The Applicant's Rebuttal is limited to the scope of the Respondent's oral submission and the Respondent's Sur-rebuttal is limited to the scope of the Applicant's Rebuttal.

6.2.4. Parties may waive their rights to Rebuttal and/or Sur-Rebuttal. In the event where the Applicant has waived Rebuttal, there shall be no Sur-rebuttal.

## 6.3. Oral Submission shall not Depart from Team's Respective Written Submission

For the purpose of the Oral Submission Rounds, Teams shall not depart from the respective Written Submission. Teams that departs from their respective Written Submission may incur a maximum penalty of five (5) marks from the Aggregate Raw Score of that Oral

Submission Round. This restriction shall not be applicable when the Teams are making oral submission on Rebuttals and Sur-rebuttals respectively.

#### **6.4. Presiding Judges**

6.4.1. The Committee may, at its absolute discretion, allocate either one (1) or three (3) Judges to preside in the Preliminary Rounds and in the Semi-Final Rounds. However, in extenuating circumstances, the Committee may authorize panels of two (2) Judges to preside in such rounds. A maximum of five (5) Judges will preside in the Grand Final Round.

6.4.2. If there is only two (2) Judges score in a given Oral Submission Round, the Committee shall create a third score by averaging the scores of the two Judges.

6.4.3. The usual court decorum, candour and conduct must be observed by all parties at all times during the Oral Submission Rounds.

6.4.4. Selection of the Judges shall be determined by the Committee.

#### **6.5. Communication During an Oral Submission Round**

6.5.1. Only oral communication with the Judges prescribed in Regulation 6.5.2 and 6.5.3 below are permitted. In particular, no written communication and/or exhibits may be presented and/or delivered by any Team to any Judge.

6.5.2. All communications between Counsels and Judges shall be limited to oral communications during the Oral Submission Round.

6.5.3. To prevent disruption and/or distractions, communications between Counsels may be in writing only. Any unnecessary noise, outbursts, or other inappropriate

behaviour caused by any person(s) during the Oral Submission Rounds will cause the said person(s) to be removed from the proceedings.

#### 6.6. **Anonymity of Teams**

Team Members may not directly and/or indirectly indicate their Institution and/or other particulars irrelevant to the Competition to the Judges or Bailiff, including through the wearing of name tags, pins, logos or other signifiers, or the placement of folders, files, library books or other materials identifying their Institution at all material times during the Competition.

#### 6.7. **Scoring**

6.7.1. The Judges shall score the individual counsel's Oral Submission during each Oral Submission Rounds. The Judges will be provided with the official scoring sheets. Every Judge shall award each counsel a minimum of 50 points per round.

6.7.2. The scoring system of each Oral Submission Round will be as follows:

Presentation and Clarity	50%
Use of Authorities	20%
Ability to Answer Questions	20%
Court Room Manner and Etiquette	10%

6.7.3. The raw score awarded by the presiding Judges to each Counsel will be calculated and the Aggregate Raw Scores of each Team will be taken into account, pursuant to Regulation 7.2 in determining the Total Round Scores of each Team in the particular Round.



## 6.8. **Spectators**

Subject to the discretion and determination of the Committee, the Oral Submission Round(s) may be made open to the public. To this end, the Committee will determine the suitable mode/medium that will enable members of the public to spectate the Oral Submission Round(s).

## 6.9. **Scouting**

6.9.1. Team Members or persons directly affiliated with any Team may attend only Oral Submission Rounds in which that Team is competing. Violation of this Regulation should be brought to the attention of the Bailiff and/or the Complaints Committee immediately, without disrupting the ongoing Oral Submission Round.

6.9.2. There are two types of scouting, both of which are prohibited. “Direct Scouting” occurs when a Team attends an Oral Submission Round involving one or more teams against which it will or might compete in a future Oral Submission Round. “Indirect Scouting” occurs when a Team attends an Oral Submission Round involving two Teams against which it is not scheduled to compete in the Competition.

6.9.3. The Complaints Committee may, from time to time, fix and impose such penalties, as it thinks fit, against Teams who commits Direct Scouting and/or Indirect Scouting.

6.9.4. The Committee may, at its own discretion and in taking into account the interests of the Competition, waive this Regulation.

#### 6.10. **Audio and Videotaping**

No audiotaping or videotaping of Oral Submission Round is permitted without the advance permission of the entire panel of Judges, the two participating Teams and the Committee. In no circumstance may participating Teams view or listen to any video or audiotape of an Oral Submission Round until after the completion of the Competition.

The Committee and/or KLYLC and/or KL Bar reserves all rights to permit the official audiotaping and videotaping, or any other form of audio or video reproduction of any Oral Submission Round or part thereof. All Participating Teams will be deemed to have consented to the taping and broadcasting of that Oral Submission Round.

#### 6.11. **Computers, Mobile Phones and other Electronic Devices in Oral Submission Round**

During an Oral Submission Round, unless permitted by this Regulations or the Schedule hereto, Counsels making the submission and other Counsels seated at the bar table(s) shall not operate, for any purpose, mobile phones, laptop computers, PDAs or any other computing or electronic devices, including but not limited to those which are internet-enabled or data-capable, or have instant messaging capabilities. The Complaints Committee shall, at its discretion, impose a Penalty that corresponds to the severity of the violation.

#### 6.12. **Timekeeping Devices in Oral Submission Round**

The official time of the match shall be indicated by the Bailiff. No one other than the Bailiff may display timecards or otherwise signal to the Counsel how much time is left. Teams may use silent digital or analogue watches at the bar table.

### 6.13. Complaints in Oral Submission Round

6.13.1. If a Team believes that an infraction of the Regulations has occurred during an Oral Submission Round, the Team may notify the Complaints Committee in writing within ten (10) minutes of the conclusion of that Oral Submission Round.

6.13.2. Written notification shall clearly describe the alleged violation and the parties involved. When possible, the matter should be raised with the Bailiff outside the presence of Judges.

6.13.3. Failure by any Team to follow the procedures described in this Regulation shall result in a waiver of the Team's complaint.

6.13.4. If a Judge believes that an infraction has occurred during an Oral Submission Round, he or she shall notify the Bailiff orally or in writing immediately after the completion of the Oral Submission Round. When possible, the matter should be raised with the Bailiff outside the presence of the other Judges.

## 7. DETERMINATION OF WINNERS OF A MATCH AND ADVANCEMENTS INTO FURTHER ROUNDS

7.1. The pairing of Teams for the Preliminary Round shall be done in the first instance by the Committee before commencement of the Competition at such time, date and location using such method as may be determined and announced by the Committee.

7.2. The Total Round Scores of each Round, including the Semi-Final Round and the Grand Final Round shall be determined by the following apportionment:

Nature of Score	Apportionment
Aggregate Raw Scores awarded Oral Submission Round	70%

Score awarded to Written Submission for the Round	30%
<b>TOTAL</b>	<b>100%</b>

7.3. The Total Round Scores of each Round will be rounded to the nearest one (1) decimal point and be added and cumulated to be reproduced in a Table of Standing, where Teams will be ranked based on the Aggregate Total Round Scores awarded to the Teams during the Preliminary Round.

7.4. Four (4) Teams with the highest Total Round Scores shall advance to the Semi-Final of the Competition, where the pairing will be determined by the drawing of lots or by any other methods as may be determined by the Committee.

7.5. The winning Team in each of the two Semi-Final Rounds shall advance to the Grand Final Round, where Parties (Applicant and Respondent) will be determined by the drawing of lots or by any other methods as may be determined by the Committee.

7.6. **Tie-Breaking Procedure**

If two or more Teams are tied after application of Regulation 7.1 and the outcome of the determination does not affect any Team's entry into the Semi-Final Round or further advancement to the further round of the Competition, the Teams shall be ranked equally. If, however, further determination is necessary to determine advancement or pairings, the rankings shall be accomplished as follows:

- (a) 1<sup>st</sup> Break: By way of the aggregate score awarded for the respective Team's Written Submissions;
- (b) 2<sup>nd</sup> and subsequent tie-break will be accomplished by such method to be determined by the Committee by taking into account the interests of the Teams and the

Competition as a whole, including but not limited to organising a short Oral Submission Session between the Teams.

## **8. EX-PARTE PROCEEDINGS**

- 8.1. In the event such as where a Team fails to appear for scheduled rounds, the Committee may allow the round to proceed Ex-parte where the present Team will present as Applicant. In an Ex-parte proceeding, the present Team will submit its Oral Submission and will be judged and scored by the Judges as if the absent Team had been presented. In such a case, the absent Team forfeit the Round's marks.
- 8.2. The Committee may schedule an additional Ex-parte proceeding for the absent Team later in the competition, if time and administrative concerns permit. The scores from the additional round will not affect the scoring of the round stated in Regulation 8.1 and are used only for purposes of calculating individual Oral Submission scores.
- 8.3. Teams will be deemed to have failed to appear if only one Counsel appears for the Oral Submission. In such an event, the absent Team's shall be allowed to submit and receive an individual score for purposes of calculating individual Oral Submission score even though his/her Team is deemed to have failed to appear.

## **9. AWARDS**

Champion of the Kuala Lumpur Bar E-Moot Competition 2020
First Runner-Up of the Kuala Lumpur Bar E-Moot Competition 2020
Best Oralist of the Kuala Lumpur Bar E-Moot Competition 2020
Best Team Written Submissions of the Kuala Lumpur Bar E-Moot Competition 2020



## **10. COMPLAINTS AND PENALTIES**

### **10.1. Complaints Committee**

10.1.1. Any appeals from an imposition of a Penalty and/or complaints in respect of any infraction of the Regulations during the period of the Competition shall be forwarded to the Complaints Committee in writing or by completing any forms that may be provided by the Complaints Committee and upon payment of a fee of RM50.00 to KL Bar Committee through one of the modes of payment stated in Regulation 2.3 for each appeal and/or complaint.

10.1.2. The Complaints Committee, upon receiving a complaint and upon discovering an infraction of Regulations by any Team, shall have the power to:

- (a) Decide upon the validity of any appeal from the imposition of a Penalty;
- (b) Hear, deliberate and determine on the complaint/infraction; and
- (c) Should the Complaints Committee be satisfied that there has been infraction of any Regulations herein, to impose any penalty as it deems fit on the Team complained of in accordance to the Regulations herein;
- (d) or, dismiss the complaint.

10.1.3. The Complaints Committee shall consist of one (1) chairperson and two (2) members.

10.1.4. All complaints in respect of any infraction of the Regulations shall be made immediately and/or ten (10) minutes after the completion of the Oral Submission Rounds (for complaints relating to the Oral Submission Rounds) and/or by 4pm on 29<sup>th</sup> November 2020. Any complaints made thereafter shall not be entertained.

10.1.5. Discretionary Penalties pursuant to Regulation 10.2.1(b) below shall be imposed on Teams submitting frivolous complaints.

10.1.6. All decisions made by the Complaints Committee are final and binding on all Institutions, Teams and Participants of the Competition. No appeals therefrom shall be entertained.

## 10.2. **Discretionary Penalties**

10.2.1. In addition to the Penalties listed hereinabove in these Regulations, the Complaints Committee may impose a maximum of fifteen (15) points as a Discretionary Penalty over the Aggregate Total Round Scores of any Team for other violations of the letter or spirit of this Regulations. Such violation may include:

- (a) Poor sportsmanship;
- (b) Submitting frivolous complaint(s) against other Teams;
- (c) Inappropriate behaviour at the bar table during Oral Submission Rounds;
- (d) Blatant disregard for the procedures or requirements outlined in the Regulations.

10.2.2. Discretionary Penalties may be imposed upon a Team for conduct of its Team Members or of persons affiliated with the Team.

10.2.3. The award of the Penalty shall be subject to the discretion of the Complaints Committee. The decision of the Complaints Committee in imposing a Discretionary Penalties shall be final and no appeal against the decision shall be available.

10.2.4. In furtherance and in addition to the Complaints Committee's right to impose Discretionary Penalties, serious breaches of sportsmanship, for example, inappropriate Ex-parte communications with competition Judges either before or after an Oral Submission Round may, at the sole discretion of the Complaints Committee, result in a Team being disqualified from the Competition. The decision of the Complaints Committee in disqualifying a Team from the Competition shall be final and no appeal against the decision shall be available.

### 10.3. **De Minimis Regulation**

Notwithstanding any Regulations to the contrary, the Complaints Committee may at its sole discretion waive or reduce the penalty for any *de minimis* breach or violation of these Regulations.

## 11. **DISQUALIFICATION**

Notwithstanding any Regulations hereinabove to the contrary, the Complaints Committee may disqualify:

- (a) Any individual Participant or Team that fails to comply with these Regulations, unless if such violation may be remedied by the imposition of a penalty; and/or
- (b) Any individual Participant or Team that fails to display good sportsmanship or fails to promote and/or encourage healthy competitions between the Teams.

## 12. **FINALITY OF THE REGULATIONS AND DECISIONS MADE**

- 12.1. These Regulations are final. All Institutions, Teams and Participants are bound by these Regulations upon registration.
- 12.2. The interpretation of any specific terms and/or clauses in these Regulations shall rest on the sole unfettered discretion of the Committee.
- 12.3. All decisions made by the Committee and the Complaints Committee are final and binding on all Institutions, Teams and Participants of the Competition. No appeals therefrom shall be entertained.
- 12.4. In the event of inconsistency, contravention or conflict between these Regulations and other documents relating to the Competition, these Regulations shall prevail subject to the Committee's discretion.

10<sup>th</sup> August 2020.

The Organising Committee of  
Kuala Lumpur Bar E-Moot Competition 2020