



2020

Qatar Airways/McGill

Air Law Speed Moot Court Competition

Rules

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Rules

Preamble

The **Qatar Airways/McGill Air Law Speed Moot Court Competition** (the “Competition”) focuses on issues in the specialised domain of air law. The goal of the Competition is to provide law students, at the undergraduate and graduate levels, with the unique opportunity to grapple with fascinating topics and legal issues in aviation, and to provide a platform for budding lawyers to perfect their oral advocacy and public speaking skills. Participation in the Competition is now open to students registered in all Quebec and Ontario law schools.

Purpose of the Competition:

- (i) To educate and train young lawyers aspiring to careers in the aerospace industry;
- (ii) To facilitate the development of oral advocacy skills among the participating students; and
- (iii) To boost the study of air law among the Canadian law school community.

The following rules will govern the Competition.

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1. ORGANISATION AND ADMINISTRATION

A. Organisation of the Competition

The Competition is organised and presented annually under the sponsorship of Qatar Airways by the McGill University Institute of Air and Space Law (the “Institute”). All materials developed and published for the purposes of the Competition will remain the sole property of the Institute, and may not be reproduced or published without express permission of the Institute.

B. Administration

The Institute assumes the responsibility for organising and administering the Competition. All materials including the Rules and the Competition problem (the Compromis) will be available on the designated website at <https://mcgill.ca/iasl/airmoot>.

- (i) The official email for the speed moot is airmoot.iasl@mcgill.ca.
- (ii) The Institute will designate the date and location for the Rounds and will conduct the Competition in a manner consistent with these Rules.
- (iii) The Institute will appoint a Coordinator(s) who will be in charge of the day-to-day running and organisation of the Competition. The Coordinator will not serve as an advisor/coach to any team or assist any team. The Coordinator will not act as a judge in the Competition but will be permitted to participate as a member of a moot team in the Competition.

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- (iv) The Coordinator will report to the Director of the Institute on all matters concerning the moot.
- (v) The Institute or Coordinator may request students to serve in supportive roles during the Competition, such as court clerks. No student so appointed will be a registered team member or a judge in the Competition or a team advisor/coach to any participating team.
- (vi) The Institute will publish a calendar of events setting out the relevant deadlines and dates for the Competition on the designated website. All rounds will be held on dates and at venues according to the schedule of events provided by the Institute.

C. Interpretation of the Rules

The Director, together with the designated representative of Qatar Airways, will act as a Joint Committee for any decisions assigned by these Rules to such Joint Committee. The Joint Committee will be the final arbiter for the implementation and interpretation of these Rules. Additionally, the Joint Committee will have complete discretion when making determinations relating to extenuating circumstances.

2. STRUCTURE OF THE COMPETITION

A. The Moot Problem/Compromis

The Institute will invite an accomplished person in the field of air law to draft the Compromis, which will be made available to the prospective participants on the designated website. To assist the judges, the author of the Compromis will also prepare a Bench Memorandum setting out the major issues in the case and the major arguments that the author expects the teams to make.

- (i) The Bench Memorandum will not be made available to the participants until after the end of the Competition.
- (ii) A team may submit a clear and specific written request for clarification about the Compromis to the Director, who shall transmit that request to the author. The deadline for submitting requests for clarification will be **23 March 2020**.
- (iii) Responses to all requests for clarification will be provided by the author by **30 March 2020**. All requests for clarification and the responses will be circulated to all registered teams.

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B. Competition Rounds

The Competition will consist of three rounds comprising a Preliminary Round, a Semi-Final Round, and a Grand Final for which the teams with the highest scores will qualify.

- (i) The Competition consists of only oral rounds. No written pleadings/memorials will be required.
- (ii) No written communications or exhibits are required during the Competition.
- (iii) Each team will argue at least once for the applicant and once for the respondent.
- (iv) All rounds will be open to the public.

3. PARTICIPATION AND ELIGIBILITY

A. Team Composition and Eligibility

The Competition is open to teams composed of students enrolled in law schools, law faculties or law departments in Quebec and Ontario, Canada. Participants must be students actively registered in a Bachelor of Laws (BCL/LLB), Juris Doctor (JD), Graduate Certificate, Master of Laws (LLM) or doctoral (DCL/PhD) programme. Students who have previously competed in the Competition are not eligible to be team members in the 2020 Competition but are eligible to serve as judges or court clerks.

- (i) Each team must comprise only two members who will be the sole contributors to the work product of the team.
- (ii) Each team must prepare to argue for the applicant and for the respondent at least once.
- (iii) A team may be chosen by methods and processes set by the responsible authority within their institution.
- (iv) A participating institution may register more than one team in the Competition.
- (v) No substitution of team members is permitted once the registration deadline has passed except in case of extenuating circumstances with the written permission of the Joint Committee.
- (vi) All final determinations of eligibility are in the discretion of the Joint Committee.

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B. Registration

All eligible students and advisors/coaches must register their team by completing the registration form found on the website of the Institute of Air and Space Law at <https://www.mcgill.ca/iasl/airmoot> and submitting the form to airmoot.iasl@mcgill.ca by 11:59 PM (EST) on the deadline set in the official schedule.

- (i) Once fully registered, each team will be assigned an official Team Number by which they will be identified during the Competition.
- (ii) No registration fee is required.
- (iii) All team members and advisors/coaches are expected to regularly check the designated website for updates and announcements.
- (iv) A team may make a request to change its registration information by submitting a request to change registration information and an explanation of the reason for the change to airmoot.iasl@mcgill.ca. A team can only make changes once express permission has been granted.

C. Outside Assistance

Teams must research, develop arguments and prepare their oral presentations on their own. Teams may receive outside assistance from advisors or coaches in preparation for the moot. However, the assistance provided must be restricted to general

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discussions on topics and issues as well as general advice on oral presentation skills and techniques of the participants.

- (i) No persons who have been associated with the drafting of the Compromis will assist/coach any teams.
- (ii) Team members and advisors/coaches of teams will not provide assistance in any way to other teams.
- (iii) A violation of any of these provisions will result in immediate disqualification.

4. ORAL ROUND RULES AND PROCEDURES

A. Time

Each round of the Competition consists of 30 minutes of oral pleadings. The teams will be allotted a total of 15 minutes to present their arguments, including the time used to answer questions posed by the judges and time reserved for rebuttal or sur-rebuttal.

- (i) Each team member must make an oral presentation during the team's round.
- (ii) Before the round commences, each team must indicate to the court clerk how it wishes to allocate its 15 minutes between the two team members, as well as how much time it wishes to allocate for the rebuttal and sur-rebuttal.
- (iii) While teams are free to choose how to utilise their time, a team may not allocate more than 9 minutes, including rebuttal or sur-rebuttal, to a team member.
- (iv) Judges may, at their discretion, add time for a team's oral argument but they must do so equitably in relation to the opposing team.
- (v) The Joint Committee will have discretion to permit a single participant to argue the case or to argue beyond the 9-minute limit provided extenuating circumstances can be demonstrated.
- (vi) The time allocated for but not used by one team member may not be used by the other team member or saved for rebuttal or sur-rebuttal.

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B. Language

The language of the Competition will be English.

C. Pairing of Teams

The pairing of Teams for all Rounds will be done by a random draw.

D. Order of pleadings

The order of the pleadings in each round and at all levels of the Competition will be:

Applicant 1 + Applicant 2

then

Respondent 1 + Respondent 2

followed by

Rebuttal (Applicant 1 or 2) and

Sur-rebuttal (Respondent 1 or 2).

E. *Ex Parte* Proceedings

A team may be allowed to proceed *ex parte* only in extreme circumstances where another team fails to appear for a scheduled round. At all times, the Coordinator must endeavour to pair teams including preparing an exhibition team.

F. Anonymity of Teams

Teams must not reveal the identity of a participating institution to judges at any time before or during the Competition.

- (i) Teams will only be identified by their team numbers.
- (ii) The Coordinator, upon consultation with the Joint Committee, may disqualify or impose a penalty against any team that intentionally discloses the identity of a participating institution to a judge during the Competition.

G. Conflict of interest

Any Team may submit a complaint to the Joint Committee either directly or through of the court clerks of the particular round concerning the likelihood of a conflict of interest by any member of the panel of judges or court clerks prior to commencement of the round.

H. Court room decorum

Participants must uphold the highest level of discipline and professional decorum during the rounds.

- (i) Team members may only communicate with the judges during their allotted time.
- (ii) Communications between team members during the rounds must only be done in writing. No oral or written communication is permitted between team

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members when a speaker is presenting an argument. This will not prevent a speaker from approaching his/her table to access and consult any material required in responding to a question.

- (iii) All written or oral communications made during a round must be between team members or among judges. No other written communication may take place between the judges, the team members, or spectators.
- (iv) Team members and spectators must refrain from all unnecessary noise, outbursts, or other inappropriate behaviour which would distract the participants and/or the presiding panel.
- (v) To prevent scouting, team members and persons directly affiliated with the team will only be permitted to attend the rounds in which that team is competing. Team members and persons directly affiliated with the team which does not progress to the next round may attend any rounds.
- (vi) No audiotaping or videotaping of rounds is permitted without the advance permission of the Joint Committee, the entire panel of judges, and the two participating teams.
- (vii) Operating electronic devices by the team members at the podium is prohibited during the oral rounds.
- (viii) Team members, judges, court clerks, and spectators must ensure that their electronic devices are turned off or placed in silent mode and removed from sight as soon as the court clerk signals that the proceedings are beginning.
- (ix) Violation of any part of this Rule may result in penalty of up to 10 points or disqualification.

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- (x) The court clerk will be the custodian for the official time of every round. No person may display timecards or make signals to the presenters on how much time has been used up or is left.

I. Complaints Regarding Conduct

A team may submit a written complaint to the Director or to the Coordinator concerning any alleged violations of these Rules which materially deprive it of any opportunity to earn points or to advance to the subsequent rounds. The complaint must be submitted through the official Competition email within 2 hours after the conclusion of the round in question. The complaint must clearly show:

- (i) The team number(s) and contact information of the team making the complaint;
- (ii) The specific facts constituting the alleged violation(s) and a description of how the violation(s) materially deprived the team of an opportunity to earn points or to advance to the subsequent rounds;
- (iii) The identities and contact information of any witnesses to the violation(s).
- (iv) All teams involved in the complaint are prohibited from discussing the complaint with other teams, judges, court clerks and spectators until a decision is taken on the complaint by the Joint Committee.

5. SELECTION AND PROCEDURE FOR JUDGES

A. Selection of Judges

The Director, in consultation with the Designated Representative of Qatar Airways, will invite leading authorities and practitioners in the field of air law to serve as judges in the Competition.

B. Composition of Panels

The panel of Judges for each Round must be composed of an uneven number of judges. The Director of the Institute and the Coordinator will endeavour to compose panels of at least three judges.

- (i) In extenuating circumstances, panels during the preliminary rounds may be presided over by a single judge or by two judges. The panels for the semi-final rounds and the Grand Final must always be composed of uneven numbers of judges.
- (ii) A team may not be evaluated by the same panel more than once.
- (iii) Judges will demonstrate the highest form of professional courtesy to the participating teams, to fellow judges, and to the court clerks.

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C. Assessment

The members of each panel of judges will assess the oral arguments of each team member on an individual basis. Each judge will assess each team member based on the criteria listed under Paragraph 5(d) and 5(e) and enter the points obtained by each team member on the scoresheets provided.

- (i) Members of the judges' panel may interrupt a speaking team member at any moment in an oral argument in order to pose a question or to make a comment.
- (ii) Each judges' panel may, at its discretion, decide to give a particular speaker or team extra time to finish an argument if it feels it is reasonable to do so.
- (iii) For all proceedings within the courtroom, the decision of the judges' panel will be final and binding. Teams may make an official complaint by following the procedure in Rule 4(H).

D. Criteria for assessment

Each team member will be scored on:

- (i) Originality of the argument,
- (ii) Structure and logic of the argument,
- (iii) Knowledge of the facts and of relevant law,
- (iv) Competence in answering questions, and
- (v) Overall presentation.

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E. Calculation of Points

Each category mentioned in Rule 5(d) will be worth 10 points. Each team member will be scored from a total of 50 points (so that a team can earn a maximum of 100 points between its two speakers).

- (i) In the event of the need for a tie-break between one or more teams, the team that has the greater number of win points will advance to the subsequent round. Each round that a team wins will earn 10 points for that team. Win points will be added to the total score for each team only in the event of a tie.
- (ii) In the event that this number is equal as well, the determination will be made by the Joint Committee in a manner that is fair and is communicated to the student participants.

F. Penalties

Penalty points may be deducted only by the Coordinator and should correspond to the following criteria:

- (i) Improper Courtroom communications may result in a deduction of up to 10 points;
- (ii) Violation of anonymity in the courtroom may lead to disqualification of the team or may result in a deduction of up to 15 points; and
- (iii) Scouting may lead to disqualification, forfeiture of the round subsequent to the scouting or may result in a deduction of up to 20 points.

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G. Feedback

Judges are encouraged to give feedback to teams regarding their performance once a round has been completed. However, the feedback may not reveal contents of the Bench Memorandum or the scores and results of the Round.

6. RESULTS AND AWARDS

A. Results

Results for each round will be communicated within a reasonable time after the conclusion of the round. After the conclusion of the Competition, the participating teams will receive:

- (i) copies of the scoresheets with comments from judges, if any; and
- (ii) a copy of penalties, if any, with comments,
- (iii) a copy of the overall rankings of the teams; and
- (iv) a copy of the overall rankings of individual speakers.

B. Awards and Prizes

In addition to trophies and certificates, the following monetary prizes will be awarded:

- (i) Winning team: C\$1000
- (ii) Runner-Up Team: C\$750
- (iii) Best Oralist: C\$500
- (iv) Spirit of the Moot: C\$350

The Spirit of the Moot Award is given to the individual speaker who, by vote of the court clerks, best represents the spirit of camaraderie, integrity, decorum, collaboration, and commitment that should characterise the conduct of an excellent student-centered moot court competition.