

CENTRAL AND EASTERN EUROPEAN
MOOT COURT COMPETITION (CEEMC)

2-5th May 2019

COMPETITION RULES 2019

1. Competition

This is the twenty fifth year of this annual competition, this year to be held in Luxembourg at the Court of Justice.

This competition was originally designed to assist countries from the region which were associated with or trading with the European Union, to better understand its law and structure. In recognition of the enlargements in 2004 and later years the competition has widened its eligibility requirements. It will continue to include those countries who have joined the EU since 2004 as well as those which are associated countries or within the region of Central and Eastern Europe (at its widest definition), and allows entries from interested teams from Malta, Cyprus and Turkey.

IMPORTANT: To be eligible to participate written registration and acknowledgement is required by e-mail to the British Centre on or before **the 21st January 2019** and then to pay team registration fee and submit written pleadings by e-mail attachment on or before the **1st March 2019** (address and contact details at end). The 2019 question will be available to the general public from the CEEMC website, but anyone wishing access to the bundle of materials and registration form is first required to register on the CEEMC web site at www.ceemc.co.uk

A moot is an argument (and not a debate) between students acting as advocates representing different parties in a legal action (a case). The facts and history together with supporting material and authorities are given in advance to the students. The aim is to reproduce, as closely as possible, the discussion and argument of a genuine hearing in the Court of Justice to the European Union. The case is based upon an area of European Union Law and has been prepared by a writing committee of the organisers and external experts.

The organisers are aware that access of the competing teams to European Union law materials will vary greatly. Therefore a full bundle of supporting materials and authorities is included and encompasses all the authorities which teams are permitted to refer to in this case, to ensure that no unfair advantage is gained from those with less facilities.

2. Language

This official language of this competition shall be English

3. Participation

The competition is open to all students, nationals of Central and East European states including southern states who have applied for entry or have recently entered the EU (specifically Turkey, Cyprus and Malta), who are enrolled on a course at a participating University or comprises a team of students currently studying at one university made up entirely of eligible nationals and:

- are not older than 30 years
- are not practising as a lawyer and
- have not previously participated in the oral rounds of this competition.

Although it is possible for any university (with participants who are nationals from the regions mentioned) to enter more than one team (of 3-4 members accompanied by one academic/ coach) in the written round of the competition, only one team per University may be selected to proceed to the oral rounds. The choice of team will be based upon the best written pleading submitted. In cases of doubt, please e-mail the organizers directly at the address below.

4. The Case

This will be a problem based upon an area of European Union substantive and/or procedural law, containing a referral to the Court of Justice to the European Union from a Member State national court under Article 267 TFEU. Both written and oral pleadings on the part of applicant and respondent will be required from each competing team.

5. Scoring

The competition will be held over four rounds.

INITIAL ROUND

1. Submission of written pleadings

There are a maximum of 20 marks available from this round, where more than one team submits written pleadings then the team with the highest written pleading mark will be invited to participate in the oral round. Written pleadings should cover submissions on all questions unless teams are notified differently.

ORAL ROUNDS

First Round

In this round all teams will be invited to argue both the sides of the case. This will require members from the team to represent the appellant's case against another team arguing on behalf of the respondent and then represent the respondent's case against a different team arguing on behalf of the appellant. It is required that all members of the team speak as either respondent or applicant but it is not required that all members speak both as respondent and applicant during the first round. During this part of the competition, the courts will hear arguments on the preliminary procedural question and questions 1 and 2 of the questions referred by the fictitious EU Member State for a ruling by the Court to the European Union under the Article 267 TFEU procedure. Scores will be allocated at the conclusion of this round on the basis of both the written and oral pleadings.

The following scoring criteria will be applied throughout by the judges:-

Criteria	Maximum Points Awarded
Form and content of written pleadings (only in first round)	20
Style and quality of presentation in oral arguments	30
Effective and accurate use of provided materials	30
Team-work	10
Effectiveness of reply/rejoinder	20
Ability to respond effectively to judges' questions.	10
To this mark will be added the mark for the written pleadings	20

Second Round (Semi-Finals)

In this round, the best teams from the first round will be invited to plead both sides of the case against other teams. This round will focus on the remaining questions referred by the fictitious EU Member State national court for ruling by the CJEU as well as any additional questions required by the jury panel. Marks will be awarded for the same criteria as apply to the first round, with the exception that marks from written pleadings are no longer counted. It is necessary for all members of the team to speak both as applicant and respondent in the semi-finals.

Third Round (Final)

In the third round (final) each team will represent one side of the case (to be chosen by lot) and when announcing the teams to pass to the final, the judges will also indicate the questions on which they wish to hear submissions for the teams. Each member of the team is expected to

speak in the final and so the team must be prepared to re-allocate those questions covered to ensure that each team member speaks. It is of course permissible for one member of the team to do the reply or rejoinder at this stage. The time allowed for the main argument of each party will be a maximum of 45 minutes and will not be extendable. Teams are expected at this stage to have the experience to ensure that their main arguments are fitted into the time allowed.

Three judges will sit in the first and second round. A plenary court will be convened for the final.

The decision of the judges will be conclusive in selecting the semi-finalists, finalists and eventual winning team and best speaker.

A special prize of a short stage in the CJEU at Luxembourg will be awarded to the individual deemed to be the best speaker to be selected only from persons whose teams have participated in the Second and Third Oral rounds (i.e. semi-finalists or finalists).

Individual speaker book prizes will also be awarded

Written and oral pleadings

Written pleadings

ALL participating teams must prepare written pleadings for both applicant and defendant. This should be an outline of your case for both applicant and defendant, not exceeding 10 typed sides of argument on A4 paper each for the applicant and respondent respectively (no specific requirements for font or spacing are prescribed and an attached list of authorities is not included in the 10 pages allowance). Arguments should be set out in numbered paragraphs, which should be supported and cross-referenced to a separate list of the authorities on which it is intended to rely (this may also be cross referenced to the relevant page of the bundle).

One copy of each of your written pleadings for the respondent and applicant must be submitted and received by the organisers prior to 22.00 on the **1st March 2019** and should be submitted online at the CEEMC web site at ceemc.co.uk and by e-mail attachment to organisers@ceemc.co.uk. Due receipt of written pleadings will be confirmed by the organizers by **7 March 2019**. No printed copies of the pleadings will be required.

ONLY teams lodging these pleadings in due time will be eligible to be invited to participate in the oral rounds of the competition.

In the event that more than one team sends written pleadings from one university, the team to participate will be that submitting the written pleadings awarded the highest mark.

A prize for the best written pleadings will also be awarded.

Oral Argument

This argument need not be limited to the scope of the participant's written pleadings, but strict time limitations are to be maintained. Teams will be advised of the schedule of courts at registration on arrival in Luxembourg.

The main argument of each party shall be presented within 20 minutes (in the final this will be 45 minutes)

The applicant then has 5 minutes to reply, but is limited in this reply to the matters raised in the defendant's oral pleadings.

The defendant then has 5 minutes to reply in rejoinder and is also limited to matters raised in the applicant's reply.

Permission must be sought of the President of the Court, if any time limit is to be exceeded. Only a further 5 minutes can be allowed at his/ her discretion.

6. Roles

Each team may have up to four members. Teams should be in a position to argue both sides and can divide in which manner they wish to achieve that either as a full group or by dividing their teams so not all members of the teams will speak on each side.

However the rules do require that the judges will have heard from each member of the team individually at least once during the first oral round of the competition.

In the second and third rounds of the competition however judges will expect to hear from each of the team members in their presentations on behalf of both the applicant and respondent.

Please note a guidance video on how to moot is available for downloading from the CEEMC site link how to moot, with guidance tips from the CEEMC President AG Eleanor Sharpston.

7. Fees

In 2019 there will be one CEEMC registration fee in the sum of **750 euros** to be paid by bank transfer no later than **1st March 2019**, bank details are provided below. Payment confirmation should also be sent by e-mail by 1st March to organisers@ceemc.co.uk

The organising committee retain a discretion to consider applications from teams who have not registered their team or completed an expression of interest by 21st January 2019, due to late awareness of the competition. In such a case teams should contact the organisers at organisers@ceemc.co.uk as soon as possible, heading their mail 'CEEMC- Late registration request'. Such requests will only be considered if received prior to 1st March 2019 and if granted teams will then be notified individually by mail of the decision and related terms.

Each participating team is responsible for their return travel and any administrative or visa charges to Luxembourg (details of consulates for visa applications and teams requiring visas will be available on the web site from early 2019) and any additional costs incurred due to earlier arrival or later departures. Our local organisers will be happy to arrange for team invitations for visa/ border crossings and any supporting sponsorship/ financial applications on request.

This fee will allow the participation of a one team to include their basic subsistence costs during the competition dates (a team may include up to 3/4 team members and one accompanying coach).

In 2019 teams will be asked to organise their own accommodation for the event or book through the discounted accommodation arranged by the CEEMC, detailed instructions for which are available for registered teams on CEEMC site or which can be obtained by writing to organisers@ceemc.co.uk. This enables teams to choose accommodation best suited to their budget. Please note however that accommodation organised by CEEMC is limited and will be available on a first come first served basis. All teams who have registered/ sent expressions of interest by 21st January will be directly notified of accommodation options.

In 2019 no cash payments may be accepted for the registration fees.

In the event that a university has more than one team wishing to participate in the 2019 competition and to invoke the selection procedure set out in point 5 above, then an additional fee of 100 euros is payable by that university, to be paid at the time of submission of written pleadings and accompanied by written confirmation of payment as detailed above.

8. Bank Details and Organisers details

The event is organised by the Management Committee of the CEEMC (details of committee may be found on CEEMC web site and the British Law Centres of the English charity Juris Angliae Scientia, please mail organisers@ceemc.co.uk

Local organiser contact details will be posted later.

Bank details

Account name: Juris Angliae Scientia Ltd (10 West Road Cambridge England)

Account no: PL 90 1750 0009 0000 0000 4001 2915 (Euro currency account)

BIC/SWIFT code: RCBWPLPW

Bank : Raiffeisen Bank Polska S.A.

(Please ensure that payments received are net of any bank fees)