

JOINTLY ORGANISED BY



HONG KONG SCHOOLS
MOOTING AND MOCK TRIAL
ASSOCIATION
香港學界模擬辯護及模擬法庭協會



香港樹仁大學
HONG KONG SHUE YAN UNIVERSITY

**HONG KONG SCHOOLS
MOOTING AND MOCK TRIAL COMPETITION 2022/23
(ENGLISH DIVISION)**

RULES AND REGULATIONS

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A. GENERAL

1. The Hong Kong Schools Mooting and Mock Trial Competition 2022/23 (“**the Competition**”) shall be run by the Hong Kong Schools Mooting and Mock Trial Association (“**the Association**”), which shall have unfettered power to:-
 - (a) administer the Competition and any related administrative issues;
 - (b) amend these Rules and Regulations (“**Rules**”) as it thinks fit; and
 - (c) interpret these Rules as it thinks fit.

The Secretariat of the Association (“**the Secretariat**”) shall conduct all administrative matters of the Competition. The only official method for participants to communicate with the Secretariat is by written communication via e-mail to info@hkmoot.org.

- 1A. Upon applying for the Competition, the school/team undertakes to settle the registration fees of the Competition, notwithstanding that the team decides to withdraw at a later stage. No refunds would be made.
2. Subject to other directions made by the Association, these Rules shall bind all teams in the English Division of the Competition. All teams shall observe these Rules.
3. The Association shall have unfettered discretion to invite any persons with legal background, including but not limited to Executive Members of the Association (be they qualified legal practitioners or law students), to be the coram(s) of any round of the Competition.
- 3A. It shall not be a valid ground for any team to seek the Bencher’s, Deans’, and Sub-Deans’ recusal from handling any complaint, including but not limited to Form A and Form B complaints, and the coram(s) recusal from adjudicating any round(s) of the Competition, when such person has been:-

- (a) a coram and/or a tutor of any school/team in any previous Competitions;
 - (b) an alumnus of any school; and/or
 - (c) a coram and/or tutor of any school/team in earlier round(s) of this year's Competition.
4. There shall be twenty-four (24) teams in this year's Competition. There shall be no upper limit on the number of participants per team. However, only four (4) Certificates of Participation will be presented to each team. Should there be more than four (4) participants in a team, the said team is free to nominate recipients of Certificates of Participation.
- 4A. Only full-time secondary students are permitted to apply for the Competition. Teams belonging to and/or representing the same secondary school in the Competition may elect to apply as a "School Team". Notwithstanding the above, participants may individually form and apply as a "Self-formed Team".
5. The Association shall be responsible for the drafting of mock trial and/or moot problems. Any ambiguities, need for clarification, or objections apparently arising out of a problem shall be brought to the attention of the Association in writing within two (2) days of the distribution of the problem. The Association shall have unfettered power to resolve the matter at her absolute discretion.
6. All competitors must report to the Secretariat at the stipulated time at the Competition venue.
- (a) Teams who are late by less than 15 minutes may be penalized for a deduction of up to 15% of their marks in that particular round, subject to the discretion of the coram(s) of the hearing.
 - (b) Teams who are late for 15 minutes or more but less than 30 minutes shall be penalized for a deduction of up to 50% of their marks in that particular round, subject to the discretion of the coram(s) of the

hearing.

- (c) Teams who are late for 30 minutes or more shall be disqualified forthwith without affording them the chance to compete in that particular round.
- (d) Before making any determination, the coram(s) shall afford reasonable opportunities for the defaulting team and the opposing team to make representations.
- (e) Notwithstanding the requirements in subsections (a) to (c), upon hearing submissions from both parties and being satisfied that the defaulting team has legitimate and valid reasons for lateness, the coram(s) has/have the discretion to exempt a team from mark deductions or disqualification.

B. LAW TUTORS

7. Each team shall be allocated with no less than one law student as law tutor(s) (“**Tutor(s)**”). For sake of fairness, all teams must not seek any legal and/or advocacy advice other than from their assigned Tutor(s). Any violations of this rule may lead to disqualification or mark penalty, subject to the discretion of the Association and/or coram(s) of a particular round.
8. Tutor(s) undertake(s) to provide participants with no less than 3 hours of interactive tutoring per round (“**Minimum Interactions with Participants**”).
 - (a) Interactive tutoring includes, but is not limited to, any face-to-face and/or instantaneous communications (namely Zoom, Skype, telephone conference, WhatsApp call, or any other equivalent means of communication) with participants.
 - (b) Any form of text-based communication (namely e-mail, WhatsApp messages, SMS messaging or any other equivalent means of communication) is not considered interactive tutoring.
 - (c) Minimum Interactions with Participants should be satisfied at least five (5) calendar days prior to the actual date of a particular round.
9. Should any participants and/or team is/are of the view that their tutor(s) failed to satisfy the Minimum Interactions with Participants:-
 - (a) Such participants and/or team (“**the Complainant**”) is/are obliged to lodge a complaint and report the matter in writing to the Association by submitting Form A.
 - (b) A completed Form A shall be sent to the Association by e-mail as soon as practicable, but in any event, no less than five (5) days prior to the date of the competition hearing. A complaint launched out of time shall be dismissed forthwith.
 - (c) A Dean or Sub-Dean of the Association shall make a written

determination on paper without any oral hearing within twenty-four (24) hours upon the Secretariat receiving the completed Form A as to whether, on the face of the particulars of the submitted Form A, the tutor(s) failed to satisfy the Minimum Interactions with Participants. Such determination shall be in writing and served to the Complainant and the tutor(s) in question.

- (d) If the Dean or Sub-Dean is of the view that, *prima facie*, the tutor(s) of the Complainant, has/have failed to satisfy the Minimum Interactions with the Participants, the Dean or Sub-Dean shall have unfettered discretion to make any consequential directions to settle the complaint, which may include a change of tutor, if reasonably practicable. Such consequential directions shall be final and non-appealable.
 - (e) If the Dean or Sub-Dean is of the view that the tutor(s) has/have, *prima facie*, satisfied the Minimum Interactions with Participants, he shall dismiss the complaint.
- 9A. If a Complainant is aggrieved by the Dean or Sub-Dean's determination to dismiss the complaint under rule 9(e), they may appeal within 12 hours of the handing down of the written determination.
- (a) Such an appeal shall be filed by the Complainant re-submitting a newly completed Form A, together with the written determination handed down pursuant to rule 9(c), to the Secretariat by e-mail.
 - (b) Such an appeal shall be considered by way of hearing *de novo* on paper without any oral hearing, before a Panel constituted by:-
 - (i) the Bencher, two (2) Dean(s) and/or Sub-Dean(s); or
 - (ii) when the Bencher is not in office – three (3) Dean(s) and/or Sub-Dean(s).
 - (c) The Panel shall allow or dismiss the appeal by handing down a written judgment of the appeal within 12 hours upon the Secretariat receiving

the completed Form A. Such judgment shall be final and non-appealable.

- (d) Should the Panel allow the appeal, they, collectively, have the unfettered discretion to make consequential directions to settle the complaint, which may include a change of tutor(s), if reasonably practicable. Such consequential directions shall be final and non-appealable.

C. PARTICULARS OF THE COMPETITION

10. The Competition shall consist of five rounds:-
 - (a) Two rounds of Preliminaries in the form of a mock trial where all teams (regardless of results) shall compete once in Round I and Round II of the Preliminaries respectively;
 - (b) Quarter Finals, in the form of a moot;
 - (c) Semi Finals, in the form of a moot; and
 - (d) Grand Finals, in the form of a mock trial.

11. All participants shall dress in proper attire when competing. Proper attire means:-
 - (a) For male: in school uniform with long-sleeved shirt and tie or dark suit and dark tie;
 - (b) For female: in school uniform or dark business attire.

Physical education uniforms and school jackets are not allowed. Any failure to observe the said dress code may be subject to penalty, including but not limited to, disqualification and/or mark deductions. The actual penalty imposed shall be at the unfettered discretion of the coram(s) of the round.

12. All competitors should strictly observe court etiquette. If barrister robes and/or wigs are provided in a particular round, competitors should be robed with the gown and/or wig and handle them with care. The Association reserves the right to seek damages from any particular competitor(s) if the gowns, wigs, facilities and/or equipment are found to not be in good condition due to the conduct of the competitor(s).

13. The Preliminaries shall be conducted according to the following rules:-

(a) All teams (regardless of the results thereto) shall compete in Round I and Round II of the Preliminaries. Preliminaries I shall be a Magistracy criminal mock trial problem whilst Preliminaries II shall be a District Court criminal mock trial problem. Both rounds shall be heard by a single Magistrate or Judge.

(b) The trial shall be conducted in accordance with the following procedure:-

- (i) The Prosecution seeks permission to take plea;
- (ii) The Prosecution reads out the admitted facts in court;
- (iii) The Prosecution calls the Prosecution Witness to give evidence;
 - (1) The Prosecution conducts examination-in-chief;
 - (2) The Defence conducts cross-examination;
 - (3) The Prosecution conducts re-examination (if necessary);
- (iv) The Prosecution closes the Prosecution case;
- (v) The Defence makes a no-case-to-answer submission;
- (vi) The Prosecution replies to the no-case-to-answer submission;
- (vii) The coram rules on the no-case-to-answer submission;
- (viii) The Defence calls the Defendant to give evidence;
 - (1) The Defence conducts the examination-in-chief;
 - (2) The Prosecution conducts the cross-examination;
 - (3) The Defence conducts the re-examination (if necessary);
- (ix) The Prosecution makes closing submission;
- (x) The Defence makes closing submission;
- (xi) The Magistrate/Judge delivers the verdict;
- (xii) The Defence applies for costs (if Defendant is found not guilty) or tenders the plea of mitigation (if Defendant is found guilty);
and
- (xiii) The Prosecution replies to the Defence's submission on costs (if the Defendant is found not guilty) or a plea of mitigation (if the Defendant is found guilty).

- (c) Only one Prosecution Witness and the Defendant (or Defence Witness) shall be called as witnesses in each round of the Preliminaries. The calling of other witness(es) is explicitly prohibited.
- (d) The Magistrate/District Judge shall dismiss the no-case-to-answer submission in any event, regardless of the performance of the participants and/or merits of the case.
- (e) Each side will be given a total of **25 minutes** to conduct their trial, inclusive of handling judicial invention. Procedures mentioned in sub-rules (b)(i), (ii), (xi), (xii), and (xiii) would not count towards part of their time allowance for the Competition.
- (f) Time shall be kept on a stopwatch by a timekeeper/clerk nominated by the Secretariat. Competitors are warned when he/she has (i) 15 minutes left; (ii) 5 minutes left; (iii) 1 minute left; and (iv) to conclude forthwith.
- (g) The Defence is **not allowed** to plead guilty and/or request for a *voir dire*.
- (h) Teams are entitled to ask for an adjournment for up to 5 minutes as of right. No team is allowed to apply for an adjournment shorter than 5 minutes. Such time for adjournment is included in the team's allowed 25 minutes time allowance. The opposing team is entitled to the benefit of the adjournment without prejudicing their time allowance.
- (i) Teams may apply for leave from the trial Magistrate/Judge for extra adjournments. The decision of whether to grant leave for extra adjournment(s) and, if so, for how long, is within the discretion of the trial Magistrate/Judge. For the avoidance of doubt, any extra adjournment(s) during the hearing is counted in prejudice to the allowed time of the applying team. The opposing team is entitled to the benefit of the adjournment without prejudicing their time allowance.

14. The Quarter Finals shall be conducted according to the following rules:-
- (a) The eight (8) best performing teams in the Preliminaries shall be entitled to progress into the Quarter Finals.
 - (b) A Court of Appeal moot problem shall be assigned to the competitors. The moot problem would be heard by a bench of three (3) judges.
 - (c) Prior to the hearing, parties must submit:-
 - (i) a written skeleton submission; and
 - (ii) a list and bundle of authorities they intend to rely upon.
 - (d) The appeal shall be conducted in accordance with the following procedure:-
 - (i) The Appellant arguing his case;
 - (ii) The Respondent arguing his case;
 - (iii) The Appellant replying to the Respondent's arguments (if necessary);
 - (iv) The Court giving a judgment; and
 - (v) The Parties making consequential applications/submissions.
 - (e) Each party shall be given **25 minutes** to argue their case. There shall be no restriction on how the parties divide their time. There is also no limitation on how many competitors may argue for a party. The time is inclusive of judicial intervention. Procedures mentioned in sub-rules (d)(iv) and (v) would not count towards part of a party's time allowance for the competition.
 - (f) Time shall be kept on a stopwatch by a clerk, who shall be nominated by the Secretariat. Competitors would be warned when he/she has (i) 15 minutes left; (ii) 5 minutes left; (iii) 1 minute left; and (iv) to conclude forthwith.
 - (g) Parties are not entitled to apply for any adjournments.

15. The Semi Finals shall be conducted according to the following rules:-
- (a) The winning teams of the Quarter Finals shall be entitled to progress to the Semi Finals.
 - (b) A Court of Final Appeal moot problem shall be assigned to the competitors. The moot problem would be heard by five (5) justices.
 - (c) Prior to the hearing, parties must submit:-
 - (i) a written skeleton submission; and
 - (ii) a list and bundle of authorities they intend to rely upon.
 - (d) The appeal should be conducted as follows:-
 - (i) The Appellant arguing his case;
 - (ii) The Respondent arguing his case;
 - (iii) The Appellant replying to the Respondent's arguments (if necessary);
 - (iv) The Court giving a judgment; and
 - (v) The Parties making consequential applications/submissions.
 - (e) Each party shall be given **35 minutes** to argue their case. There shall be no restriction on how the parties divide their time. There is also no limitation on how many competitors would be arguing for one party. The time is inclusive of judicial intervention. Procedures mentioned in sub-rules (d) (iv) and (v) would not be counted as part of a party's time allowance for the competition.
 - (f) Time shall be kept on a stopwatch by a clerk, who shall be nominated by the Secretariat. Competitors would be warned when he/she has (i) 15 minutes left; (ii) 5 minutes left; (iii) 1 minute left; and (iv) to conclude forthwith.
 - (g) Parties are not entitled to apply for any adjournments.

16. The Grand Finals shall be conducted in accordance with the following rules:-
- (a) The winning teams of the Semi Finals shall be entitled to progress to the Grand Finals.
 - (b) A Court of First Instance criminal mock trial problem shall be assigned to the competitors. The mock trial problem shall be heard by a single judge together with a panel of nine (9) jurors, three (3) of which shall be professional jurors.
 - (c) The trial shall be conducted in accordance with the following procedure:-
 - (i) The Prosecution seeks permission to take plea;
 - (ii) The Jury is empanelled;
 - (iii) The Prosecution delivers opening submission and reads out the admitted facts in court;
 - (iv) The Prosecution calls the Prosecution Witnesses to give evidence;
 - (1) The Prosecution conducts examination-in-chief;
 - (2) The Defence conducts cross-examination;
 - (3) The Prosecution conducts re-examination (if necessary);
 - (v) The Prosecution closes the Prosecution case;
 - (vi) The Defence makes a no-case-to-answer submission;
 - (vii) The Prosecution replies to the no-case-to-answer submission;
 - (viii) The Trial Judge rules on the no-case-to-answer submission;
 - (ix) The Defence calls the Defendant (and/or the Defence Witnesses);
 - (1) The Defence conducts examination-in-chief;
 - (2) The Prosecution conducts cross-examination;
 - (3) The Defence conducts the re-examination (if necessary);
 - (x) There shall be a 5-minute break for the Prosecution and Defence to prepare for closing submissions;
 - (xi) The Prosecution makes the closing submission;
 - (xii) The Defence makes the closing submission;
 - (xiii) The Trial Judge directs the Jury.

- (d) The time allowed for each team shall be directed by the Trial Judge of the Grand Finals. Such time would include the time for calling witnesses and handling judicial invention. Procedures mentioned in sub-rules (c)(i), (ii), (iii), (x), and (xiii) would not count towards part of their time allowance for the Competition.
 - (e) Time shall be kept on a stopwatch by a clerk, who shall be nominated by the Secretariat. Competitors would be warned when he/she has (i) 15 minutes left; (ii) 5 minutes left; (iii) 1 minute left; and (iv) to conclude forthwith.
 - (f) The Defendant **cannot** plead guilty under all circumstances.
 - (g) Counsel of both teams are entitled to ask for an adjournment for up to ten (10) minutes as of right. No team is allowed to apply for an adjournment shorter than five (5) minutes. Such time for adjournment is included in their time allowance. The opposing party is entitled to the benefit of the adjournment without prejudicing their time allowance.
 - (h) Counsel of both teams may apply for leave from the Trial Judge for extra adjournments. The decision of whether to grant leave for extra adjournment(s) and, if so, for how long, is within the discretion of the Trial Judge.
17. In all rounds, the coram(s) shall be vested with all powers as a master of procedures which their official counterparts are vested with under the laws of Hong Kong. All competitors (regardless of the venue of the Competition) shall treat such venue as if it is a premise that holds a judicial proceeding. Accordingly, the following are strictly prohibited in all Competition venues:-
- (a) Eating or drinking anything other than water;
 - (b) Taking photos, recording videos or recording audio;
 - (c) Allowing any electronic device(s), including but not limited to mobile

phones, laptops and/or tablets, to emit sound;

- (d) Speaking foul language or doing anything which may defame coram(s);
 - (e) Doing anything disrespectful or in contempt of the coram(s); and/or
 - (f) Any other acts which severely disrupt the Competition.
- 17A. When encountering the circumstances in rule 17, the coram(s) shall have the power to impose the following (or combination of any of the following) sanctions wherever reasonably practicable:-
- (a) To admonish such participant;
 - (b) To deduct marks from that participant/the team as a whole, or to disqualify the same from the Competition;
 - (c) If such participant(s) is/are spectating competition rounds, to remove such participant and (if appropriate) forbid such participant from re-entering the courtroom; and
 - (d) If such participant(s) is/are competing or spectating, direct such participant to hand over such electronic device and place the same at a conspicuous place of the court so as to ensure no one in the court (including but not limited to staff of the Secretariat) may intervene the same until the end of the Competition.

D. COMPLAINTS

18. Save and except complaints pursuant to Rules 9 and 9A, all complaints relating to the Competition would be handled according to the following rules:-
- (a) All complaints shall be made as soon as practicable but, in any event, within 24 hours after the relevant round. Any complaints launched out of time shall be dismissed forthwith.
 - (b) A participant and/or a participating team wishing to lodge a complaint (“**the Complainant**”) should do so before the coram(s) retire and give his/her/their comments to the competitors, by stating in open court the reasons thereof, in the presence of the opposing team.
 - (i) Upon receiving such complaint, the coram(s) shall allow both parties to have a reasonable opportunity to make representations as to how the complaint shall be handled. That said, such an opportunity need only be reasonable.
 - (ii) Upon hearing representations by both parties, the coram(s) shall make an oral determination as to how the complaint should be handled. The oral determination shall contain (i) the background of the complaint, (ii) the representations made by the parties, (iii) his/her/their determination, and (iv) the reasons of such determination. The oral determination shall be recorded by an audio device for the Secretariat’s record.
 - (c) If the Complainant lodges a complaint after the coram(s) retire(s) and give(s) his/her/their comments to competitors, the Complainant should make such a complaint in writing by filling in Form B, and filing the completed Form B with the Secretariat through e-mail within the time stipulated in sub-rule (a) herein.
 - (i) Upon receiving Form B, a Dean or Sub-Dean shall allow both parties to have a reasonable opportunity to make written

representations without an oral hearing as to how the complaint shall be handled.

- (ii) Upon reading representations by both parties, the Dean or Sub-Dean shall make a written determination to handle the complaint within 24 hours.
 - (iii) A Dean or Sub-Dean shall be entitled to handle a complaint even if he is the coram of the competition to which the complaint is subject. Wherever practicable, the Dean or Sub-Dean handling the complaint shall be the person who presided over the Competition round from which the complaint arose.
- (d) Any party aggrieved by the determination of the coram(s), Dean or Sub-Dean, may appeal by re-submitting a newly completed Form B, together with the written determination of the Dean or Sub-Dean or a written summary of the oral determination of the coram(s) to the Secretariat within 12 hours after the written determination is handed down.
 - (e) The appeal shall be determined by a Panel constituted by the Bencher together with two (2) Dean(s) or Sub-Dean(s) on paper without an oral hearing. When the Bencher is not in office, the appeal shall be determined by a Panel constituted by three (3) Dean(s) or Sub-Dean(s).
 - (f) Any member of the Panel so constituted shall not be entitled to hear an appeal if he/she has handed down a written determination as per that particular complaint, and/or has presided over the Competition round to which that particular complaint relates.
 - (g) A written judgment of the appeal shall be handed down within 48 hours as to whether the appeal is allowed or dismissed. Such judgment is final and non-appealable.
 - (h) Should the Panel allow the appeal, the Panel has unfettered discretion to make consequential directions to settle the complaint. The

consequential directions shall be final and non-appealable.

- (i) Notwithstanding the circumstances that the ground(s) raised in the appeal might be decided in favour of the appellant, the Panel may, at their discretion, dismiss the appeal if they consider that no actual unfairness has occurred.

E. SPECIFIC REGULATIONS FOR MOOTING (APPLICABLE TO QUARTER FINALS AND SEMI FINALS ONLY)

19. Both parties must submit the following to the Association prior to the hearing:-
- (a) A set of written/skeleton arguments; and
 - (b) A bundle of authorities with a list of authorities attached.
20. Written submissions filed by the parties shall be a single document containing all points that are to be argued.
21. All written submissions shall commence with a brief and non-contentious statement of:-
- (c) the nature of the proceedings below;
 - (d) the cases for the prosecution and the defence below;
 - (e) the issue(s) at trial; and
 - (f) the issue(s) raised in the appeal (or leave to appeal).

Yet, the Respondent need not comply with sub-rules (a) and (b) herein if the one provided by the Appellant/Applicant is accepted.

22. The remainder of the written submission must provide succinct and precisely couched points in support of (or against, as the case may be) the appeal, and under a separate heading devoted to each and every ground of appeal.
23. All written submissions must not exceed 15 pages, in A4 size paper, and in no smaller than 14-point font size and 1½-spacing with 1-inch margins.
24. Where the Moot Problem specifies grounds of appeal for any party, the written submission must not be used as a vehicle to advance a ground of

appeal which is not contained in the Moot Problem.

25. All authorities intended to be relied upon by a party shall be included in the bundle of authorities. Such materials shall not be highlighted, underlined, and/or annotated.
26. A list/index of authorities should be included at the front of the bundle of authorities.
27. Each party may compile a list of no more than ten (10) authorities. These will not include any cases/legislations cited in the Moot Problem. Authorities include but are not limited to statutory materials, cases, journals, and textbooks.
28. No competitor shall rely on his or her speech on any law report or other literature not included in the bundle of authorities, unless an unanticipated point arises either from the opposing team or from the Judges; or, for the appellant/applicant, in reply to the arguments arising from the skeleton of the respondent. Sufficient hard copies of said authorities and/or literature shall be prepared for all Judges and the opposing team. Such materials should not be highlighted, underlined, and/or annotated.
29. The Appellant should submit the (i) Written/Skeleton Submissions, and (ii) Bundle of Authorities (with a list of authorities) ten (10) clear days prior to the hearing. The Respondent should submit the same five (5) clear days prior to the hearing. For the purpose of this Competition, a Saturday, Sunday and/or public holiday is considered a clear day.
30. Both parties should submit the Written/Skeleton Submissions in a single PDF file. The Bundle of Authorities (with a list of authorities) should be submitted in another single PDF file and with each authority properly bookmarked.
- 30A. At a time no later than the distribution of the Moot Problem, the Secretariat shall specify an electronic platform for the submission and distribution of documents stipulated in rule 29 above. (“**Specified Platform**”). Unless otherwise directed by the Secretariat, documents not submitted through the Specified Platform will be disregarded.

31. Both parties shall submit the two (2) PDF files before 1800 hours on the designated day by uploading them to the Specified Platform. The files submitted should specify: (i) stage of competition, (ii) time of competition, (iii) party they represent, (iv) team name, and (v) nature of the file. For example:

“QuarterFinals_1400_Appellant_ABC-school(team-2)_skeleton”

Notwithstanding the said requirements, parties must also adhere to the specific directions as given by the Secretariat.

32. The Secretariat shall put up the two (2) PDF files on the Specified Platform for access no later than 2359 hours the same day (on the basis that parties have submitted those files on time).

33. In the event of late submission, the team in default should suffer a mark reduction of the following scale:-

(a) Upon default, the team shall suffer at least a 25% deduction in their total marks if materials are not provided on the designated day at the designated time.

(b) If requisite materials were not provided to the Association at least 2 clear days prior to the hearing, the defaulting team shall suffer no less than 75% deduction in their total marks.

(c) Notwithstanding sub-rules (a) and (b), the actual reduction shall be subject to the discretion of the Court based on the severity of such breach. The Court shall have the discretion to exempt the deduction of a team if such lateness was *de minimis*. Whether such lateness could be properly classified as *de minimis* shall be determined collectively by the whole bench.

(d) The disadvantaged team is under the obligation to bring the issue of late submission to the Court’s notice. Failure to bring such matter to the notice of the Court before the conclusion of the hearing would

imply the disadvantaged team has waived their rights. In those circumstances, no mark deduction shall be made.

34. Parties may elect to use soft copies on their electronic device(s) or print out hard copies of their skeleton and/or authorities for their own use. In any event, parties are not required to prepare hard copies of the skeleton and/or authorities for the Association and/or the Judges. The Judges shall use the electronic bundle and skeleton prepared by the parties.
35. The use of electronic devices by the participants should strictly be limited to accessing the relevant documents only. Any forms of communication via any electronic devices, including but not limited to instantaneous messages, during the competition are strictly prohibited. Violation of the said restriction may be subject to disqualification.

F. SPECIFIC REGULATIONS FOR REMOTE HEARING

36. The Secretariat shall have unfettered discretion to decide whether any round(s) of the Competition should be conducted virtually. Should any round of the Competition be held in the form of a remote hearing, the additional regulations stipulated in hereinbelow are to be observed.
37. The Secretariat shall set up virtual meeting rooms on Zoom as virtual courtrooms. The Secretariat shall send the relevant Zoom hyperlinks (and password, if applicable) to the e-mail addresses provided by the participants in their registration documents.
38. Rules 5 (moot problems) and 11 (competition attire) continue to apply. Additionally, participants shall observe the regulation on the usage of electronic devices in Rule 35.
39. The participants and any persons joining the virtual Courtroom are responsible to make all arrangements necessary for or incidental to ensure that the use of video-conferencing facilities proceeds smoothly and effectively.
40. All persons in the virtual Courtroom must switch on their cameras at all times during the remote hearing. The Secretariat may remove anyone who fails to comply with such requirements. Additionally, the presiding Judge(s) has the discretion to issue a penalty to the members of the participating team(s) as he/she deems fit, including but not limited to a mark deduction.
41. To allow the participants to be better identified, they are required to name themselves in the Zoom meeting in the following manner:-

“[side] ([participant name], [school name])”

For example, if a participant named Chan Tai Man studying in ABC Secondary School is representing the Prosecution, he shall name himself as:-

“P (Chan Tai Man, ABC Secondary School)”

42. The court clerk shall give notice as to the teams' remaining time allowance in the manner stipulated in the above rules for the respective rounds. Participants should pay attention to the clerk's reminder.

(Rules 9 and 9A 《賽規》第 9、9A 條)

HONG KONG SCHOOLS MOOTING AND MOCK TRIAL ASSOCIATION
香港學界模擬辯護及模擬法庭協會

FORM A
表格 A

NOTICE OF COMPETING TEAM COMPLAINING A TUTOR
參賽隊伍投訴法律導師通知書

According to Rule 9, a complaint against a tutor must be made as soon as practicable but in any event no less than five (5) days prior to the actual competition. Form A shall be submitted to the Secretariat of the Association via e-mail (info@hkmoot.org)

根據賽規第 9 條，針對法律導師的投訴必須從速提出。無論如何，針對法律導師的投訴必須於實際比賽前五天提出。表格 A 須以電郵方式向秘書處提交。

“Complainant” 「投訴人」	
“Respondent (Tutor)” 「被投訴之法律導師」	
No. of Hours Tutoring provided by the Tutor 法律導師已提供指導的時數	

Particulars
詳情

Please particularise the communications made between the complainant and the tutor. Please also append with Form A copies of correspondences between the complainant and the tutor.

請詳細描述投訴人與法律導師間之溝通。請隨本表格夾附相關溝通的截圖或副本。

(Rule 18(c) 《賽規》第 18(c) 條)

HONG KONG SCHOOLS MOOTING AND MOCK TRIAL ASSOCIATION
香港學界模擬辯護及模擬法庭協會

FORM B
表格 B

WRITTEN NOTICE OF COMPLAINT
比賽投訴通知書

“Complainant” 「投訴人」	
“Opposing Team” 「對賽隊伍」	
“Magistrate/Judge/Members of the Court” 「裁判官/法官/合議庭成員」	
Date of Competition 比賽日期	
Time of Competition 比賽時間	
Venue of Competition 比賽地點	

Relief Sought

尋求之濟助

(please state the desired order you seek)

(請填寫欲尋求之命令)

Particulars

詳情

Please particularise the grounds of complaint.

請詳細描述投訴之理據。