

9th ICC INTERNATIONAL COMMERCIAL MEDIATION COMPETITION

COMPETITION RULES

7 February 2014 - 12 February 2014

France



International Chamber of Commerce

The world business organization

International Centre for ADR

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COMPETITION RULES

RULE 0.0 DEFINITIONS

The following terms have the corresponding meanings:

- “ADR” refers to the Amicable Dispute Resolution, as provided by the ICC.
- “ADR Rules” refers to the ICC ADR Rules.
- “BATNA” refers to the Best Alternative to a Negotiated Agreement, and refers to what is the best thing a Party can do, without the consent of the other Party, if the Parties fail to reach an agreement.
- “Break” refers to a 3 minute period of time that can be requested once by each Competing Team in each Mediation Session and during which the overall time of the Mediation Session continues to run.
- “Brief Biography” refers to a Team member’s written biography and includes his/her nationality, native language, and a picture. The Brief Biography can have a maximum of 70 words.
- “Caucus” refers to a separate meeting between the Mediator and a Competing Team.
- “Coach” refers to the one or two persons selected by a Team or the Team's university to act as that Team's coach(es). Coaches are permitted to accompany the Team to the Competition.
- “Confidential Information” refers to the background factual information of the Problem for the exclusive use of a Party and the Judges but not the Mediator.
- “Competing Team” refers to the two students from one Team competing in one specific Mediation Session in the role of Counsel and Client.
- “Competition” refers to the 2014 ICC International Commercial Mediation Competition.

- “Counsel” and “Client” refer to the roles taken respectively by two members of a Team during each Mediation Session; together they are referred to as the Competing Team or as the Party.
- “Cross-Caucus” refers to a separate meeting between the Mediator and both Counsels or a separate meeting between the Mediator and both Clients of the Competing Teams.
- “Drafting Working Group” refers to the group, selected by the Organizing Committee, in charge of drafting the Problems for the Competition.
- “Eligible Student” refers to a person who meets the criteria defined in Rule 5.3.
- “Final Rounds” refers to the Eighth-Finals, Quarter-Finals, Semi-Finals, and the Final.
- “General Information” refers to the background factual information of the Problem for the use by each Party, the Judges, and the Mediator.
- “ICC” refers to the International Chamber of Commerce headquartered in Paris.
- “Judge” refers to a professional mediator selected by the Organizing Committee who evaluates and scores the students’ performance during a Mediation Session in accordance with the Judges scoring guidelines, as provided in Annex IV.B.
- “Judging Criteria” refers to the criteria set out on the Score Sheet.
- “Law Student” refers to an Eligible Student studying law.
- “Mediation Plan” refers to each Team’s written case analysis referred to in Rule 3.0.
- “Mediation Plan Score Sheet” refers to the document in accordance with the sample set out in Annex I.C.
- “Mediation Session” refers to the timeframe of 150 minutes as described in Rule 2.1.

- “Mediation Session Supervisor” refers to a person appointed by the Organizing Committee to keep time during a Mediation Session and make sure the Rules are followed.
- “Mediation” refers to the timeframe of 85 minutes for the actual mediation between the two Competing Teams as described in Rule 2.1.
- “Mediator” refers to a professional mediator selected by the Organizing Committee to take on the role of mediator during a Mediation.
- “Organizing Committee” refers to the official ICC group in charge of organizing and managing the Competition. Its members are part of the ICC International Centre for ADR.
- “Penalty (ies)” refers to points deducted for any Rule violation pursuant to Rule 8.0.
- “Prohibited Assistance” refers to advice, instructions, or other communication to a Team that is not in compliance with Rule 2.8.
- “Preliminary Rounds” refers to the eliminatory phase of the Competition prior to the Final Rounds.
- “Problem” refers to an official international commercial dispute case distributed by the Organizing Committee, as supplemented or corrected by any Problem Clarifications, which Teams will attempt to resolve with the help of the Mediator during the Mediations.
- “Problem Clarifications” refers to the official clarifications or corrections of the Competition Problems, as published pursuant to Rule 4.2.
- “Problem-Solving Approach” refers to an approach to mediation in which participants ascertain each other’s interests, brainstorm options, and seek to create a solution that better meets their interests and needs than their BATNA.
- “Professional” refers to a volunteer mediator who is selected by the Organizing Committee to act as Mediator or, as the case may be, Judge in the Competition.
- “Requesting Party” and “Responding Party” refer respectively to the Competing Team which argues on behalf of the party requesting mediation and the party

responding to the request for mediation respectively at any given point in the Competition (each a Party).

- “Rules” refer to the Competition Rules.
- “Score Sheet” refers to the document in accordance with the sample set out in Annex I.A.
- “Special Award Score Sheet” refers to the document in accordance with the sample set out in Annex I.B.
- “Team” refers to a group of 2 to 4 Eligible Students accepted by the Organizing Committee to participate in the Competition.

RULE 1.0 ORGANIZATION OF THE COMPETITION

Rule 1.1 Introduction

ICC has over 90 years of experience in devising rules to govern and facilitate the conduct of international business. These rules include those designed to resolve the conflicts that inevitably arise in business relations. ICC offers a wide range of dispute resolution rules for business disputes, including the ICC Rules of Arbitration, the ICC ADR Rules, the ICC Rules for Expertise, and the ICC Dispute Board Rules. Details about the dispute resolution services offered by ICC can be found at www.iccadr.org.

The ICC ADR Rules govern the proceedings in cases where the parties wish to settle their dispute amicably. Pursuant to the ICC ADR Rules, the parties are free to choose the amicable settlement technique most suited for their dispute. In practice, most parties to proceedings under the ICC ADR Rules opt for mediation as their chosen settlement technique. Furthermore, Article 5 of the ICC ADR Rules provides mediation as a settlement technique should the parties not agree otherwise.

The Competition assumes that the Parties did not agree on another amicable settlement technique under the ICC ADR Rules and chose mediation as a result.

The focus of the Competition is to effectively combine the use of the Mediator and collaborative problem-solving skills to successfully present the Parties' interests and progress towards a settlement. It is ICC's hope that the Competition will encourage the teaching and learning of an effective use of mediation. In doing this, tomorrow's business people and legal practitioners can better meet the dispute resolution needs of an increasingly cross-cultural and global market.

Rule 1.2 *Language*

The official and only language of the Competition is English.

Rule 1.3 *Format*

The Competition consists of four Preliminary Rounds on the second, third, and fourth days of the Competition and the Final Rounds on the last two days of the Competition.

During the Preliminary Rounds, each Team will, in principle, compete at least once per day. Save in exceptional circumstances, every Team will compete on every Problem only once. Depending on the Competition schedule, a Team may participate in two Mediation Sessions, each with a different Problem, in one day. Due to scheduling challenges, Teams consisting of four students may be asked by the Organizing Committee to compete twice on the same Problem.

With respect to the Final Rounds, the Teams will compete on the four Problems assigned in this order: the Eighth-Finals on the morning of the fifth day, the Quarter-Finals on the afternoon of the fifth day, the Semi-Finals on the morning of the sixth day, and the Final on the afternoon of the sixth day.

A Mediation Session will consist of two Competing Teams, with two Team members (Client and Counsel) on each side representing the Requesting Party and the Responding Party respectively. Additionally, the Mediator and two Judges in the Preliminary Rounds and three Judges in the Final Rounds will be present.

Each university may nominate two to four students to participate on a Team. Each Team can be accompanied by a maximum of two Coaches.

Due to logistical constraints, no Team is permitted to invite observers other than its own Coach(es) to attend the Competition or the Mediation Sessions, unless arranged with the Organizing Committee. Logistical challenges may only allow for one Coach per Team to attend certain Mediation Sessions.

RULE 2.0 MEDIATION SESSION PROCEDURES

Rule 2.1 *General Procedures*

In advance of the Competition, the Organizing Committee will randomly assign Teams for the Preliminary Rounds (as Requesting Party or Responding Party). Every attempt will be made so that no two Teams will compete against each other more than once during the Preliminary Rounds.

In every Mediation, each Team will be represented by two students, with one (who must be a Law Student) taking the role of Counsel and the other taking the role of Client. These two students form the Competing Team for that Mediation Session. The students in each Team are to determine amongst themselves who will take which role and they may switch roles from one Mediation Session to the next. The role of Counsel must however always be taken by a Law Student.

Failure to adhere to time limits shall result in a Penalty, as stated in Rule 8.0.

Rule 2.1.1 Timing

Each Mediation Session will run for a total of one hundred and fifty minutes, eighty-five minutes for the actual Mediation and thirty minutes for the Judges' and Mediator's feedback to the Teams. The remaining Mediation Session time will include five minutes for all participants to settle in, ten minutes for the Judges to read the Teams' Mediation Plans, five minutes for the Judges to score the Teams' Mediation Plans, and fifteen minutes for Judges to work on the Score Sheets after the Mediation. The timing of each session is illustrated below:

<u>Total time for Mediation Session</u>	<u>= 150 min (2 hrs and 30 min)</u>
Time to settle in the room	= 5 min (2 hrs 25 min remaining)
Time for Judges to read and score Mediation Plans	= 15 min (2 hrs 10 min remaining)
Mediation	= 85 min (45 min remaining)
Scoring	= 15 min (30 min remaining)
*Feedback	= 30 min (0 min remaining)

*Feedback: Twenty minutes of feedback for the Judges and ten minutes for the Mediator.

The overall time allowance of 85 minutes for the Mediation continues to run during any Caucus or Break.

Rule 2.1.2 Breaks

Each Competing Team may take one Break of no more than three minutes during the Mediation Session. If a Competing Team calls for a Break, both Competing Teams together with the Mediation Session Supervisor must leave the room during such Break. Coaches, other members of the Teams not participating orally in the Mediation Session, and all other persons must remain inside the room.

Rule 2.1.3 Caucuses

Caucuses (also known as “private meetings”) between the mediator and the parties and/or their advisors can be helpful in mediation.

During each Mediation Session the Mediator and the Competing Teams have the right to call for Caucuses in accordance with the following provisions:

- Each Caucus may last no longer than five minutes;
- During any Caucus the Mediation Session Supervisor and the Competing Team or the members of the Competing Teams not part of the Caucus shall leave the room. The Judges, Coaches, other Team members, and all observers will remain in the room;
- Caucuses can take place between the Mediator and both members of a Competing Team (a Caucus);
- Caucuses can also take place between the Mediator and *either* the Counsel from both Competing Teams *or* the Clients from both Competing Teams (a Cross-Caucus);
- The Mediator may call for one Caucus with each of the Competing Teams during a Mediation;
- Each Competing Team has the right to call for one Caucus and for one Cross-Caucus during a Mediation;
- The Mediator may call for one Cross-Caucus with the Counsel from each Competing Team and one Cross-Caucus with the Clients from each Competing Team during a Mediation;
- Competing Team members who are not participating in a Caucus may talk to each other outside the room during a Caucus.

Rule 2.1.4 Appropriate Use of Caucuses

Caucuses can be a useful tool in a mediation under specific circumstances. Competing Teams should call for a Caucus when they consider they need input from the Mediator during a Caucus to progress the Mediation. However, students are strongly encouraged to spend the majority of the Mediation in joint session in order to be able to directly communicate with the other Party. A Competing Team’s reasonable use and non-use of Caucuses will be evaluated. Often the decision not to call for a Caucus might be more sensible within the circumstances than to call for a Caucus.

A Caucus should not be used to seek clarification of the Competition Rules or any procedural matter. Examples of the appropriate use of a Caucus are when a Competing Team:

- a. Wishes to clarify an issue or issues within the Problem or otherwise seek advice or guidance from the Mediator;
- b. Wishes to share with the Mediator facts or information that are or might be relevant to the progress of the mediation to determine how and when it might be best to present such facts or information to the other Competing Team;
- c. Wants to explore or make an offer/ proposal and/or explore with the Mediator how best to present the offer/proposal within the Mediation.

Rule 2.2 Judging Criteria

The Judging Criteria are applied to the performance of both the Counsel and Client in the Competing Team.

The Competing Teams are encouraged to be realistic and required to be explicit about their claims and to defend their interests strongly. Teams are not required to reach a settlement during the Mediation Session, and no extra points will be gained from that.

Rule 2.3 Mediators and Judges

In each Mediation Session one Professional will serve as the Mediator and two Professionals (three during the Final Rounds) will serve as the Judges. The Judges will evaluate and score the performance of the Teams according to the Judging Criteria.

The Organizing Committee is responsible for selecting the Mediators and Judges and for allocating them to Mediation Sessions in each round of the Competition. Every attempt will be made for the Teams to face a different Mediator and different Judges in each round; however, due to limited availabilities this might not always be possible.

The Organizing Committee will make its best efforts to ensure that the Mediators and Judges are neutral, independent, and impartial towards the Teams they are judging.

Rule 2.4 Timekeeping

Responsibility for timekeeping rests with the Mediation Session Supervisor during the Mediation Sessions. The Mediation Session Supervisor's decision on timekeeping is final.

If no Mediation Session Supervisor is available for a Mediation Session, the Judges are in charge of timekeeping.

Failure to adhere to time limits shall result in a Penalty, as stated in Rule 8.0.

Rule 2.5 Governing Law

The Problems may refer to real or fictional places. However, and unless a Problem explicitly indicates otherwise, for purposes of the Competition it is assumed that there is no governing law and that the jurisdiction applies general principles of uniform international commercial law.

Rule 2.6 Handout

Teams may prepare in advance only **one** handout, limited to one page (one-sided), with type-written print in 12-point, Arial font for each Mediation. Such page may include diagrams and/or graphic representations. Copies of this page shall be handed out to the Mediator and the Judges when first produced by a Competing Team. Competing Teams are permitted to write on this handout during the course of the Mediation. Competing Teams are prohibited from using for general presentation or presentation to the Mediator any other handouts, exhibits or papers prepared in advance including video, computers, or other technology and displays. Failure to observe this Rule shall result in a Penalty. However, during the Mediation each Competing Team can bring its own prepared notes for its own use and can, if need be, make its own notes on separate pieces of paper. Each Competing Team can also bring a calculator if it wishes to do so.

Rule 2.7 Permissible Assistance to Teams

The Coach(es) may advise and assist their Team in its planning and preparation for the Competition, including in advance of the Final Rounds.

Rule 2.8 Prohibited Assistance

No person associated with a Competing Team, including the Coach(es), may give advice, assistance or instructions to, or communicate or attempt to communicate with any of the participants, and in particular not to the two students forming the Competing Team, in any way, during the Mediation Session. Violation of this Rule, regardless of the substance thereof, and regardless of whether initiated by a participant or by any other person, will result in disqualification from the Competition of the whole Team with which the person is associated. Harmless error will not be a defence to a complaint based on violation of this Rule.

Rule 2.9 Observing

- (a) Any person who is not a Team member, Coach, Mediator or Judge will not be permitted to attend the Competition including Mediation Sessions, unless specifically invited by the Organizing Committee.
- (b) If space allows, Teams and Coaches may attend all Mediation Sessions during the Competition, unless otherwise prohibited by the Organizing Committee (which will organize access to the Mediation Sessions).
- (c) Teams and Coaches may not attend the Mediation Session of a Team against which the Organizing Committee has assigned their Team to compete in future Preliminary Rounds.
- (d) Teams and Coaches may not attend a Mediation Session during which a Competition Problem is dealt with that has not yet been dealt with by that Team in a Mediation Session (except where the Team has not qualified for the Round in question).
- (e) Observers will not be allowed to leave the room whilst the Mediation Session is in progress.
- (f) Failure to comply with this Rule will result in a disqualification as defined under Rule 8.0.

Rule 2.10 Judges' Scoring

At the beginning of the Mediation Session, the Judges will be granted fifteen minutes to read and score the Competing Teams' Mediation Plans by using the Mediation Plan Score Sheet.

Only the Judges and the Mediation Session Supervisor are allowed to stay in the room while the Judges carry out such reading and scoring: everyone else must leave.

Following the Mediation, the Mediator, the Teams, Coaches, and observers shall leave the room and the Judges will score the performance of each Competing Team in accordance with the instructions set out in Annex IV and in conjunction with the Mediation Score Sheet.

During the Preliminary Rounds, Judges shall also decide whether to nominate the Competing Teams for one or more Special Awards by completing the Special Award

Score Sheet. The Mediation Session Supervisor shall remain in the room with the Judges.

Thereafter, the Mediator, the Teams, Coaches, and observers will be invited to re-enter the room.

Rule 2.11 Feedback

Each of the Judges will then provide feedback to each Competing Team, for no more than 10 minutes each. Feedback will be based on each Competing Team's performance in the Mediation.

The Judge's feedback must be consistent with the Judges' feedback guidelines in Annex IV.C.

Judges must not reveal to any Team the results of their individual determinations, the Teams' scores or the contents of the Confidential Information.

After the Judges' feedback, the Mediator has 10 minutes to provide feedback to each Competing Team.

Rule 2.12 Communication between Participants

The Competition is an educational event that seeks to encourage the open exchange of ideas, experience and know-how between students and Professionals from different cultures, generations and backgrounds.

Accordingly, exchange and dialogue between Judges and Mediators with Teams outside the Mediation Session is permitted and indeed encouraged (including regarding the Mediation Plans), subject always to the third paragraph of Rule 2.12, the fourth paragraph of Rule 2.12 and to respecting the principles of independence, impartiality and neutrality.

Professionals are invited to share their insights with students about a particular Mediation Session or their practice in general.

Nevertheless, Professionals are under a duty of confidentiality and must not reveal to any Team its or any other Teams' scores for a particular Mediation Session or the content of any Confidential Information.

Rule 2.13 *Winning the Preliminary Rounds*

The Team with the greatest number of points will be the winner of that round in the Preliminary Rounds.

Rule 2.14 *Ranking of Teams*

Teams will be ranked and selected for the Final Rounds based on the following criteria, in decreasing order of importance:

1. total number of Score Sheets designating a “Win”;
2. total number of overall points;
3. lowest total of the differentials between the number of points scored in each Mediation Session.

Rule 2.15 *Scores and Ranking Provided to the Teams*

After the end of the Competition, each Team shall receive its Score Sheets and the ranking of the top 33 Teams after the Preliminary Rounds.

RULE 3.0 *MEDIATION PLAN*

Each Team shall provide a Mediation Plan for each Mediation Session in which it competes, according to the Instructions for Participants in Annex II.C.

The Mediation Plan must clearly indicate the name of the Team's university as well as the names of each of the members of the Team. The Brief Biographies of each Team member must be attached to the Mediation Plan.

Mediation Plans should contain a case analysis evaluating the respective strategic strong points and weak points of the Requesting Party and the Responding Party, their respective needs and interests, their respective BATNAs, and their respective objectives and goals during the Mediation.

The Mediation Plan must be no more than 2 pages in 12-point, Arial font, 1.5 spacing and will not be accepted by the Organizing Committee if it does not comply with this.

Rule 3.1 *Submission of Mediation Plans for Scoring*

The Mediation Plans for all Preliminary Rounds Problems must be submitted to the Organizing Committee by email to iccmediationcompetition@iccwbo.org at the latest on **19 January 2014**. Mediation Plans for the Preliminary Rounds will not be accepted after this date.

Teams will not be permitted to modify their Mediation Plans after submission to the Organizing Committee.

Teams proceeding to the Final Rounds must prepare their Mediation Plans in advance of each Final Round and hand them to the Organizing Committee prior to each respective Mediation Session during the Final Rounds.

Rule 3.2 *Submission of Mediation Plans for the Judges*

Each Competing Team must submit two copies of its Mediation Plan (three during the Final Rounds) to the Mediation Session Supervisor at the beginning of each Mediation Session. The Mediation Session Supervisor is in charge of submitting the Mediation Plans to the Judges.

During the Competition, the Organizing Committee does not provide printing or copying facilities, except for during the Final Rounds.

For further guidance, please see “Instructions for Participants” (Annex II).

Rule 3.3 *Scoring of the Mediation Plans*

The Mediation Plans will be scored by the Judges at the beginning of the Mediation Session. The completed Mediation Plan Score Sheet for each Team shall be submitted to the Mediation Session Supervisor before the Mediation commences. The score received for a Mediation Plan will count towards that Team’s overall score in the specific Mediation Session for a maximum of two points. The Mediation Plans will be scored on the basis of the Mediation Plan Score Sheet as provided in Annex I.C.

RULE 4.0 COMPETITION PROBLEMS

Rule 4.1 *Problems*

Each Problem will consist of General Information for all Parties and Confidential Information for each of the Requesting Party and the Responding Party, respectively.

Judges shall receive copies of the General Information and the Confidential Information for each Party. Mediators shall receive the General Information only.

Eight Problems will be sent to all Teams before the start of the Competition. All Teams will receive General and Confidential Information for the four Preliminary Rounds in advance. General Information for the Eighth-Final, Quarter-Final, Semi-Final and Final will also be sent in advance. However, Confidential Information and assignment of roles for each of the Final Rounds will be provided respectively at the end of the Preliminary Rounds, Eighth-Finals, Quarter-Finals, and Semi-Finals.

Teams, Coaches, Professionals, members of the Organizing Committee and anyone else who knows the Confidential Information may not directly or indirectly disclose any Confidential Information to any other person, save that disclosure by Teams during a Mediation Session is permitted.

Non-compliance with this Rule, will lead to disqualification in accordance with Rule 8.0.

Rule 4.2 Clarifications and Interpretation of the Problems

Every effort will be made to ensure that Problems are clear. Each Team may submit to the Organizing Committee on or before **28 November 2013** a maximum of one written question for clarification or interpretation of either the General Information or the Confidential Information per Problem by the Drafting Working Group to iccmediationcompetition@iccwbo.org.

These questions shall relate only to the Problems: the Drafting Working Group will have complete discretion in answering them.

Rule 4.3 Staying Within the Record

While Teams may not create new facts, the facts of the Problems are subject to reasonable interpretation and Teams may draw reasonable conclusions from them. Whether a Team's interpretation is reasonable is a matter entirely within the discretion of the Judges.

Failure to stay within the record may result in a Penalty in accordance with Rule 8.0.

RULE 5.0 PARTICIPATION AND ELIGIBILITY

Rule 5.1 Selection Criteria

The Organizing Committee will decide in its discretion which Teams are accepted to participate in the Competition.

For the 2014 Competition the Organizing Committee will accept a maximum of 66 Teams.

The Organizing Committee will initiate two application periods.

The first application period will run from around July 2013 until end-August 2013. The second application period will run from end-August 2013 until around early-October 2013. The exact dates of each application period will be published on www.iccmediationcompetition.org, on Facebook: ICC Mediation Competition and on Twitter: @iccmediation.

During each application period, the Organizing Committee will accept a maximum of 33 Teams.

In each application period 10 places are reserved for universities that have not yet participated in the Competition and 23 places are reserved for universities who have previously participated in the Competition.

Should places for one category not be filled at the end of each of the application periods, remaining places will be offered to applicants from the other category.

Universities that have not participated during the two last Competitions (2013 and 2012), will be considered as not having previously participated in the Competition.

Within the two above categories the Organizing Committee will select Teams based on the following criteria in no particular order:

- preference will be given to universities who have an ADR curriculum (special focus on mediation is an advantage);
- performance in previous ICC Mediation Competitions (if applicable);
- representation of cultural and regional diversity amongst the selected universities.

In the event that the above-selection criteria are insufficient to make a selection between two Teams, the Organizing Committee will make a selection in its absolute discretion.

Rule 5.2 Attendance

Each Team may be accompanied at the Competition by a maximum of two Coaches. Additional persons and students who are not members of a Team may NOT accompany a Team to the Competition.

It is in the discretion of the Organizing Committee to disqualify the whole Team, should Rule 5.2 not be followed.

Rule 5.3 Eligible Students

- (a) The Competition is open to all full-time and part-time students (excluding post-graduate doctorate students) registered in a university during the academic period during which the Competition is held.
- (b) Only students studying law may take the role of Counsel. Accordingly, at least one member of each Team must be a law student.
- (c) Team members do not have to be of the same nationality as that of their universities.
- (d) Each university may nominate only one Team, consisting of a minimum of two and a maximum of four students.
- (e) A law school and a business school, they may be part of two different universities, can jointly bring one Team to the Competition,
- (f) In order to enable as many Eligible Students as possible to participate in the Competition each year, **each student is entitled to participate in the Competition only once.**

Special provision regarding law students:

Persons who are entitled to practice law in any jurisdiction, by having passed a bar exam or otherwise, are NOT Eligible Students. However, students who have gained their qualification to practice law **automatically** with the completion of their

undergraduate law studies (i.e. without a further bar exam or similar) and who certify that they have not yet practiced as a lawyer (i.e. provided legal advice to clients) are Eligible Students provided they are currently registered in a law school.

Any Team that breaches this Rule 5.3 will be disqualified from the Competition. If only one member of the Team breaches Article 5.3(a) or 5.3(f), it is in the discretion of the Organizing Committee to disqualify the whole Team or only that member. If the Team is subsequently left with less than two students, the whole Team will be disqualified.

RULE 6.0 TEAM APPLICATION AND REGISTRATION

Rule 6.1 Application online

Each Team wishing to participate must apply online within one of the two application periods described in Rule 5.1 above.

The Organizing Committee will inform Teams of their acceptance or non-acceptance in late August 2013 (first application period) or late October 2013 (second application period), in accordance with the schedule published online.

Subsequently, each Team must provide the Organizing Committee (within the time limit indicated) with the names, contact details, and Brief Biography of each Team member. A template will be made available by the Organizing Committee.

When applying, each Team must declare that the Rules have been read and understood by each of its members. When submitting the details of the Team members, each Team must declare that all Team members are eligible under Rule 5.3 and, if need be, have a passport valid for travel to the Competition.

Rule 6.2 Registration Fee

Upon acceptance of the Team by the Organizing Committee, each Team must pay the full registration fee within the time limit as indicated by the Organizing Committee. 50% of the registration fee will be refunded if notice of cancellation is received in writing before November 4, 2014. No refund will be made for cancellations received after this date.

Non-payment of the Registration Fee within such time limit can lead to disqualification in accordance with Rule 8.0.

Rule 6.3 Team Contact

Each Team must designate to the Organizing Committee a Team Contact. Notice to the Team Contact constitutes notice to all Team members.

RULE 7.0 JUDGES AND MEDIATORS

Rule 7.1 Statement of Independence

All Judges and Mediators shall provide to the Organizing Committee a Statement of Independence declaring his/her neutrality, impartiality, and independence to judge and/ or mediate any of the Teams in the Competition and disclosing any relationships with any Team's university, a Team member, a Coach or a person affiliated with a Team.

The Organizing Committee can disqualify a Judge from judging or a Mediator from mediating a round if the Organizing Committee considers that she or he has a relationship with a Team member and/or any Team's university, a Coach or a person affiliated with a Team which threatens his/her neutrality, impartiality and independence.

Rule 7.2 Coaches

Coaches may not act as Judges or Mediators in any Mediation Session.

Judges and Mediators may not act as Coaches at any time in relation to the Competition.

Judges and Mediators may train Teams in preparing for the Competition if the following restrictions are respected:

- (a) Such training cannot in any way relate to current Competition Problems;
- (b) By giving such training, a Professional is automatically disqualified from judging or mediating that Team in the Competition.

Rule 7.3 Confidential Information

Judges and Mediators must keep the contents of the Confidential Information strictly secret from Teams.

Non-compliance with this Rule, will lead to disqualification in accordance with Rule 8.0.

RULE 8.0 PENALTIES AND DISQUALIFICATION

If a violation of the Rules is considered to have been committed by a Team or one of its members, the Organizing Committee may impose a Penalty or disqualify a member of a Team or a whole Team.

A maximum three point reduction may be imposed for any violation of any of Rules 2.1, 2.4, 2.6, or 4.3.

Disqualification from the Competition may be imposed for any violation of any of Rules 2.8, 2.9, 4.1, or 7.3.

Disqualification will be imposed for any violation of Rule 5.3 or 6.2.

RULE 9.0 AWARDS

The Organizing Committee shall make arrangements for appropriate recognition of Teams that achieve 1st Place, 2nd Place, and Runner-up positions, and shall also award the following Special Awards for the Preliminary Rounds:

- Best Mediation Plan
- Best Mediation Advocacy Skill
- Best Relationship Building with the Other Team
- Best Acknowledgement of Cultural Differences
- Best Team Work
- Best Public Speaker
- Best Opening Statement
- Best Creative Solution Generation
- Best Interaction with the Mediator
- Best Team from a university participating in the Competition for the first time (this reference is to a list of first time participating universities identified by the Organizing Committee: see Competition leaflet)

Furthermore, after the Competition, the Organizing Committee will issue a formal Certificate of Participation in the Competition (save in the case of disqualification) to all Team members.

RULE 10.0 ICC ORGANIZING COMMITTEE

Rule 10.1 Power to Take Additional Measures

The Organizing Committee may take such other measures as are required for the orderly conduct of the Competition.

Rule 10.2 Interpretation of Rules

The Organizing Committee's interpretation as to the implementation of the Rules is final and conclusive.

Please note that the Appendix of the 2014 Rules will be published in the due course. The main part of the Rules, as displayed within this document, is sufficient for the application to the 9th ICC International Commercial Mediation Competition.