

SYMBIOSIS LAW SCHOOL NAGPUR



॥वसुधैव कुटुम्बकम्॥



PRESENTS

1st NATIONAL MED-ARB COMPETITION 18th - 19th MARCH 2023

ORGANISED BY:

ALTERNATIVE DISPUTE RESOLUTION CELL



IN COLLABORATION WITH

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I. ABOUT US

Symbiosis Law School, Nagpur was established in the year 2019 inheriting splendid novelty, dynamism, and excellence in education. Being a constituent of Symbiosis International (Deemed University), Pune, Symbiosis Law School, Nagpur endeavors to create value-conscious skilled lawyers with par excellence serving dynamic needs of the community through Bar and Bench and believes in the holistic development of the nascent legal minds. With this commitment, the Alternative Dispute Resolution Cell (ADRC) of Symbiosis Law School, Nagpur aims at promoting and conducting a wide array of dispute resolution mechanisms, with the hope that the students can alter the way we look at and resolve disputes. The ADRC is committed to conducting several events to provide the student community with the necessary exposure to deal with aspects concerning Arbitration, Mediation, Negotiation, Conciliation, etc. The Mediation-Arbitration (“Med-Arb”) Competition is conducted to make the student fraternity accustomed to resolving disputes efficiently and to understand the benefits of the ADR mechanisms.

In fulfillment of such goals, Symbiosis Law School, Nagpur through its ADR Cell cordially invites law students to participate in its 1st National Med-Arb Competition to be conducted from 18th March 2023 to 19th March 2023.

Med-Arb is a distinct hybrid of Alternative Dispute Resolution mechanisms that aims at developing the future members of the legal fraternity with efficient methods of resolving disputes in the legal arena.

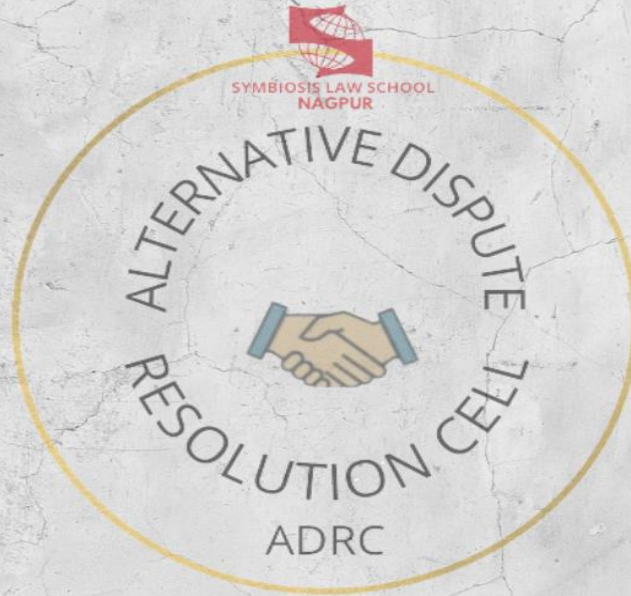
II. DEFINITIONS

1. "Mediation" refers to the process where the parties are assisted by a neutral person who helps them mitigate their problems and reach a mutually agreed outcome through negotiations.
2. "Organizing Committee" refers to the ADRC members and the faculty in charge of the cell.
3. "Competition" refers to the 1st National Med-Arb Competition
4. "Oral Rounds" refer to the team's pleadings in the session of mediation and arbitration.
5. "Preliminary Rounds" refer to the initial oral rounds which will determine the scores and ranks of the participants for further rounds
6. "Scouting" refers to the participating teams observing the sessions of other teams.
7. "Speaker" refers to the participant who presents oral arguments in rounds of the competition
8. "Written Submissions" refer to the written arguments submitted by each team participating in an arbitration round.
9. "Plagiarism" refers to duplicate work from any memorial through any external sources
10. "Penalty" refers to any action taken by ADRC and the institution for breach of any rules of the competition.

III. ELIGIBILITY

Eligibility- Only Law Colleges/Universities recognized by the Bar Council of India are eligible to participate.

Only bonafide students pursuing L.L.B. three/five-year degree programs in the aforementioned institutions, during the current academic year are eligible to participate.



IV. REGISTRATION PROCESS AND THE FEE DETAILS

1. All interested participants shall complete the provisional registration process on or before 07/02/2023.
2. After the Provisional Registration, the selected participants shall be notified via mail about their selection by 09/02/2023. The Provisional Registration form can be accessed at: <https://forms.gle/8HjEBgH2sMyNAbHm8>
3. The shortlisted teams are then required to complete the Final Registration Process to confirm their registration by 15/02/2023.
4. The registration fee per team is **INR Rs. 6000**. Teams must make the payment of the said amount along with the registration form itself by 15/02/2023.
5. The Problem shall be released by the Third week of February 2023 and all written submissions must be made on or before 10th March 2023.
6. The Competition will take place in offline mode at Symbiosis Law School, Nagpur

V. TEAM COMPOSITION

Composition of the Team:

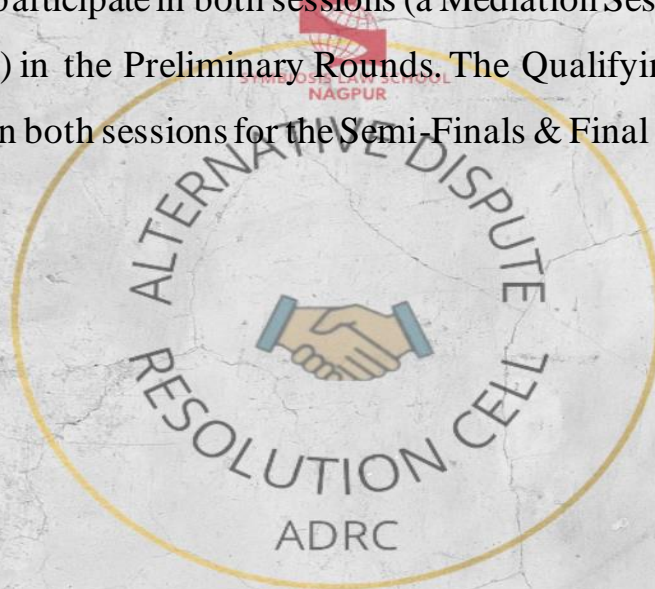
1. Each participating team shall consist of 3 members and all the members of the team shall be from the same institute itself. No Cross Institutional Team is allowed to take part in the competition. Only one team from a college can represent the college.
2. Composition for Mediation Round: A Team shall comprise a Mediator and a Mediating Pair; the Mediating Pair shall consist of a Counsel and a Client and the third member as a Mediator. After Final registration is over, no team shall be allowed to change their composition and roles in any of the rounds. If any issue takes place regarding the same, the Organizing Team shall have the discretion to adjudicate upon the same.
3. Composition for Arbitration Round: The Arbitration Round(s) shall constitute 4 Counsels (The Client-Counsel Team viz. the Mediating Pair, in the Mediation Round, shall act as a Pair of Counsels).

Note: The roles of the members shall not be changed throughout the competition. No team shall be accompanied by a coach or an instructor. Also, the Arbitrator shall play a passive role during all the rounds and no questions will be asked by the Arbitrator during the Arbitration Session. For the Preliminary Rounds, the arbitrator will be asked to draft an Arbitral Award after the Completion of 1st Preliminary Round.

VI. STRUCTURE OF THE COMPETITION

1. Preliminary Round 1: All Competing Teams.
2. Preliminary Round 2: All Competing Teams.
3. Semi-Finals: Top 4 Teams qualifying from the Preliminary Round.
4. Finals: Top 2 Teams qualifying from the Semi-Final Rounds.

All the teams shall participate in both sessions (a Mediation Session followed by an Arbitration Session) in the Preliminary Rounds. The Qualifying Teams will then have to participate in both sessions for the Semi-Finals & Final Round).



VII. CODE OF CONDUCT

General rules:

1. The official language of the Competition shall be English.
2. The Participating Teams should mention only their allotted Team Codes for communication with Judges/Organizers. The identity of the Participating Team or Members or the name of their College/University shall not be disclosed to any other person during the Competition in any form, whether directly or indirectly. Disclosure of identity shall ensure immediate disqualification.
3. In addition to the above rule, sporting any visible or distinguishable badges/ card/ uniform by any participant which provides an opportunity of inferring/disclosing their identity or the identity of the Law College/ University being represented, is strictly forbidden.
4. The ADRC reserves the right to disqualify any team for misconduct during the competition. In case of conflict, the decision of the Student Conveners and the Faculty in charge of the Cell shall be final.

Anti-Scouting:

1. The teams shall uphold the integrity of the Competition at all times and any form of scouting, disclosure of confidential information, or any other unethical/unprofessional conduct is strictly barred; the practice of the same shall result in immediate disqualification of the team. Any attempt to obtain confidential information or any other information from the other parties or participants, which may give the team an unfair advantage in the competition,

will result in immediate expulsion of the team and blacklisting of the college being represented.

2. Participating Teams will not be allowed to observe the Sessions of any other team(s) taking part in any event excluding the Final Rounds of the Event.
3. Any attempt made to contact the drafters of the problem will lead to direct disqualification from the competition.
4. Scouting shall result in immediate disqualification and any decision taken by the ADRC in consonance with the ADRC Faculty In-Charge and the Director of SLS, Nagpur, in this regard, shall be final and binding upon the Participating Team(s).



VIII. DRESS CODE

1. All the participants are required to adhere to the Business Formals style of dressing i.e., the participants must adhere to standards of conduct and dress as high as those required of a lawyer engaged in the practice of law in India.
2. For Gentlemen - Business Formals (White formal shirt with black formal pants + black blazer + Tie) and
3. For Ladies - Formals (White formal shirt with black formal pants/black formal skirt and a black blazer).



IX. MEDIATION SESSION

1. Structure:

- A Mediation Session will consist of 2 Co-Mediators and 2 Mediating Pair (Client + Counsel) teams from different Institutions. One team will represent the Requesting Party, while the other team shall represent the Responding Party. In a team, the Client-Counsel of the Mediation Round(s) shall be referred to as the Mediating Pair and the 3rd member will be referred to as the Mediator.
- The Mediating Pair Team will represent the side allocated to them by the Organizing Committee by draw of lots. The sides shall be intimated to the participants via email.

Illustration: - In a particular conference room, Mediating Pair of Team 'A' will act as Requesting Party in a Mediation Session, and Mediating Pair of Team 'B' will act as the Responding Party in a Mediation Session, and shall compete against each other. Co-Mediators/ Arbitrators from Team 'C' and Team 'D' respectively, will act as Co-Mediators for Team 'A' and Team 'B' in the conference room.

2. Release of Confidential Information:

- Confidential information for each Mediation Session shall be released 30 minutes before the Mediation session. Participants are strictly instructed to keep the contents of the Confidential Information exclusively to themselves. Any violation of this rule shall result in immediate disqualification. The discretion of the ADRC, in this matter, shall be final.

3. Caucus:

- Mediators or the Mediating Pair will have the opportunity to call for one or multiple Caucuses during each Mediation Session. A Caucus, throughout the round, may last a maximum of 10 minutes for Preliminary rounds. It is the discretion of the Mediators or the Mediating Pair to call for a Caucus.
- While one team is participating in the Caucus, the other team will be asked to leave the Conference room by a member of the Organizing Committee (OC) of the ADRC for a specific period, after which they will be requested to join the session again.
- Any violation of the above rules will lead to a negative marking of 2 marks. The decision of the Organizing Committee shall be final and binding in this regard.

4. Time Allotment for Preliminary Round:

Meditation Session: 30 minutes + 2 Minutes for Post discussion by Mediators:

- Opening Statement of Mediators
- Opening Statement of Mediating Pair
- Joint Session
- Caucuses (5 mins for each Caucus Session)
- Joint Session
- Closing Statement of Mediating Pair
- Closing Statement of Co-Mediators

5. Time Allotment for Semi-Final Round:

Meditation Session: 40 minutes + 5 Minutes for Post discussion by Mediators.

- Opening Statement of Mediators
- Opening Statement of Mediating Pair
- Joint Session
- Caucuses (7 mins for each Caucus Session)
- Joint Session
- Closing Statement of Mediating Pair
- Closing Statement of Co-Mediators

6. Time Allotment for Final Round:

Meditation Session: 50 minutes + 10 Minutes for Post discussion by Mediators.

- Opening Statement of Mediators
- Opening Statement of Mediating Pair
- Joint Session
- Caucuses (10 mins for each Caucus Session)
- Joint Session
- Closing Statement of Mediating Pair
- Closing Statement of Co-Mediators

Note: There will be a 30 minutes break in between the Mediation Session and the Arbitration Session during which teams are required to prepare for the forthcoming Round of Arbitration.

X. ARBITRATION SESSION

1. Structure:

- An Arbitration Session shall include 4 Counsels (2 from each side). One team shall be representing the Claimant, while the other team will be representing the Respondent. Participants may be required to deal with certain designated issues during the rounds. The participants must nevertheless be prepared with the entire case.
- The Two Counsels will represent the same side as designated to them in the Mediation Session, and in the Arbitration Session as well. New Draw of lots will take place after each Preliminary Round, Semi-Final and for the Finals.

Illustration: Mediating Pairs of Team 'A' and Team 'B' representing a particular party in the Mediation Session will act as the advocates for the same party in the Arbitration Session.

2. Time Allotment for Preliminary Rounds:

- Arbitration Session: 30 Minutes + 5 minutes for Rebuttals and Sur-Rebuttals.
- Time allotted for preparation of Arbitral Awards by Arbitrators: 120 Minutes.
- Each Party will not be permitted to speak for more than 15 minutes. The time split among the speakers for each team (not exceeding 15 minutes per team) may be decided amongst themselves and intimated to the Court Master at the beginning of the Round.

Kindly note: The participant acting as an Arbitrator for a particular session shall be asked to individually prepare an Arbitral Award within

the time allotted for the Arbitral Award drafting session following the Preliminary Rounds. The participant will not be required to draft Arbitral Awards for the following rounds of the Competition. Kindly refer to the Note provided under Clause on page 7 under Team Composition.

3. Time Allotment for Semi-Final Rounds:

- Arbitration Session: 40 Minutes + 10 minutes for Rebuttals and Sur-Rebuttals
- Each Party will not be permitted to speak for more than 20 minutes. The time split among the speakers for each team (not exceeding 20 minutes per team) may be decided amongst themselves and intimated to the Court Master at the beginning of the Round.

4. Time Allotment for Final Rounds:

- Arbitration Session: 50 Minutes + 15 minutes for Rebuttals and Sur-Rebuttal.
- Each Party will not be permitted to speak for more than 25 minutes. The time split among the speakers for each team (not exceeding 25 minutes per team) may be decided amongst themselves and intimated to the Court Clerk at the beginning of the Round.

5. Written Submissions for Arbitration Session:

- Teams are required to draft written submissions from both sides i.e., the Respondent as well as the Claimant. The last date for the submission of written submissions is 10/03/2023. All the participants are requested to submit a soft copy of both the written submissions in PDF and Word format through google Forms for which the link will be circulated a week before the deadline.

XI. GUIDELINES FOR WRITTEN SUBMISSION

Each Participating Team shall prepare written submissions on behalf of the Requesting Party and Responding Party for a maximum of 20 pages. Any changes made to the soft copies after the submission date and subsequently produced during the rounds will be disqualified. The decision of the Student Convenors and the Faculty in charge of the ADRC would be final in this regard.

1. Format of Submission:

Each written submission should contain all of, and only, the following components in the following order:

- a. Cover page
- b. Table of Contents
- c. Index of Authorities
- d. Statement of Jurisdiction (1 Page)
- e. Statement of Facts (1 Page)
- f. Issues Raised (1 Page)
- g. Summary of Arguments (1 Page)
- h. Arguments Advanced/ Pleadings (Not Exceeding 10 Pages)
- i. Prayer (1 Page)

The page must have 1-inch margins from all sides. The text font and size for the written submissions must be Times New Roman, size 12 with 1.5 line spacing with justified alignment for the text. The footnote style to be followed is the 20th Edition Bluebook Citation and the text font of the footnotes must be Times New Roman, size 10 with 1.0 line spacing, a margin of 1-inch to be used and the text must be justified. There must be no other additional space between the two footnotes.

Character spacing should not be condensed in any manner. The Claimant's written submission should have a blue color cover page whereas for the respondent the same should be in red.

2. Format of Arbitral Award:

- The participants who are acting as arbitrators are required to draft an award, by the Arbitration and Conciliation Act, 1996. The award shall be prepared after the oral submission of parties in the Preliminary Round only.
- For drafting the aforementioned Arbitral Award, the participants will be provided with a Desktop/PC system by the hosting College (SLS Nagpur).
- The Arbitration Award should not exceed 15 pages and should broadly contain the following:
 - a) Heading
 - b) Date, Identification of the Parties, and Method of Appointment of Arbitrator.
 - c) Nature of Award
 - d) Brief on the Nature of the Dispute
 - e) Brief on Procedure Adopted
 - f) Issues of Facts and Law
 - g) Summary of both the Parties
 - h) Relevant Facts and Laws Applicable
 - i) Reasons and Conclusion

The page must have 1-inch margins from all sides. The text font and size for the written submissions must be Times New Roman, size 12 with 1.5 line spacing and the text must be justified. The footnote style to be followed is the 20th Edition

Bluebook Citation and the text font of the footnotes must be Times New Roman, size 10 with 1.0 line spacing, a page margin of 1 inch on all sides must be maintained, and the text must be justified. There must be no other additional space between the two footnotes. Character spacing should not be condensed in any manner.

Note: Arbitral Award includes an Interim Award as defined in the Arbitration and Conciliation Act, 1996. However, unless required, Arbitrators are not expected to draft Interim Awards.

3. Time Keeping:

- The Organizing Committee Member supervising the session shall be the official timekeeper. Teams have the responsibility to adhere to the time limit. Participants must note that they can only speak for the allotted time limit, as mentioned above. The time will be notified to the participants accordingly during the round.
- Judges will be advised to not give any additional time and hence participants must adhere to the time split mentioned for the respective rounds.
- A penalty of 1 mark will be attracted to each extra minute used by the teams. It is the discretion of the organizing committee.

XII. MARKING CRITERIA

1. MARKING CRITERIA FOR MEDIATION ROUNDS

MARKING CRITERIA FOR THE MEDIATING PAIR

(Every Mediating Pair will be evaluated and marked for a total of 100 marks)

S.NO	Marking Criteria	Maximum Marks
1.	Opening Statement	10
2.	Constructive Approach	10
3.	Advocating Skills	10
4.	Team Work and Coordination	10
5.	Use of services of Mediator	10
6.	Effective use of Confidential Information	10
7.	Body Language	10
8.	Mutually Generating Creative Options	10
9.	Negotiation Strategy	10
10	Time Management	10

MARKING CRITERIA FOR THE MEDIATOR

(Every Mediator will be evaluated and marked for a total of 100 marks).

S.NO	Marking Criteria	Maximum Marks
1.	Opening Statement	10
2.	Creating an appropriate environment	10
3.	Control over the session	10
4.	Ability to work as a team	10
5.	Eliciting information from Mediating Pair	10
6.	Conduct and Demeanor	10
7.	Facilitating Option Generation	10
8.	Conduct	10
9.	Closing Statement	10
10	Time Management	10

2. MARKING CRITERIA FOR ARBITRATION ROUNDS

MARKING CRITERIA FOR COUNSEL

S.NO	Marking Criteria	Maximum Marks
1.	Proper Articulation of Issues	10
2.	Knowledge of Facts and Evidence on record	10
3.	Knowledge of law	10
4.	Interpretation and Application	10
5.	Skills of Advocacy	10
6.	Persuasiveness and Response to Questions	10
7.	Use of authorities in Persuading Arbitrators	10
8.	General Impression and Mannerism	10
9.	Identification of Issues	10
10	Nature of Relief prayed	10

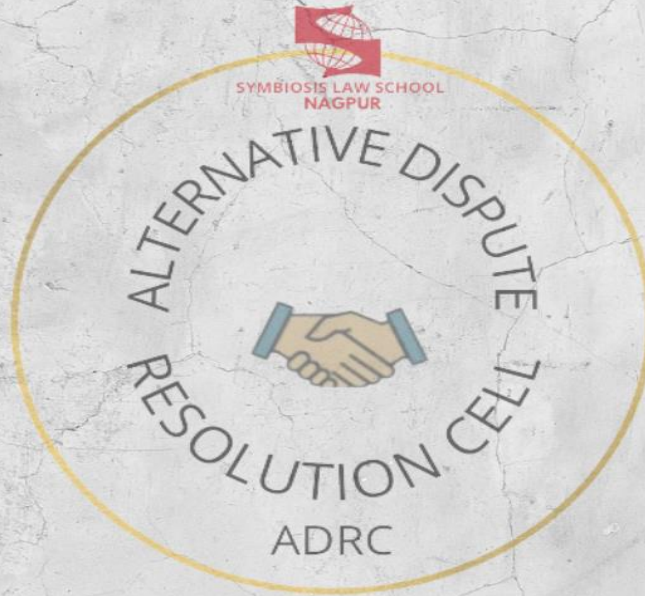
3. MARKING FOR ARBITRAL AWARD:

S.NO	Marking Criteria	Maximum Marks
1.	Structure of Award	15
2.	Identification of Issues and Nature of relief prayed	15
3.	Originality in presentation	10
4.	Grammar and Style of Presentation	10
5.	Cogent, Completeness, certainty	10
6.	Reasons and Conclusions	10
7.	Analysis of Arguments	10
8.	Use of Relevant Authorities	10
9.	Appreciation of Facts	10

4. MARKING FOR WRITTEN SUBMISSION:

S.NO	Marking Criteria	Maximum Marks
1.	Proper inclusion of parties, identification of issues, and nature of the relief sought	10
2.	Knowledge and Application of facts and law	15
3.	Quality of Analysis and organization	10
4.	Persuasiveness of Argument	10

5.	Use of authorities and Exhibits/Other relevant evidence	15
6.	Proper citation and correct format	10
7.	Originality in presentation	10
8.	General impression and clarity of thought	10
9.	Grammar and style of presentation	10



XIII. SCORING CRITERIA

1. SCORING FOR PRELIMINARY ROUNDS:

FOR MEDIATING PAIR (ALSO ACTING AS COUNSELS FOR ARBITRATION ROUND):

- The Mediating pair which consists of the Client and the Counsel will be marked out of 100 marks each. The marks obtained by the Client and Counsel will be taken as final marks scored by the Mediating Pair in the Mediation Session.
- The Pair of Counsels during the Arbitration Session will be marked out of 100 marks each and the average of marks obtained by them will hold a weightage of 60% for the total marks of the Arbitration Round. The remaining 40% will be computed from the written submissions.
- The average of both the scores i.e., of the Mediation Session and Arbitration Session will be the total marks obtained by the Mediating Pair/Counsels for the Preliminary Rounds.

FOR THE MEDIATOR/ ARBITRATOR:

- The Mediator will be marked out of 100 marks the same will be taken as final marks scored by the Mediator in the Mediation Session.
- The Arbitrator during the Arbitration Session will be marked based on the Arbitral Award drafted by them which will be assessed on a parameter of 50 marks.
- The Average marks of the Mediation Session and Arbitral Award will be the final score for the Preliminary Round.

2. SCORING FOR SEMI-FINAL & FINAL ROUNDS:

FOR MEDIATING PAIR (ALSO ACTING AS COUNSELS FOR ARBITRATION ROUND):

- The Mediating pair which consists of the Client and the Counsel will be marked out of 100 marks each. The marks obtained by the Client and Counsel will be taken as final marks scored by the Mediating Pair in the Mediation Session.
- The Pair of Counsels during the Arbitration Session will be marked out of 100 marks each and the average of marks obtained by them.
- The average of both the scores i.e., of the Mediation Session and Arbitration Session will be the total marks obtained by the Mediating Pair/Counsels for the Semi-Final and Final Rounds.

FOR THE MEDIATOR/ ARBITRATOR:

- The Mediator will be marked out of 100 marks the same will be taken as final marks scored by the Mediator in the Mediation Session.
- The Arbitrator will play a passive role during the semi-finals and won't be marked for the Arbitration Session.

XVI. PENALTIES

If Participating Teams are found acting contrary to the rules of the competition, then the following action will be taken-

S.No	Criteria	Penalty
1.	Sharing/discussing the confidential information	Disqualification from the competition
2.	Breaching Memorial Anonymity	Disqualification from the competition
3.	Incorrect/Inadequate order of contents required	2 Marks each
4.	Incorrect formatting in footnotes or main content in memorial	1 Marks each
5.	Exceeding the page limit of the main content	2 Marks per page
6.	Incorrect/Inadequate Information/Incorrect formatting of the cover page	2 Marks

XV. AWARDS

If Participating Teams are found acting contrary to the rules of the competition, then the following action will be taken-

Participation Certificates will be given to all the participants.

Finalists, Semi-Finalists, and Winners will receive Certificates of Merit.

The following awards will be distributed during the Valedictory ceremony:

- Winning Mediating Pair/ Counsels
- Runner-Up Mediating Pair/ Counsels
- Best Mediator
- Runner-Up Mediator
- Best Arbitral Award
- Best Written Submission

XVI. CLARIFICATIONS

For any clarifications, regarding the problem or the conduct of the competition, teams are requested to mail their queries and concerns to the ADRC at:

medarb@slnagpur.edu.in with the subject line: - 'Clarification for National Med-Arb Competition'.

XVII. GRIEVANCE REDRESSAL

All grievances are to be addressed to the ADRC by sending an email to the ADRC (adr@slnagpur.edu.in) within one hour of the occurrence of the dispute/grievance. Non-compliance with this requirement will amount to a waiver of the dispute and subsequent filing of a such grievance, post the time allotted, will not be entertained. Decisions on all grievances shall be taken by the Student Conveners and the Faculty in charge of the ADRC and such decisions shall be final and binding on all participants.

XVIII. AMENDMENTS MADE TO THE POLICY

All participants must take note of the fact that the ADRC holds the power to make amendments to this Policy, from time to time. The participants must remain informed of the updated Policy of the Cell. The decision of the Student Conveners, along with the advice of the faculty in charge of the ADRC of Symbiosis Law School, Nagpur shall be final and binding for matters not mentioned in the Policy.

XIX. ACCOMMODATION, FOOD, AND CONVEYANCE

1. Accommodation and food shall be provided to all the teams by the administrators of Symbiosis Law School, Nagpur inside the campus itself.
2. The teams must mandatorily submit their Travel plans online at adr@slnagpur.edu.in by the 6th of March, 2023 upon confirmation of their selection after the registration.



XX. IMPORTANT DATES

PARTICULARS	DATES
PRE- INVITES	31/01/2023
COMMENCEMENT OF PROVISIONAL REGISTRATION	31/01/2023
RELEASE OF RULES AND REGULATIONS	31/01/2023
DEADLINE FOR PROVISIONAL REGISTRATION	7/02/2023
CLOSING OF FINAL REGISTRATION	15/02/2023
RELEASE OF GENERAL INFORMATION	3 rd -week of February 2023
DEADLINE FOR SUBMISSION OF WRITTEN SUBMISSIONS (SOFT COPY)	10/03/2023
OPENING CEREMONY	18/03/2023
VALEDICTORY CEREMONY	19/03/2023

XXI. MISCELLANEOUS

1. Information given to any participant of a team shall be deemed to be communicated to the whole team.
2. The copyright in the written submissions submitted by the teams shall vest with the administrators. The acceptance of such vesting is a precondition to participation in the Competition.

