

GI – PRELIM ROUND II

PREPARED BY INDUS LAW

V RGNUL SEMC
31ST MARCH - 2ND APRIL 2023

Organised by
CADR, RGNUL

BACKGROUND

1.Genovia is a country situated in the central part of the Krypton sub-continent. It is a developing economy and finds itself striving to match the pace of larger economies on multiple fronts. Cricket is Genovia's national sport and over the years, its national women's cricket team has made its mark on multiple cricketing tournaments across the globe. In 2007, the team won the inaugural World T10 Tournament that further strengthened the love and passion for cricket amongst the masses. Amidst the growing socio-economic challenges Genovia faces today, cricket gives them a sliver of hope and acts as an escape to a parallel world filled with competitiveness, victory, and showmanship.

2.On the back of Genovia's victory at the World T10 Tournament, the governing body for cricket in Genovia the 'Board of Cricket Control in Genovia' ("BCCG") announced the organisation of the inaugural edition of Genovia Premier League ("GPL") – a franchisee based T10 tournament where 8 (eight) franchises having a mix of local and global cricket players compete for a coveted trophy.

3.GPL was an instant success given it was the only tournament where cricket players across the world could play alongside each other. Over the years, GPL became a one-stop shop where the brightest and most skilful cricketing talent in the world would gather to compete. GPL was also a huge commercial success and aided Genovia to better its GDP over the years. The GPL is currently valued at more than USD 11 billion.

4.Taking inspiration from Genovia, many other countries have also organised their own franchisee based T10 tournaments, amongst which the most prominent ones include the Lilliput Premier League, Atlantis Premier League, and the El Dorado League. Smaller countries such as Malto and Orion have also organized their own franchisee based T10 tournaments, albeit at a smaller scale.

THE DISPUTE

5. Shreya Iyer, a young, jovial Genovian cricketer, is a member of the national women's cricket team. She is one of the few players in the country who has come right from the system, having played district, state, and national level cricketing tournaments, and thereafter representing Genovia at the U-19 Women's World Cup in 2020. While she is not considered as a significant cricketer currently, she is recognised to have huge potential and poised to become a leading cricketer in the coming years. Ms. Iyer also captains the Ronda SuperElites franchisee of the GPL, which is, so far, the least successful franchisee of GPL.

6. As any other member of the Genovia national women's cricket team, Ms. Iyer also has a retainer contract with the BCCG ("BCCG Player Contract"), on the basis of which she is able to represent Genovia in international cricket tournaments. Every cricketer with whom BCCG has a BCCG Player Contract needs to abide by the terms and conditions therein, and its breach may potentially lead to the cricketer being ineligible to represent Genovia at any internal cricket tournament.

7. One of the key provisions of the BCCG Player Contract, which has been a topic of media discussion recently, reads as follows:

'the Player acknowledges and agrees that the Player is restricted from entering, applying to and/or enrolling in an auction to participate in any other franchise-based cricket league hosted by any nation not being Genovia ("External Franchise Leagues") or participating in any manner in any franchise cricket league, not being the Genovian Premier League'.

8. The BCCG Player Contract also stipulates that any Genovian cricketer can only enter, apply, enrol, or participate in an External Franchise League if they have retired from all forms of international cricket as well as the GPL. Any active player failing to comply with the terms of the BCCG Player Contract would be liable to be penalised by the BCCG, stand to lose the BCCG Player Contract, and shall be debarred from playing in the Genovian national women's cricket team as well as the GPL.

9. Given the nature of the BCCG Player Contract, no Genovian cricketer participates in any other franchisee cricket tournament around the world. However, several franchisee owners across the world approach Genovian cricketers with lucrative offers and better exposure. Ms. Iyer is one of the few cricketers who has been approached by such franchisee owners over the past 2 (two) years, but she has not agreed to negotiate with any of them and risk her BCCG Player Contract.

10. However, in recent months, with growing cricketing talent in Genovia, Ms. Iyer has significant competition from her peers who offer similar skill sets as her and could potentially replace her in the national women's cricket team. Hence, Ms. Iyer is currently in a precarious situation. She believes that she needs to hone her skills to outrun her competition and one of the guaranteed ways to do that is to participate in other franchisee cricket tournaments. She is a young budding cricketer who does not want to skip a chance to showcase and improve her talent at an international level. However, the restriction in the BCCG Player Contract hinders her ability to play in any such tournament. Conflicted by the same, she has now approached BCG to voice her concerns.