



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT THE IMPERIAL HOTEL, RUSSELL SQUARE, LONDON WC1
ON THURSDAY 24TH APRIL 2008**

Present:	Martin Pool	Chairman and Elected Member
	David Burn	Elected Member
	Max Bavin	Chief Tournament Director
	Barry Capal	EBU General Manager
	Jeremy Dhondy	Vice Chairman and Elected Member
	Frances Hinden	Elected Member
	David Stevenson	Elected Member
	Grattan Endicott	Vice-President
	Gerard Faulkner	Vice-President
	John Pain	Secretary

- 1. Apologies for Absence**
- | | |
|---------------|-------------------|
| Mike Amos | Elected Member |
| Sally Bugden | EBU Vice Chairman |
| Peter Stocken | EBU Chairman |

2. Resignation of David Martin

The Chairman reported that David Martin had resigned from the Committee for personal reasons. The Chairman wished the Committee's thanks to David for his work be recorded. The Secretary was asked to write a suitable letter. The Committee decided not to use its power to co-opt a replacement. The vacancy would be filled at the AGM in October.

3. Minutes of Previous Meeting (February 11th 2008)

3.1 Accuracy

There were no corrections.

The minutes of the meeting of February 11th were approved and signed.

3.2 Matters arising

3.2.1 Disciplinary case – Howard Cohen

The Committee noted that the following had appeared in *English Bridge* April 2008

Member reprimanded

A disciplinary hearing was recently held to consider the charge:

That during a match played privately, Mr Howard Cohen, an EBU member made insulting and offensive remarks towards his opponent, causing sufficient distress for the opponents

to withdraw from the remainder of the match, this being conduct or behaviour falling below the standards required of EBU members, and therefore misconduct amounting to an Offence under the Disciplinary Rules.

The Disciplinary Committee found the member guilty of the charge. However, the Committee took into account the defendants good character, apology and strong mitigating circumstances during the match, such that with a TD present, this matter would likely have been avoided. Consequently, the Disciplinary Committee imposed only a reprimand to remain on his record for one month.

3.2.2 Disciplinary Case – Mr L Calver

The Committee noted the following had appeared in *English Bridge* April 2008

Member suspended

A disciplinary panel met recently to consider the charge:

That during an event held at a Club in Bedfordshire, Mr L Calver, an EBU member verbally and physically abused another EBU member, this being conduct or behaviour falling below the standards required of EBU members, and therefore misconduct amounting to an Offence under the Disciplinary Rules.

The defendant admitted the charge.

The panel considered certain mitigating circumstances and the defendant's previous good character, his admission of culpability, his obvious remorse and apology. The member was suspended from Player Membership of the EBU for a period of six months to run from January 31st 2008 and the panel asked that the defendant retracts any allegation of cheating made against the complainant.

3.2.3 Disciplinary Case – Cameron Small

The Committee noted that the following will appear in *English Bridge* June 2008

Member Reprimanded

A disciplinary panel met recently to consider the charge:

“That during the Tollemache Qualifying Round at Paramount Hinckley Island Hotel on Saturday 24th November Cameron Small made insulting and offensive remarks to a member of the hotel staff whilst queuing for dinner in full view and hearing of other player members of the EBU. The L&E Committee judge this to be conduct or behaviour falling below the standards required of EBU members, and therefore misconduct amount to an Offence under paragraph 3.2(v) of the Disciplinary Rules.”

The defendant admitted the charge.

The Disciplinary Panel's view is that this is a serious breach of the behaviour expected from an EBU member; further compounded by the fact it occurred in a public place and to a member of hotel staff carrying out his normal duties. It brought the game of bridge into disrepute.

We feel Cameron Small should receive a reprimand and in line with EBU policy, details of this should appear in the EBU Magazine.

We also require Cameron Small to write a letter of apology to the restaurant manager.

The Panel were considering a short ban from EBU events but in view of Cameron Small's early guilty plea will waive this course of action.

3.2.4 *Suspended members and Simultaneous Pairs events*

The Committee confirmed that in future members suspended from player membership of the EBU would not be permitted to play in Simultaneous Pairs events organised by the EBU and the letter would make that clear. The Committee would recommend to BGB that it took a similar stance. It was acknowledged that clubs might be unaware of a player's standing and may mistakenly allow a suspended member to play. The Secretary would monitor the overall results advising the Simultaneous Pairs organiser if such a member played. The player's name would then be removed from the ranking list.

The Secretary was asked to speak to the BGB Secretary regarding the above and also to obtain a copy of the BGB Disciplinary Procedures

3.2.5 *Disciplinary Case – 'Popocatepetl'*

The Committee considered a verbal report from the Secretary. The papers were put to file.

3.2.6 *Alerting of Doubles*

It was confirmed that any changes to the alerting procedure for doubles and any other changes to the Orange Book would take effect on August 1st. Details of changes would go into the August edition of *English Bridge*, with the first sight of changes being posted on the EBU website by the middle of June.

Mr Burn reported that he had been in touch with other federations to see how they dealt with alerting of doubles. Australia had a system of 'self alerting' i.e. certain calls were considered to be automatically alerted without the need to actually do it; then the opponents could ask, without prejudice, the meaning of the call.

He considered that such a system might be acceptable for doubles in England. It was acknowledged that unauthorised information could be transmitted whether or not a question was asked but asking about a double would, in general, create less unauthorised information than in other situations. Such a scheme would, he thought, be welcomed by the membership as it would mean that almost no double was alerted.

Other alternatives were considered, for example alerting doubles as now but on the first round only. It was pointed out that while players would like not alerting themselves, they might be upset when opponents do not alert things they feel they should have been warned about.'

The Committee was asked to give the idea of self-alerting serious consideration, also the other possible alternatives, with a view to making a decision at the next meeting on June 5th.

Mr Stevenson mentioned other things in the Orange Book that might need changing following the publication of the Laws of Duplicate Bridge 2007. Committee members were asked to contact him with any suggestions and these would also be considered on June 5th.

3.2.7 *Laws of Duplicate Bridge 2007*

The Secretary reported that the final proofs were about to be signed off. Following a decision on the colour of a cover the laws would go for printing. It was anticipated they would be ready by the middle of May. It was confirmed that the English edition would be available in hard-back only.

3.2.8 *Psyche report of a member*

The Committee considered a number of hands where a member had taken psychic action. It was noted that only EBU reports were included and it agreed to approach the member's County Association to see what records they had on the member. After considering the hands it was agreed that no further action was necessary at the present time.

3.2.9 *Gold Cup regulations*

The Committee noted that BGB were considering some revisions of the Gold Cup regulations. In particular they were minded to change the alerting regulations to those in force in WBF events. Mr

Dhondy was unhappy suggesting that many players in Round 1 and 2 would be unaware what they were. He suggested that where two teams from England and/or Wales were playing the default should be the current English/Welsh rules and for two Scottish teams the current Scottish regulations. Where teams from two countries including Scotland were involved then the WBF regulations should be the default, although teams could agree to use other regulations. Even in the final stages the default positions would be the same. There was also a suggestion that WBF convention cards should not be allowed in the early rounds of the Gold Cup.

Members were reminded that the Silver Plate was also organised by BGB and many teams would not know how to handle WBF cards.

4 Appeals to the National Authority

None this time

5 Disciplinary Cases

5.1 New case – ‘Vesuvius’

The Committee considered a complaint from several members of a club. The Secretary was asked to write to the TD and scorer on the evening in question to obtain information.

5.2 New case – ‘Wetterhorn’

The Committee considered a complaint from a member and decided it was essentially a club matter. It was referred back to the club.

It was noted, however, that the Club’s rules appeared to lack detail regarding disciplinary matters and the Secretary was asked to make them aware of the EBU Model Club constitution.

The Committee noted the number of new cases which were being referred to the EBU as a matter of first contact, rather than exhausting Club procedures first.

The Committee resolved that where a case was directly referred to the L&E that it would be the norm to refer it back to the club unless

- a) club procedures had manifestly failed or
- b) it was so serious that the implications went beyond what a club could deal with.

6 Correspondence

6.1 Laws and Ethics Weblog

Following a request from EBU Webmaster, Michael Clark, it was agreed to set up the L & E Blog. Frances Hinden undertook to be the first ‘blogger’. Mr Capal mentioned that the Board required that all blogs be cleared before uploading to the website.

6.2 Regulating Authority options

The Committee considered correspondence from Mr J Whitelock regarding the Regulating Authority (RA) option in new law 40B3. Following discussion the RA option in 40B3 was confirmed, however there was further discussion regarding permitted actions by the offending side following an insufficient bid. There had already been much correspondence through email and internet groups regarding the new law 27B1(b) which allows a not accepted insufficient bid to be replaced with a legal call that has the same meaning, or a more precise meaning than the insufficient bid.

There was a worry that some unscrupulous pairs might deliberately make insufficient bids and then try to have an agreement about replaced calls. It was agreed that was illegal under Law 72B1, but could be difficult to prove. Instead the Committee sought to apply a specific regulation making it clear the practice would not be allowed.

The Committee agreed to replace the RA option passed on December 17th 2007 with the following:

40B3(d)

A pair is allowed to vary, by prior agreement, its understandings during the auction and play consequent on an irregularity by either side, except that following its own insufficient bid a

partnership may not change by prior agreement the meaning of a replacement call so that it is brought within the criteria of Law 27B1(b).

It was agreed that all RA options would be published in the Orange Book supplement along with all the other Orange Books changes.

6.3 Questions about questions during the auction

The Committee considered correspondence from Graham Hedley regarding the asking of questions during the auction. Mr Burn wondered in fact whether our regulations in the Orange Book may be contrary to the laws of the game. Under current law 20F5(1) there is an absolute right to ask questions. Mr Dhondy and Mr Stevenson disagreed with Mr Burn's assertion that to ask a question automatically placed partner in a disadvantageous position. Other members of the committee were supportive of Mr Hedley's views.

There was a view that the paragraphs in 3E of the Orange Book gave an impression that bidding on after questions was wrong, which was not the case. It was agreed that Mr Stevenson would look at the wording in the paragraphs with a view to redrafting in time for the next meeting.

The secretary was asked to reply to Mr Hedley accordingly.

6.4 Unauthorised information through Law 16B

Law 16B:

When a player accidentally receives unauthorised information about a board he is playing or has yet to play, as by looking at the wrong hand; by overhearing calls, results or remarks ... the Director should be notified forthwith, preferably by the recipient of the information.

The Committee considered an incident at the Easter Festival where a player in possession of such unauthorised information did not call the TD until the end of the hand.

The Committee confirmed that not to call the TD was a serious breach and, notwithstanding what else the TD might do, a standard penalty was appropriate. Some committee members felt that twice the standard penalty was appropriate.

7. Applications for new permitted methods

There were no additional requests this time. Mr Stevenson would finalise the wording of the changes agreed at the last meeting in time for the next meeting. This includes, at Level 4 only, a Strong 1♥ or 1♠ opening, a 1♥ or 1♠ opening to show a balanced hand, and an Either/or club to include the possibility of natural 1♦ openings.

8. Reports from Tournament Directors

The Committee made a plea that forms be completed legibly by both TDs and Appeal Committee chairmen. Some forms are almost impossible to read, whereas the occasional form word processed are a joy to read.

8.1 08.007

The Committee considered a TD's report where he had drawn a conclusion about the actions of a player, but had not given any information or evidence to support the conclusions.

TDs are reminded of the need to give as much detail as possible when completing the forms.

(forms start on next page)

8.2 08.010

Dealer W
NS Vulnerable
IMPs to VPs

	North	
	♠ 10	
	♥ 10 5 3	
	♦ Q 9 6 4	
	♣ J 10 8 7 2	
West		East
♠ 9 8 6 5 4 3		♠ A
♥ K Q J 7 6 2		♥ A 9 4
♦		♦ 10 8 7 5 3 2
♣ 3		♣ 6 5 4
	South	
	♠ K Q J 7 2	
	♥ 8	
	♦ A K J	
	♣ A K Q 9	

Bidding:	West	North	East	South
	pass	pass	1♦ (A1)	Dble (2)
	2♣ (3)	pass	2♦ (A)	Dble (4)
	4♥	pass	pass	4♠
	dble	pass	pass	pass

- 1 imprecision diamond
- 2 S asked W about 1♦. Reply: 12-17, no 5-card major, not weak NT
- 3 not alerted. 2♣ shows 8-11HCP, mild game try, 5-card major.
- 4 S asked W about 2♦. Reply: no 4-card major

Result: 4♠ x - 5 by South = -1400 **Lead ♥K**

Tournament Director's statement of facts & ruling

I was called at the end of play and asked by South to record a psyche. West stated that there had been no psyche and I asked South to repeat the auction including any alerts and questions. It became known that the conventional 2♣ bid had not been alerted. South claimed that he is damaged by this misinformation, and would not bid 4♠ had he been alerted to the artificial 2♣.

I ruled it was too late to change a call (21B3) and that I had an option to adjust the score (40C). Accordingly I ruled under 12C2 to give the most unfavourable score to the offending side.

Ruling: 4♥x – 1 by West = +100.

Appeals Committee's decision

Ruling upheld. We didn't keep the money as on some defences 4♥ might make. However we agree in general with TDs ruling. It should be made clear that if using a complex system, it is incumbent on the players to ensure the opponents know its full meaning.

L&E comment:

When the number of tricks likely to be made in a contract is uncertain, and that contract is assigned, it seems odd not to use Law 12C3.

8.3 08.012

The Committee considered a situation where the TD had ruled that there had been a fielded misbid.

The Committee reminded TDs, Appeals Committees and Referees that in **fielded misbid** rulings the correct adjustment was to give average plus / average minus at match point pairs (or the equivalent at other forms of scoring). The additional standard procedural penalty is **ONLY** applied in situations where there has been a **fielded psyche**. (White Book P25 12.1.1)

8.4 08.014

Dealer N
NS Vulnerable
MPs

North
♠ 6
♥ K 4
♦ K Q J 8
♣ A K J 5 3 2

West
♠ A 10 5
♥ A 2
♦ 9 7 5 4 3 2
♣ Q 7

East
♠ K Q 9 8 7
♥ 10 8 7 5
♦ 10
♣ 10 6 4

South
♠ J 4 3 2
♥ Q J 9 6 3
♦ A 6
♣ 9 8

Bidding:	West	North	East	South
	2♦	1♣	pass	1♥
	pass	Dble (1)	pass	pass

1 After opening lead was explained as 'extra values' with diamonds. Not alerted.

Result: 2♦ x - 2 by West = +300

Director first called after opening lead

Tournament Director's statement of facts & ruling

South had not alerted the 'non take-out' double as per OB5E2(a). East claimed that if she had known it was penalty orientated she would have bid 2♠.

I ruled that EW were damaged by the failure to alert. East should be allowed to bid 2♠ as rescue. North has already shown a good hand with ♣ and ♦ and hand is probably a misfit so may pass this out. Law 12C2.

I ruled 2♠ - 1 by East = +50.

Appeals Committee's decision

Revert to table score.

With the correct explanation, we don't believe that East would have pulled to 2♠. Thus we are reverting back to the table score. (It is a little surprising that South passed 2♦ x.)

L&E comment:

The TD thought East would bid 2♠, the AC thought East would pass. Surely a case for a weighted ruling under Law 12C3.

8.5 08.015

Dealer S
Love All
IMPs to VPs

North
♠ Q 5 4 3
♥ 6
♦ A K 10 4
♣ A Q 9 3

West
♠ K 10 9 8 7
♥ A Q 8 5
♦ 9
♣ K J 10

East
♠ A J
♥ J 7 3
♦ 7 6 3 2
♣ 8 5 4 2

South
♠ 6 2
♥ K 10 9 4 2
♦ Q J 8 5
♣ 7 6

Bidding:	West	North	East	South
	1♠	1NT	pass	pass
	dbl	pass(A2)	pass	2♦(1)
	pass	pass	3♦	2♥
	pass	pass	pass	dbl

1. 2♦ not alerted, West's double was for take out
2. the pass was alerted – denies 3 hearts

Result: 3♦ x - 4 by E = +800

Director first called end of auction.

Tournament Director's statement of facts & ruling

East asked after the alert and was told 'denies 3 hearts'; 'why are hearts relevant?'; 'because 2♦ was a transfer' (south). There was general merriment at the table and East argues that since the double showed diamonds he was merely competing.

I was also concerned that I had not been called as soon as the irregularity became apparent.

I consider that East, being fully aware that 2♦ was a transfer but West double had been made in the belief that it was natural, had acted frivolously. He vehemently denied this.

Ruling: Score stands for EW; 2♥ - 1 = -50 by S for NS.

Appeals Committee's decision

Failure to alert 2♦ by N and explanation subsequently supplied by South resulted in misinformation under Law 21 which states 'the quality of the contract is irrelevant, the pair is damaged if it is judged they would have got a better score in the contract they might have reached without the misinformation.

Result: 2♥ - 1 = -50 given to both sides.

L&E comment:

We agree with the TD's ruling.

8.6 08.017

Dealer N
Love All
Butler pairs

North
♠ 6 2
♥ 5
♦ 10 3
♣ A Q 10 8 5 4 3 2

West
♠ Q J 10 8 4 3
♥ K
♦ K Q 8 5
♣ K 7

East
♠ 9 7 5
♥ J 10 8 6 4
♦ A 9 7 6 4
♣ -

South
♠ A K
♥ A Q 9 7 3 2
♦ J 2
♣ J 9 6

Bidding:	West	North	East	South
		4♣	pass	5♣
	pass(1)	pass	dbl	pass
	5♠	pass	pass	Dble
	pass	pass	pass	

1 Alleged hesitation

Result: 5♠x ✓ by W = -650 **Lead** ♣A

Tournament Director's statement

I was called at the end of the next board.

Before passing West asked if 5♣ showed several aces: This was understood to be a joke. It was alleged he paused as well; When asked whether he thought West replied that he did think some time before passing. East said she would always double on this sequence.

There was a break in tempo before West's pass. East's double was not evident. Pass is a logical alternative (L16A), thus double is disallowed.

I also considered whether NS defence to 5♠x was bad enough to be considered to be 'wild or gambling', but decided not.

Ruling: 40% of 5♣ ✓ by N = +400; 60% of 5♣ - 1 by N = -50.

Appeals Committee's decision

TDs ruling upheld. The break in tempo was established. No East would bid as East did – a clear anti percentage action. This was a frivolous appeal unanimously agreed. Deposit forfeit.

L&E comment:

East's double was a gross use of unauthorised information and the correct decision was made to keep the deposit.

8.7 08.018

The Committee considered a psyche from the London One Day Joint Venture Swiss Pairs and was minded to reclassify it from Amber to Red. The Secretary was asked to write to the EW pair for their comments.

8.8 08.020

The Committee considered a form from the Easter Festival Swiss Pairs, where one side claimed never to have seen the form.

TDs are reminded of the need to show all players the forms, even though it is no longer a requirement to obtain signatures of all players.

8.9 08.021

Dealer E
Game All

MP pairs

	North		
	♠	Q 9 5	
	♥	A 9	
	♦	J 6 4	
	♣	A K 9 4 2	
West		East	
♠	A 8 2	♠	K 7 4
♥	Q 7 3	♥	J 8 6 5
♦	10 8 7	♦	9 3
♣	10 5	♣	J 3
	South		
	♠	J	J 10 6 3
	♥	K 10 4 2	K 10 4 2
	♦	A	A K 5
	♣		7 6

Bidding: West North East South
 not recorded

Result: No result obtained

Final Contract 3NT by North

Tournament Director's statement of facts & ruling

I was called at the end of play.

North is declarer in 3NT. At trick 8, East leads ♥5, dummy play ♥2. West trances, North says 'doesn't matter'. West plays ♥Q, North takes and later finesses the heart. East calls me at play end.

I read law 68A. Declarer has claimed and his statement was 'it doesn't matter'. I read Law 68D; EW disputed the claim. I applied Law 70 and particularly Law 70E and ruled 3NT -1.

Ruling: North's statement constitutes a claim. I showed NS the white book, 68.4 paragraph 1. 3NT -1.

Appeals Committee's decision

We agree totally with the TDs ruling. It would not be irrational to play ♥K rather than finesse.

L&E comment:

The Committee thinks that both the ruling and the Appeal Committee decision are harsh.

9 Any other business

Mr Faulkner raised the matter of the proposed introduction of 'cautions'. He had drafted some points, currently with the EBU Chairman. In particular he was keen to know why the sanction of admonishment had been removed from the current bye-laws. He hoped the drafting solicitors would be able to give a satisfactory reason.

10 Date of next meeting

Thursday 5th June 2008 at 1.15pm. The Dorchester Room, McAlpine's, 40 Bernard Street, London W1.

The meeting closed at 5pm.