



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT TGRS, NEW CAVENDISH HOTEL, LONDON
ON WEDNESDAY 3 NOVEMBER 2010**

Present:	Jeremy Dhondy	Chairman and Elected Member
	Mike Amos	Elected Member
	Max Bavin	Chief Tournament Director
	Sally Bugden	EBU Chairman
	Barry Capal	EBU General Manager
	Frances Hinden	Vice Chairman and Elected Member
	Neil Morley	Elected Member
	Martin Pool	Elected Member
	Grattan Endicott	Vice-President
	Gerard Faulkner	Vice-President
	Gordon Rainsford	Co-opted. Asst Chief TD elect
	John Pain	Secretary

1A Election of Chairman and Vice Chairman

The secretary called for nominations for Chairman for the year 2010-11. Jeremy Dhondy was proposed by Martin Pool and seconded by Mike Amos. There were no other nominations and Jeremy Dhondy was re-elected.

Jeremy Dhondy proposed and Sally Bugden seconded Frances as Vice-chairman. There were no other nominations and Frances Hinden was re-elected.

1B. Apologies for Absence	David Burn	Co-opted
	Andrew Petrie	EBU Vice Chairman
	Tim Rees	Elected Member
	David Stevenson	Elected Member

The Chairman welcomed back those returned at the AGM (Frances and Neil) and also Tim Rees as a newly elected member.

1C Chairman's business

1C1 The Chairman proposed that David Burn be co-opted to the committee for the year 2010-2011. He would not have voting rights. Carried nem con.

1C2 The Chairman proposed that Gordon Rainsford be invited to attend L&E meetings from now on in his new role as Assistant Chief TD elect. Carried nem con. Gordon was welcomed to the meeting and congratulated on his appointment to the post from April 1st 2011.

1C3 The Chairman gave notice of some bye-law changes that would have some impact of the L&E's business. The recommendation that hearings be held in public (approved by the Board on July 10 2007) would be incorporated in the change.

The Board were also considering the introduction of a deposit for appeals following a Disciplinary Committee hearing and conviction and such a change would have to be incorporated in any bye-law changes. The figure of £500 had been suggested. Members were generally in favour of the idea but felt the deposit figure might be too high. The terms and conditions involved in lodging such an appeal would need to be carefully drafted together with the reasons for forfeiting the deposit. Mrs Bugden (only for consistency) agreed to take the comments back to the board.

Other matters relating to banned members were taken at this point.

- a) 2.3.1 The question of whether suspended EBU members could continue to play in affiliated clubs was discussed. The opinion of EBU Honorary Counsel and the Board was that the EBU could not enforce a ban on clubs on their ordinary club nights. It was a matter for the club. The current bye-laws (11.10) make it clear that a Disciplinary or Appeal Committee may direct that any affiliated club of which the defendant is a member be informed, whereas under 11.5 it is mandatory to tell a county association. The bye-laws would be amended to make it mandatory to tell clubs.

It had been decided that banned members who were permitted by the club to continue playing would not have any Master Points credited nor receive *English Bridge* (and a diary) for the duration of the ban. Some members of the committee considered it wrong that suspended members could continue to play at club level. The EBU Chairman said that we had a duty to help affiliated clubs in this regard. If a club wished to mirror the ban that was for the club to decide.

Mr Faulkner suggested that the bye-laws could be amended to make it a requirement that affiliated clubs impose the same sanction as that imposed by the EBU or a county association.

- b) The EBU had been asked for assistance from a club where a player, who was not a member of the club, had indicated his intention to attend the club to play in a heat of a county event. The player had previously attended as a guest but it had been made clear to him that he was not welcome again and an application for membership would be refused. It was confirmed that Clubs could restrict non-members attending such events by requiring that notice be given (for the purposes of ensuring there was adequate room, for example). There was a difference of opinion on the committee as to whether County heats held in clubs were club events or actually County events. Certainly a club hired for a County semi-final or final was definitely a County event and the club committee could not refuse to allow county members to play even if the club had banned a player for some reason. But the situation in this case was not clear. It had been recommended to the club to apply the 'failed to give notice' criteria. As it happened the player did not attend the heat, preferring to play in another heat. Mrs Bugden said it was essential that a regulation be drafted to clarify the situation. The county concerned had indicated that they would review and update their regulations for next season.

1C4 *EBU questionnaire*

Mrs Bugden said that a members' online questionnaire would be available between December 17th and January 14th. All standing committees had been invited to submit questions. Questions should be of a simple tick-box type. Any questions should be sent directly to Jeremy or Frances by Nov 12th.

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2.1/2 **Minutes of the previous meeting**

The minutes of the meeting of July 14th 2010 were approved and signed. There were no matters of accuracy.

2.3 **Matters arising**

2.3.1 *Suspended members*

Covered in 1C3(a)

2.3.2 *Best Behaviour at Bridge*

The application of BB@B penalties had been discussed at the recent TD Panel Weekend. Some of the penalties seemed inappropriate whereas other seemed to be lenient. It was agreed that discussion with the Tournament Committee was needed to come up with a tariff of penalties appropriate to the misdemeanour. TDs were under the impression that the basic penalty was 'twice the standard amount' (i.e. 20% of a top at pairs), but in fact this was a minimum amount and harsher penalties could be imposed for cause.

It was agreed that Frances would attempt would try to draw up a schedule of misdemeanours and penalties with the assistance of Max and Gordon.

ACTION: FH

2.3.3 *Orange, White and Tangerine Book updates*

It was clear from the recent TD Panel weekend that TDs valued the hard copies of the books. Several had printed out their own copies from the website version. Others indicated they would be prepared to pay the printing costs. The Secretary was asked to obtain estimates for printing small print runs through 'vanity printing' firms.

[Secretary's note: I have made approaches to a firm called Short Runs to obtain quotes]

2.3.4 *Sim Pairs regulations*

The Secretary had spoken to Mrs Gudge and informed her of the Committee's deliberations at the previous meeting.

2.3.5 *Other matters arising*

Mr Faulkner raised questions about two of the disciplinary cases Newchurch and Sandown regarding the reporting of the proceedings in a local county newsletter. There had been complaints about the reporting but it had been decided that in itself was not an offence. Currently we do not produce a transcript of hearing proceedings – the only official document being the Written Record. He recommended that the public element of future hearings should be recorded. The production of a transcript would be paid for by the person requesting it. Mrs Bugden said the Board would discuss the matter.

ACTION: SB/JD

Mr Faulkner asked whether any progress had been made on the question of discretionary deposits for Appeals to National Authority suggesting that £75 might be too much in some cases. It was confirmed that no discussions had taken place yet.

ACTION: JD/SB

3 **Appeals to the National Authority**

3.1 *Appeal from the Silver Plate*

The Chairman appraised the committee with the facts surrounding an Appeal to National Authority arising out of a Silver Plate match. It had been necessary to conduct the appeal by email correspondence as the draw for the next round had to be made. However the main concern had been the regulations for asking for an appeal in a match played privately. Mr Bavin confirmed that the EBU regulations in this respect could be improved. BGB had acknowledged that their

regulations were deficient in this regard and would be clarified in time for the next season event. Mr Bavin would report back any changes proposed for EBU events at the next meeting.

ACTION: MB

3.2 Appeal from Sheffield Bridge Club

The committee considered an Appeal to National Authority from a judgement ruling at Sheffield Bridge Club. The case centred around whether there had been an 'unmistakable hesitation' and what constituted one. In the case one player thought there had been and an opponent thought there had not. The other two were non-committal. The TD had made a judgement and ruled accordingly. The club had held an appeal and confirmed the TD's ruling. The member asserted that a) there was a question of principle and b) an error in tournament direction and therefore the appeal should be allowed to be heard.

The Committee considered the four grounds for hearing the appeal as outlined in 8B4 of the Orange Book and declined to hear it because:

In their opinion

There was no question of principle involved. The word "unmistakable" in the phrase unmistakable hesitation means one that has happened in the view of the tournament director. He may obtain evidence as to this from the comments of the players and/or the actions taken at the table. When the director decides that there has been a hesitation he must also take a view as to whether it was unmistakable. In other words if he concluded it was no more than a flicker it might fail to meet the test but if he determines that it did take place and was of a significant length then it is unmistakable.

There was neither an error in the application of the law nor any error of tournament direction. The director asked the appropriate questions and used the correct Law in rendering his judgement.

His judgement was not grossly inappropriate.

The deposit was therefore forfeited and the appellant would be informed of the decision.

ACTION JD

4 Disciplinary Cases

4.1 Westminster

The secretary reported that the appeal hearing had confirmed the sanction imposed. The following paragraph appeared in the October edition of English Bridge:

An EBU Disciplinary Process recently considered the charge that Roger Stenson had caused distress to a fellow club member during a telephone call made to her. The Committee found that this constituted a breach of the Disciplinary Rules 3.2(v) being conduct or behaviour which falls below the accepted standards required of Play Members. Mr Stenson was reprimanded.

The Committee closed the case and the papers were put to file.

Brading

The Officers considered that the matter had been dealt with alongside the Westminster case and there was nothing to be gained pursuing it further. The papers were put to file.

4.2 Wroxall

The secretary reported that the matter was ongoing and that the Club had not completed its own procedures. Consequently the Laws and Ethics committee would take no action at this stage

4.3 Yarmouth

The Committee considered the case of a member who had been fined on three separate occasions during the Brighton Swiss Pairs. The member then failed to complete match 13 and did not return for match 14. The secretary had already written to the member to ask for his account of the matter and the reply was considered. It was considered that the Tournament Directors had taken appropriate action but a further letter to the member was required.

The Committee further considered the need for TDs to be kept informed of procedural penalties, disciplinary penalties and other actions during longer events and it was agreed that briefing meetings on a daily basis would help in this regard.

4.4 Abba

Following written submissions the Committee considered there was sufficient evidence to charge a member with an offence and move to a hearing.

The Secretary was asked to make the necessary arrangements.

4.5 Complaint from the Crete Overseas Congress

The Committee considered a complaint from a member arising from the Crete Overseas Congress. Whilst the TD had applied BB@B penalties the member had still lodged a formal complaint. The Committee concluded that the TD had taken action, although the fines applied should have been larger. The Committee considered no further action was warranted.

5 Technical Matters

5.1 Correspondence

a) Steve Ray

The correspondence concerned a general enquiry following a situation where there had been no request for a TD ruling but where the member had afterwards spoken to a knowledgeable player for an opinion. He was concerned with the possible inconsistency of rulings in unauthorised information situations. It was confirmed that it was possible, though undesirable, that you might well receive different ruling depending on who you asked or who the appeal committee was – that was called judgement. It was confirmed that giving an opinion when you only hear one side of the argument could well mean an answer was given that was different.

ACTION: JD

b) Anne Jones

In the auction 1NT (LHO) - 2♥ (partner) – 3NT (RHO) – double (you) is the double alertable if it asks for a) a heart lead or b) a spade lead. Further is the double 'above the level of 3NT' (OB 5E4).

The Committee confirmed that since the primary message of the double was lead directing rather than penalty that it should be alerted.

The Committee confirmed that it was not above the level of 3NT. Calls above the level of 3NT start with 4♣.

The Committee considered that it would be helpful to add the following to the next edition of the Orange Book:

A double of 3NT asking for the lead of a specific suit is alertable as its primary message is lead directional rather than penalties.

5.2 *Mismatches in a triangle match at Swiss Teams*

Mr Morley had encountered a problem in a Swiss Teams event where a team involved in a triangle match was mis-matched. The guidelines in the White Book gave examples based on a 20-0 scale whereas the triangle scale was a 10-0 scale. He had taken the guidance in WB165.2 (b) and scaled it to give 2.5 VPs + $\frac{3}{4}$ of actual score.

It was agreed to amend the White Book to allow for a pro-rata calculation such as this for future events.

5.3 *Alerting regulations (Jeffrey Allerton)*

This item was deferred due to lack of time. The secretary was asked to prioritise it for the next agenda

5.4 *Appeals from Brighton*

The appeals and other TD reports from Brighton had been circulated to the TD panel in their 'raw' form by email. This had proved a successful experiment and a further batch for the remainder of 2010 would be sent out to the panel in January. Several of the panel had commented on the legibility of some of the reports – but rarely on their own ones. It had proved useful for all TDs to see what was written about situations and also the quality of what was written down by all involved included appeals chairmen.

5.5 *New facts being presented to an Appeals Committee*

This item was deferred due to lack of time.

5.6 *Make up of Referees Panel*

The Committee considered the current list, suggesting several new names which might be added and some names which might be deleted. The committee wished to thank the retiring members for their service over the years.

ACTION: JD

5.7 To 5.9

These items were deferred due to lack of time.

5.10 *WBF Minutes*

The committee noted the minutes of the WBF Laws Committee from two meetings held in Philadelphia. They are attached to these minutes (Appendix A)

The Committee noted discussion about 'Reveley Rulings' and confirmed the EBU's position that 'Reveley Rulings' are not permitted in England.

The Committee also considered the minute about Insufficient Bids (Law 27) but declined to make any further comment.

5.11 *New code of Laws*

Mr Endicott said that the first preliminary discussions about the 2017 code of laws was scheduled for about six months time. Any suggestions for law amendments should be sent directly to Grattan.

6. Applications for new permitted methods

None this time

7. Reports from Tournament Directors

These items were deferred due to lack of time.

8 *Date of next meeting*

Wednesday January 26th 2011 at 1pm.

Meeting venue: If the full number of those permitted to attend turn up then the TGR room is too small. Enquiries are being made of the Baker Tilly offices in Russell Square. The venue will be confirmed in good time.

[Secretary's note: The next meeting will be at the Baker Tilly offices in Russell Square]

The meeting closed at 5pm.

**Minutes of the meeting of the WBF Laws Committee held in
Philadelphia PA, 8th October 2010**

Present:

Ton Kooijman – in the chair
Chip Martel - Vice Chairman
Grattan Endicott - Secretary
Max Bavin
Maurizio Di Sacco
Joan Gerard
Al Levy
Jeanne van den Meiracker
Jeffrey Polisner
William J. Schoder
John Wignall

Apologies The President Emeritus
 Bertrand Gignoux
 David Harris
 Dan Morse

Guests: Herman De Wael, Rena Hetzer, Adam Wildavsky.

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1. The Chairman welcomed members of the committee and guests. He observed that not only are guests welcome but if they feel they have a useful contribution to make to the discussion they should feel free to speak. He added that he planned there would be two meetings of the committee in the course of the tournament.
2. A further document concerning treatment of insufficient bids was put for discussion at the second meeting.
3. There was a discussion of the definition of a 'logical alternative'. It was agreed that the call actually chosen by a player is normally considered to be among the logical alternatives with respect to the application of Law 16B1. An exception may arise in the case of a call that it would be impossible to contemplate in the particular circumstances.
4. Concerning 'play period' the committee confirmed its minute 8 of 8th September 2009.
5. Asked to determine who should respond to the question "Is it my opening lead?" (see Law 20C1), the committee observed that all players at the table are responsible for ensuring that a correct reply is given. The Director may deem silence when a reply is made to constitute assent. Regulations may provide for situations when playing with screens.
6. The committee discussed a situation in which a defender seized the first trick and switched rapidly to a singleton in another suit, partner returning the lead for a ruff. An appeal committee had considered "inappropriate" the speed with which the lead was made. Concurring with that view the committee remarked that it is never necessary to make a play quickly. A player may not be mindful of the potential for unauthorized information but if on a rare occasion the creation of unauthorized information is deemed intentional an infraction has occurred.

7. The committee read a comment by a player that something he termed the 'Kaplan doctrine' had been overturned by the minute regarding Law 20F1 recorded on 10th October 2008 and reaffirmed in item 13 of the minutes of 8th September 2009. Remarking that the limits of enquiry are defined in Law 20F1 the committee drew attention to the fact that they do not extend to exploration of hypothetical situations not related to the partnership understandings applicable in the current auction.
8. The committee agreed that if a player infers from information given that opponents have had a misunderstanding he is entitled to use that inference at his own risk. Opponents are entitled only to correct explanations of opponents' partnership agreements. A player who hears partner give an explanation that does not conform with the partnership understanding is required to offer the correct explanation at the due time stated in Law 20F5(b). However if he is uncertain as to what is the correct partnership understanding he is under no obligation to speak immediately, the matter then being one to refer for resolution to the Director at the end of the play under Law 20F6.
9. The committee considered the situation of a claim by declarer whereupon it is noticed that dummy at an earlier stage has failed to contribute a card to a trick and consequently has a card too many. It was agreed that no penalty is applied (Law 64B3). The Director determines which card to remove from dummy and then resolves the claim deciding any doubtful point against the claimer. If the claim statement has been rendered invalid the Director should determine what would have happened if the board had been played out.
10. Having in mind a case of a disputed Declarer's claim and an admission by an opponent that he had revoked on the last trick played, the revoke not being established, the Chief Tournament Director suggested it had been an oversight not to include the WBF minute of 12th January 2000 in the 2007 laws. With a slight amendment the committee confirmed that the minute is still valid. It now reads:
"If a defender revokes and Declarer then claims, whereupon a defender disputes the claim so that there is no acquiescence, the revoke has not been established. The Director must allow correction of the revoke and then determine the claim as equitably as possible, adjudicating any doubtful point against the revoker."
11. The committee put back for further consideration at its next meeting the question of application of Law 50E in situations when the other defender is not on lead (i.e. in selecting discards or the card with which to follow suit).
12. The committee took note of a discussion on BLML concerning cards exposed when a spectator "pushing past" a table stumbles into a player. Observation was made that in such a circumstance the Director is empowered by Law 50 to designate that the exposed cards are not penalty cards.
13. A question concerning a fouled board in a knockout match was put back to the next meeting as also a matter on which the ACBL had invited an opinion from the committee.
14. With reference to Law 72A the subject of so-termed 'dumping' was discussed. It was agreed this is a matter belonging to regulations. It was noted that there exist widely diverging opinions on the subject; the WBF asserts that players must play to win "at all times and in all circumstances", reports suggest that the ACBL calls upon players to play to win every board, the English Bridge Union finds no objection to players who try to lose a match with the object of having the best chance of winning the event, and others have advocated that the object should always be to win a session or a match (which it is believed is the substance of the WBF stance.) It was observed that a side that believes it has the upper hand in a match must surely be within its rights if its aim is to avoid swings.

15. The committee referred to minute 2 of 12th January 2000 concerning the two trick penalty in Law 64. The minute states that the legal substitute card determines ownership of the trick and that Law 64 is then applied and may result in a two trick penalty but not necessarily so. The minute was upheld.
16. The words “next in turn” in Law 55A were considered. The chairman had informed an enquirer that the ‘next in turn’ refers to the LHO of the offending hand and this had been disputed. The committee confirmed that the LHO of the offending hand is meant. Observation was made that Law 53A has the effect of moving the turn to the left of the lead out of turn and it remains there unless and until that lead is rejected.

The committee had addressed a nineteen page agenda; three items had been put back to the following meeting while another three remained yet to be reached.

Mr Martel left the meeting after item 10 and Mr. Wildavsky after item 12.

The next meeting was fixed for 2 p.m. on Tuesday, 12th October 2010.

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Note: the foregoing minutes are as agreed in the committee’s meeting on 12th October 2010.

**Minutes of the meeting of the WBF Laws Committee in Philadelphia PA
on 12th October 2010.**

Present:

Ton Kooijman in the chair
Chip Martel, Vice Chairman
Grattan Endicott, Secretary
John Wignall, Chairman of the Drafting Committee
Max Bavin
Maurizio Di Sacco
Joan Gerard
Jeffrey Polisner
William J. Schoder

Apologies:

The President Emeritus
Jeanne van den Meiracker
Bertrand Gignoux

Guests:

Peter Boyd, Herman De Wael, Adam Wildavsky.

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1. After slight amendment the minutes of the 8th October 2010 meeting were agreed.
2. The committee recorded that reference to ‘any card’ in Law 50D is subject to the provisions of Law 50E.
3. Referring to Ton Kooijman’s Appendix conveying his opinions on matters of law on the WBF web site it was agreed that the mention of his title as chairman of the committee shall be removed.
4. There was a discussion of the treatment of a fouled board in a teams match. Opinions varied. It was agreed that such treatment was a subject for regulation and that the

committee would not offer advice to Regulating Authorities on the matter. However, unless regulations state otherwise a Director may apply Law 86D as he thinks fit.

5. An ACBL example was cited of a contract of 6 Spades reached after a slow signoff by the partner. The contract should go one light but defender revokes allowing it to make, an example of a serious error unrelated to the infraction. It is decided to adjust the score.

The defending side will bear the consequence of its serious error and be awarded –980. The declaring side will be put back to the five level and as to the number of tricks to be awarded the Director will assess what would have happened in that contract. (At the lower level it may be that declarer and/or defender would have reason to play differently.)

6. Further ideas about applications of Law 27 were discussed. It was decided not to add to the advice in the minutes of 10th October, 2008, which Regulating Authorities may apply as they think fit.

It was noted, however, that efforts to allow calls that it is hoped will achieve normal bridge results are protected by the possibility of recourse to Law 27D at the end of the play.

7. The absence of the words “had the irregularity not occurred” from Law 12C1(c)(ii) rarely has consequences for the ruling and how this law is dealt with is in the hands of Regulating Authorities and Directors.
8. A so-called ‘Reveley’ score adjustment is one in which for equity a weighted score [see Law 12C1(c)] includes a percentage of results obtained via use of the call that was actually made at the table. There are anxieties that such adjustments may encourage players to infract the law by allowing them some proportion of their infractive result. For this reason such adjustments should in general be avoided.

9. A 2010 update of the WBF Code of Practice was presented and agreed after amendment.

10. It was reported that a draft revision of the laws of online bridge had been prepared. It was agreed to consult with interested parties on this and subsequently communicate again with the committee on the subject

11. The committee noted that the Portland Club continues to be Interested in updating the laws of rubber bridge and that Mr. Martel had agreed to nominate a person to work with the WBF and the Portland Club on the project.

12. On a motion by Mr. Wignall the committee thanked the Chairman for his conduct of the meetings in Philadelphia and the Secretary for his preparation. The meeting then concluded.

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These minutes have been agreed and publication authorized.