



A₁

**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT IMPERIAL HOTEL, RUSSELL SQUARE, LONDON WC1
ON TUESDAY 19TH MAY 2009**

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	Elected Member
	Neil Morley	Elected Member
	Martin Pool	Vice Chairman and Elected Member
	David Stevenson	Elected Member
	Grattan Endicott	Vice-President
	Gerard Faulkner	Vice-President
	John Pain	Secretary

- 1. Apologies for Absence** David Burn Elected Member
Andrew Petrie EBU Vice Chairman

2

2.1/2 Minutes of the previous meeting

There were two corrections.

2.3.11(b) A misunderstanding between Mr Faulkner and Mrs Suzanne Gill (club committee member) had been resolved amicably and the paragraph removed from the earlier draft.

7.2 Mr Barnfield's decision to stand down from the reviewers panel was not due to pressure of work. The sentence was removed from the earlier draft.

The minutes of the meeting of February 12th 2009 were approved and signed.

2.3 Matters arising

2.3.1 Disciplinary Case – Mr Phil Wilson

The Secretary reported that the appeal against conviction of a member was due to be held on May 20th.

[Secretary's note: The appeal was not allowed and Phil Wilson was suspended from EBU membership for a period of one year commencing May 21st 2009]

2.3.2 *Disciplinary Case – Mr Waseem Naqvi*

The Secretary reported that the appeal against the sentence passed on the member had reduced the ban from two years to one. The ban is effective from April 27th 2009. The details of the ban had been forwarded to the European Bridge League as required

2.3.3 *White Book revisions*

Mr Stevenson would undertake the work need to bring the White Book into line with the 2007 laws with a view to publishing no later than April 2010. Mr Dhondy undertook to do the index. Mr Morley offered to assist Mr Stevenson.

ACTION DWS JD

2.3.4 *Logical alternatives*

The advice from the previous meeting had been circulated to all panel TDs and Referees and was available on the website. It would be included in the WB revision.

2.3.5 *Rules for alerting doubles*

The Chairman asked for suggestions from the Committee on how best to communicate the (unchanged) rules on alerting doubles through a forthcoming series of articles in English Bridge. Mr Stevenson suggested that the first article should concentrate on the basic idea of a double after a suit bid, with all other doubles covered in a second article. Miss Hinden said that some doubles are not alertable in the way you might expect, so unexpectedness as well as simplicity was required – ‘you have to alert some doubles that are penalty’.

2.3.6 *Simplified law cards*

Mr Dhondy reported little progress but ideas such as the flow charts in the EBU booklet ‘Introduction to Tournament Directing’ used on TD training courses might be useful for some people. The matter would be revisited at the next meeting.

ACTION JD

2.3.7 *Orange Book changes*

There were some changes to take effect on August 1st 2009 and although the Secretary kept a ‘working copy’ of changes as they were agreed it was necessary to agree final wording in good time. It was agreed that June 7th should be the final day for making copy changes.

It was further agreed that a statement regarding ‘Pauses at trick one’ should be included in the Orange Book and the definition of ‘2nd best breaks’ with regard to clear-cut tricks would also be included in the OB revision.

ACTION DWS

2.3.8 *Second best breaks*

Deferred to the next meeting.

2.3.9 *Tangerine Book*

Mr Amos distributed copies of the part he had been asked to write. He had tried not to change anything but to make it simpler. Miss Hinden said it was a good start but there remained quite a bit of duplication. She would attempt to bring both parts together to produce a booklet of no more than 12 pages. Mr Endicott said it should be made clear that this was a shortened version only and that guidance on unusual methods would still be found in the full Orange Book.

Timeline: ready for publication by April 2010 so the 1st draft should be finished by September; consultation by November with a view to finalizing by January.

Mrs Bugden thanked the committee for their efforts.

ACTION: FH

2.3.10 Law 27B examples

The Committee considered Mr Bavin's paper of examples where a more lenient attitude to rectification calls might be taken. Of the four suggestions the first three were agreed but the final one was not. Nevertheless it was agreed to publish all four as the last one provided good evidence of why the change was *not* permitted. Mr Bavin agreed to make the amendments and then the Secretary would publish them on the website.

Mr Dhondy wondered where the line might be drawn, but Mr Endicott suggested that was up to the L&E, as there was no agreement at world level. Mr Stevenson suggested that if the additional information was trivial then rectification calls were allowed, but not otherwise.

The paper is attached as Appendix A to these minutes.

ACTION: MB

2.3.11 Draft letter to Hammonds (EBU Solicitors)

Mr Dhondy reported that he had spoken at length to the EBU Honorary Solicitor regarding the current disciplinary rules and the question of 'admonishments'. The Honorary Solicitors view was that the current disciplinary rules were adequate but he did not recommend going down the suggested route of 'cautions' for misdemeanours that did not merit a full hearing.

Mr Faulkner said that missed the point. He wanted to know why 'admonishment' as a sanction no longer featured in the disciplinary rules. Was that a deliberate decision to remove it or had it been forgotten. Mrs Bugden said that when the bye-laws are redrawn the question can be revisited.

ACTION: SB

3 Appeals to the National Authority

3.1 Although there were no new cases this time the Committee considered a case which was put forward but then withdrawn. Mr Faulkner talked about the possible prohibitive cost of lodging an appeal to national authority and the possible feeling that the cost of justice was too high. It was mentioned that at the European Championships a junior team had appealed, lost the appeal and the deposit – but the appeal committee decided to keep only part of the deposit. It was left to the Board to consider whether retaining part of the deposit was a desirable option.

The Secretary said that in the withdrawn case it was the procedure used by the County to conduct the appeal that appeared to be central to the appeal. Members who had attended EBU tournament appeals expected county or even club appeals to be conducted in the same way, but that was not always possible. Nevertheless the procedure was not necessarily flawed and a correct decision reached. It was agreed to circulate the WB guidance on appeals to Counties and Mr Morley suggested that it was timely to publicize the Appeals guidance more widely as, in his opinion, some Appeals Committee chairman did not follow the guidance to the letter. See Appendix B

4 Disciplinary Cases

4.1 No new cases this time

5 Technical Matters

5.1 Correspondence

a) Correspondence from Leicester had been dealt with by Mr Stevenson.

b) *Correspondence regarding weak 2s opened on 6 to 12 points.*

The Committee considered correspondence where a player had opened a weak 2♠ holding ♠KJ9875 ♥Q7 ♦AJ10 ♣74. The range was explained as 6-12 HCP. There were two questions.

a) was it legal and b) how should it be announced?

It was agreed that such a method was legal. There was discussion about how to announce such a hand. This was a hand where many players would open 1♠ and a simple description of 'weak' might give the wrong impression as to the strength. On the other hand to announce it as 'weak to

intermediate' when the lower end might include a hand such as ♠KJ10xxx ♥xx ♦Qxx ♣xx might also give the wrong impression. Many on the Committee felt it was more likely to cause a problem at the higher end where hands that open a weak two might include some hands that others would open with a one-level bid. It was agreed by 5 votes to 2 that the announcement should be 'weak to intermediate' in such cases.

It was agreed to widen the guidance in the OB and on the website.

5.2 *Notification of disciplinary decisions*

In reporting recent disciplinary decisions the Secretary said that he had notified those that the Disciplinary Rules said he should notify. Mrs Bugden said that notification should be wider. It was agreed that this was not an L&E decision to be made but should be discussed at Board level.

ACTION: SB

5.3 *Late appeals*

Two of the appeals considered by the Reviewers had arisen where it had been very difficult to conduct the appeal. In one case the appeal arose right at the end of the tournament where one pair had left unaware of the appeal. The second one arose after the evening session of a congress where qualification for a final the next day was involved. One pair had left and the TD had to rely on suitable committee members arriving early enough the next day to hold the appeal and hoping the other pair would also arrive in time to participate, having no way to contact them.

It was agreed that requests for appeals received within the time limits had to be entertained. The Committee suggested that Congress programmes should include advice about the possible effect of appeals. Mr Bavin undertook to do this. In particular pairs involved in a ruling should check to see whether the time limit for lodging an appeal had expired before leaving. It was also agreed to remind TDs of the need to let players know about the deadlines for appealing.

The Committee confirmed that where the TD could not find a suitable Appeal Committee of three people then a committee of one, a telephone referee or even the Chief TD could hear the appeal.

Where it was necessary to conduct an appeal where one pair did not even know it was happening, it was always an option of the Appeal Committee to halt the proceedings if the absence of one side might prejudice the procedure.

ACTION: MB

6. **Applications for new permitted methods**

There were no new applications this time.

7. Reports from Tournament Directors

7.1.1 09.002 – National Swiss teams

<p>♠ AQ8742 ♥ K92 ♦ QJ ♣ 64</p> <p>♠ 106 ♠ K53 ♥ 73 ♥ QJ104 ♦ 1095 ♦ A8632 ♣ AQ10873 ♣ 5</p> <p>♠ J9 ♥ A865 ♦ K74 ♣ KJ92</p>	<p>Board 27 : Dealer South : Love all</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;">West</th> <th style="text-align: left; width: 25%;">North</th> <th style="text-align: left; width: 25%;">East</th> <th style="text-align: left; width: 25%;">South</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>1♥</td> </tr> <tr> <td>Pass</td> <td>1♠</td> <td>Pass</td> <td>1NT</td> </tr> <tr> <td>Pass</td> <td>2♣(1)</td> <td>Pass</td> <td>3♣</td> </tr> <tr> <td>Dbl</td> <td>3♥</td> <td>Pass</td> <td>3NT</td> </tr> <tr> <td colspan="4">All Pass</td> </tr> <tr> <td colspan="4">(1) checkback, not alerted. Card shows rebid of 1NT is 12-14 with 2♣ checkback. S confessed he had forgotten.</td> </tr> <tr> <td colspan="4">Result: 3NT= by S, +400</td> </tr> </tbody> </table>	West	North	East	South				1♥	Pass	1♠	Pass	1NT	Pass	2♣(1)	Pass	3♣	Dbl	3♥	Pass	3NT	All Pass				(1) checkback, not alerted. Card shows rebid of 1NT is 12-14 with 2♣ checkback. S confessed he had forgotten.				Result: 3NT= by S, +400			
West	North	East	South																														
			1♥																														
Pass	1♠	Pass	1NT																														
Pass	2♣(1)	Pass	3♣																														
Dbl	3♥	Pass	3NT																														
All Pass																																	
(1) checkback, not alerted. Card shows rebid of 1NT is 12-14 with 2♣ checkback. S confessed he had forgotten.																																	
Result: 3NT= by S, +400																																	

Tournament Director's statement of facts & ruling

I was called by E at the end of the auction before the opening lead. Asked players to play the hand. When recalled I asked what the problem was and EW queried N's actions following failure to alert 2♣. NS confirm that 3♣ over 2♣ is not part of any agreement. N said he bid 3♥ to find out whether partner held five hearts.

N certainly has UI from failure to alert 2♣. However when S bids 3♣ and W doubles it becomes AI that S has forgotten as auction makes no sense otherwise. Therefore whatever action N now takes is not influenced by UI.

Result stands.

Appeals Committee's decision

Agree with the TD. Cannot see any reason for NS to bid differently. UI from lack of alert had no impact on the auction. EW gave no case that TD had not already considered. Given their experience they should know it would be a quick decision. Deposit forfeited.

L&E comment:

Correspondence had been received from EW making points which had not been raised at the Appeal. Whilst it did not amount to an appeal to national authority Mr Morley wondered if it was an attempt to do so by the back door. Mr Dhondy said that all appeals were seen by the reviewers and nearly all then came to the committee for consideration.

Miss Hinden, who had chaired the appeal said the letter put forward complicated arguments that had not been mentioned at the appeal itself. She added that the TD's ruling had not been wrong in law.

Mr Stevenson wondered whether there should be a 'secretary' at appeals to record proceedings, but no decision was taken on that point.

The Committee agreed the decision was correct.

7.1.2 09.004 National Swiss Teams Congress

<p>♠ A98764 ♥ 4 ♦ Q ♣ AJ852</p> <p>♠ K53 ♠ QJ102 ♥ KJ107 ♥ A853 ♦ J64 ♦ 852 ♣ 943 ♣ 106</p> <p>♠ - ♥ Q962 ♦ AK10973 ♣ KQ7</p>	<p>Board 14 : Dealer East : Love all</p> <table> <thead> <tr> <th>West</th> <th>North</th> <th>East</th> <th>South</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>Pass</td> <td>1♦</td> </tr> <tr> <td>Pass</td> <td>1♠</td> <td>Pass</td> <td>1NT*</td> </tr> <tr> <td>Pass</td> <td>2♣(A)</td> <td>Pass</td> <td>2♦*</td> </tr> <tr> <td>Pass</td> <td>3♣</td> <td>Pass</td> <td>3NT</td> </tr> </tbody> </table> <p>All Pass</p> <p>2♣ checkback</p> <p>2♦ systematically denies 4 hearts.</p> <p>3NT= by S, +400</p>	West	North	East	South			Pass	1♦	Pass	1♠	Pass	1NT*	Pass	2♣(A)	Pass	2♦*	Pass	3♣	Pass	3NT
West	North	East	South																		
		Pass	1♦																		
Pass	1♠	Pass	1NT*																		
Pass	2♣(A)	Pass	2♦*																		
Pass	3♣	Pass	3NT																		

Tournament Director's statement of facts & ruling

S commented that his void in spades led him to deny holding four hearts. E questioned the legitimacy of S's bidding 1NT with a void. The auction itself is sufficiently unusual given the NS hands for it to be recorded, although in my opinion no infraction has occurred.

L&E comment:

The hand is correctly recorded. If the 1NT is their normal style it should be alerted because of its unexpected nature.

7.1.3 09.005 National Ladies Pairs

<p>♠ KJ82 ♥ J9 ♦ 53 ♣ KJ1092</p> <p>♠ 74 ♠ Q6 ♥ 7 ♥ K10542 ♦ AK942 ♦ QJ1086 ♣ Q6543 ♣ 8</p> <p>♠ A10953 ♥ AQ863 ♦ 7 ♣ A7</p>	<p>Board 12 : Dealer West : NS vulnerable</p> <table> <thead> <tr> <th>West</th> <th>North</th> <th>East</th> <th>South</th> </tr> </thead> <tbody> <tr> <td>2NT(1)</td> <td>Pass</td> <td>5♦</td> <td>Dbl</td> </tr> </tbody> </table> <p>All Pass</p> <p>(1) 2NT was 5-9, 5/5 in the minors at this vul. E alerted, but N did not see it. S was not paying full attention and did not see it either. The double was for take out.</p> <p>5♦x – 2 by E, +300</p>	West	North	East	South	2NT(1)	Pass	5♦	Dbl
West	North	East	South						
2NT(1)	Pass	5♦	Dbl						

Tournament Director's statement of facts & ruling

I was called at the end of the hand. I asked W to show me how she alerted. She waved the alert card over the top of the board which was in the middle of the table.

I adjusted the score to 5♠ + 1 by N.

When playing a call that is usually strong to be weak, players should be doubly careful to ensure compliance with the OB regulation. Knowing W to be weak N would bid 5♠ after the double.

Appeal Committee comment:

We amended the result to 5♠=. We felt 5♠ should just make as it is not unreasonable to get the spade finesse wrong.

L&E comment:

A weighted ruling could have been given regarding the number of tricks 5♠ would make.

This is a good opportunity to remind players of their obligation to ensure opponents see their alerts.

7.1.4 09.014 National Masters Pairs.

♠ 8 ♥ Q10943 ♦ A864 ♣ K108 ♠ A107642 ♠ K95 ♥ J ♥ 76 ♦ KQ73 ♦ J92 ♣ 72 ♣ AQJ65 ♠ QJ3 ♥ AK852 ♦ 105 ♣ 943	Board 21 : Dealer North : NS vulnerable <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;"><i>West</i></th> <th style="text-align: left; width: 25%;"><i>North</i></th> <th style="text-align: left; width: 25%;"><i>East</i></th> <th style="text-align: left; width: 25%;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td>Pass</td> <td>Pass</td> <td>1♥</td> </tr> <tr> <td>1♠</td> <td>3♠(A)</td> <td>Pass(1)</td> <td>4♥</td> </tr> <tr> <td>4♠</td> <td>Pass</td> <td>Pass</td> <td>Dbl</td> </tr> <tr> <td colspan="4">All Pass</td> </tr> <tr> <td colspan="4">(1) Alleged hesitation before passing</td> </tr> <tr> <td colspan="4">4♠x= by West, -790</td> </tr> </tbody> </table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	Pass	1♥	1♠	3♠(A)	Pass(1)	4♥	4♠	Pass	Pass	Dbl	All Pass				(1) Alleged hesitation before passing				4♠x= by West, -790			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																										
	Pass	Pass	1♥																										
1♠	3♠(A)	Pass(1)	4♥																										
4♠	Pass	Pass	Dbl																										
All Pass																													
(1) Alleged hesitation before passing																													
4♠x= by West, -790																													

Tournament Director's statement of facts & ruling

I was called at the end of the auction. N kept the stop card out for some time but agreed not the full ten seconds. E agreed he considered further after the stop card was withdrawn. NS alleged a 'short' hesitation. E accepted '3 or 4 seconds' after stop card withdrawn. After relevance of stop card became clear N and S alleged 'up to 15 seconds' but that was not said originally.

There was no break in tempo. E paused which was permitted time over the stop bid.

The appeal was lodged in time but after EW had gone home so they could not attend. This was made clear to the committee.

Appeal Committee comment:

The committee believes a hesitation has likely occurred and that 4♠ by W is not permitted. However we believe E has a 4♠ bid a significant proportion of the time.

Weighted score: 40% of NS 4♥-2; 60% of EW 4♠x=.

L&E comment:

The committee was surprised that the Appeal Committee overturned the TDs finding of fact especially when the pair were not present to answer. This was one of the appeals considered in section 5.3 (Late Appeals).

7.1.5 09.017 Portland Pairs

The Committee considered a hand from the Portland Pairs where an appeal had been dealt with by a telephone referee. The referee has decided that the deposit was forfeited.

The Committee considered correspondence from the pair who made it clear that they had not been given the chance to state their case – either in writing or by telephone to the referee. The Committee considered that this was a sufficient breach of procedure to refund the deposit.

TDs are reminded of their obligation to tell players that they are entitled/encouraged to make a submission either in writing on the form or in person at an Appeal Committee. In circumstances where there is a phone referee it is entirely practical with mobile phones for players to be able to speak to referees and make their own submissions.

7.1.6 09.023/0.24 Easter Festival Swiss teams

The committee considered two hands from the same match where a pair had psyched a no trump bid – once as an overcall and once as an opening bid. On their own admission they had psyched in similar situations a number of times in the past year. The Secretary was asked to write to the pair reminding them of the danger of situations turning into illicit partnership agreements.

8A **Any other business**

- 1) Mrs Bugden asked about the use of a duplimate machine where the bar-coded cards might not be suitable for players with a visual impairment. The Australian machine which reads the faces of the cards would be suitable.
- 2) Following discussion of the reviewers hands, Mr Stevenson wished the Committee to consider Law 12C1(b) *'If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by wild or gambling action it does not receive relief in the adjustment for such part of the damage as is self-inflicted'*.

In particular he was keen to find hands which are subject to *'by a serious error (unrelated to the infraction).'* He understood this to mean infractions such as revoke, but wondered if there were others. This would be an agenda item for the next meeting.

9 **Date of next meeting**

Thursday 24th September 2009 at 1.15pm. McAlpines was preferred to the Imperial.

[Secretary's note: McAlpines not available]

Meeting venue: Imperial Hotel, Russell Square, London, London W1.

The meeting closed at 4.35pm

From: Max Bavin
To: EBU Laws & Ethics Committee

Law 27: Insufficient Bids

“The WBF Laws Committee has noted an increasing inclination among a number of Regulating Authorities to allow artificial correction of some insufficient bids even in cases where the set of possible hands is not a strict subset of the set of hands consistent with the insufficient bid. The Committee favours this approach and recommends to Regulating Authorities that, insofar as they wish, mildly liberal interpretations of Law 27B be permitted with play then being allowed to continue. At the end of the hand Law 27D may then be applied if the Director judges that the outcome could well have been different without assistance gained through the insufficient bid (and in consequence the non-offending side has been damaged).”

We (the EBU Laws and Ethics Committee) have agreed to adopt this approach. Herein are four examples of a more liberal policy in operation, which I hope will help clarify the issue.

i), ii) and iii) are ALLOWED. iv) is NOT ALLOWED.

i) W N E
 1♣ 1♠ 1♥ (not having seen the 1♠ overcall)

1♥ without the overcall shows 5+ HCP and 4+ hearts. East has the replacement bid of ‘double’ available which also shows 5+ HCP and 4+ hearts, so superficially all is well. However, a hand with (say) 4♥ & 5♦ would have responded 1♦ to 1♣ had there been no overcall, but would double after the overcall. Therefore, on a strict reading of Law 27 this replacement cannot be allowed as west will be in receipt of the additional information that partner does not hold a longer side suit. With a more liberal approach, this change is OK. In other words the TD need no longer delve too deeply into these sort of subtle negative inferences.

ii) W N E
 1NT 2♠ 2♦ (not having seen the 2♠ overcall)

2♦ without the overcall is a transfer to hearts. East has a replacement bid of 3♥ available which would be natural and forcing, so superficially all is well. However, game forcing hands with 4♠ and 5♥ would have responded 2♣ (Stayman) had there been no overcall. Therefore, on a strict reading of Law 27 this replacement cannot be allowed (without penalty) as west will be in receipt of the additional information that partner does not hold four spades. But with a more liberal approach, this change is OK. Again, the TD is encouraged to ignore this sort of subtle negative inference.

iii) W N E
 1♣ (Precision) 1♠ 1♦ (not having seen the 1♠ overcall)

1♦ without the overcall is a negative bid (0-7 HCP). East has a replacement call of ‘double’ available to show 5-7 HCP, so superficially all is well. However, hands in the 5-7 range with a 6+ card major would have responded 2♥/2♠ had there been no overcall, but would be constrained to having to double after the overcall. Therefore, on a strict reading of Law 27 this replacement cannot be allowed, as west will be in receipt of the additional information that partner does not hold a 6+ card major. But with a more liberal approach, this change is OK.

iv) W E
 2NT 2♣

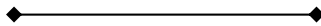
East thought that he was responding to 1NT (in which case 2♣ would be Stayman). East has a replacement bid of 3♣ available which is also Stayman. A liberal approach will allow this change.

However there are some hands which would use 3♣ Stayman which wouldn't have used 2♣ Stayman. Because of the possible difference in point ranges, the change **IS NOT ALLOWED**.

Summary

There is not yet sufficient precedent to allow an exact definition of where the line is between replacement calls allowed with 27B1b under the more liberal regime and those still not permitted. A guiding principle is that if there is a small number of very specific hands included in the replacement call that were not part of the original then the substitution should usually be allowed without penalty (examples i, ii and iii above). If however the replacement call gives significant additional information about the general strength or distribution of the hand then a correction under 27B1b should not be permitted.

The Director can focus solely on the basic meaning of the calls and allow the change without penalty if the replacement call has the same basic meaning as, or a more precise meaning already fully incorporated within, the original call. He does not need to delve into the multitude of potential subtle negative inferences that may be available. But the stretch does not extend so far as to allow things that are plainly different, for example in respect of suit length or point range - these are still subject to the strict interpretation of Law 27 as written in the law book.



Max Bavin
May 2009

Extract from the White Book on Composition and conducting of Appeals.**93.3 Composition of Appeals Committees**

Appeals Committees should be as 'balanced' as possible, ie should not consist of members who have been selected from the same 'group' of players (eg from the same team or same bridge club). However, competence and possible prejudice are deemed to be more important issues than balance in appointing an Appeals Committee.

The ideal Appeals Committee comprises three experienced persons, or two experienced persons plus one inexperienced but otherwise suitable person.

Even using two relatively inexperienced persons under an experienced Chairman is preferable to using a single referee (whether on-site or by telephone) as this gives the players more confidence in the appeal process.

No member of the Appeals Committee should have participated in the matter at an earlier stage.

At a congress, one procedure might be for the DIC to form a list of suitable Appeals Committee members and ask them to report to him at the end of the session. The Chairman of Appeals could then select a suitably 'balanced' Appeals Committee from amongst those present. An Appeals Advisor should not be a member of the Appeals Committee if the matter has already been discussed with him or her.

L&EC policy dictates that most EBU TDs are ineligible to serve on, and all are ineligible to chair, Appeals Committees at EBU events.

93.4 Procedures for Appeals Committees or referees on site**93.4.1** *General*

The following people may be present:

- (a) The members of the Appeals Committee
- (b) The TD, and the DIC of the event
- (c) The appealing pair, and the responding pair
- (d) In teams events, the captains of the teams containing the appealing pair and the responding pair
- (e) Any other observer or witness subject to the Chairman's discretion.

Players should be aware that if they do not attend an appeal, even though they are the non-offending or non-appealing side, any doubtful point is likely to go against them.

Note *The Captain of the team is the person who was captain at the time of the initial irregularity. It is normal to allow a substitute if the captain is unable to attend because of illness or other acceptable reason.*

The Committee should meet in private with both sides present and everyone seated.

93.4.2 *Seating*

Traditionally Appeals Committees have sat with the Committee on one side of the table, with the Chairman in the middle. The players sit on the other side, with the TD at one end.

In European and World events a slightly different arrangement is used which might be considered for English events. The Committee sit on one side of the table, with the Chairman in the middle. On the other side the appealing side sit to the Committee's

left, the responding side to the Committee's right and the TD sits between them. If the DIC is present he sits at one end of the table.

93.4.3 Procedures

A Chairman should have been appointed, failing which the Committee should appoint one of their number. The appeal form should be present, failing which copies of the deal and the bidding should be available. The meeting should proceed in the following manner:

- (a) The Chairman should introduce the members of the Appeals Committee, and invite the TD to introduce everyone else present, and specify which pair is appealing. Rarely the TD may have brought the appeal himself (under Law 81C9 or Law 83) and he should make this clear if so.
- (b) The Chairman should now assure all concerned that everyone will get a chance to speak and say that it would be appreciated if no one interrupted the narratives (including the Appeals Committee members!).
- (c) The TD should speak first in the following manner:
 - "I was called to the table at (eg, at end of deal, during bidding)
 - "I was called by
 - "to consider a situation involving
 - "The following facts were related to me
 - "I ruled"
- (d) The TD should indicate any inferences used to determine facts that may have been relevant to his ruling. He should make it plain to the Appeals Committee if he or the DIC has induced an appeal, in the belief that it would be right that an Appeals Committee review his ruling, and that the appeal should not therefore be considered frivolous.
- (e) The TD should not make any mention of whether an Appeals Advisor was used nor whether any advice to appeal or not was offered to the players by anyone else [apart from the TD himself or the DIC]. The Appeals Committee should not request this information.
- (f) All present should be allowed to seek clarification of the statement by the TD. The Chairman should now ask any questions he may have of the TD. Other Appeals Committee members may then question the TD. Once the facts are agreed (as far as possible) some Chairmen release the TD, some do not. The TD may ask to be released if he has other duties to perform, and normally this request will be acceded to.
- (g) The Chairman should then ask the appellants why they think the ruling should be changed. The other side should now be heard. Each side shall be permitted to respond to the arguments of the other. Captains of teams and the DIC have a right to be heard as well.
- (h) The Chairman may sometimes ask for statements from spectators or any other parties, or additional testimony from the TD or players. Spectators' statements are not to be relied upon unless clearly unbiased.
- (i) When there is no more testimony to be heard, the Chairman should excuse all parties from the deliberations (including the TD, unless the Chairman wishes him to remain). The TD or DIC should be available to assist and advise the Appeals Committee during its deliberations, but should not

participate unless requested, or in matters of Law or regulation. The Appeals Committee should now deliberate and reach a decision.

- (j) When a decision has been reached, the Appeals Committee's section of the appeal form should be completed. The Chairman should write an explanation of the decision on the form in some detail, including any decisions as to facts. If a player has given some important testimony that is not written on the form then it is helpful if the Chairman also writes this in the section for comments by players.

Note *When giving weighted scores in unauthorised information cases care must be taken to avoid giving “Reveley rulings” – see #16.3 for details.*

- (k) Details of voting within Appeals Committees should not be disclosed to the players. Exceptionally, a dissenting opinion might be written on an appeal form if an appeals member feels strongly enough.
- (l) The form is then given to the TD who is responsible for notifying the players. A pair (or team) is considered to have been informed if one of its members is given the details; preferably this should be the captain of a team. The form will normally be shown to the players to explain the decision and so they can see the Appeals Committee's comments.
- (m) Once the decision is made no more discussion is allowed. Any dissatisfied player who harangues or abuses an Appeals Committee member, the TD or DIC should be reminded promptly that such behaviour is a breach of conduct that is subject to penalty in the current competition or to disciplinary review by the L&EC.
- (n) Any Procedural or Disciplinary Penalty awarded by the Appeal Committee should be recorded as a 'Standard Amount' times a number, usually one, though it does not have to be. It is the TD's responsibility to translate it into the equivalent score.

Example An Appeals Committee decides to award a Procedural Penalty in a Swiss Teams. It is not unheard-of for them to fine the team 3 IMPs. However, the 'Standard Amount' is 0.5 VP not 3 IMPs. They should record their decision as a fine of the 'Standard Amount' and the TD will apply it correctly as 0.5 VP.

If they feel that the team deserves a greater punishment they can award twice the 'Standard Amount' and the TD will apply it as 1 VP.

- (o) All scoring adjustments must be notified to the scorer. This is the responsibility of the TD.