



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT IMPERIAL HOTEL, RUSSELL SQUARE, LONDON WC1
ON THURSDAY 24 SEPTEMBER 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
	David Burn	Elected Member
	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 Andrew Petrie EBU Vice Chairman

The Chairman congratulated Neil Morley and David Stevenson on their promotion to National Tournament Director.

2

2.1/2 Minutes of the previous meeting

The minutes of the meeting of May 19th 2009 were approved and signed.

2.3 Matters arising

2.3.1 White Book revision

Mr Stevenson gave a progress update. The gathering of information to ensure nothing was missed was going to take most of the time, and he accepted Mr Morley's offer of assistance to go through the current edition to highlight areas that needed changing. Other committee members also offered help in this area. He acknowledged that it was probably a bigger job than expected with sections other than just law references needing attention. Areas already highlighted were insufficient bid where Mr Bavin's paper needed modification in the light of WBF guidance and the logical alternatives paper. It was agreed to try to minimize appendices preferring to put relevant information in the appropriate section.

Mr Amos suggested that some of the WBF Laws Committee comments in the current book only confused matters where they had not been adopted as EBU policy and were better left out.

There was discussion about whether Mr Kooijman's unofficial commentary on the laws should be included. It was agreed that while most of it was relevant there were some areas that might be omitted. The secretary was asked to approach Mr Kooijman for permission to use sections of the commentary giving him suitable credit.

For the new edition to be ready by April the following timeline was agreed:

- All changes to Mr Stevenson by end of October 2009
- 1st draft available for proofreading January 2010
- Final edition ready by end of February 2010
- Publish (online only) April 2010

ACTION DWS/NM

2.3.2 *Simplified law cards*

The committee considered the flow charts published in the Club Director Training booklet '*Running a duplicate event*' and agreed they could form the basis of guidance to be offered to clubs. It was acknowledged that the flow-chart approach would not suit everyone. The committee was asked to proofread the charts sending the secretary any suggestions or corrections by the end of October. The charts would be made available on the website once considered completely satisfactory. Miss Hinden suggested a new one to be added on handling claims and concessions. Copies to go to the Club Committee.

ACTION: ALL COMMITTEE

2.3.3 / 2.3.8 *Orange Book amendments*

The committee noted the changes which took effect on August 1st 2009.

The committee revisited the minute 2.3.8 of February 12th 2009. There had been several comments either by email or through online forums that the definition of clear-cut tricks did not agree with the examples that had been published and that perhaps the wording was incorrect. It was confirmed that the wording of the minute, and therefore the amendment, was **correct**. i.e. '**second best break**'. However closer scrutiny revealed that the numbers of clear cut tricks in the examples was incorrect in some cases. In particular KQJxxxx was 5 rather than 4; KQJTxxx was 6 rather than 5 and KJTxxx was 2 rather than 1. With these corrections the committee agreed things were now in order.

Mr Stevenson raised the question of attaching minimum point count to opening values and the committee's decision not to do so. In particular he had been asked what the objection to doing so was. Mr Burn suggested that placing a limit would lead to TD's having to make decisions in circumstances such as distributional hands with a singleton jack that were a point under. The chairman suggested that we judge opening bids by more than just high card points and to say that 10HCP was okay, but 9HCP was not would be too restrictive.

Miss Hinden noted that the amendment made on August 1st 2008 in 11C16 regarding the balanced major allowed for the opening to be on a hand which might fall short of Rule of 18. It was agreed that as the bid was being used to show a balanced hand similar to a 1NT opening then the requirement for it to be Rule of 18 did not apply here. (c.f. 11F3 1NT opening)

2.3.4 *Serious error unrelated to the infraction*

The committee considered a paper by Miss Hinden (attached to these minutes Appendix A) which addressed the issues raised in Law 12C1(b). The committee approved the paper which would appear on the website and in the new White Book. Mr Endicott drew attention to WBF minute 6 of September 8 2009 which also considered the matter making it clear the calibre of the player was important.

This led on to a brief discussion (item 5.3(a)) regarding wild or gambling action during the play. It had been suggested that the current wording in the WB 90.4.5 might give the impression that wild or gambling action could not occur in defence which the committee agreed was not its intention. The matter would be addressed during the rewrite.

2.3.5 *Tangerine Book*

The committee approved the TB with the addition of the section on Simple Systems. It was agreed to have the final version ready for the January meeting and it was further agreed that the main book and the appendix would only be available to download from the website. The draft copy would go to the Club Committee for its consideration.

The Chairman noted that future changes to the OB would need to be reflected in the TB.

ACTION: FH

2.3.6 *Letter to Hammonds re admonishments*

Mrs Bugden said that the matter would be addressed when the bye-laws were rewritten in 2011 to allow for charitable status of EBU Ltd.

2.3.7 *Notification of suspensions / Suspension of members in the Pay 2 Play era.*

Mrs Bugden said that in the P2P era there will be the facility to stop suspended players from receiving master points and once the suspension had expired any such points would not be credited retrospectively. As a matter of courtesy the Disciplinary Panel (via the secretary) should notify the suspended member's main club(s) of the decision to suspend and the duration.

Mr Faulkner raised the question of retaining part of the deposit in appeals (min 3.1 19.5.09). Mrs Bugden said she would raise the matter at board level.

ACTION: SB

2.3.8 *already dealt with*

3 Appeals to the National Authority

None this time

4 Disciplinary Cases

4.1 The secretary gave the briefest of details of three cases where a member was in dispute with his club committee. Since the matter might still come before the L&E Committee there was no further discussion on any of these cases.

5 Technical Matters

5.1 *Correspondence*

a) The committee considered correspondence from a member where an opponent opened a weak 2 in a major and where double by the next hand indicated not only 'take-out' but also conveyed information about the upper strength limit of the hand. E.g. double of 2♥ indicates four spades and a maximum of 15HCP. Was such a method alertable?

Miss Hinden offered another situation – that of doubling an opening 1♥ on a 4333 10 count.

Mr Stevenson said it would be counterproductive to fiddle with the alerting regulations anymore. Whilst it might be an imperfection in this case, then so be it. There was a space on the convention card to list special agreements. Mr Burn said the purpose of the alert was to warn the opponents that there was something they might wish to know about the call and over the years we had refused to make regulations to do this. Nevertheless the Club Committee had indicated that it did not want further changes at the present time.

Mr Dhondy suggested a simple change in OB5E1 replacing 'pass or bid' to 'call' would solve the problem but this did not find favour.

It was agreed that neither of the 2 examples was alertable under current regulations although Mr Burn said that in the second case he would alert the double anyway.

b) Mr Bavin asked to revisit the decision of the committee to attach a percentage to 'significant proportion' in Law 16B1(b) and the failure to do so when considering 'some'. He had been against the decision to attach percentages and had been in correspondence with a member. It was his view that the figure of 20% for those who would give 'serious consideration' was not correct. It was his view that not enough weight was being given to 'serious consideration' and that

'passing consideration' was not good enough. The committee expressed the view that the practical effect of the new law had been to increase the old 'benchmark' of 70% to a higher level (of the order of 80-85%) and whether figures were used or not the guidance should reflect this. It was left to Mr Dhondy and Mr Bavin to produce revised wording for consideration next time.

ACTION: JD, MB

c) The committee considered correspondence from a member who had called the TD to record a psyche but this had been refused. Directors are reminded that psyches should be recorded in all but exceptional circumstances. The member had also suggested a new style of form but the committee did not wish to change the form at the present time. In fact the member had successfully had at least two psyche forms filled in at his request at the Brighton Summer Meeting but, given the comment in 7c) may not have known that it had been done.

d) Mr Stevenson asked for an interpretation of the word 'substituted' in Law 27B4. Mr Endicott said that the intention was that 'substituted' applied to the second call. It was also agreed that under Law 27A1 either insufficient call could be accepted.

e) There was a short discussion on whether 1♣/1♦ forcing natural opening bids were to be treated as natural or artificial for the purposes of defending against them. OB11M2 clarified the position – any defence may be used against an artificial or forcing opening.

f) Mr Capal raised the question of a pair at Brighton who arrived at his table with what appeared to be a multi-page system file rather than the standard EBU 20b convention card. In some cases this could be seen as intimidating.

It was agreed that this was unacceptable and TDs were expected to enforce the regulation.

This led on to discussion about foreign visitors who only brought WBF cards with them. There was a case in Brighton where a Dutch pair had not been challenged about their cards until late in the event. Mr Faulkner suggested that players could be reminded at the start of the tournament about the need to have properly completed cards. The secretary suggested that those taking entries for tournaments could remind overseas players of our requirement, even sending them copies of the 20b with their entry acknowledgement and this was agreed.

It was also agreed that these minutes and *English Bridge* were a good place to remind members of their obligations in this regard. Namely players were expected to have two identically completed EBU convention cards either hand written or word processed; WBF cards are not permitted in most EBU events, save for the Schapiro Spring Foursomes and the Premier League. The secretary reminded the committee that many years ago players were warned in the first session of an event that a random spot check by TDs on convention cards would be carried out in the second session to see that members were following correct procedure.

ACTION: JD

5.2 There had been a request to clarify the position for TDs and Appeals Committee's who had to adjudicate on claims and concessions. Mr Bavin said the best course was just to follow the wording in laws 69 to 71. (see also 2.3.2)

5.3 covered earlier in 2.3.4

5.4 The minutes of the WBF Laws Committee were noted and are attached to these minutes (Appendix B). For information only.

5.5 The committee considered an appeal from the Bermuda Bowl where the Appeal Committee had awarded what in England would be called a 'Reveley ruling' – where the illegal action had featured in the final weighting. The committee confirmed that in England the list of potential results that could be considered does not include the illegal result.

6. Applications for new permitted methods

There were two applications tabled but detailed discussion was left until the May 2010 meeting when all such applications will be considered.

However the committee did consider a related question regarding the legality of a method which had been ruled illegal the Brighton Summer Meeting and had then led to one of the applications.

The pair in question had been playing double of a 1♣ opening to show either a 12-14 or 18-19 balanced hand or a minor. It was confirmed that under current methods this was indeed illegal under 11N3 because of the word 'or' in the clause.

7. Reports from Tournament Directors

General comments

- a) The committee considered a number of hands where the TD in charge had experienced difficulties in putting together appeals committees. These were extended events where the number and calibre of players in the midweek period meant that real difficulty had been experienced. Mr Bavin confirmed that it was permitted to use a phone referee if a suitable committee could not be found.
- b) The committee noted a number of 'report of hand forms' where the type of infringement had not been recorded – either psyche, misbid, deviation or other. Moreover, when 'other' is selected it could not be classified as red, amber or green. Also there were times when there was no TD ruling given. Mr Morley noted that as a relatively new member to the committee he appreciated the need for TDs to complete the forms as accurately and fully as possible. Whilst the details would be clear to the TD completing the form on site, the time that then elapsed before the hand was considered meant that very often the TD's wording was certainly not clear.
- c) The committee wished to remind TDs of the need to show 'report of hand forms' to the players – particularly in the light of item 5.1c. Miss Hinden said that in the case of a 'report form' in which she had been involved she had certainly not been shown the form.
- d) Mr Stevenson noted that many Appeals Committees and TDs were apparently still not considering the award of weighted scores under 12C1c. The secretary suggested the list of those who had sat on appeals committees be updated and some guidance sent to them.

ACTION: JP

7.1.1 09.054 – Brighton Seniors Pairs

The committee was minded to reclassify a psyche from the Brighton Seniors Pairs. The secretary to write to the pair concerned to ask for their comments.

7.1.2 The secretary confirmed, in answer to a question, that a database is maintained at the Aylesbury office of all reports of hands submitted from events to the EBU.

8 Date of next meeting

Thursday 7th January 2010 at 1.15pm.

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

As this was the final committee meeting before the AGM, the chairman thanked the committee for its hard work over the year.

The meeting closed at 5pm

Appendix A

Serious error unrelated to the Infraction

Introduction

Under Law 12C1b, the non-offending side does not receive relief for any damage caused by “a serious error (unrelated to the infraction)” or by its “wild or gambling” action. The latter is unchanged from the 1997 Laws, with some guidance provided in the White Book. Such an action must be considerably worse than bad bridge. Two points are worth noting:

1. A wild or gambling action may be related to the infraction.
2. A wild or gambling action is usually a deliberate action or positive decision by the non-offending side. A serious error is, by its nature, generally an action that the player regrets immediately i.e. a ‘slip of the brain’.

"Serious Error "

It should be rare to consider an action a ‘serious error’. In general only the following types of action would be covered:

- Failure to follow proper legal procedure (e.g. Revoking, creating a major penalty card, leading out of turn, not calling the TD after an irregularity).
- Blatantly ridiculous calls or plays, such as ducking the setting trick against a slam, or opening a weak NT with a 20-count. Such errors should be considered in relation to the class of the player concerned; beginners are expected to make beginners’ errors and should not be penalised for doing so.
- An error in the play in or defence to a contract which was only reached as a consequence of the infraction should be treated especially leniently. This also applies to potentially wild or gambling actions.

For clarity, the following would usually **not** be considered to be a ‘serious error’

- Forgetting a partnership agreement or misunderstanding partner’s call.
- Any play that would be deemed ‘normal’, albeit careless or inferior, in ruling a contested claim.
- Any play that has a reasonable chance of success, even if it is obviously not the percentage line.
- Playing for a layout that detailed analysis would show is impossible, such as for an opponent to have a 14-card hand.

A failure to take advantage of privileges provided by the Laws, such as not asking the meaning of a clearly alerted call or waiving a penalty, would often be considered ‘wild’.

“Unrelated to the Infraction”

It can be argued that if the final contract is only reached as the consequence of an infraction then any error in the play or defence must be related to it and cannot be penalised. This is considered too extreme a view and a serious error has to be more directly related to the infraction to be given redress. Note that a wild or gambling action does not need to be related to the infraction.

In misinformation cases it is sometimes possible to work out from the sight of dummy or the first few tricks that there must have been either MI or a misbid during the auction. Some people might not correctly draw that conclusion, even if it would be considered obvious to more experienced players. This is related to the infraction and should not be penalised as a “serious error”.

General

If the TD has been called to the table during or after the auction there may be discussion, possible disagreement or argument. In spite of the TD's best efforts, it is common for less experienced players now to feel upset, be distracted, or under pressure to play quickly. Errors in such circumstances should only rarely be considered 'serious'.

If you are considering ruling an action to be any of wild, gambling or a serious error unrelated to the infraction it is worth asking the player concerned why they played or bid that way. They may have a valid bridge reason, for example they may be playing an unusual system or carding methods from which unexpected inferences can be drawn.

World Bridge Federation

Minutes of Laws Committee meeting in Sao Paulo on
Friday 4th September 2009.

Present: Ton Kooijman (Chairman)
Grattan Endicott (Secretary)
John Wignall (Drafting Committee Chairman)
Max Bavin
Joan Gerard
David Harris (leaving prior to item 7)
Al Levy
Jeanne van den Meiracker (leaving prior to item 6)
Jeffrey Polisner
Maurizio di Sacco

Guests: Georgia Heth
Adam Wildavsky
Howard Weinstein

Apologies: Jaime Ortiz-Patino (President Emeritus)
Bertrand Gignoux
William J. Schoder

1. The chairman welcomed all present to the first meeting of the committee in Sao Paulo 2009. He also referred to the sad absence of Bill Schoder who would be greatly missed. The committee expressed deep sympathy for Mr. Schoder in his painful physical condition and asked the Secretary to convey this to him, together with its hopes that he would soon respond to treatment.
2. The Chairman said that it is possible to make a change in the law if only with great reluctance. The Secretary observed that a more common practice had been to add footnotes.
3. The committee received from the Executive Council referral back of the rider entered in respect of Law 86D in the minutes of October 10th 2008. The Secretary was requested to arrange for it to be removed.
4. A request had been received from the ACBL for the committee to consider whether following a tempo breach and a call having a logical alternative, it would be possible to regard the hesitation as part of the infraction. Mr. Wildavsky reported that the ACBL has now gone away from this thought and the question may be laid to rest. The committee noted as a future possibility deletion of 'in itself' from Law 73D1.
5. The committee observed that the ACBL publication of the current Laws includes in Law 12C1(e)(ii) the words "had the irregularity not occurred". This is a divergence from the 2007 Laws as promulgated by the World Bridge Federation ('WBF'). Mr. Polisner explained the basis of the ACBL's status vis-à-vis the WBF by which it is empowered to make such changes. Mr. Wildavsky remarked that the ACBL Laws Commission had not understood what the law meant in the absence of these words and that in the 1997 laws the interpretation was a possible one. The Secretary observed that while the layout of this law has altered, its English meaning is unchanged from that of the 1997 law. The matter was not considered to need further attention, the committee noting that the Directors present do not recall any occasion where it had made a difference.

6. The committee recorded that Law 23 (and any other where the circumstances apply) is applicable both in the auction and the play. The WBF eliminated chapters and sections in its promulgation of the 2007 Laws and if a publisher has set the Laws in chapters and sections this does not affect the application of such laws.
7. A previous minute of the committee (10th September 2008, re Law 20F1) had been questioned. The law states that in response to questions during the auction and play a player is entitled to be told about “calls actually made, relevant alternative calls not made, and relevant inferences from the choice of action where these are matters of partnership understanding”. The minute had clarified that an ‘alternative’ call is not the same call with a different meaning. Thus if systemically after 4NT a response of 5D shows preferred minor the response here to Blackwood is not an available alternative call systemically and the player has no entitlement to information as to what it would mean.
Mr. Weinstein was inclined to the opinion that since a player is entitled generally (Laws 40A1(b) and 40A2) to know the opposing partnership’s understandings arising from the calls, plays and conditions of the current deal, when asking questions during the auction and play he should not be restricted by the terms of the specific Law 20F1. The Secretary was of the opposite opinion.
The meeting engaged in a lengthy discussion and the Chairman decided that the subject should be continued when the committee reconvened.
8. At the Chairman’s request the committee considered the status of information arising when a misexplanation is corrected. The Chief Director reminded the committee that the Director must be summoned. Mr. Endicott had asserted that when summoned the Director should apply Law 21. This states that the Director must judge whether a player’s decision to make a call “could well have been influenced by the misinformation given”. Mr. Wildavsky said that a player is entitled to know what they have been told – the committee agreed this information is authorized – and to know the opponents’ system. He considered that the player in last position in the example (2H – 4H where 2H is explained as ‘strong’) should be allowed to double the final contract on the basis of his awareness of conflict between these if he receives the information that 2H was weak.
Much discussion ensued. Various examples were debated. The Chairman suggested that in Law 16A1(a) information derived from the legal calls and plays may be interpreted to include both the correct information given and the incorrect information. Under pressure of time the Chairman decided that the matter should be further discussed when the committee reconvenes.
9. Mr. Wignall submitted two questions on behalf of Zone 7:
 - (a) It was agreed that in no circumstances can the application of Law 69B2 lead to a weighted score. The law requires that “such trick” shall be transferred or not transferred as determined by the Director’s ascertainment of facts.
 - (b) This concerned Law 26B. The committee agreed that the declarer may ban the lead of any one suit at the partner’s first turn to play (etc.) and this does not distinguish between suits designated in the legal auction and other suits.

The meeting then concluded. It was agreed to reconvene at 2 p.m. on Tuesday, 8th September 2009.

Minutes of Laws Committee meeting in Sao Paulo on Tuesday, 8th September 2009

Present: Ton Kooijman (Chairman)
Grattan Endicott (Secretary)
John Wignall (Drafting Committee Chairman)
Max Bavin
Joan Gerard
Al Levy
Dan Morse
Jeffrey Polisner
Maurizio di Sacco

Guest: Adam Wildavsky

Apologies: Jaime Ortiz-Patino (President Emeritus)
Bertrand Gignoux
Jeanne van den Meiracker
William J. Schoder

1. Opening the meeting the Chairman invited the committee to approve the minutes of the 4th September meeting. With one amendment the minutes were agreed.
2. The committee discussed the interval between the commencement of the auction period (Law 17A) and the commencement of the auction (see Definitions) and exposure of a card in this interval. Law 24 is a specific law and, where it applies (the card may be visible to partner) it overrides the generality of Law 16.
3. The committee was told of experience of a situation where a player discovered at trick ten that he had held 14 cards originally. The Director would have liked to redeal the board. Referring again to the principle that a specific law overrides a general law, the committee agreed that Law 13 must be applied and, if the board cannot be corrected and played normally, an adjusted score awarded.
4. The committee considered a situation where there had been a request for a ruling only just within the time limit (Law 92B). This had created a difficulty for the Director. The committee was of the view that the Director should provide a ruling before bringing it to the appeals committee. Laws 84 and 85 are specific and take priority over any attempt to take the matter directly to the appeals committee.
5. An enquiry was brought to the committee concerning the use of the word 'convention' [see Law 40B1(b)]. The question was referred to the Systems Committee.
6. What is commonly termed a 'double shot' is a gambling action within the meaning of Law 12C1(b) – as previously affirmed in the minutes of 30th August 1998. In reference to this same law, the standard for judging a 'serious error' must be extremely high and the calibre of the player is also relevant.

These considerations arise after an adjusted score has been awarded when the Director is thinking of a split score, taking away the adjustment (wholly or in part) from the non-offending side.

7. When both sides have revoked on the same board (Laws 64B7 and 64C), each revoke is examined separately in assessing the equity when that revoke occurs.

8. With regard to 'play period' it is considered that Law 40B2(b) specifically allows a player to consult his system card or an aide-memoire in the interval between quitting one board and commencing another. Any relevant regulation should also be taken into account.

Law 9A3 contains the authority for dummy to draw attention to an irregularity (subject to Laws 42 and 43) after play of a hand is completed.

9. The committee discussed the state of the On-line Laws. The WBF On-line Laws provide a 'default' code where needed. When licensing on-line games authorities may include a condition imposing a set of laws. The committee, bearing in mind proposals for a WBF On-line Championship, recommends that the On-line Laws be revisited with regard to the provisions of the 2007 Laws of Duplicate Bridge.

10. The committee noted dictionary definitions as follows:

'infract' - to violate or break (a law etc.), to infringe.

'infringe' - to violate (esp. a law), to neglect to obey.

11. The Chairman asked that it be noted "Counting Period" is not an authorized name for the interval between the commencement of the auction period and the commencement of the auction.

12. The committee returned to the subject of the status of information arising when a misexplanation is corrected. There was lengthy discussion following which it was determined:

(a) that Law 21B1 applies in respect of a call that has been made; the Director is required to judge whether the call "could well have been influenced by misinformation given to the player". Unless he judges that in possession of the correct information (only) the player could well have made a different call no change of call under Law 21B1 is allowed nor is an adjusted score under Law 21B3.

(b) that when under Law 20F4 an explanation is corrected before the auction has closed the Director is pointed to Law 21B. This law does not indicate how the Director should then proceed* but it was agreed that the player may use both the misexplanation and the correct information.

[*Secretary's note: in these circumstances a 1998 minute indicates that the Regulating Authority may give guidance.]

13. *The committee returned to the matter regarding Law 20F1 that was the subject of its minute dated 10th October 2008. After further discussion it was agreed to abide by the 2008 minute.*

The Chairman thanked members and guests for their attendance and contributions to the proceedings. He then closed the meeting.