



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT TGRS, NEW CAVENDISH HOTEL, LONDON
ON WEDNESDAY 14 JULY 2010**

Present:	Jeremy Dhondy	Chairman and Elected Member
	Mike Amos	Elected Member
	Max Bavin	Chief Tournament Director
	David Burn	Elected Member
	Frances Hinden	Vice Chairman and Elected Member
	Neil Morley	Elected Member
	Martin Pool	Elected Member
	David Stevenson	Elected Member
	Grattan Endicott	Vice-President
	Gerard Faulkner	Vice-President
	John Pain	Secretary

- 1. Apologies for Absence**
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|---------------|---------------------|
| Sally Bugden | EBU Chairman |
| Barry Capal | EBU General Manager |
| Andrew Petrie | EBU Vice Chairman |

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2.1/2 Minutes of the previous meeting

The minutes of the meeting of April 15th 2010 were approved and signed. There were two minor corrections (2.3.1 3rd para – insert 'to', delete 'the'; 2.3.7 change to 'pay' and 6.6 delete 'take')

2.3 Matters arising

2.3.1 Complex methods

deferred to 5.7

2.3.2 Suspended members in the Pay to Play era

It was confirmed the David Harris (EBU Honorary Counsel) would attend the next Board meeting to discuss the matter. Mr Faulkner said that if a member were suspended by the disciplinary procedures it would be intolerable if the member continued to be allowed to play in an affiliated club which might be the source of the suspension.

2.3.3 'Average plus' guidance

Mr Bavin said the regulations needed no modification. Those set out in the White Book were sufficient. He confirmed that the regulations allowed a limit in events scored by VPs. In teams play scored by IMPs or in pairs tournaments using match point scoring then Law 12C2(a) was clear.

Mr Stevenson noted that there was some confusion about the terms 'no way at fault', 'partly at fault' and 'directly at fault'. It was confirmed that the terms related to the ability of the contestant to play a particular board. So, if, for example, a pair is late or withdraws through illness then despite any sympathy there might be for the pair they are 'directly at fault' that the board(s) cannot be played – they are only entitled to 40%. Their scheduled opponents are in 'no way at fault' and therefore receive 60%.

There was a brief discussion on the progress of changes to the White Book. It was agreed that Mr Stevenson and Mr Dhondy would agree a schedule and that changes would be published on the website by August 1st as previously agreed.

2.3.4 Best Behaviour at Bridge as a regulation

There was unhappiness at how the policy was being administered at events. There was a marked drop in the number of disciplinary penalties that had been issued but a number of cases had come before the committee where an on site penalty should have been applied.

Mr Bavin said the matter would be addressed at the forthcoming Panel TD Weekend in October and he would be writing to those TDs in charge of events reminding them about the policy. Mr Dhondy said it was timely to remind all EBU members of the policy in Tournament Focus, *English Bridge* and the website given the large influx of new members through Pay to Play.

ACTION MB

There remained the question of whether it was a regulation and it was unclear whether it was or even if it was desirable for it to be. The piece in the diary was read out and members considered it too woolly – too many 'mays'.

Mr Pool said the Board view was very clear – members should be fined for breaches of the code not given a warning. The bar was set very low.

Mr Dhondy would speak to the Tournament Committee chairman to liaise over how best to remind the membership.

ACTION JD

3 Appeals to the National Authority

There were none this time

4 Disciplinary Cases

4.1 Westminster

The Chairman gave an update and reported that an appeal hearing would take place on July 23rd.

4.2 Brading

A dispute between two clubs was being investigated but was currently on hold.

4.3 Freshwater

A complaint into comments made by a member commentating on BBO had been investigated. The Officers decided that no further action was warranted. Since the incident the BBO authorities have issued a new code of conduct for BBO commentators.

4.4 Lake

The Committee had investigated a complaint from the Portland Club where there had been damage caused by a member during an event played there. The member had apologised to the Portland Club and offered to pay for the damage. The Club accepted the letter and payment. The Officers considered the matter to be closed.

4.5 Merstone

A complaint from a member regarding the attitude of a county official was investigated. It was confirmed that it was a county matter and referred back to the county conduct committee.

4.6 Newchurch

The Officers had considered a complaint from a member regarding the distribution of a report on a hearing held in public. The Officers confirmed that it was not against the bye-laws to publish a report on such proceedings. The Officers dismissed the complaint.

4.7 Sandown

The Officers had considered a complaint from a member regarding the distribution of a report on a hearing held in public. The Officers confirmed that it was not against the bye-laws to publish a report on such proceedings. The Officers dismissed the complaint.

4.8 Shanklin

The Officers considered a complaint from a member and a counter complaint from an opponent following an incident at the Pachabo Cup. The Officers considered that the matter should have been dealt with more firmly by the TD who attended at the table and that both sides should have been awarded a disciplinary penalty. Both sides had been informed. The Officers considered the matter closed.

4.9 Ventnor

A complaint from a member about the behaviour of another member had been received. However as the event had taken place six months beforehand the Officers declined to get involved. The complainant was advised that it was a club matter.

4.10 Wroxall

The Officers had received a complaint from a member regarding his treatment by the committee of an affiliated club. Mr Dhondy agreed to make contact with the club to discuss the matter.

ACTION JD

4.11 Complaint from the chairman of an affiliated club

The Officers had considered a complaint from a chairman of an affiliated club regarding the distribution of a report on a hearing held in public. The Officers confirmed that it was not against the bye-laws to publish a report on such proceedings. The Officers dismissed the complaint.

4.12 Complaint from a member at the Pachabo

The Officers had considered a complaint following an incident at the Pachabo Cup. The TD had issued a disciplinary penalty under the BB@B code, however the member wished to take it further. The officers considered the action taken on site had been sufficient and took no further action.

5 Technical Matters

5.1 Correspondence

None

5.2 Deposits

Mr Dhondy asked the committee to consider whether the present appeal deposit system needed an overhaul. In particular whether the fee (£20 at pairs, £30 at teams) put some people off from appealing and whether a schedule of other penalties might be considered:

- a) financial penalty
- b) IMP penalty
- c) Master point penalty
- d) the policy used in the USA where a first appeal without merit was given a warning and a second a ban.

There was no enthusiasm amongst the committee to change the current setup.

However Mr Faulkner asked whether the Committee thought that the £75 deposit for appealing to the national authority might be reviewed as it might be considered too much in some cases. He asked whether the Board had considered it. There was precedent at a European event where a junior team had part of the deposit refunded. Mr Dhondy agreed to ensure it was raised at board level.

ACTION JD

5.3 *Orange Book promulgation*

Mr Stevenson was concerned that as Orange Books were no longer available in hard-copy fewer people and clubs had access to an up to date edition even though it was available on the website. This included some panel TDs.

It was agreed that Clubs could access the Tangerine Book, which would be adequate for most purposes.

TDs are responsible for having an up to date one in hard copy.

Committee members were reminded that EBU scoring computers have all reference books on them and the idea of a specific computer for TD use at tournaments was raised again.

5.4 *Simultaneous Pairs*

There was discussion on the way in which sets of hands for Simultaneous Pairs events were generated. It was confirmed that it was not in accordance with Law 6D2 to do anything other than deal a set of hands and then take it in its entirety. It was not permitted to switch hands between sets or to interchange one hand for another within the same set. The secretary would ensure that Anna Gudge was informed of this minute

ACTION: JP

5.5 *Returning hands to the board face down*

Under Law 7C it was confirmed that the phrase 'restore them to the pocket' meant that cards should be returned to the board face down.

5.6 *Clarification of alerting regulations*

A paper from Jeffrey Allerton was considered regarding the alerting of doubles arising from a) completion of transfers and b) pass or corrects bids e.g. responding to a multi. It was agreed to give the paper full consideration at the next meeting. Any changes would take effect from August 1st 2011. See appendix 1. The secretary was asked to thank Mr Allerton for his contribution.

ACTION: JP

5.7 *New level 5 and the extended rule of 25*

There was discussion on whether the extended rule of 25 would apply to strong opening bids at new Level 5.

After discussion the committee voted by 7 votes to 1 that the position in the WBF system policy would apply to level 5 events and that the extended rule of 25 would not apply. Consequently strong bids (such as Precision 1♣) could be made on hands with 13+ HCP.

5.9 *Banzai Points*

Mr Amos raised a question about Banzai Points. It was confirmed that whatever method of hand evaluation was used it had to be able to be described in terms of Milton Work HCPs, subject to any restrictions (such as 1NT openings with a singleton).

It was also confirmed that the prescribed announcements in the Orange Book may be added to by players if doing so aids full disclosure in a concise fashion.

[Banzai Points are a method of hand evaluation for balanced hands A=5, K=4, Q=3, J=2, 10=1, also adding 2 points for a 5-card suit. This means the 12-14 HCPs equates to 18-21 Banzai, but 18-21 Banzai often falls outside the 12-14 range. However there are some Banzai hands that do not meet minimum OB requirements.

For example ♠ Q 10 x ♥ Q 10 x ♦ Q 10 ♣ Q 10 x x x is 18 Banzai points but only 8 HCPs so it falls outside the allowable range for a 1NT opening. ♠ A J x ♥ A J x ♦ A J x ♣ x x x x has 21 Banzai points but 15 HCPs.]

6. Applications for new permitted methods

None this time

7. Reports from Tournament Directors

7.1.1 10.005

The committee considered a hand where the facts were in dispute but the TD had not made it clear on the form which facts he had used as the basis for his ruling. TDs were reminded of the need to complete forms as fully as possible.

7.1.2 10.013

Appeals Committee chairmen were reminded of the need to give valid reasons for their decisions on appeal forms. Comments such as 'the double stands' without further elaboration were not at all helpful.

7.1.3 10.014

There was discussion on a hand where new facts came to the appeal committee's attention and they had ruled on the new facts as well as reviewing the original ruling.

The L&E Committee confirmed that the appeal should have been halted and the hand referred back to the TD to give what now became a new decision of first instance, which could then have been appealed and heard by a new committee if possible.

Mr Bavin would review the procedure in time for the next meeting.

ACTION: MB

7.1.4 10.015

The committee considered an appeal where the TD had given a ruling in a misinformation case based on a final contract of 4♠, but it was not clear to the committee how that contract would be reached. TDs were reminded that if a final contract is suggested then a valid auction of how to get there should be given.

7.1.5 10.018

An appeal committee had awarded a procedural penalty to contestants but had not stated why they had done so. It appeared to be that they wanted to give both sides a bad score. Appeal Committees are reminded of the need to give full details.

7.1.6 10.024

An appeal was considered where a player had allowed an opponent to change a call without reference to the TD and then appealed when it became clear that the opponent might have changed his mind.

It was confirmed that only the TD can make the judgement as to whether or not a call can be changed under law 25. Players who decide not to call the TD at the time cannot seek redress later on when it appears to go badly for them.

Mr Stevenson asked for the interpretation of whether if the wrong card taken out of the box the call has been made, despite the words "with apparent intent". The Committee confirmed it had, so Law 25A was required to make a change.

The Committee considered the player was very lucky to have had the deposit returned.

7.1.7 10.034

A hand was considered where it was unclear whether a particular double should be alerted. It was agreed to review the hand next time alongside Mr Allerton's paper.

7.1.8 10.035

This was another example where the player alleged they had not been shown the form and allowed to make a comment. TDs are reminded of the need to show forms to players, even though there is no requirement to obtain signatures.

8A Any other Business

The Chairman confirmed that as a result of decisions made at the recent Shareholders Meetings there were to be no changes to the composition of Standing Committees. Consequently two or three members would retire by rotation at the AGM in October each year and be eligible for re-election. Those retiring in 2010 are David Burn, Frances Hinden and Neil Morley.

8B Date of next meeting

Wednesday November 3rd at **1pm. Note change of time.**

Meeting venue: **TGR's Club, New Cavendish Hotel, 44 Great Cumberland Place, W1H 7BS.**

The meeting closed at 5.15pm

Appendix 1 – Paper by Jeffrey Allerton

Clarification of Alerting Rules for Doubles

Now that the L&EC and the Club Committee have decided to retain the present basic rules for the alerting of doubles, I believe that it is important to consider whether the wording of the current rules actually says what the L&EC wants it to mean.

The 2009 Orange Book states:

“5 E 2 Doubles

The rules for alerting doubles are:

(a) *Suit bids that show the suit bid.*

Double of these bids is not alertable if for take-out; alertable otherwise.

(b) *Short, Nebulous, Prepared and Phoney minor openings.*

Double of these bids is not alertable if for take-out; alertable otherwise.

(c) *No trump bids.*

Double of these bids is not alertable if for penalties; alertable otherwise.

(d) *Suit bids that do not show the suit bid.*

Double of these bids is not alertable if showing the suit doubled; alertable otherwise. “

The Orange Book definition of a take-out double is:

“4 H 6 Take-out doubles

A take-out double suggests that the doubler wishes to compete, and invites partner to describe his hand. Take-out doubles are frequently based on shortage in the suit doubled and preparedness to play in the other unbid suits, failing which significant extra values may be expected. Partner is expected to take out, though he can pass on a hand very suitable for defence in the context of what he can be expected to hold for his actions (if any) to date. “

As some L&EC members may be aware, there are several situations where the generally accepted non-alertable meaning of a double might be the opposite of what would be suggested by a strict reading of sections 5E and 5G of the current Orange Book.

1. Doubles of preference bids and raises. Say the auction goes 1H-P-1NT-P-2C-P-2H-P-P-Dbl. Most players would not expect a take-out double to be alertable in this sequence. What does the Orange Book say? As the 2H preference bid would typically be made with a doubleton heart, it does not “show the suit bid” and hence by virtue of 5E2(d) the Orange Book, a take-out double here should be alerted, strictly speaking. Similar considerations apply to the auction 2H-P-3H-Dbl where hearts might conceivably be Responder’s shortest suit and hence the raise to 3H does necessarily “show the suit bid”.

2. Doubles of transfer completions. Say the auction goes 1NT-P-2D-P-2H-Dbl. Most players would not expect a take-out double to be alertable in this sequence, but what does the Orange Book say? Although the 2H bid itself is deemed to be sufficiently natural to not require an alert, it takes a particularly tricky argument to suggest that 2H *shows* the suit bid. Hence by virtue of 5E2(d) the Orange Book, it seems that a take-out double here should be alerted in this position.

3. Doubles of passed conventional bids. Say the auction goes 1NT-2C[Majors]-P-P-Dbl. Although Advancer’s pass of 2C showed long clubs, the 2C bid itself did not, so again it would

appear that the Orange Book requires Opener's double in this position to be alerted unless it is a penalty double.

4. Doubles of “pass or correct” bids. Say the auction goes 2D[Multi]-P-2H-Dbl. Most players would not expect a take-out double to be alertable in this sequence, but what does the Orange Book say? The 2H bid did not show hearts, so again the Orange Book requires Opener's double in this position to be alerted unless it is a penalty double.

In all of these cases I would request that the L&EC reviews the wording of the regulation to ensure that it properly reflects the L&EC's intention of the non-alertable meaning of the double in the relevant sequence. For example, a simple improvement to the wording would cater for case 1 and perhaps also case 2 above:

“5 E 2 Doubles

The rules for alerting doubles of 1- 2- and 3-level bids are:

(a) *Suit bids that **are natural and/or** show the suit bid.*

Double of these bids is not alertable if for take-out; alertable otherwise.

(b) *Short, Nebulous, Prepared and Phoney minor openings.*

Double of these bids is not alertable if for take-out; alertable otherwise.

(c) *No trump bids.*

Double of these bids is not alertable if for penalties; alertable otherwise.

(d) *Suit bids that **are not natural and** do not show the suit bid.*

Double of these bids is not alertable if showing the suit doubled; alertable otherwise. “

[It is necessary to retain “show the suit bid” to cover situations like the double of a Dhondy 3C Opener (showing the bid suit and another suit).]

Cases 3 and 4 would need to be dealt with by way of notes.

On the other hand, if the wording remains unchanged and take-out doubles in all of the sequences above are confirmed to be alertable, I suggest that the membership is informed, perhaps by way of an article in *English Bridge* (and further examples in OB5G4) .

Doubles of an overcall

Many readers have difficulty reconciling some of the statements in the Orange Book regarding the alerting of doubles after an overcall.

When the 2006 Orange Book first came into use, one paragraph seemed to be definitive:

“5 G 5 The following doubles must not be alerted:

(a) Any ‘negative’ or ‘responsive’ double, since these are examples of take-out doubles.”

As negative doubles tend to show length in unbid major(s) but without reference to holdings in other suits, it seemed that the term “take-out double” was being interpreted liberally in order to arrive at this conclusion, but the clarity of the result was welcome.

One year later there was a surprising addition to the Orange Book on this subject:

“5 G 4 The following doubles must be alerted:

(g) A double of 1♦ in the specific sequence 1♣ (1♦) dbl if it shows a specific suit since this is not a takeout double (see 4 H). “

The majority of tournament players play 1C-1S-dbl as showing a specific suit (hearts) without promising any support for the other suits, so according to the logic in 5G4(g), this is not a take-out double either (and hence also alertable). Hence, in my opinion there is a direct contradiction between 5G4(g) and 5G5(a).

I suspect that 5G4(g) was introduced to attempt to ensure that unusual distributional constraints for negative doubles are brought to the opponents' attention. However, the stated reasoning does not make much sense.

Doubles with a “potentially unexpected meaning”

The problem above (as well as many others) would be solved by extending the requirement to alert “potentially unexpected meanings” to doubles.

I was surprised to read the following in the Minutes of 15th April 2010 meeting:

“5.6 OB5E1(b) and possible inclusion of doubles and redoubles.

A suggestion from a member that the wording in OB 5E1 be extended to include doubles and redoubles met with sympathy, but mindful of the request of both Tournament Committee and Club Committee not to tamper with the alerting of doubles rule agreed to make no change. “

If the L&EC agrees with the member on how the regulations ought to be worded, then I cannot see why or how the Club Committee could object. When the L&EC proposed removing the requirement to alert virtually any double, the Club Committee objected to the proposed change because it would have been a fundamental change to the principle of alerting doubles and would have resulted in players having to get used to a totally new system.

On the other hand, the member's recent proposal would not have made any changes to the alerting rules for doubles in 98% of cases in theory and virtually 100% of doubles in practice. Most club and tournament players would already expect their opponents to alert take-out doubles with highly unusual additional meanings, so does it not make sense to update the wording of the regulations to reflect what most people believe it to say anyway?

Therefore I would urge L&EC members to reconsider the wording of the regulations for the alerting of doubles.

Jeffrey Allerton