



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT TGRS, NEW CAVENDISH HOTEL, LONDON
ON THURSDAY 15 APRIL 2010**

Present:	Jeremy Dhondy	Chairman and Elected Member
	Mike Amos	Elected Member
	Max Bavin	Chief Tournament Director
	David Burn	Elected Member
	Sally Bugden	EBU Chairman
	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** Barry Capal EBU General Manager
Andrew Petrie EBU Vice Chairman

1A

The Chairman congratulated David Stevenson on coming top in the recent EBL TD course in Turin. He also thanked TGR for the complimentary use of the club premises.

2

2.1/2 Minutes of the previous meeting

The minutes of the meeting of January 21st 2010 were approved and signed. There were no changes to the content apart from a rewording of 7.1.3 – see section 2.3.8 of these minutes.

2.3 Matters arising

2.3.1 White Book revision (2.3.3)

The revised edition was now available from the EBU website. Mr Stevenson reported that some changes had been made after the final deadline mainly to do with the spelling of quoted material. It was confirmed that changes to spelling and order of words was permitted providing the context remained unaltered. There were still some issues relating to the index, the contents and reformatting. It was agreed to make corrections and provide an updated edition in time for August 1st.

There remained the issue of hard copies and several TDs on the committee would have liked their own edition in hard copy but 224 pages were excessive to print on a domestic printer. It was suggested that a dedicated computer could be available at events with all the reference books on it, but having it on scoring computers was not an ideal solution. The secretary had obtained a quote for the printing of 500 but that would go against the idea of easy changes to an on-line only version. It was agreed to ask panel TDs at the Panel Weekend in October for their preferences and in any case no hard-printed copies would be obtained before August.

The discussion moved on the whether the White Book (Orange Book and Tangerine Book) should remain in the open domain on the website under the new Universal Membership scheme. Some members expressed views that the WB should be freely available while the OB and TB should go 'behind the wall' for members only while a counter view suggested the OB and TB should be freely available but the WB go behind the wall. The view from both Mr Endicott and Mr Stevenson was that the WB was a valuable addition to other NBOs many of whom had nothing like it in their own countries. The Committee expressed a preference that all three publications (WB, OB and TB) remain freely available but there were some who strongly disagreed – items produced involving expenditure should no longer be available to non-members or non-affiliated clubs. One member said that any attempt to restrict access would be futile and to try to restrict it would be unpoliceable. Nevertheless it was agreed that it was a Board decision.

2.3.2 Tangerine Book (2.3.9)

The Tangerine Book was now available on the website.

2.3.3 'Complex Methods'

See 5.5

2.3.4 Suspended EBU Members

The question of suspended EBU members was raised. Under current bye-laws a member suspended by the EBU cannot play in EBU or County events, but the ban does not extend to clubs who remain sovereign. Mr Faulkner was of the view that any event in an affiliated club now counted as an event sanctioned by the EBU, therefore the person should not be allowed to play. A member could be banned by the EBU for a year or even five years but if the member had only ever played in a club and the club had chosen not to take any action there was no real punishment.

It was agreed that Universal Membership had brought the problem into focus. Mrs Bugden agreed to have discussion with EBU Honorary Counsel about the long term problem.

ACTION SB

[Update: Mrs Bugden has spoken with David Harris and this will now be discussed with the board at their next meeting in June]

In the meantime it was confirmed that a banned member could not take part in an EBU event played at club level – e.g. National Pairs qualifying round or any Simultaneous Pairs event organised by EBU, BGB, ECats (Children in Need), EBL or WBF.

2.3.5 *Several Average+ scores in a session*

Mr Bavin expressed a view that in events where 'other scoring methods' as allowed by Law 78D were employed then it was permitted to award a limited number of Average+. Examples of such methods were Victory Points, Butler scoring or crossimps. So, for example, in a Swiss Pairs event where a pair was required to sit out for a whole 8-board match then to award 8 Average+ would give the sitting out pair too much, but a solution such as 4 Average+ and 4 averages was acceptable.

However in a normal match-pointed pairs event it was less clear that it was permitted to restrict the number of Average+ although in a normal pairs event this would usually be 2 or 3 Average+ to each affected pair.

Mr Bavin would draft guidance to go in the WB, including situations which were to be excluded.

Action MB

Discussion moved on to look at #145.4 in the WB, which deals with pairs who withdraw part way through a session. The current guidance is that where a pair withdraws partway through a session all scores obtained up to that point stand and any pair now required to sit out gets Average+. In the case under consideration the pair had played just one round before leaving through illness. There was a view for 'no change' but after discussion it was agreed to change the rule to bring it in line with #145.2. This would mean that if the pair withdrew before half the boards had been completed all scores obtained up to that point would be cancelled. If half the boards or more had been completed, then scores obtained before the withdrawal would count and deprived pairs would get Average+.

Miss Hinden asked about a case where in a head-to-head match some boards had been played at the same polarity at both tables and boards could not be replayed. It was confirmed that at VP scoring the scale to be used was the one for the match as a whole. (as in the case where a team conceded before the match was complete). This is not currently in the WB but would be added to #147.6.

Action DWS

2.3.6 *Appeal Focus.*

The first edition was about to go on the website and be sent electronically to all panel TDs, Referees, appeal committee members and any other club or county TD on the records.

2.3.7 *Assistance requested by another NBO*

Mr Faulkner raised the question from 4.4, regarding assistance requested from another NBO. In such a case if it involved expense it was confirmed that it would be appropriate to ask the other NBO to pay any costs the EBU might incur.

2.3.8 *Unclear minute from January 20th 2010*

There was correspondence from a member regarding hand 7.1.3 from the previous minutes in which the write up appeared to suggest that action contrary to Law 40C1 had been approved. As this was not the case the following rewording was put in place 'The ruling was appealed and the Appeals committee found that EW did not have an agreement to open 1C but West had decided to upgrade his hand. The AC also found that East did not consider it a strong opener. The L&E confirmed that the original TD ruling was correct and that the Appeal Committee had recorded nothing on the appeal form that could have led them to overturn the original decision'. The Chairman agreed to write to the member concerned advising him of the correction.

Action JD

3 Appeals to the National Authority

None had been submitted. A possible case from the Gold Cup had not materialised in time to be discussed at this meeting and would now be ruled out of time.

4 Disciplinary Cases

4.1 Initial consideration of cases

It was reaffirmed that initial considerations of disciplinary matters by the Chairman and Vice Chairman was the committee's preferred route. The Chairman and Vice Chairman could co-opt any other Committee members if it thought fit.

4.2 Waterloo

The committee noted the action taken by the SBU in relation to an event involving only EBU members and considered the matter closed. The Secretary would advise the complainant of this.

Action JP

4.3 Westminster

The Chairman gave an update and reported that a hearing would take place on May 20th.

4.4 Complaint from an unaffiliated club

Guidance was sought should a complaint be received from an unaffiliated club. It was confirmed that if the complaint related to a time when the club was still affiliated then it was correct to investigate it. If the club had disaffiliated and the problem arose then it would not be dealt with.

4.5 Freshwater

The Committee considered a complaint from a member and decided that it should be investigated.

5 Technical Matters – due to lack of time some items were held over. The following were discussed:

5.1 Correspondence

None

5.4 Promulgation of White Book

Covered in 2.3.1

5.5 'Complex Methods'

Following consultation among members the Tournament Committee had produced two lists where artificial openings of 1H and 1S would be permitted and where they would not. The two lists were to be called Level 4(permitted) and level 4R (not permitted). The Committee disliked the idea of a level 4R which took members back to the old General and Restricted Licence days and where the terms were often misunderstood.

Mr Bavin suggested the following:

1. Move the proposed 1♥ and 1♠ bids into Level 5.
2. Rename the proposed Level 4 as Level 5
3. Rename the proposed Level 4R as Level 4.

This would have the simplicity that most pairs would be unaffected. Level 5 is the level currently allowed at the Spring Foursomes and several listed events would now come into the level (Crockfords, Tollemache QR and Final, Swiss teams Congress and Ranked Masters – LM and above). The committee approved of this approach which the Chairman would suggest to the TC.

Some changes had already been made to the diary but it was hoped to retrieve those before final printing. There would also need to be some OB (and TB) changes to sections 9F, 10E2, 11C14, 15, 16 and 17 (and possibly some references elsewhere).

[Update: The chairman of the Tournament Committee approved of this decision and the necessary alterations to the forthcoming diary have been made.

It had also been agreed that WBF cards would be permitted in Level 5 events.

OB10A8 (regarding the use of two different systems) would need to be looked at next time.

The recommendations would take effect from August 1st. With Brighton being played at Level 4 the artificial 1♥ and 1♠ will not be permitted.]

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.

5.8 Scoring of boards ruled as either red psyches or misbids and playing illegal methods

A suggestion was made by the secretary to include in the OB the way to deal with scoring of red psyches and misbids and also how to score boards where pairs were found to have played an illegal method was considered. It was agreed to leave the rewording to Mr Stevenson.

Action: DWS

5.9 Making BB@B a regulation

Mrs Bugden asked the Committee to reconsider the BB@B policy and whether it should be a matter of regulation. It was still not being applied consistently and in many cases had dropped below the radar. Mr Stevenson said it was now contained in the WB. Others felt it was covered in the laws (90 and 91), but it could be included in the Conditions of Contest for events. Although mentioned at the start of all EBU events it was not employed rigorously. Playing TDs in clubs faced particular difficulty implementing it and even if it was a regulation clubs would not be bound by it.

It was agreed to

1. raise the matter at the October panel TD weekend
2. in the meantime Max to remind the panel TDs about it
3. remind the members
4. consider making it a regulation if the situation demanded it

Action: MB

6. Applications for new permitted methods

The Committee considered requests for new permitted methods as follows:

6.1 double of a natural 1♣ opening

This was considered along with another request for relaxing the allowed meaning of doubles of one level bids.

Two suggestions were considered:

- a) Replace OB 11N3 with 'Any meaning may be played for a double'.
- b1) Change 11N3 in the OB to read
Allowed at levels 2,3 and 4:
Doubles. These may be played as either take-out or penalty. This includes the practice of doubling on balanced hands with (near) opening values or with 3+ cards in any unbid major(s) without any other distributional constraints.
- b2) Add 11N19 in the OB to read
Allowed at levels 3 and 4 only:
It is permitted to double to show length in any one specified suit provided that the quality of the suit, and, as a minimum, its strength conform to standards generally played for a natural call at the level that would result from the completion of the transfer.

The committee voted in favour of solution (b1/b2) and this will apply from August 1st 2010 when the next edition of the Orange Book takes effect.

6.2 *Variable Forcing pass*

This request was not granted by the Committee at any of the permitted levels (Simple System, levels 2 – 5) so cannot be played in any EBU or County licensed event. If a club has an 'anything goes' policy then it can be played.

The Committee noted that it would not be allowed in the round robin stage of the Bermuda Bowl.

6.3 *Reductions in the minimum requirement for opening 'strong' 1♣*

There were two requests to allow the point count limit for 'strong' club systems to be reduced to either 15HCPs or 14HCPs allowing for upgrading by virtue of distribution.

The Committee decided against moving the limit in either case and confirmed that the current 'Extended Rule of 25' would not be altered this year.

6.4 *Direct cue bids to show either a specified one-suiter or a specified two-suiter.*

This was refused.

6.5 *Request for allowing encrypted signals.*

This was refused.

6.6 *1NT opening bids.*

The Committee considered a proposal to extend the permitted distributions allowed for a 1NT opening bid or overcall to include a 7-2-2-2 shape (with a 7-card minor). This was approved and will apply from August 1st 2010 when the next edition of the Orange Book takes effect

6.7 *Transfer pre-empts at level 3.*

The Committee considered a proposal to allow transfer pre-empts at L3. However the Committee was reminded that when the EBU made the change some years ago to allow all EBU events to be either level 4 or level 2 they left level 3 in at the request of clubs and EBU Council but agreed not to alter the scope of Level 3. Consequently the request was refused.

It was suggested to the applicant that he try to persuade the organisers of competitions he plays in at L3 to switch to L4.

7. **Reports from Tournament Directors**

7.1.1 10.004

The committee considered a case where a member had taken advice of an Appeals Consultant, appealed a ruling and the committee had retained the deposit. It was confirmed that just because an Appeals Consultant had been used was not a valid reason to return the money. Appeal Committees in general do not know whether an Appeals Consultant has been used and judge each case on its merits – the first test being whether there was quick and uniform agreement.

In this case the L&E Committee felt that keeping the money was harsh and voted for it to be returned. The Chairman having been involved at an earlier stage abstained.

Consideration of other TD reports was deferred. Committee members were asked to retain the reports ready for the next meeting.

8 *Venue for future meetings and date of next meeting*

Wednesday July 14th 2010 at 1.15pm.

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

The meeting closed at 5.15pm