



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT 2 BLOOMSBURY STREET, LONDON WC1B 3ST ON
MONDAY SEPTEMBER 9TH 2013**

Present:	Jeremy Dhondy (JD)	Chairman and Elected Member
	Mike Amos (MA)	Elected Member
	David Burn (DB)	Elected Member
	Frances Hinden (FH)	Elected Member
	Neil Morley (NM)	Elected Member
	Martin Pool (MP)	Elected Member
	Gordon Rainsford (GR)	Chief Tournament Director
	Tim Rees (TR)	Vice Chairman and Elected Member
	Gerard Faulkner (GF)	Vice-President
	John Pain (JP)	Secretary

1A	Apologies for Absence	Sally Bugden (SB)	EBU Chairman
		Barry Capal (BC)	EBU General Manager
		Grattan Endicott (GE)	Vice-President

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

The minutes of the meeting of May 29th were approved and signed.
There were no matters of accuracy.

2.3 **Matters arising**

2.3.1 *Page Tiger versions of the Blue and White Book*

It was confirmed the intention to go ahead and make copies of the Blue and White Books available through the Page Tiger facility. The wish list for next year included links across the books, although that might prove impossible. It would mean that the law book also needed to be available through the Page Tiger facility. The links within both the Blue and White Books worked well in the pdf format.

Action: JP and Karen Durrell

[Secretary's note: The Blue Book has been converted to the Page Tiger facility. The White Book is in progress]

3 Appeals to the National Authority

13.037 – Scarborough Swiss Pairs.

<p>♠ Q75 ♥ 8 ♦ 1042 ♣ QJ8743</p> <p>♠ AJ1092 ♠ 863 ♥ 943 ♥ KJ102 ♦ K53 ♦ AQ ♣ AK ♣ 10652</p> <p>♠ K4 ♥ AQ765 ♦ J9876 ♣ 9</p>	<p>Board 31 : Dealer South : NS vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>Pass</td> </tr> <tr> <td>1♠</td> <td>Pass</td> <td>2♣(1)</td> <td>Dbl</td> </tr> <tr> <td>2NT</td> <td>Pass</td> <td>3♣(2)</td> <td>Pass</td> </tr> <tr> <td>3NT(3)</td> <td>Pass</td> <td>4♠</td> <td>All Pass</td> </tr> </tbody> </table> <p>(1) 2♣ was alerted; N asked the meaning at her turn, then passed. (2) 3♣ was alerted – no questions asked. (3) 3NT – N asked for the strength before leading.</p> <p>Result at table: 4♠ - 2 by W TD ruling: result stands Appeal Committee; TD ruling upheld.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	1♠	Pass	2♣(1)	Dbl	2NT	Pass	3♣(2)	Pass	3NT(3)	Pass	4♠	All Pass
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Appellant: East

The Laws and Ethics Committee met on September 9th to consider an appeal to the National Authority from East. The appeal arose from the Scarborough Congress Swiss Pairs. The L&E Committee considered the original appeal form together with other submissions received from North, East, the TD and the chairman of the Appeals Committee.

The L&E Committee first considered whether or not the appeal lodged by East fell within the remit of the committee for appeals to the national authority.

The Appeals Committee had ruled on the basis of unagreed facts, which had turned out to be incorrect. The North South pair had already left and was unaware that an appeal against the original ruling had been lodged. The L&E Committee considered that this meant that the appeal to the national authority involved a point of principle.

Consequently the L&E Committee decided that the appeal did fall within its remit and agreed to hear the appeal. The £75 deposit was returned.

Having decided to hear the appeal the committee then moved on to consider the case afresh based on the written submissions.

The L&E Committee came to the following conclusions:

1. North had heard the explanation to be clubs AND spades. West claimed he had actually said clubs OR spades.
2. North South had not been given a chance to state their case at the time and may not have agreed the facts.
3. North South were unlikely to have had an agreement about the meaning of a double of a 2♣ bid that showed clubs or spade support. Under the Orange Book regulations that were in force at the time, such a double of 2♣ was not alertable.
4. The L&E Committee felt that East could have protected his side's interest without jeopardizing his side's position, by asking about the double.

5. East has not stated how he has been damaged – either on the original form or in subsequent correspondence. East West are likely to play the hand in 4♠, irrespective of the meaning of the double.
6. The L&E Committee felt that the original appeal and subsequent submissions by East had no merit and may well have kept the deposit at the time. Keeping the original deposit when the L&E Committee heard an appeal afresh as a result of an appeal to the national authority would not normally result in the forfeiture of the deposit.
7. The L&E Committee upholds the original decision of the TD and the original Appeals Committee, but for the reasons stated above.

In addition East asked two further questions:

1. How was the alerting side to ensure that the alert had been seen by the opponents?
A: The alerter has a duty to ensure the opponents see the alert. This could be through eye contact or by the alerter tapping the alert card in front of each opponent. Ultimately it might have to come down to the TD's decision based on what he is told.
2. What guidelines are given to TDs when they witness rudeness/abuse when called to the table?
A: TDs are expected to follow both the Best Behaviour at Bridge policy and where necessary to impose penalties under the Schedule of Penalties listed in the White Book.

The L&E Committee additionally commented that when one side was absent from an appeal through no fault of its own (e.g. late appeal lodged after they had left), the Appeals Committee should be particularly careful that the non-attending side is protected even to the extent of not hearing the appeal at the time. In this case the appeal could have been conducted by email/post afterwards.

13.044 – Warwickshire Pairs League

<p>♠ 1063 ♥ 109764 ♦ Q65 ♣ QJ</p> <p>♠ AKQ9872 ♠ J54 ♥ J3 ♥ A ♦ - ♦ 8742 ♣ 9872 ♣ A10543</p> <p>♠ - ♥ KQ852 ♦ AKJ1093 ♣ K6</p>	<p>Board 18 : Dealer East : NS vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>Pass</td> <td>1♦</td> </tr> <tr> <td>4♠</td> <td>Pass</td> <td>Pass</td> <td>4NT (1)</td> </tr> <tr> <td>Pass</td> <td>5♦</td> <td>Dbf</td> <td>All Pass</td> </tr> </tbody> </table> <p>(1) At his turn East asked the meaning of 4NT and was told diamonds and clubs. Before West led South corrected the explanation of 4NT to diamonds and another.</p> <p>Table result: 5♦ x – 1 by North = -200. TD ruling: result stands Appeal committee: TD's ruling upheld.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			Pass	1♦	4♠	Pass	Pass	4NT (1)	Pass	5♦	Dbf	All Pass
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Appellant: West

The Laws and Ethics Committee met on September 9th to consider an appeal to the National Authority from West. The appeal arose from the Warwickshire Pairs League. The L&E Committee considered the original appeal form together with other submissions received from North, South, West and the TD.

The L&E Committee first considered whether or not the appeal lodged by West fell within the remit of the committee for appeals to the national authority. The L&E Committee considered that there were points of principle involved and also an error in the application of law or regulation. If the player had not been given misinformation he would not have taken the action he did and the appeal committee were wrong to suggest that the player should have protected himself in the light of possible misinformation. It also

considered that the poll undertaken by the TD had not identified an appropriate group of the player's peers – it should have been a poll of players who would have doubled with the misinformation provided at the table.

Consequently the L&E Committee decided that the appeal did fall within its remit and agreed to hear the appeal. The £75 deposit was returned.

Having decided to hear the appeal the committee then moved on to consider the case afresh based on the written submissions.

The L&E Committee came to the following conclusions:

1. There was misinformation. 4NT showed two places to play. The response to the question was incomplete.
2. If East had known that South had the red suits, he would have bid 5♠. With the correct information (i.e. he had been told there were 2 places to play), then he would probably have assumed South had the red suits and bid 5♠, although double might still have been a possible action
3. The L&E Committee considered whether a weighted score based on some percentage of 5♦ x – 1 and some percentage of 5♠ + 1 should be awarded but decided that this was not appropriate as the likelihood of East bidding 5♠ was greater than 80% had he been given correct information. The L&E Committee noted that it would be inappropriate to consider a weighted score adjustment where only a small change to the percentage would be made.
4. Consequently the L&E Committee have awarded an adjusted score of 5♠ + 1 by West.

The L&E Committee noted that East (a less experienced player than North/South) had done all he could to protect himself, and had no reason to doubt the explanation provided to him.

4 Disciplinary Cases

4.1 Wroxall

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

4.2 Meatloaf

The secretary reported on a case where a member had been banned by his club, and had wished to appeal the decision. The club has advised both the member concerned and the EBU that its constitution did not permit an appeal against the decision. The EBU had advised the club that this position was undesirable, even if legal, and the club had agreed to amend its constitution to allow for such an appeal in the future. The member had asked the EBU to press his case with the club but this had been refused.

JD said that proposals to go before the EBU AGM in October to amend the bye-laws would make it clear that a) clubs need an appeals procedure and b) appeals from club level should be considered by the County Disciplinary panel. GF asked whether counties could refuse to hear a club appeal. It was confirmed that the normal situation would be no, but in exceptional circumstances agreement between the Club, County and L&E Committee could mean that the L&E would hear the case.

4.3 Nirvana

A member had lodged a formal complaint about the disclosure of methods used by a pair in two events separated by several months and asked that the L&E Committee to look into the matter. The L&E Committee considered that the pair involved was sometimes unable to explain their methods because they did not know what they were but did not believe the pair were attempting to use undisclosed methods or that there was any attempt to deceive. The Committee felt that if the pair chose to use such technical

methods, then they should take all reasonable steps to remember what they were and to explain them fully. The secretary was to write to the pair concerned to remind them of their obligations in this regard.

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

5 Technical Matters

5.1(a) 4NT openings and 4♣ Gerber responses

The Committee confirmed that 4NT openings are no longer alertable. They also confirmed that in certain circumstances i.e. on the first round (2NT 4♣), Gerber was alerted, but in other cases (2♣ 2♦, 2NT 4♣) it was not. It was felt that neither example would give rise to much confusion.

5.1(b) forcing pass above 3NT

The Blue Book is not entirely clear about whether forcing passes above 3NT should be alerted. Forcing pass is not listed amongst the exceptions in 4B4, although it does appear in 4H1(e).

The Committee confirmed that the intention was that they were not to be alerted above 3NT – the introduction to 4H1 confirmed this:

Because they are not natural, players must alert (unless excepted by 4B4 above)

5.1(c) Precision 1♦

There was discussion about how to deal with the Precision 1♦, where 1♦ could be made on a short suit and could also be made on a 4-card suit with a longer club suit. 4H2(b) requires a potential canapé opening to be alerted. However, under 4B1 the 1♦ opener falls within the 'Unless it is announceable' clause and so consequently the 1♦ opening bid made on 2-cards or fewer should be announced as per 4D1.

5.1(d) Unbalanced hands

The Committee noted there was no definition in the Blue Book of an unbalanced hand for the purposes of opening hand shapes 4522 or 6322 (with a long major) with 1 of a minor. The Blue Book defines semi-balanced in 7E2 and 8C2(b)(iii) but not unbalanced. The Committee confirmed that hand shapes 4522 and 6322 could be opened with 1 of a minor but it needs to be disclosed on the convention card and in response to a query. It is initially just announced.

5.1(e) Tartan 2 openings at Level 2

There was discussion as to whether Tartan 2 openings (which could be either weak or strong) constituted 'Multi' style openings and were therefore not permitted at Level 2. The Committee decided that providing the opening bids guaranteed at least 4-cards in the bid suit then it was alright (6D1), but it could not include the strong balanced option.

The Committee felt that Tartan 2 openings were not appropriate for Level 2 events and would reconsider the method in time for next August.

5.1(f) Changes of call made with Bidding Boxes under Law 25A

The Committee considered correspondence from Mr Allerton regarding the changes of call permitted under Law 25A when using bidding boxes. The Committee confirmed its present position that a call is considered made using bidding boxes when lifted clear of the box. The footnote to Law 25A (added by the WBF in December 2011) is repeated here for convenience:

A player is allowed to replace an inadvertent call if the conditions described in Law 25A are met, no matter how he may become aware of his error.

5.2 Disciplinary Procedures for Joint events

An incident in a recent inter-county league match had highlighted the problem of dealing with disciplinary matters where there was no defined Regulating Authority. Inter County leagues were such an example. In

the case in question the disciplinary committee of the county of the member complained of dealt with the situation. However there are currently no firm procedures in place.

MP had put forward some suggestions as follows:

Considerations for Disciplinary Procedures for joint events where the participants come from more than one Regulating Authority or are not directly run by a Regulating Authority.

To be circulated to County Associations, clubs & independent leagues.

Organisers of inter county/club & other events not directly run under one Regulating Authority should make arrangements before the event on who should deal with any disciplinary matters which might arise.

There are a number of criteria to consider when deciding how to frame the disciplinary procedures e.g. does where the event is held influence who deals with the problem or possibly does the club/Association to which the person concerned belongs have some bearing.

There are a number of possible ways of drafting rules to cover these circumstances but perhaps the simplest is to appoint one particular body to deal with all incidents.

The important point is that a process is decided upon before play starts, ideally included in the conditions of contest.

GF did not feel that the suggestion of appointing one particular body to deal with all incidents was the best solution as it could prove both cumbersome and expensive. He suggested that either the home county or the county association of the member complained of might be more appropriate.

It was agreed to publish these suggestions more widely to Counties Secretaries and the Club Management Focus.

Action: JP and Andrew Urbanski

5.3 Appealing to have a fine imposed on your opponents

The Committee considered an appeal where part of the appellants' argument was that the TD should have imposed a procedural penalty on the other side. GR confirmed that according to Law 92A a contestant or his captain may appeal for a review of any ruling made at his table by the Director. Any such appeal, if deemed to lack merit, may be the subject of a sanction imposed by regulation.

The Committee therefore agreed that an appeal could include those grounds. However, an appeal which was lodged solely on that basis might very well be deemed frivolous.

6. Applications for new permitted methods

None this time.

7. Reports from Tournament Directors

13.005 The Committee considered the following hand where it was confirmed that agreement to play weak off-shape doubles should be alerted and fully disclosed on the convention card. (BB 4H4(f))

<p>♠ J8 ♥ AQ96 ♦ 1073 ♣ 10732</p> <p>♠ A109 ♠ Q653 ♥ K5 ♥ J7432 ♦ KQJ42 ♦ 96 ♣ K85 ♣ J9</p> <p>♠ K742 ♥ 108 ♦ A85 ♣ AQ64</p>	<p>Board 8 : Dealer West : Love all</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td>1♦</td> <td>Dbl</td> <td>Pass</td> <td>1♠</td> </tr> <tr> <td>1NT</td> <td>Pass</td> <td>Pass</td> <td>2♣</td> </tr> <tr> <td colspan="4">All Pass</td> </tr> </tbody> </table> <p>Table result: 2♣✓ by South.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	1♦	Dbl	Pass	1♠	1NT	Pass	Pass	2♣	All Pass			
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TD: EW asked me to look at what seemed to be a fielded psyche. After extensive questioning, I came to the conclusion that NS's systemic agreement was to play very weak potentially off shape doubles and to cater for this by never jumping in reply. I ruled this as a misinformation case and judged that even with correct information EW would still have done the same. I advised NS that I think they should alert this style of double and continuation. North did think he was a bit light, even by his standards. North subsequently clarified with me that they do not jump in any* auctions – not just in response to a double.

(* presumably until a fit has been found).

L&E Comment: The L&E Committee considered that such a double is alertable under section 4B2 of the Blue Book.

13.006 The Committee considered the following hand from the Grand Masters Pairs.

<p>♠ 92 ♥ K5 ♦ A632 ♣ K10874</p> <p>♠ 3 ♠ AK87654 ♥ AJ10 ♥ 732 ♦ J854 ♦ Q10 ♣ Q9632 ♣ 5</p> <p>♠ QJ10 ♥ Q9864 ♦ K97 ♣ AJ</p>	<p>Board 22 : Dealer East : EW vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>3♠</td> <td>Dbl(H)</td> </tr> <tr> <td colspan="4">All Pass</td> </tr> <tr> <td colspan="4">(H) agreed hesitation before the double.</td> </tr> </tbody> </table> <p>Table result: 3♠x – 1 by East. NS + 200. TD ruling: Weighted ruling: 25% 4♣-2, 50% 5♣/5♦ - -3, 25% 5♣x-3. AC ruling: Table score reinstated.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			3♠	Dbl(H)	All Pass				(H) agreed hesitation before the double.			
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TD: East called me to ask me to consider the hand because an irregularity had occurred during the auction. She explained that South had paused for some time before making her bid. South agreed stating she had considered her options before electing to double. I asked North about the action he chose and was told it was what he bid or 4NT as this was a game hand because partner must have values. I asked North what had given him this indication and he replied because partner had doubled.

Clearly there are logical alternatives to pass. The question was whether the slow double suggested pass and the result of my player poll indicated it did. In the poll all the players polled felt partner's consideration before doubling suggested they may have been considering bidding 3NT and/or were balanced and did not have a classic take out double. I gave a weighted ruling as shown.

AC decision: The unanimous decision of the committee was that

- A) the appellant's view that the inference of the out of tempo double did not suggest bidding was an understatement and it actually implied that there was a greater chance that bidding could be more successful (-1 was not as good a result as she would expect opposite most t/o doubles).
- B) All the committee felt the percentage action, by a considerable margin, opposite a typical take out 13, at this vulnerability to pass, notwithstanding the polling results.

We understand the feelings of the beneficiaries of the TDs action, but the initial reaction of all three committee members was that North had a clear-cut pass. Table result reinstated.

L&E Comment: The committee strongly preferred the TD’s ruling. The AC had misdirected itself regarding point B above. Even if it felt that passing was the percentage action, there were still logical alternatives, namely 4♣, 4NT and 5♣. The AC would still be entitled to reinstate the table score if it felt that the slowness of the double did not suggest passing over any other action. However, this had been the subject of the TD’s poll and the AC should be wary of substituting their own judgement in place of a poll. The L&E Committee felt that the slow double did suggest that passing would be successful.

The L&E Committee discussed whether it could be appropriate to consider points A and B together, and award some kind of combined probability when deciding whether to allow an action. It concluded that this was an incorrect approach, and the “logical alternatives” and “demonstrably suggested” clauses were completely independent and should be considered separately.

13.007 The Committee considered a hand from the Premier Grand Masters Pairs

<p>♠ 3 ♥ AK6 ♦ J10642 ♣ Q1062</p> <p>♠ Q1098754 ♠ KJ6 ♥ Q10432 ♥ 85 ♦ 5 ♦ K97 ♣ - ♣ AK953</p> <p>♠ A2 ♥ J97 ♦ AQ83 ♣ J874</p>	<p>Board 29 : Dealer North : All vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td>Pass</td> <td>1NT</td> <td>Pass</td> </tr> <tr> <td>4♦</td> <td>Pass</td> <td>4♥</td> <td>Pass</td> </tr> <tr> <td>4♠</td> <td>Pass</td> <td>5♣</td> <td>Pass</td> </tr> <tr> <td>5♠(1)</td> <td>All Pass</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="padding-left: 20px;">(1) With emphasis</td> </tr> <tr> <td colspan="4">Table result: 5♠-2 by West.</td> </tr> <tr> <td colspan="4">TD ruling: result stands</td> </tr> <tr> <td colspan="4">AC decision: TD ruling upheld.</td> </tr> </tbody> </table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	1NT	Pass	4♦	Pass	4♥	Pass	4♠	Pass	5♣	Pass	5♠(1)	All Pass			(1) With emphasis				Table result: 5♠-2 by West.				TD ruling: result stands				AC decision: TD ruling upheld.			
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The TD was first called after the end of the hand.

TD: I was called by North. 5♠ was made by slapping it down on the table in a manner to suggest that East should pass. West did not dispute this – East said he did not notice the manner of the 5♠ bid. East thought 4♦ was a slam try but he thought with only one ace and two small hearts he could not bid slam. North thought that if West had shown a slam try it was clear for East to bid slam. I ruled that bidding over 5♠ was not a logical alternative. So there was no infraction. Law 16B.

AC decision: We felt that West would have cue bid 5♦/♥ had he held an ace and a slam try this just looks routine. North asserted that slam tries like 4♦ are usually semi-balanced – we do not agree. North is imposing his own agreements on EW. East made two slam tries – that is enough.

We returned the deposit because two committee members thought the fact that West admitted to his slapping down of 5♠ was sufficient to give the appeal merit. TD ruling upheld.

L&E comment: It would have been appropriate to give West a procedural penalty. The L&E Committee considered the reason for returning the deposit somewhat eccentric. The procedural penalty that might have been given is not relevant to the nature of the appeal.

13.008 Report of hand from the National Pairs Northern Final

<p>♠ 1032 ♥ A1065 ♦ 9875 ♣ 65</p> <p>♠ KJ865 ♠ A974 ♥ 843 ♥ KQJ9 ♦ 106 ♦ AQJ3 ♣ J102 ♣ 7</p> <p>♠ Q ♥ 72 ♦ K42 ♣ AKQ9843</p>	<p>Board 18 : Dealer East : NS vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1♥</td> <td>3♣(A1)</td> </tr> <tr> <td>Pass</td> <td>3♦</td> <td>Pass</td> <td>4♣(2)</td> </tr> <tr> <td>Pass</td> <td>Pass(3)</td> <td>Pass</td> <td></td> </tr> </tbody> </table> <p>(1) Alerted. According to system card it shows ♠ and ♦. Explanation given before East's final pass.</p> <p>(2) South has UI from partner's alert, but 4♣ seems the only alternative on this hand.</p> <p>(3) North decided that South has misbid – but why? If South has a strong 2-suiter, 4♣ could be a cue-bid.</p> <p>Table result: 4♣ - 2 by South.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			1♥	3♣(A1)	Pass	3♦	Pass	4♣(2)	Pass	Pass(3)	Pass	
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		1♥	3♣(A1)														
Pass	3♦	Pass	4♣(2)														
Pass	Pass(3)	Pass															

TD: The pass of 4♣ is a clear example of fielding. Although North and South concurred that they had not misbid in this sequence before, North's assumption of misbid rather than 4♣ cue bid cannot be justified. North should assume that his partner's initial 3♣ bid is correct. No score adjustment as the non-offenders already had 89% on the board.

L&E comment: The TD ruled on the basis of North's fielding of South's misbid, where the 40%/60% adjustment would not benefit the non-offenders. However, the TD should also have considered the UI from North to South, and South's actions. The UI adjustment would have led to an even better score for the non-offenders. Why should they not receive 100% through an adjustment?

13.020 The committee considered this light opening from a hand at the Cheltenham Congress Pairs final.

<p>♠ 865 ♥ A4 ♦ KJ832 ♣ 976</p> <p>♠ 10 ♠ 9732 ♥ QJ7 ♥ K32 ♦ Q105 ♦ 976 ♣ AQJ832 ♣ K104</p> <p>♠ AKQJ4 ♥ 109865 ♦ A4 ♣ 5</p>	<p>Board 17 : Dealer North : Love all</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td>1♦(1)</td> <td>Pass</td> <td>1♠</td> </tr> <tr> <td>2♣</td> <td>Pass</td> <td>3♣</td> <td>3♥</td> </tr> <tr> <td>4♣</td> <td>Pass</td> <td>Pass</td> <td>4♥</td> </tr> <tr> <td>Pass</td> <td>4♠</td> <td>All Pass</td> <td></td> </tr> </tbody> </table> <p>(1) Psyche or systematic light opening?</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		1♦(1)	Pass	1♠	2♣	Pass	3♣	3♥	4♣	Pass	Pass	4♥	Pass	4♠	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
	1♦(1)	Pass	1♠																		
2♣	Pass	3♣	3♥																		
4♣	Pass	Pass	4♥																		
Pass	4♠	All Pass																			

TD: The TD found that the system card says: Open freely NV on 10 HCP. I ruled that the 1♦ opener was a psyche. (They do not open with 4-3-3-3 shape and 10 HCP).

Players comment: We open light NV

L&E comment: The committee felt that the player's comment suggested an illegal agreement (hand not conforming to rule of 18) rather than a psyche.

13.024 The committee considered this hand from the Spring Bank Holiday Swiss teams.

<p>♠ KQJ53 ♥ Q ♦ 432 ♣ 9863</p> <p>♠ 8 ♥ 107632 ♦ AKJ105 ♣ 105</p> <p>♠ 97 ♥ AK985 ♦ Q976 ♣ 72</p> <p>♠ A10642 ♥ J4 ♦ 8 ♣ AKQJ4</p>	<p>Board 21 : Dealer North : NS vulnerable</p> <table border="1"> <thead> <tr> <th>West</th> <th>North</th> <th>East</th> <th>South</th> </tr> </thead> <tbody> <tr> <td></td> <td>2♠</td> <td>Pass</td> <td>2NT</td> </tr> <tr> <td>Pass</td> <td>3♣</td> <td>Pass</td> <td>4♠</td> </tr> <tr> <td>Pass(H1)</td> <td>Pass</td> <td>5♥ (2)</td> <td>5♠</td> </tr> <tr> <td>6♥</td> <td>Pass</td> <td>Pass</td> <td>Dbl</td> </tr> </tbody> </table> <p>All Pass (H1) agreed hesitation after the stop card withdrawn. Asked about the auction (2) Bid disallowed. Table result: 6♥x – 2 by East. TD ruling: 4♠ + 1 by North</p>	West	North	East	South		2♠	Pass	2NT	Pass	3♣	Pass	4♠	Pass(H1)	Pass	5♥ (2)	5♠	6♥	Pass	Pass	Dbl
West	North	East	South																		
	2♠	Pass	2NT																		
Pass	3♣	Pass	4♠																		
Pass(H1)	Pass	5♥ (2)	5♠																		
6♥	Pass	Pass	Dbl																		

TD: I ruled a Law 16 adjustment for use of the UI by East and disallowed the 5♥ bid by East, but it was felt the use of UI was so egregious that a procedural penalty was also warranted. None polled would consider bidding after two passes. Score adjusted to 4♠+1.

L&E comment: The committee commended the decision of the TD to give a procedural penalty.

13.025 The Committee considered an appeal from the Oxford Midweek Congress Championship Pairs.

<p>♠ 43 ♥ 10753 ♦ QJ983 ♣ J6</p> <p>♠ AK982 ♥ A62 ♦ 10 ♣ 8752</p> <p>♠ QJ76 ♥ KQ8 ♦ A65 ♣ A104</p> <p>♠ 105 ♥ J94 ♦ K742 ♣ KQ93</p>	<p>Board 20 : Dealer West : All vulnerable</p> <p>Auction not recorded. Contract: 4♠ by West</p> <p>Result 4♠ + 2 by West</p> <p>TD ruling: result stands. AC ruling: NS -650; EW + 680</p>
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TD: The next round had been called and there was general hubbub in the room with players waiting to move to this and other tables. West had made 9 tricks and the lead was in dummy. Declarer called for a card and before dummy led, South played ♣Q. This is the point at which I was called. There was disagreement between South and West about which card had been called for. West said it was the ♠Q and South had heard a club. South insisted that he would not have played the ♣Q if the spade had been led and both East and West insisted that ♠Q was asked for. South and West could not agree and both made serious accusations about the other's ethical standards. I warned them both that their language and behaviour were unacceptable.

South continued to insist that he would not have played the ♣Q on a spade as he knew it was a boss. I asked West which card he had called for and he said ♠Q. To diffuse the situation I asked the players to move for the next round and returned to give my ruling at the end of the evening session.

The facts were not agreed but as West was declarer he is most likely to know which card he called for and I ruled that it was the ♠Q and that 12 tricks would be made. South's play of the ♣Q was not unintended and so can not be changed. Because dummy had not played the called for card, South's play might technically be considered to be out of rotation and if so would become a major penalty card. (Laws 85A2, 45C4(b)).

AC ruling: Due to the noise and in the interest of the spirit of bridge although South played before the card was played we believe that it is unlikely that he would have discarded the ♣Q. However, as technically he is

not correct, we decided that also EW should get the benefit of the doubt and as such awarded a split score. NS -650; EW +680.

L&E comment: This is clearly an illegal decision by the AC. Both sides had offended (slow play and arguing) and both sides ended up with a good score. The TD had made the correct ruling.

13.036 The Committee considered an appeal from the Eastbourne Senior Teams.

<p>♠ 543 ♥ 7542 ♦ 54 ♣ Q742</p> <p>♠ J987 ♠ AQ ♥ AKQJ ♥ 1086 ♦ Q ♦ KJ10832 ♣ AK93 ♣ J10</p> <p>♠ K1062 ♥ 93 ♦ A976 ♣ 865</p>	<p>Board 17 : Dealer North : Love all</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td>Pass</td> <td>1♦</td> <td>Pass</td> </tr> <tr> <td>2NT(1)</td> <td>Pass</td> <td>3NT(2)</td> <td>All Pass</td> </tr> <tr> <td colspan="4" style="padding-left: 20px;">(1) 16+ balanced (2) Minimum</td> </tr> <tr> <td colspan="4" style="padding-left: 20px;">Table result 3NT +2 by W TD ruling 60%/60%</td> </tr> </tbody> </table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	1♦	Pass	2NT(1)	Pass	3NT(2)	All Pass	(1) 16+ balanced (2) Minimum				Table result 3NT +2 by W TD ruling 60%/60%			
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(1) 16+ balanced (2) Minimum																					
Table result 3NT +2 by W TD ruling 60%/60%																					

The TD was first called before the hand commenced.

The TD was called by West before the board to say she had heard ‘it goes off on a club lead’. I directed that they play the board (L16C2(c)). After the match the opposing team asked for a ruling because they thought that the pass of 3NT was affected by the extraneous information.

The TD ruled 60% (3IMPS) to both pairs on the board. He felt that the board could have been affected by the extraneous information and therefore ruled it unplayable and awarded 3IMPs to both sides.

AC ruling: Revert to table score.

West did what she was required to do when she called the TD. We are very unhappy with EW being allowed to play on but when they then have a ‘good’ result having it taken away. Presumably had they had a ‘bad’ result they would have been stuck with it. There is no justice in such a situation. We believe West to be worth a raise to 4NT which East would pass. But we are happy with West’s arguments as to why she passed. She is clearly an honest but weak player.

L&E Comment: GR noted that (in a change from the 1997 laws) under the 2007 Laws, the action taken by the TD was legal (16C2(c)) – to allow the board to be played and be standing ready to award an adjusted score if he judges that unauthorized information has affected the result. GR said that in general this law change has been a beneficial one.

However, this can lead to situations like the current one, where the AC felt that it was unfair to take away a good result from EW. The AC didn’t consider NS, who were stuck with a bad result, potentially as a result of the extraneous information heard by West. This EI could have affected West’s decision over 3NT (even if only subconsciously). The L&E Committee felt that the TD’s ruling was correct.

13.049 The Committee considered an appeal from the Brighton Summer Meeting Seniors Pairs. There was disquiet at the way in which the appeal had been held following the receipt of correspondence from the appellant and the TD. Points raised included:

- One member of the Appeals Committee was not present when required, while the other committee members and the players were standing ready. He was not still playing.
- The Appeal Committee chairman was interrupted by a third party even though the Chairman attempted to send him away.

- The Appeal Chairman had made comments regarding one side which, although meant in a light-hearted way, could be misconstrued as favouritism towards that side.

The Committee agreed that Appeals Committee members and particularly Chairmen should behave in a careful, impartial and professional way at all times.

It was agreed that GR and the secretary should redraft the guidance given to EBU referees and send it out. A copy of the guidance should also be available on the EBU scoring computers (along with other forms etc) for those occasions when an Appeal Chairman was used who was not a member of the Referees panel.

Other reports were held over until the next meeting.

7.2 Disciplinary forms

Not considered this time.

8. Date of next meeting

Wednesday 29th January 2014 at 1pm.

Venue is Baker Tilly offices, 2 Bloomsbury Street (near to Tottenham Court Road tube station).

9. AOB

9.1 Final meeting of the year

The secretary read a letter to the meeting from the EBU Chairman thanking JD for his work and congratulating him on his achievements as L&E Chairman over the last four years.

JD thanked members for the hard work during his term of office and FH offered a vote of thanks from the rest of the Committee.

The meeting closed at 5pm