



Proposed Change to the Bye Laws at the Shareholders Meeting May 2016

Background

- At present any person charged by the Laws & Ethics committee with a disciplinary offence may be convicted on the balance of probabilities unless it is an offence where dishonesty is alleged in which case the standard is “beyond reasonable doubt”
- The board accept that the standard should be higher in the matter of cases where dishonesty is alleged.
- The World Bridge Federation has amended its standards for conviction in the light of recent cases where cheating has been alleged. The WBF have recommended that NBOs take up their proposal.
- The Chairman of the L&E has been consulted on this matter and approves of the proposed change.
- The proposed change to the bye laws must be passed by a simple majority.
- It will only apply to cases that begin after the bye laws are changed as required by Section 6.3.

Existing Bye Law

The existing section covering the burden of proof is Section 8.9 of Appendix A- Disciplinary Rules which says

8.9 The Laws and Ethics Committee shall bear the burden of proving the charge on the balance English Bridge Union Ltd unless the Disciplinary Committee rules that the charge includes an allegation of dishonesty, in which case the Laws and Ethics Committee shall bear the burden of proving the charge beyond a reasonable doubt.

New bye law proposal

That 8.9 of Appendix A-Disciplinary Rules is amended to say

The Laws and Ethics Committee shall bear the burden of proving the charge on the balance of probabilities, unless the Disciplinary Committee rules that the charge includes an allegation of dishonesty, in which case the Disciplinary Committee must be comfortably satisfied (a standard of proof that is stated to be lower than the criminal standard of beyond reasonable doubt, but higher than the civil standard of balance of probabilities) on clear and convincing evidence that the accused person has engaged in such conduct. *(See also 6.3 of the Bye Laws)*