



DISCIPLINARY RULES OF THE ENGLISH BRIDGE UNION

The Disciplinary Rules which follow are taken from Appendix A
to the Bye Laws of English Bridge Union Ltd.

APPENDIX A – DISCIPLINARY RULES

1 DEFINITIONS

- 1.1 In these Disciplinary Rules terms defined in the Articles or Bye Laws of the Company carry the same meaning as in those documents and, the following phrases shall, unless otherwise stated, have the following meanings:
- (i) “Appeals Committee” has the meaning set out in Rule 11.6;
 - (ii) “away from the bridge table” in Rule 3.2 shall mean at any location and includes any act or comment in any medium including social media;
 - (iii) “Board” means the Board of Directors of the Company;
 - (iv) “Defendant” means any person or organisation who is the subject of a complaint or whose conduct is under investigation by the Laws and Ethics Committee, whether or not such person has been charged with an Offence;
 - (v) “Disciplinary Committee” has the meaning set out in Rule 6.1;
 - (vi) “Disciplinary Hearing” means a hearing before the Disciplinary Committee in accordance with Rule 9;
 - (vii) “L&E Officers” means the Chair and Vice-Chair of the Laws and Ethics Committee;
 - (viii) “L&E Secretary” means the Secretary for the time being to the Laws and Ethics Committee, or such other person as may for the time being be designated by the Chief Executive to perform the functions of the Secretary to the Laws and Ethics Committee;
 - (ix) “Offence” has the meaning set out in section Rule 3.2;
 - (x) “Pro Bono Adviser” has the meaning set out in Rule 5.1; and
 - (xi) “Sanction” means a Sanction set out at Rule 12.1.
 - (xii) “Written Record” means a written record of the decision of the Disciplinary Committee or Appeals Committee, as appropriate, under Rules 9.16 and 10.3.
- 1.2 In these Disciplinary Rules words incorporating the masculine shall include the feminine, the singular shall include the plural and vice versa and references to person(s) shall include any club or association where the context requires.

2 JURISDICTION

- 2.1 These Disciplinary Rules replace all previous editions in their entirety and shall apply to:
- (i) anyone who was a Player Member at the time of the alleged offence;
 - (ii) all bridge associations, clubs and committees affiliated to the Company or running licensed events;
 - (iii) all tournament directors and other officials at events organised by or sanctioned by the Company or by an Association; and
 - (iv) any person who participates in an event organised by or sanctioned by the Company or by an Association.
- 2.2 The Company shall exercise the disciplinary function and powers conferred on it by Bye Law 6.1 of its Bye Laws in the manner set out in these Disciplinary Rules. Specifically, the Company shall delegate its power:
- (i) to receive complaints and investigate alleged Offences to the Laws and Ethics Committee in accordance with Rule 4;

- (ii) to hear disciplinary cases and decide disciplinary Sanctions to the Disciplinary Committee in accordance with Rules 8, 9 and 10; and
- (iii) to hear and determine appeals to the Appeals Committee in accordance with Rule 11.

2.3 The Company shall have jurisdiction to consider a matter if a formal complaint is made in writing to the L&E Secretary from any individual (whether or not a Player Member), Association or club (whether or not an Affiliated Club).

2.4 The Laws and Ethics Committee, may, in addition, investigate any other matter which comes to its attention which it may consider constitutes an Offence.

3 OFFENCES

3.1 The Sanctions set out in these Disciplinary Rules may be imposed on any person falling at the time of the alleged Offence within the terms of Rule 2.1 who is found to have committed an Offence.

3.2 For the purpose of these Disciplinary Rules, the following shall amount to an “Offence”:

- (i) a breach of the Bye-Laws or Articles of the Company;
- (ii) a breach of the regulations laid down by the Board or any of its Standing or other Committees, or any Conditions of Contest or other tournament regulations; including any breach of the fundamental principle set out in the EBU’s “Best Behaviour at Bridge” policy;
- (iii) unfair or dishonest play in an organised duplicate bridge event, whether online or face to face;
- (iv) any other act that the Disciplinary Committee or Appeals Committee considers to be misconduct resulting in reputational damage for the Company or to organised bridge. This may include any conduct or behaviour, whether at or away from the bridge table, which falls below the accepted standards required of Player Members and other persons to whom these Disciplinary Rules apply; or
- (v) a failure to provide full or true information or evidence to the Laws and Ethics Committee (in the course of its functions under these Disciplinary Rules or otherwise), the L&E Secretary, the Disciplinary Committee or the Appeals Committee or to comply with any decision made pursuant to these Disciplinary Rules.

4 LAWS AND ETHICS COMMITTEE

4.1 The functions of the Laws and Ethics Committee shall include:

- (i) receiving complaints, and responding to requests for guidance prior to a possible complaint, made about the behaviour of those subject to these Disciplinary Rules, investigating those complaints (or any other matter which comes to its attention which it considers may constitute an Offence) and, if it thinks appropriate, charging any person or organisation subject to these Disciplinary Rules with an Offence;
- (ii) being responsible for all matters of administration relating to the conduct of disciplinary proceedings, as well as all other matters specifically set out in these Rules;
- (iii) in relation to proceedings before the Disciplinary Committee, discharging on behalf of the Company the formal role of prosecutor; and
- (iv) in relation to proceedings before the Appeals Committee discharging on behalf of the Company the role of appellant or respondent as appropriate.

4.2 In discharging its functions in Rule 4.1 (iii) and (iv), the Laws and Ethics Committee shall act by one of its members nominated for the purpose by the Laws and Ethics Committee, or by such other person nominated in accordance with the powers to delegate set out in Rule 4.3.

4.3 The Laws and Ethics Committee may be assisted in discharging its functions by other officers or employees of the Company and may delegate its formal functions in any individual case to such person or, in a suitable case, to external legal counsel and any reference to the Laws

and Ethics Committee or a nominated member of the Laws and Ethics Committee shall be construed so as to refer to any persons to which power is delegated pursuant to this rule. In particular the functions in Rule 4.1(ii) may be delegated to the L&E Secretary.

- 4.4 All references to the actions of the Laws and Ethics Committee in these Disciplinary Rules shall be taken as including actions taken on its behalf by any person so authorised by it under Rules 4.2 or 4.3.

5 PRO BONO ADVISER

- 5.1 A Pro Bono Adviser may be appointed by the Chairman of the Board annually from the Player Members of the Company. The Pro Bono Adviser shall not be a current member of the Laws and Ethics Committee but may be a former member of the Laws and Ethics Committee. The function of the Pro Bono Adviser shall be to advise any Defendant charged with an Offence on the procedure set out in these Disciplinary Rules if requested to give such advice by the Defendant. The Pro Bono Adviser may in his absolute discretion decline to offer any advice to the Defendant. For the avoidance of doubt, the Pro Bono Adviser shall not be under any duty or obligation to advise the Defendant about the merits of the charge he faces.
- 5.2 Neither the Pro Bono Adviser nor the Company shall be liable to the Defendant for any loss or damage suffered by the Defendant howsoever arising from the acts omissions or advice of the Pro Bono Adviser. As a condition of his consulting the Pro Bono Adviser the Defendant shall be taken to have waived irrevocably any right that the Defendant has to bring legal proceedings against the Pro Bono Adviser or the Company for any act, omission or advice of the Pro Bono Adviser.

6 THE DISCIPLINARY COMMITTEE

- 6.1 A Disciplinary Panel shall be appointed annually by the Board. It shall consist of not fewer than five Player Members, none of whom may also be current members of the Laws and Ethics Committee. The Chairman of the Board shall appoint members of the Disciplinary Panel to form Disciplinary Committees to perform the functions set out in Rule 6.2. The number of panellists required to form a Disciplinary Committee in any particular case shall be determined in accordance with Rules 6.3 and 6.4.
- 6.2 The functions of the Disciplinary Committee shall be:
- (i) to determine the Sanction for Offences admitted by the Defendant pursuant to Rule 7.8;
 - (ii) to hear charges of Offences under these Disciplinary Rules and to determine whether those charges are proved, and if proved, to determine the Sanction to be imposed; and
 - (iii) to report to the Board the results of hearings before it and the Sanctions imposed by it.
- 6.3 Save where the issue is the imposition of a Sanction in accordance with Rule 7.8, in performing its duties under these Disciplinary Rules the Disciplinary Committee shall comprise not fewer than three nor more than five members of the Disciplinary Panel, appointed by the Chairman of the Board in his absolute discretion. The Chairman of the Board shall appoint one of those members as Chairman of the Disciplinary Committee.
- 6.4 When performing its duties in imposing a Sanction in accordance with Rule 7.8, the Disciplinary Committee shall comprise not more than three members of the Disciplinary Panel appointed by the Chairman of the Board in his absolute discretion. In the event that he appoints more than one member, the Chairman of the Board shall appoint one of those members as Chairman of the Disciplinary Committee.
- 6.5 In respect of all matters arising prior to a Disciplinary Hearing a Disciplinary Committee appointed under Rule 6.3 may act by its Chairman alone.
- 6.6 Subject to Rule 6.5, the quorum of members of the Disciplinary Panel for proceedings of the Disciplinary Committee shall be
- (i) three members in the case of a Disciplinary Committee appointed under Rule 6.3; and

- (ii) one member in the case of a Disciplinary Committee appointed under Rule 6.4.

- 6.7 No member of the Disciplinary Committee may sit to consider a charge who has had prior involvement with the case or has any relevant interest in the outcome of the case such as is considered a conflict of interest by the Chairman of the Disciplinary Committee (or by the Chairman of the Board where the issue relates to the Chairman of the Disciplinary Committee). Any issue arising in relation to this restriction shall be raised with the Chairman of the Disciplinary Committee as soon as possible. The Chairman shall decide whether or not the involvement or interest so notified justifies the exclusion of that person from considering a particular charge or from remaining a member of the Disciplinary Committee for the case. Having an EBU role outside the Laws & Ethics Committee, eg. Board member, Shareholder, is not in itself a conflict of interest.
- 6.8 If by virtue of the operation of Rule 6.7 there are insufficient members of the Disciplinary Panel without an interest to constitute a quorum, the Chairman of the Disciplinary Committee may co-opt a Player Member or any other person he considers to be suitably qualified to sit upon the Disciplinary Committee. Any person so appointed must be free of any interest or involvement as described in Rule 6.7.

7 INITIAL PROCEDURE

- 7.1 Where a written complaint is made, or a matter otherwise comes to the attention of the Laws and Ethics Committee, it shall first consider whether such complaint or matter falls within the scope of the Disciplinary Rules and whether further action is warranted. A complaint received more than 90 days after the alleged offence/incident or if later the date on which the complainant has first become aware of it need not be considered.
- 7.2 If, having made such initial investigations and enquiries as it considers appropriate, the Laws and Ethics Committee considers that further action is warranted, the procedure for Inexperienced Players under Rule 8 may be followed. If Rule 8 does not apply, the L&E Secretary shall first write to the Defendant, seeking the Defendant's comments on the substance of the complaint or matter that has been raised, asking for a response within seven days of receipt. The Defendant shall be asked for an admission of wrongdoing under the terms of Rule 10. The Laws and Ethics Committee shall be entitled to make such further investigations and enquiries as it considers appropriate. The Laws and Ethics Committee shall also be entitled to seek advice within the Company and to obtain external legal advice.
- 7.3 Having conducted such enquiries as it considers appropriate (whether or not comments have been received from the Defendant) the Laws and Ethics Committee shall then consider whether or not to charge the Defendant with an Offence.
- 7.4 At any time prior to charging the Defendant with an Offence, or deciding not to charge the Defendant, whether or not it has made any investigations or enquiries, and whether or not it has received any comments from the Defendant, the Laws and Ethics Committee may (subject to Rule 7.5) decide that the complaint or matter should be dealt with instead by any Association of which the Defendant is a member. If it so decides the L&E Secretary shall refer the matter to the Association concerned as soon as practicable, and provide the Association with all relevant documents and information in the Laws and Ethics Committee's possession to enable the Association to deal with the matter.
- 7.5 The Laws and Ethics Committee shall only be entitled to refer the matter to be dealt with by the Association if it is satisfied that the Association's constitution includes satisfactory provisions to enable the matter to be dealt with by the Association.
- 7.6 Where, in its absolute discretion, the Laws and Ethics Committee considers it appropriate to charge the Defendant, the L&E Secretary shall write a charge letter to the Defendant. The charge letter shall include:
- (i) a summary of the alleged Offence;
 - (ii) a short factual summary of the evidence supporting the charge;

- (iii) confirmation that it is the Laws and Ethics Committee's view that the Defendant should be prosecuted for the Offence;
- (iv) a request that the Defendant respond in writing with either an admission or a denial of the charge;
- (v) a statement that if the Defendant admits the charge the matter will be referred to the Disciplinary Committee for imposition of a Sanction;
- (vi) an invitation to the Defendant, if he admits the charge, to make a plea in mitigation in writing;
- (vii) notification to the Defendant that he may seek advice on the procedure set out in these Disciplinary Rules from the Pro Bono Adviser but that the Pro Bono Adviser may decline to give that advice in his absolute discretion; and
- (viii) details of a temporary suspension, if applicable under Rule 7.11.

- 7.7 The charge letter shall specify a date by which the Defendant's response has to be provided. Such date shall be at least 14 days from the date of the charge letter.
- 7.8 If the Defendant admits the Offence then the matter shall be referred to the Disciplinary Committee for a decision on the imposition of a Sanction, in accordance with the procedure set out in Rule 10.
- 7.9 If the Defendant does not admit the Offence the matter shall be referred to the Disciplinary Committee and the procedure set out in Rule 9 shall apply.
- 7.10 Where, under Rule 7.1, the Laws and Ethics Committee considers that no further action is warranted, or, in its absolute discretion, it considers that it is not appropriate to charge the Defendant, the L&E Secretary shall write to the Defendant and the complainant, if any, advising them of that decision. The Laws and Ethics Committee is not under any obligation to give any reasons for the decision not to prosecute a charge.
- 7.11 In exceptional circumstances the L&E Officers may decide to temporarily suspend the Defendant from specified activities until the conclusion of the disciplinary proceedings. Any alleged breach of this suspension may be treated as an offence under Rule 3.2(iv) and subject to a fresh charge. The Defendant may lodge an Appeal against this suspension with a deposit of £100 (to be returned unless deemed without merit) within 7 days of the date on which the Defendant is deemed to have received notification of the suspension. The Appeal to be decided, on the basis of written submissions, by a member of the Disciplinary Panel, appointed by the Chairman of the Board.

8 PROCEDURE FOR INEXPERIENCED PLAYERS IN CHEATING CASES

- 8.1 The Laws and Ethics Committee may use its discretion to apply this procedure in individual cases. For guidance an inexperienced player is one that is not experienced. An experienced player has:
- (i) Reached the Masterpoint rank of Regional Master; or
 - (ii) At any point reached (evolving or stable) the NGS grade of Queen ; or
 - (iii) A bridge related responsibility eg.teacher; Tournament Director; officer of any bridge related committee.
- 8.2 The L&E Secretary shall write to the Defendant(s) and issue a warning with the reasons for so doing. To explain that monitoring will take place for a period of six months and that if no further suspicious actions are noted, the matter will be closed. However, if suspicious activity continues during the monitoring period then a ban will be imposed for three to six months. Any breach of this ban will trigger the standard procedure from Rule 7.6.

- 8.3 This procedure for inexperienced players involves no hearing, no appeal, nor any public identification. Alternatively, the Defendant(s) can elect to follow the standard procedure described under Rule 7.

9 PROCEEDINGS BEFORE THE DISCIPLINARY COMMITTEE

- 9.1 In order to commence a prosecution before the Disciplinary Committee, the L&E Secretary shall send a letter to the Chairman of the Disciplinary Committee enclosing:
- (i) a copy of the charge letter; and
 - (ii) a copy of any reply from the Defendant to the charge letter;
- asking him to convene a Disciplinary Hearing before the Disciplinary Committee.
- 9.2 The L&E Secretary and the Chairman of the Disciplinary Committee shall liaise to schedule a date for the Disciplinary Hearing. At least 14 days prior to the Disciplinary Hearing the L&E Secretary shall give the Defendant notice of the date, time and venue (which by default are online) of the Disciplinary Hearing and the composition of the Disciplinary Committee for that Hearing.
- 9.3 The Laws and Ethics Committee shall notify the Defendant of the nature of the evidence and the name(s) of the witness(es) that will give the evidence that it intends to submit in support of the charge, and the Defendant shall notify the Laws and Ethics Committee of the nature of the evidence and the name(s) of the witness(es) that will give the evidence which he intends to submit in defence of the charge. Such notification shall be made by a date specified by the Chairman of the Disciplinary Committee (and notified to the parties by the L&E Secretary), which date should be at least seven days before the date of the Disciplinary Hearing.
- 9.4 All proceedings of the Disciplinary Committee shall take place in private but any Defendant will be entitled to invite an observer, who will take no part in the proceedings, in addition to any representative under Rule 9.6.
- 9.5 Every person responding to enquiries made by the Laws and Ethics Committee or the Disciplinary Committee or giving evidence before the Disciplinary Committee must give full and truthful evidence.
- 9.6 The Defendant shall have the right to be represented by legal counsel of his choice or may be accompanied by a person to speak on his behalf.
- 9.7 At the commencement of the Disciplinary Hearing the Chairman shall ascertain that the person present to answer the charge is the Defendant or his representative and the charge shall then be read out or summarised along with the Defendant's response to the charge. The Chairman shall then state the procedure to be followed at the hearing and any preliminary issues shall then be raised and resolved.
- 9.8 Following the Chairman's introduction of the hearing the representative of the Laws and Ethics Committee shall present the evidence in support of the charge to the Disciplinary Committee. Subject to Rule 9.20, the Laws and Ethics Committee shall be entitled to call such witnesses and to submit such evidence as it wishes. The Defendant shall have the right to challenge all evidence offered in support of the charge including cross-examining all and any witnesses called on behalf of the prosecution.
- 9.9 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 Laws and Ethics Committee shall bear the burden of proving to the comfortable satisfaction of the Disciplinary Committee (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.

- 9.10 Following the presentation of the case on behalf of the Laws and Ethics Committee the Defendant shall then have the right to present his case to the Disciplinary Committee. The Defendant shall be entitled (subject to Rule 9.20) to call such witnesses and to submit such evidence as he wishes. The Laws and Ethics Committee shall have the right to challenge all evidence provided by the Defendant, including cross-examining any and all such witnesses.
- 9.11 Once the Defendant has completed the presentation of his case the Laws and Ethics Committee shall make its closing submissions in support of the charge. The Defendant shall then have the right to make closing submissions. Upon the conclusion of closing submissions, the Disciplinary Committee will consider its verdict in private.
- 9.12 The Disciplinary Committee shall consider in private whether or not the charge is proved. Upon reaching its decision the Chairman shall reconvene the Disciplinary Hearing and inform the parties of the Disciplinary Committee's finding. If the Disciplinary Committee finds any charge proved against the Defendant the Laws and Ethics Committee shall have the right to present submissions to the Disciplinary Committee on the Defendant's prior disciplinary record and the Defendant shall have the right to present submissions on matters forming a plea in mitigation.
- 9.13 Having heard such submissions the Disciplinary Committee shall consider the appropriate Sanction in private. In considering the Sanction to be imposed the Disciplinary Committee shall have regard to:
- (i) the Offence;
 - (ii) any plea in mitigation from the Defendant;
 - (iii) any report from the Laws and Ethics Committee on the Defendant's previous disciplinary record;
 - (iv) any previous Sanctions imposed for similar offences on this or another Defendant; and
 - (v) any other fact or matter which the Disciplinary Committee considers appropriate.
- 9.14 Once the Disciplinary Committee has reached a decision the Chairman in his absolute discretion may either reconvene the hearing and deliver the decision or deliver the decision in writing within a reasonable period of time.
- 9.15 In reaching its decisions, whether on liability or Sanction, there is no requirement that the Disciplinary Committee be unanimous. It is sufficient if a majority of the Disciplinary Committee favour a particular conclusion. No minority opinion or dissenting judgment shall be produced and the Disciplinary Committee shall give no indication to any party that its decision was other than unanimous.
- 9.16 The Disciplinary Committee shall make a record of the decision, which shall include:
- (i) in relation to each charge, its decision as to whether the charge was proved;
 - (ii) the findings of fact on which such decision was based;
- and in addition in respect of each charge that was found to be proved:
- (iii) its decision as to any Sanctions to be imposed;
 - (iv) its decision as to publication of its findings; and
 - (v) a note of the reasons for its decision.
- 9.17 Within a reasonable period of time after the Disciplinary Hearing, the L&E Secretary shall send to the Defendant (by first class post to the Defendant's last known address) a copy of the Written Record.
- 9.18 In a case where any charge was found to be proved by the Disciplinary Committee, the L&E Secretary shall also send to the Defendant a summary of the provisions of these Disciplinary Rules concerning his right of appeal.

- 9.19 The Defendant shall be deemed to have received the Written Record two working days after it is sent (by email or post)
- 9.20 In exercising its functions under this Rule, the Disciplinary Committee shall have a broad discretion to regulate its own procedure as it considers appropriate. Without prejudice to the generality of this power, the Disciplinary Committee shall have the power:
- (i) to order the parties to attend a case management hearing in advance of the Disciplinary Hearing where matters of evidence and procedure may be decided;
 - (ii) to order any further directions in order to ensure that the case is prepared properly prior to the disciplinary hearing;
 - (iii) to extend or vary any time limit set out in these Disciplinary Rules;
 - (iv) to adjourn the proceedings to allow time for the submission of further evidence or for any other reason;
 - (v) to ask questions directly of any party or witness;
 - (vi) to direct that cross-examination of witnesses be conducted through questions given to the Chairman of the Disciplinary Committee;
 - (vii) to exclude evidence on grounds of lack of relevance or failure to comply with these Rules or its directions;
 - (viii) to proceed with a Disciplinary Hearing in the absence of the Defendant, provided that the Disciplinary Committee is satisfied that the L&E Secretary has taken reasonable steps to give the Defendant notice of the date, time and place of the Disciplinary Hearing in accordance with Rule 9.2;
 - (ix) to require that any party disclose documents or other material relevant to the case to another party and/or to the Disciplinary Committee; and
 - (x) to regulate attendance at any Disciplinary Hearing, to allow or exclude additional observers.
- 9.21 The proceedings before the Disciplinary Committee need not follow strict rules of evidence. There is no requirement for proceedings to follow tribunal or court procedures. The Disciplinary Committee may admit such evidence as it thinks fit and accord such evidence such weight that as it thinks appropriate to achieve a fair decision in all the circumstances.
- 9.22 Subject to the right of appeal set out in Rule 11, a decision of the Disciplinary Committee shall be deemed to be a decision of the Company and shall be final and binding and recognised by all Player Members, officers and officials of the Company.

10 ADMISSIONS

- 10.1 Where, in accordance with Rule 7.8, a Defendant admits an Offence in writing, in considering the Sanction to be imposed the Disciplinary Committee shall have regard to:
- (i) the offence;
 - (ii) the admission by the Defendant;
 - (iii) any written plea in mitigation from the Defendant;
 - (iv) any report from the Laws and Ethics Committee on the Defendant's previous disciplinary record;
 - (v) any previous Sanctions imposed for similar offences
 - (vi) any other fact or matter which the Disciplinary Committee, in its absolute discretion, considers appropriate.
 - (vii) an admission made at the time of the letter seeking comments under Rule 7 shall receive a sanction of one-third of the tariff that would have applied if later found guilty. Further, the sanction would be communicated under Rules 13.2-13.5, but not published in accordance with Rule 13.1.

- 10.2 In reaching its decision on the Sanction to be imposed the Disciplinary Committee may, if it chooses and in its absolute discretion, consult with other members of the Disciplinary Panel or obtain external legal advice.
- 10.3 The Disciplinary Committee shall make a record of the decision, which shall include:
- (i) its decision as to any Sanctions to be imposed;
 - (ii) its decision as to publication of its findings; and
 - (iii) the reasons for its decision.
- 10.4 Within a reasonable period of time after the Disciplinary Committee has reached its decision, the L&E Secretary shall send to the Defendant a copy of the Written Record.
- 10.5 In a case where any Sanction has been imposed by the Disciplinary Committee, the L&E Secretary shall also send to the Defendant a summary of the provisions of these Disciplinary Rules concerning his right of appeal. The provisions of Rule 11.3 shall apply to any appeal against the Sanction imposed.
- 10.6 The Defendant shall be deemed to have received the Written Record two working days after it is sent (by email or post).

11 APPEALS

- 11.1 Every Defendant found guilty of an offence by the Disciplinary Committee has the right to appeal the Disciplinary Committee's decision to the Appeals Committee. A deposit of £100 must be lodged with the English Bridge Union before the appeal may proceed. This deposit will normally be returned unless the appeal is considered without merit by the Appeals Committee.
- 11.2 The Laws and Ethics Committee has the right to appeal a decision of any Disciplinary Committee but, unless the Committee's decision is based on an inaccurate point of fact, shall be limited to an appeal against the Sanction (if any) imposed. The Laws and Ethics Committee shall not be entitled to request a fresh hearing.
- 11.3 Any appeal against the decision of the Disciplinary Committee must be filed within 14 days of the date on which the Defendant is deemed, under Rule 9.19 or 10.6, to have received the Written Record.
- 11.4 On the written application of the Defendant or the Laws and Ethics Committee (to be sent to the L&E Secretary) within the 14 day period mentioned in Rule 11.3, the Chairman of the Board may extend the time limit in Rule 11.3, and may make such extension subject to such conditions as he thinks fit.
- 11.5 In the remainder of this Rule, the party appealing the decision of the Disciplinary Committee shall be referred to as the "Appellant" and the other party as the "Respondent".
- 11.6 The Appeals Committee shall comprise at least three individuals appointed by the Chairman of the Board from among members of the Disciplinary Panel. Where, in his absolute discretion, the Chairman considers that there are insufficient suitable persons available to be appointed, he may appoint any other Player Member to the Appeals Committee, who is not currently a member of the L&E Committee or its component parts.
- 11.7 No one may sit on an Appeals Committee hearing a particular case who has had prior involvement with the case or has any relevant interest in the outcome of the case such as is considered a conflict of interest by the Chairman of the Board. Any person who is asked to sit and who may have grounds for thinking that such involvement or interest may exist shall notify the Chairman of the Board at the first available opportunity. Alternatively, any party to the Appeal Proceedings may raise the issue, at which point the Chairman of the Board shall decide whether or not the involvement or interest identified justifies the exclusion of that person from the Appeals Committee. In the event that a person is excluded, the Chairman of the Board shall nominate a replacement.

- 11.8 Any appeal must be filed by submitting a written Notice of Appeal, with copies of all documents relied on in support of the appeal, to the L&E Secretary. The Notice of Appeal shall set out the decision appealed against, the grounds upon which it is submitted that the Disciplinary Committee has erred, and (if applicable) the grounds for requesting a fresh hearing. If the appeal is based on a procedural error having been made then the appellant must not only show that the error in procedure occurred but that he was disadvantaged by it.
- 11.9 The L&E Secretary shall send copies of the Notice of Appeal and of all relevant documents to the Respondent.
- 11.10 Failure to comply with the requirements of Rule 11.8 shall constitute grounds for summary dismissal of the Appeal by the Appeals Committee.
- 11.11 Within 14 days of receipt of the Notice of Appeal the L&E Secretary shall request the Chairman of the Board to convene an Appeals Committee. Within 14 days of receiving the response to such request the L&E Secretary shall advise the parties to the appeal of the composition of the Appeals Committee and of the date, time and venue (which by default are online) of the hearing of the Appeal.
- 11.12 If the Appellant requests a fresh hearing the Appeals Committee shall consider the application on the basis of written submissions alone.
- 11.13 If the Appellant can show good cause, the Appeals Committee shall order a fresh hearing, which shall be heard by the Appeals Committee or a new Disciplinary Committee and follow as nearly as possible the procedures of the Disciplinary Committee set out at Rules 9.7 to 9.15 inclusive. The fresh hearing may include evidence from the original hearing, together with any new evidence or any evidence adduced during a previous hearing. No account should be taken of the decision or sanction of any previous hearing. If the Appellant cannot show good cause, the burden of proof at the Appeal Hearing will be on the Appellant to prove on the balance of probabilities, that the Disciplinary Committee erred in finding the charge proved or imposed an inappropriate or excessive Sanction.
- 11.14 The Appeals Committee shall have broad discretion to regulate its own procedure. After its appointment it shall order such directions as it considers appropriate. Without prejudice to the generality of its powers it shall have the same powers as are given to the Disciplinary Committee under Rule 9.20 above. The provisions of Rules 9.4, 9.5, 9.6, 9.15, 9.16, 9.17, 9.18 and 9.21 shall apply to the proceedings of the Appeals Committee as they apply to proceedings of the Disciplinary Committee, *mutatis mutandis*.
- 11.15 The Appeals Committee shall have absolute discretion to admit or refuse any new evidence tendered by any party and also to adjourn the proceedings for the purpose of taking new evidence if it considers it appropriate.
- 11.16 Having considered all of the evidence presented to it, and having allowed the parties to the Appeal an opportunity to make submissions in all relevant matters the Appeals Committee will consider its decision in private.
- 11.17 For the avoidance of doubt, where the Appeals Committee decides to impose a Sanction upon the Defendant, it may impose any or all of the Sanctions set out at Rule 12 and shall not be fettered in its choice of Sanction by the Sanction imposed by the Disciplinary Committee.
- 11.18 A decision of the Appeals Committee shall be deemed to be a decision of the Company and be final and binding and recognised by all Player Members, officers and officials of the Company.

12 SANCTIONS

- 12.1 If the Disciplinary Committee or the Appeals Committee find the Offence has been proved it may impose upon the Defendant one or more of the following Sanctions:
- (i) expulsion from Player Membership of the Company;

- (ii) suspension from Player Membership of the Company for a specified period of time, or, in the case of a non-member, a bar on that individual becoming a Player Member of the Company for a specified period of time;
 - (iii) a ban on participation in one or more specified competitions of the Company for a specified period of time;
 - (iv) a ban on partnering one or more specified individuals in all competitions for a specified period of time.
 - (v) a reprimand or censure; and/or
 - (vi) a fine up to a maximum of £500.
- 12.2 If the Defendant is an Affiliated Club, Rules 12.1 (i) and (ii) shall take effect as cancellation of the club's affiliation, or suspension of the club's affiliation for the specified period, respectively.
- 12.3 Any Sanction imposed by the Disciplinary Committee shall take effect on the day immediately following the date on which the Defendant is deemed, under Rule 9.19 or 10.6, to have received the Written Record, unless a different date is specified by the Disciplinary Committee. However, a reprimand or censure under Rule 12.1(v) will not be formally actioned and a fine under Rule 12.1(vi) will not be payable until the time for appeal has elapsed or the appeal has been determined, as the case may be.
- 12.4 Any Sanction imposed by the Appeals Committee shall take effect forthwith unless a different date is specified by the Appeals Committee.
- 12.5 A Defendant subjected by the Disciplinary Committee to a Sanction under any of Rule 12.1 (i) to (iv) inclusive who files a Notice of Appeal may accompany the Notice of Appeal with a written application for a stay of the Sanction. Any such application shall be heard as soon as practicable by the Appeals Committee or, at the option of the Chairman of the Board, by a single member of the Disciplinary Panel nominated for the purpose by the Chairman of the Board. The Appeals Committee or the nominated member of the Disciplinary Panel, as the case may be, shall consider the application on the basis of written submissions alone.
- 12.6 An application for a stay of the Sanction shall only be granted if the Defendant satisfies the Appeals Committee or the nominated member of the Disciplinary Panel, as the case may be, that a substantial likelihood exists that on the hearing of the Appeal the Disciplinary Committee's decision that one or more charges were proved will be reversed or that the Sanction imposed by the Disciplinary Committee will be significantly reduced. A stay may be granted subject to such conditions as the Appeals Committee or the nominated member of the Disciplinary Panel, as the case may be, think fit.
- 12.7 In the event that a stay of the Sanction is granted, the operation of the Sanction shall be suspended until the Appeal has been determined. The period elapsing between the date when the Sanction took effect under Rule 12.3 and the date when the application for a stay was determined shall be counted against any Sanction confirmed or imposed by the Appeals Committee on determination of the appeal. The defendant shall have no recourse against the Company or any of its Officers, employees or the members of any Committee in relation to the period of Sanction already served in the event that he is no longer subject to a Sanction after the appeal has been determined.
- 12.8 Any Player Member suspended from membership may not play in any Open Competition, or be eligible for selection for international representation, during the time in which he is suspended.
- 12.9 Where the Sanction imposed is expulsion or suspension, upon receipt of notification of the Sanction under Rule 13.3 any Association of which the Defendant is a member shall take like action unless the Disciplinary Committee or Appeals Committee specifies otherwise.

13 PUBLICATION AND NOTIFICATION

- 13.1 Unless in exceptional circumstances the Board decides otherwise, details of disciplinary hearings including the identity of the Defendant (except where the Defendant is under 18 or an admission has been made under Rule 10), the nature of the offence and the Sanction imposed shall be published in *English Bridge* and/or such other publication as the Board may decide, and on the Company's website. Such publication shall take place as soon as practicable after either the time for appeal has elapsed or following the Appeals Committee decision to Sanction if a Notice of Appeal is filed.
- 13.2 The L&E Secretary shall also notify all Associations, any Affiliated Club of which the Defendant is a member and any club which reports its results to the EBU, where the Defendant has played within the last two years, of the Sanction imposed.
- 13.3 The L&E Secretary shall make such notification of the Sanctions imposed by the Disciplinary Committee or the Appeals Committee as may be required under the terms of the Company's affiliation to the European Bridge League or any other supranational bridge organisation.
- 13.4 The Disciplinary Committee or the Appeals Committee may direct that notification of the Sanctions imposed be made to any other National Bridge Organisation or relevant body that organises bridge events.
- 13.5 The Disciplinary Committee or the Appeals Committee may provide the complainant with such information relating to its decision as it considers appropriate, on condition that the information is kept strictly confidential to the complainant.