



EUROPEAN BRIDGE LEAGUE

49th EUROPEAN BRIDGE TEAMS CHAMPIONSHIP

DISCIPLINARY CODE

Introduction

In accordance with sporting ideals, the European Bridge League expects its affiliated NBOs and their members to respect the principles of ethics and good conduct. In view of these principles, the Statutes prohibit political, religious or racial discrimination and any violation of human rights by the NBOs.

In order to guarantee, as far as this is possible, the above-mentioned principles, it has been decided to institute this Disciplinary Code to deal with any breach of the principles in question and any reprehensible conduct, in the sense of the clauses of the Code.

The Code is in accordance with Article 32(h) of the Statutes and must be considered as an integral part of them.

Responsibility of NBOs

Member status of the EBL concerns only the NBOs. With the exception of certain cases (for example, the suspension or banning of Chief Tournament Directors or Appeals Committees), the EBL is not entitled to exercise directly its authority on the members of NBOs or ensure that any sanction imposed on them is being enforced. Consequently, the EBL holds the NBOs responsible for the behaviour of their members and, if the case arises, for the enforcing of any sanctions that the EBL imposes against them. Any failure to uphold this responsibility will result in the EBL imposing sanctions against the NBO.

Reprehensible Conduct

- a) serious infringement of the EBL Statutes or Regulations;
- b) serious prejudice against the EBL or any other NBO;
- c) illicit actions or behaviour affecting the proper running of the competition or the results of it;
- d) offensive or insolent words, gestures or actions against the EBL authorities or those of any other NBO;
- e) failure to respect financial obligations towards the EBL or any other NBO;
- f) failure to uphold contractual obligations towards the EBL or any other NBO (for example, concerning the organisation of events);
- g) refusal to implement appropriate and reasonable orders given by persons whom the EBL has officially appointed to represent it for the organisation of events or the conducting of its affairs;
- h) acts of harassment (sexual or other);
- i) criminal actions;
- j) complete or partial failure – without valid reason - to respect obligations linked to all functions exercised for the EBL or to any task carried out on behalf of the EBL;
- k) corrupt actions, threats and/or other means intended to undermine the impartiality of the system of judgement or exercise an abnormal influence on the conduct of the affairs of the EBL;
- l) noisy, prolonged or violent behaviour in the competition area or during meetings organised by the EBL;
- m) actions intended to hinder or prevent the work of persons employed by the EBL, by means of protests or other initiatives;
- n) libellous or defamatory declarations or publications against the EBL, its NBOs or any person exercising a function for the EBL;
- o) unfounded declarations or affirmations.

Sanctions liable to be imposed by the EBL

Article 32(h) of the Statutes makes provision for a certain number of sanctions liable to be imposed on NBOs or persons. Depending on the gravity of the case, sanctions can take the following form:

- a) warning, possibly published in the EBL Review;
- b) suspension of the NBO or the person concerned from one or several official events;
- c) exclusion from participating in EBL activities;
- d) banning from participating in EBL events;
- e) monetary fine.

Furthermore, an NBO can be excluded by a decision made by Congress. Other sanctions can be imposed within the framework of the Code, namely: suspension from responsibilities of a member elected to one of the organs of the EBL and,

depending on the individual case, striking-off of the person concerned (the decision to strike-off can only be made by Congress).

Anticipated action in case of reprehensible conduct

If the case arises a Disciplinary Commission, appointed by the EBL President, rules on the cases of reprehensible conduct referred to the EBL. The Commission includes three people selected by the President from a group approved by the Executive Committee. The Commission includes at least two members of the Executive Committee, one of whom acts as Chairman of the Disciplinary Commission.

The Commission can rule on cases of any NBO or person accused, in the framework of the above-mentioned sanctions.

Before a meeting of the Commission, charged with examining a case of reprehensible conduct, the Secretary informs the accused NBO and/or person of the time, date and place of the meeting in order to give the accused NBO and/or person the opportunity to report on this action – by attending the meeting or submitting written explanations. The accused NBO and/or person is at liberty to attend the meeting.

The Commission makes a ruling – by majority vote – and informs within two weeks of any sanction what it has decided to impose on the defendant. To appeal against the Commission's decision, a written request to the Secretary must be submitted within 20 days of notification of the aforementioned decision. This request must specify in detail the reasons for the appeal, indicate the desired redress and state whether an Appeal hearing is requested.

The Appeal is referred to an Appeal Tribunal constituted by the Executive Committee. The Tribunal does not include any member who was a member of the Disciplinary Commission which passed the initial verdict. The Appeal is examined in the 90-day period subsequent to the request, on the basis of a written document accompanied by probative elements or on the basis of a preamble presented by the appealing party. The appealing party may be represented.

The decision of the Tribunal, which is definitive and binding for the EBL and the appealing party, is informed to the latter within two weeks subsequent to the hearing. The expenses incurred by the EBL are to be borne by the appealing party, unless the Tribunal takes a decision contrary to that of the Commission.

Immediate intervention in cases of reprehensible action

When immediate intervention is necessary to deal with a reprehensible action (for example, in the case of prolonged, noisy behaviour or protests preventing the progress of an event, or violent or offensive behaviour disturbing a meeting),

the person in charge is entitled to intervene immediately to restore order. In certain extreme cases, if necessary the individual responsible may be forced to leave the premises. Subsequently, a report on the incident must be sent to the Secretary, who then submits it to the Executive Committee.

Disagreements between the EBL and NBOs or disputes between NBOs

As well as cases of reprehensible action, disagreements can occur between the EBL and NBOs or between different NBOs. In such cases, and in accordance with the spirit of sport, recourse to tribunals should be avoided for such procedures involve significant expense and can cause adverse and untoward publicity.

The Statutes cannot include anything intending to prohibit judicial action by NBOs against the EBL, and vice-versa, but it is eminently desirable to resort to arbitration to settle disagreements, preferably with the Sports Arbitration Tribunal (TAS). In the case of arbitration, the arbitral sentence is of course binding for both parties. Another method of settling disagreements involves using mediation: in this case, both parties agree to resort to a third neutral party which meets both parties and endeavours to help them reach a mutually satisfactory solution.

Cases of non-application of the Code

When the EBL already has an established procedure to follow following certain cases of reprehensible action, for example following a doping test or minor technical infractions related to the Code of Practice for the Appeals Committee and for certain aspects appropriate to the Tournament Directors' conduct, the present Code is not applicable unless the Executive Committee believe that certain elements of the reprehensible action in question relate to aspects of the Code.