

Law 12

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EBL Workshop 2018 – Cyprus

Introduction

New Law 12

- * Goal – to assign normal results where an infraction has changed the expected outcome
- * Problem: Lack of clarity for TDs about what and how to assign
- * In 2017
 - * Wording resorted and tidied up
 - * Instructions for awarding probable outcomes clarified including variations available
 - * Outlawing of illegal table outcomes

Law 12

2007
2017

LAW 12 - DIRECTOR'S DISCRETIONARY POWERS

A. Power to Award an Adjusted Score

On the application of a player within the period established under Law 92B or on his own initiative the Director may award an adjusted score when these Laws empower him to do so (in team play see Law 86). This includes:

1. The Director may award an adjusted score when he judges that these Laws do not provide indemnity to a non-offending contestant for the particular type of violation committed by an opponent.
2. The Director awards an artificial adjusted score if no rectification can be made that will permit normal play of the board (see C2 below).
3. The Director may award an adjusted score if there has been an incorrect rectification of an irregularity.

4. ...

Law 12A

2007
2017

B. Objectives of Score Adjustment

1. The objective of score adjustment is to redress damage to a non-offending side and to take away any advantage gained by an offending side through its infraction. Damage exists when, because of an infraction, an innocent side obtains a table result less favourable than would have been the expectation had the infraction **not occurred**.
2. The Director may not award an adjusted score on the **grounds** that the rectification provided in these Laws is either unduly severe or advantageous to either side.

...

Law 12B

2007
2017

C. Awarding an Adjusted Score

1. (a) When after an irregularity the Director is empowered by these laws to adjust a score and is able to award an assigned adjusted score, he does so. Such a score replaces the score obtained in play.
- (b) **The Director in awarding an assigned adjusted score should seek to recover as nearly as possible the probable outcome of the board had the infraction not occurred.**
- (c) **An assigned adjusted score may be weighted to reflect the probabilities of a number of potential results, but only outcomes that could have been achieved in a legal manner may be included.**
- (d) If the possibilities are numerous or not obvious, the Director may award an artificial adjusted score (see C2 below).

Law 12C

2007
2017

C. Awarding an Adjusted Score

Reveley Rulings are now specifically outlawed

(more on this in tomorrow's lecture)

1. ... but only outcomes that could have been achieved in a legal manner may be included.
- (b)
- (c)
- (d)

Law 12C1c

2007 2017

(e) In its discretion the Regulating Authority may apply all or part of the following procedure in place of (c):

(i) The score assigned in place of the actual score for a non-offending side is the most favourable result that was likely had the irregularity not occurred.

(ii) For an offending side the score assigned is the most unfavourable result that was at all probable.

(f) The scores awarded to the two sides need not balance.

(e) If, subsequent to the irregularity, the non-offending side has contributed to its own damage by an extremely serious error (unrelated to the infraction) or by a gambling action, which if unsuccessful it might have hoped to recover through rectification, then:

(i) The offending side is awarded the score it would have been allotted as the consequence of rectifying its infraction.

(ii) The non-offending side does not receive relief for such part of its damage as is self-inflicted.

Law 12C 1(e)

2017

No side may gain following an adjustment by the TD for self inflicted, unrelated actions causing a bad result

(e) If, subsequent the non-offending side has contributed to its own damage by an extremely serious error

(ii) The non-offending side does not receive relief for such part of its damage as is self-inflicted.

(Let's explore this in a moment)

Law 12C 1(e)

2007 2017

C. Awarding an Adjusted Score

2. (a) When owing to an irregularity no result can be obtained [see 850 C1(d)] the Director awards an artificial adjusted score according to responsibility for the irregularity: average minus (at most 40% of the available matchpoints in pairs) to a contestant directly at fault, average (50% in pairs) to a contestant only partly at fault, and average plus (at least 60% in pairs) to a contestant in no way at fault.

(b) When the Director chooses to award an artificial adjusted score of average plus or average minus at IMP play, that score is plus 3 IMPs or minus 3 IMPs respectively. Subject to approval by the Regulating Authority, this may be varied by the Tournament Organizer as provided for by Laws 78D, 86A and (d) hereunder.

(c) The foregoing is modified for a non-offending contestant that obtains a session score exceeding 60% of the available matchpoints or for an offending contestant that obtains a session score that is less than 40% of the available matchpoints (or the equivalent in IMPs). Such contestants are awarded the percentage obtained (or the equivalent in IMPs) on the other boards of that session.

(d) The Regulating Authority may provide for circumstances where a contestant fails to obtain a result on multiple boards during the same session. The scores assigned for each subsequent board may be varied by regulation from those prescribed in (a) and (b) above.

... unchanged in 2017

Law 12C 2

The Power of 12C

- * Having read the law we know that the TD has the duty to adjust under this law

Goal

To take away the advantage gained by offender

Means

- * Assign any legal table result or artificial result
- * Weight a result
- * Split a result
- * Adjust for extremely serious errors committed by the non-offending side

Let's now consider each case and determine adjustment

12 C Application

5 cases

Case 1: Wellands Will He?

Referred by: Law 16C3

Board 9 Dealer North E-W Vul

4♥ in both rooms minus 3, -150 and -500

The dispute: East called the TD to request a ruling after East passed 4♥ West took more than a minute before doubling. This was agreed at the table: EW play Italian style: ie X is always TO, never penalty orientation. West could have doubled with egAxxx x AQJx Qxxx or better.

Poll will say: 4S a LA and moreover that the hesitation suggested a lack of four spades, ie interest in defending over bidding (ie not necessarily four spades).

West North East South

1♣ Pass Pass 4♥

Dbl Pass Pass Rdbl

Pass 4♥ Pass Pass

Dbl Pass Pass Pass

- 2+clubs, if bal can be any 5 card suit
- Texas transfer to hearts

♠ Q 5 3
♥ —
♦ K 8 5 4
♣ A K Q 10 9 7

N
W E
S

♠ K J 8 7
♥ J 6 4
♦ 7 2
♣ 8 5 4 3

♠ 9 4
♥ K Q 10 8 7 5 2
♦ 10 6
♣ J 6

Case 1:

*** Goal**
Take away advantage gained

*** Means**
Assign any legal table result or artificial result
✓ Weight a result
• Split a result
• Adjust for serious errors committed by non-offenders

This problem is solved: you have to analyse the hand as played in 4♠. Now you have some more problem to be addressed:
a) Would anyone bid anything else after 4♠?
b) What would happen in 4♠?
a) is straightforward: no. No player polled suggested any further action.
b) is more complicated: to beat 4♠ there's only one defence available: the K♥ lead followed by a small club away from AKQ1097. So, you go and ask your poll what they would have led, and you find that two out of five would lead the ♠J. But it is not finished, yet, because after having ruffed the heart lead, North must also find the club underlead. Easy, on paper, but a disastrous choice if East holds: Jxxxx Jxx x Jxxx, and not so easy to be found at the table.

Ruling: Law 12C1b will not suffice. The score should be adjusted giving weight to the various possible outcomes of 4♠ only.

Decision law base: 12C1c

C. Awarding an Adjusted Score

1. (a) When after an irregularity the Director is empowered by these laws to adjust a score and is able to award an assigned adjusted score, he does so. Such a score replaces the score obtained in play.

(b) The Director in awarding an assigned adjusted score should seek to recover, as far as possible, the probable outcome of the board had the irregularity not occurred.

(c) Assigned adjusted scores may be weighted to reflect the probability of a number of potential results, but only outcomes that could have been achieved in a legal manner may be included.

Case 2:

Referred by : Law 16C3

Hanlon's Hello?

Board 2
Dealer East
N-S Vul

♠ A 6
♥ J 2
♦ Q 9 4 2
♣ K 9 8 5 4

W N E S

♠ K J 7 5 3
♥ Q 9 8 4
♦ 10 7 3
♣ A

♠ 9 8 4 2
♥ 10 7 6 3
♦ K J 6
♣ 7 2

West North East South
Pass 1 N Pass^s Pass
Dbl^t 2 ♣ Dbl All pass

Facts
North contended that East hesitated before passing. West explained that his call was made because he was playing a method which allowed him to show clubs, and he asked TD to include the "state of the match" when polling his peers. All agreed the break in tempo.

Poll: 9/10 players polled passed with West's cards, 4/5 players gave 0 out of 10 rating to 2C by North – one gave it 3 out of 10 – insufficient to rule a split score on the basis of gambling action. TD ruled an assigned adjusted score with the contract returned to 1NT.

1. Hesitation
2. Both majors or one minor

Case 2:

Referred by : Law 16C3

Hanlon's Hello?

Board 2
Dealer East
N-S Vul

♠ A 6
♥ J 2
♦ Q 9 4 2
♣ K 9 8 5 4

W N E S

♠ K J 7 5 3
♥ Q 9 8 4
♦ 10 7 3
♣ A

♠ 9 8 4 2
♥ 10 7 6 3
♦ K J 6
♣ 7 2

West North East South
Pass 1 N Pass^s Pass
Dbl^t 2 ♣ Dbl All pass

Facts
A second poll was taken to determine the number of tricks to award – this proved necessary when the double dummy analysis, consultation with Senior colleagues and discussion with the would be declarer and defender could not determine an outcome. In the end, TD ruling was an assigned adjusted score based on weighting the evidence of expert player opinions.

Both sides appealed the adjustment to 1NT making 70%/failing 30%.

1. Hesitation
2. Both majors or one minor

Case 2:

*** Goal**
Take away advantage gained

*** Means**
Assign any legal table result or artificial result
✓ Weight a result
• Split a result
• Adjust for serious errors committed by non-offenders

Considerations
Offenders: Adjustment required?
Yes 12C1A
What would've happened? 12C1 b/c or d
Decision? 12 C1c was applied.
Would 12C1d have been better?
Non-offenders:
Was there a Gambling Action?
Decision no
Need for a Split Score? Not required

Ruling: Again Law 12C1b will not suffice. The score should be adjusted giving weight to the various possible outcomes of 1NT only.

Decision law base: 12C1c or 12C1d

Case 3a:

Referred by : Law 21B3 - Misinformation

Stevenson's Seriousness

Board 1
Dealer North
None Vul

♠ A 2
♥ A Q 6 2
♦ A K 8 7 5
♣ 3 2

W N E S

♠ K 7
♥ K 10 9 7
♦ 9 6 2
♣ Q 10 9 8

♠ Q 9 5
♥ 8 4 3
♦ Q 10
♣ A K J 6 4

♠ J 10 8 6 4 3
♥ J 5
♦ J 4 3
♣ 7 5

West North East South
2♠^s Pass 1 NT^s Pass
3♦ Pass Pass 3♣^s
3 NT All pass

1. Artificial with various possibilities
2. 2 NT minimum

Facts
3D was not alerted since East thought it showed a weak takeout in diamonds so he passed. South asked and was told it was a weak takeout so he bid 3S. West bid 3N gratefully and East made a lot of tricks. N/S asked for a ruling.

TD investigated and determined misexplanation of the method.

Case 3a:

Referred by : Law 21B3 - Misinformation

Stevenson's Seriousness

Board 1
Dealer North
None Vul

♠ A 2
♥ A Q 6 2
♦ A K 8 7 5
♣ 3 2

W N E S

♠ K 7
♥ K 10 9 7
♦ 9 6 2
♣ Q 10 9 8

♠ Q 9 5
♥ 8 4 3
♦ Q 10
♣ A K J 6 4

♠ J 10 8 6 4 3
♥ J 5
♦ J 4 3
♣ 7 5

West North East South
2♠^s Pass 1 NT^s Pass
3♦ Pass Pass 3♣^s
3 NT All pass

1. Artificial with various possibilities
2. 2 NT minimum

Facts
TD Ruling: Adjust to 3D weighted to making 9, 10 or 11 tricks for both sides.

It was observed that 3♣ was insane given partner was a passed hand.

No side may gain following an adjustment by the TD for self inflicted, *unrelated* actions causing a bad result.

So what constitutes

1. Extremely Serious Error?
2. What does unrelated actually mean?

Before you decide – consider the next case

Case 3b:

Referred by : Law 16C

Board 7
South Deals
Both Vul

♠ A 10 3		♠ K	
♥ J 2		♥ A Q 4 3	
♦ —		♦ K 8 7 4 2	
♣ A K J 8 7 6 5 2		♣ Q 10 9	

	N	E	
W			♠ Q 9 7 6 5
	S		♥ 9 8
			♦ Q T 6 5 3
			♣ 4

East West bid 4 spades following a break in tempo. South doubles. Declarer should fail by three tricks but after an established revoke by North, East West make 8 tricks. The TD is called. +500 to North South

The TD ruling: 4♥ making +620. But we must deal with the revoke. Without the revoke North South would have scored +800. So the damage to North South was not caused by the infraction, but the revoke. In other words, was totally self-inflicted and while the offenders will see their score adjusted to 4♥ making +620 the non offenders will keep the table's result.

Case 3c:

Referred by : Law 16C

Board 5
North Deals
N-S Vul

♠ A 10 3		♠ K	
♥ J 2		♥ A Q 4 3	
♦ —		♦ K 8 7 4 2	
♣ A K J 8 7 6 5 2		♣ Q 10 9	

	N	E	
W			♠ Q 9 7 6 5
	S		♥ 9 8
			♦ Q J 6 5 3
			♣ 4

East West bid 4 spades following a break in tempo. South doubles. Declarer should fail by three tricks but after an established revoke by North, East West make 8 tricks. The TD is called. +300 to North South

The TD ruling: 4♥ making +620
Here the same thing has happened but the best could that North South could have achieved had they not revoked was +500, not as good as the result without the infraction. Here the non offenders were partially responsible for the damage they suffered, and the result will be calculated accordingly.

The Decision

- * Goal
- * Take away advantage gained
- * Means
 - Assign any legal table result or artificial result
 - Weight a result
 - Split a result
 - Adjust for serious errors committed by non-offenders

In 3a, 3b & 3c the non-offending side could have better influenced the table result if they'd been paying attention.

To decide whether to apply 12C1e the TD must determine whether there is a direct link between the infraction & non offenders action

Decision Basis in Law:

- 3a. Direct link so no subsequent damage – adjusted score 12C1b
- 3b. No link to infraction. Non-offending side caused their own bad result. Split score 12C1e
- 3c. No link to infraction. But some of the damage was self-inflicted. Split score 12C1e

A WORD TO THE NON OFFENDING SIDE

While we do understand that without this trap set by the offender (for which they have been punished), you would not have had the chance to go wrong, the point is, you didn't need to fall into it –

Unless there was no way to avoid being diverted from an action - CAUSE has remedy in law 12

THEN the law does not protect players who take action as an effect, nor from their own stupidity!

The Concept:

Always make a **DISTINCTION** between what happens **BECAUSE** of the infraction and what happens **AFTER** the infraction. This is the discriminating point between what is "related" to the infraction.

In other words, something related to the infraction, certainly would not have happened without it, while something not related to the infraction - but still damaging for the non offenders - could still have happened next, one way or the other.

For example, you cannot say that a player who revoked defending 4♣ doubled - a contract which should not have been bid because eventually ruled as having been influenced by a UI - would not have revoked playing 4♥, if declarer. And even had he not revoked, some other accident could have happened: a card could well have been played by mistake, or a lead made from the wrong hand, or a careless designation of a dummy's card. You may argue that the alleged dummy revoked, and he could not have done it, but he could have wrongly spread his cards, wrongly placed a played card, and, in general, make some other mistake. Thus, there's no relation between the infraction and the damaging action: it is merely subsequent: it happened later, but was not influenced.

Case 3c: Facts

The cards and the auction

Board 18
Dealer East
N-S Vulnerable

♠ 5 2
♥ K Q J 5 2
♦ Q J 8 6 5 4
♣ -

♠ K Q 10 9 3
♥ -
♦ 10 7 3
♣ Q 10 8 7 3

♠ J 6 4
♥ 10 7 6 3
♦ K
♣ K J 9 5 4

♠ A 8 7
♥ A 9 8 4
♦ A 9 2
♣ A 6 2

West	North	East	South
Hop	Hult	Helnich	Ekenberg
2♠	3♠	Pass	1NT
Pass	4♥	3♠	3NT
		Double	End

2♠=♠ and a minor
3♠=North to East; transfer to ♦ (correct according to the system).
=South to West: initially described as natural and forcing (wrong), later rectified into the correct one when the tray came back after 4♥x.

The TD ruled an infraction of Law 21 and ruled accordingly for the offenders. What about the non offenders?

Case 3c: The Non Offending Side Introduction

So when applying 12c we must always turn our attention to the other side, and take note whether it was the infraction which caused the damage.

Here without East's "Double" the final contract would probably have been 4♥+3, and since it was worth 710 points, the 720 scored in the other room would have been enough for EW to win the board, 2 mp and the gold medal! (World Youth Teams BAM 2011)

So it was the "Double" which caused the fatal damage, an action of the Non Offending Side which, as stated in Law 12C1e, must be submitted for technical evaluation, in order to decide whether or not it falls into the category for denial of (full) redress.

Case 3c: The Non Offending Side Technical Evaluation

Board 18
Dealer East
N-S Vulnerable

♠ 5 2
♥ K Q J 5 2
♦ Q J 8 6 5 4
♣ -

♠ K Q 10 9 3
♥ -
♦ 10 7 3
♣ Q 10 8 7 3

♠ J 6 4
♥ 10 7 6 3
♦ K
♣ K J 9 5 4

♠ A 8 7
♥ A 9 8 4
♦ A 9 2
♣ A 6 2

West	North	East	South
Hop	Hult	Helnich	Ekenberg
2♠	3♠	3♠	3NT
Pass	4♥	Double	End

The first issue is to decide whether there is a link between the infraction and the Double. It is likely there is not, since East received the correct information according to the system, however, there is an argument that East may use in his favour, worth discussing.

Among the various reasons that East tried to justify his action there was the following: "Since my partner would have certainly bid 4♥ if he had held that suit, he must then have ♥, therefore the Declarer is going to find all suits splitting badly".

The above would establish a link, but it is not difficult to demolish that reasoning carefully analysing it:

Case 3c: The Non Offending Side Technical Evaluation cont.

Board 18
Dealer East
N-S Vulnerable

♠ 5 2
♥ K Q J 5 2
♦ Q J 8 6 5 4
♣ -

♠ K Q 10 9 3
♥ -
♦ 10 7 3
♣ Q 10 8 7 3

♠ J 6 4
♥ 10 7 6 3
♦ K
♣ K J 9 5 4

♠ A 8 7
♥ A 9 8 4
♦ A 9 2
♣ A 6 2

West	North	East	South
Hop	Hult	Helnich	Ekenberg
2♠	3♠	3♠	3NT
Pass	4♥	Double	End

- From East's point of view South bid 3NT over what could have been a merely competitive action by his partner - 3♠ could be long ♠ and few points - showing by inference very good ♠ support.
- A typical objection raised by the players - and inexperienced TDs: it is true that South bid 3NT thinking that 3♠ was natural and forcing, and not over a 3♠ that showed a possible weak hand with ♠.
- To claim that West must bid whenever he holds the suit is quite an exaggeration, since 2♠ may easily come from a hand containing as many as four little ♠.

Remember well: East has no right to know this; a player has indeed the right to know the opponents' system, and to draw inferences from that system, but does not have the right to know about any mistakes made by the opponents regarding their knowledge of their system.

Case 3c: The Non Offending Side Technical Evaluation cont.

Board 18
Dealer East
N-S Vulnerable

♠ 5 2
♥ K Q J 5 2
♦ Q J 8 6 5 4
♣ -

♠ K Q 10 9 3
♥ -
♦ 10 7 3
♣ Q 10 8 7 3

♠ J 6 4
♥ 10 7 6 3
♦ K
♣ K J 9 5 4

♠ A 8 7
♥ A 9 8 4
♦ A 9 2
♣ A 6 2

West	North	East	South
Hop	Hult	Helnich	Ekenberg
2♠	3♠	3♠	3NT
Pass	4♥	Double	End

- We should now decide whether or not the Double is an extremely serious error.
- Once more, address the questions to player peers. All the players interviewed by the Chief TD and Appeals Committee thought the Double was silly and grotesque. - North had shown no less than a "red" 6/5 at least game forcing hand, so that the likelihood of the "Double" ending in disaster was high.

Case 3c: The Non Offending Side DECISION

- Goal**
Take away advantage gained
- Means**
Assign any legal table result or artificial result
 - Weight a result
 - Split a result
 - Adjust for serious errors committed by non-offenders
- No link between infraction and East's action.
- East's mistake had been classified as "serious" (now it would be "extremely serious"), as to fulfill the requirements of Law old 12C1b (today 12C1e).
- EW were responsible for their own damage.
- Without the error EW would win the board; so the damage was totally self inflicted.
- Therefore EW did not receive any redress, and the board was scored as 0 - 0.
- Calculating the final score was easy - the damage was totally self inflicted, and it was a BAM, but would have been more involved at other forms of scoring

Case 4c:

Referred by : **NEW Law 12C1c**

Facts
Table result: 5♥X-1; E/W +200

E's Pass of 4♥ was very slow, and led to N asking for a ruling on W's 5♣ bid.

The ruling was
50% of 4♥=
50% of 5♥X-1; N/S +200

Case 4d:

Referred by : **NEW Law 12C1c violation**

Facts
Bulgaria V Italy
Bermuda Bowl Quarter Final – San Paolo 2009

Defending 4♥ West led a club to the Ace. East switched to a spade. West took the Ace and returned a spade, East ruffed plus the A♥. Result: 4♥ - 1

North called the TD to complain about the tempo (or lack thereof by East) who switched very quickly to his singleton spade. The TD ruled score stands.

North South appealed.

Board 33

Dealer North	♠ K Q J 9 2	♥ Q 5 4 2	♦ A K J	♣ 2
None Vul				
♠ A 10 7	N	♠ 6		
♥ J 8 6	W	♥ A 7		
♦ 7 6 4 3	E	♦ 10 9 5 2		
♣ 9 7 4	S	♣ A Q J 10 6 5		
		♠ 8 5 4 3		
		♥ K 10 9 3		
		♦ Q 8		
		♣ K 8 3		
West	North	East	South	
Versace	Stefanov	Lauria	Aranov	
3♣	1♠	2♣	Dbl	
All pass	Dbl	4♣	4♥	
West	North	East	South	
Karaivanov	Sementa	Trendafflov	Duboin	
1♠	2♣	3♣		
Pass	3♥	Pass	4♣	
All pass				

Case 4d:

*** Goal**
Take away advantage gained

*** Means**

- Assign any legal table result or artificial result
- Weight a result
- Split a result
- Adjust for serious errors committed by non-offenders

Appeals Committee Decision
We believe that it is not automatic to win the first spade. A very fast switch would indicate a singleton, a very slow switch a doubleton, a switch in normal tempo would leave West free to make his own decision but the tempo certainly does give unauthorised information. It is never an accusation that a specific player took advantage, merely that there was UI and it did suggest that the chosen action would be successful.

The TD ruling was changed to
50% of 4♥ making
50% of 4♥ minus 1

The Decision

*** Goal**
Take away advantage gained

*** Means**

- Assign any legal table result or artificial result
- Weight a result
- Split a result
- Adjust for serious errors committed by non-offenders

*** In four cases... three Appeals Committees and one TD, ironically looking to approximate better justice, delivered the infraction as part of the solution.**

*** Law 12C1c does NOT allow for the infraction result to form part of the solution UNLESS the action is reached by a DIFFERENT and legal means.**

Decision Basis in Law:
Violation of NEW Law 12C1c

*** This case led to this minute being recorded:**

Minutes of the meeting of the WBF Laws Committee in Philadelphia PA on 12th October 2010.

Present:

- Ton Kooijman in the chair
- Chip Martel, Vice Chairman
- Grattan Endicott, Secretary
- John Wignall, Chairman of the Drafting Committee
- Max Bavin
- Maurizio Di Sacco
- Juan Gerard
- Jeffrey Polsner
- William J. Schoder

8. A so-called 'Revely' score adjustment is one in which for equity a weighted score [see Law 12C1(c)] includes a percentage of results obtained via use of the call that was actually made at the table. There are anxieties that such adjustments may encourage players to infract the law by allowing them some proportion of their infractive result. For this reason such adjustments should in general be avoided.