

Ruling of the National Authority of the ABF: Agreed Score:

The National Authority met on the evening of Thursday March 4 in the premises in which the Gold Coast Congress was held. The meeting was held between 7:15 pm and 8:45 pm to consider the questions of:

1. whether a score entered through use of an electronic scoring machine had been agreed;
2. whether the director had the power to change the score so recorded without clear agreement from both sides; and
3. the correct procedure for protesting against such a change.

Present at the meeting, and contributing to the discussion, were Richard Grenside, Bruce Neill, Sean Mullamphy, and Eilis Magner (chair). Also present in order to answer questions was Laurie Kelso who was acting Chief Tournament Director at the Summer Festival when the incident from which the questions arose was brought to his attention. The National Authority considered a written statement from the Hinge team.

It should be noted that the National Authority's concern is to interpret the laws of bridge. To do this it assumes that the facts stated are correct or, if there are significant differences between the factual accounts indicates what consequences would flow from different interpretations of the facts.

For the purposes of this discussion the following facts are assumed:

- a. On a hand played in Round 8 of the Summer Festival, with the North/South pair as defenders and East/West as declarer, the result recorded using the electronic scorer was 2H making 7 tricks (E/W -100). The "accept" button was punched. This result was not challenged while the E/W pair remained at the table.
- b. Subsequently declarer claimed that the correct result was 2H making 9 tricks (E/W +140). The matter was brought to the attention of a director and who discussed the matter with a player from both teams. Neither player could state conclusively how the hand was played. The player who claimed that 2H had gone down agreed that if the line suggested had been used, the contract appeared unbeatable.
- c. The director involved in this discussion decided the match should be scored on the basis that the declarer made 9 tricks in 2H.
- d. The result was that the team disputing the score lost the match by a bigger margin.
- e. The team disputing the score subsequently contacted the acting CTD who promised to look into the matter.
- f. At no stage did the acting CTD tell the team disputing the score that the decision was final.
- g. When the team that was disadvantaged by the decision attempted to appeal at the end of Round 14, the Tournament Committee decided that the appeal was out of time.

The adjustment to the score:

As arising out of the facts set out at a-d, the applicable law is Law 79 which reads as follows:

Law 79 TRICKS WON

A. Agreement on Tricks Won

1. The number of tricks won shall be agreed upon before all four hands have been returned to the board.
2. A player must not knowingly accept either the score for a trick that his side did not win or the concession of a trick that his opponents could not lose.

B. Disagreement on Tricks Won

If a subsequent disagreement arises, the Director must be called, then:

1. The Director determines whether there has been a claim or concession and, if so, applies Law 69.
2. If 1 does not apply the Director rules what score is to be recorded. If the Director is not called before the round ends he rules in accordance with [C](#) below or [Law 87](#), as applicable, but there shall be no obligation to increase a side's score.

C. Error in Score

1. An error in computing or tabulating the agreed-upon score, whether made by a player or scorer, may be corrected until the expiration of the period specified by the Tournament Organizer. Unless the Tournament Organizer specifies a later* time, this Correction Period expires 30 minutes after the official score has been made available for inspection.
2. Regulations may provide for circumstances in which a scoring error may be corrected after expiry of the Correction Period if the Director and the Tournament Organizer are both satisfied beyond reasonable doubt that the record is wrong.

* An earlier time may be specified when required by the special nature of a contest.

The National Authority noted that if an electronic scoring machine is used according to the instructions the fact that the score has been entered by North/South and agreed by East/West provides prima facie evidence that the score has been agreed.

The National Authority further noted that there was a common law doctrine (non est factum) which states that if a person does not apply his/her mind to what is being done then their purported agreement to a score is not binding.

The National Authority considered whether the words "computing or tabulating" as used in Law 79 C were apt to catch the situation where an error arose because a player did not apply his/her mind to the question of the score to be recorded. The National Authority was not satisfied that such an error fell within this definition but noted that it has long been the practice where a score

is queried for the director to discuss the matter with representatives from both sides and to adjust the score after discussion with representatives from both pairs who were present at the table.

Law 79 B is applicable to this situation. A disagreement has subsequently arisen. Law 79 B (2) clearly gives the director the power to rule “what score is to be recorded”.

There was no significant difference between the account of the facts provided to the National Authority by Laurie Kelso and by the Hinge team. A director had clearly made a ruling that the result would be recorded as 2H making 9 tricks.

Appeal rights:

The National Authority next considered the facts set out at e and f above. The applicable law is Law 92 which reads as follows:

Law 92 RIGHT TO APPEAL

A. Contestant’s Right

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.

B. Time of Appeal

The right to request or appeal a Director’s ruling expires 30 minutes after the official score has been made available for inspection unless the Tournament Organizer has specified a different time period.

C. How to Appeal

All appeals shall be made through the Director.

D. Concurrence of Appellants

An appeal shall not be heard unless

1. in a pairs event both members of the partnership concur in making the appeal (but in an individual contest an appellant does not require his partner’s concurrence).
2. in a team event the team captain concurs in making the appeal.

The National Authority noted that the Hinge team had a right of appeal against the decision made by the Director. The phrase “at his table” should be interpreted a) to mean at his or her table; and b) to mean applying to the match in question.

The National Authority noted that the actions of the Acting Chief Tournament director in promising to investigate the matter had the effect of delaying the appeal against the decision. The National Authority noted that an inquiry as to whether the board had been fouled had been set in train but was fruitless.

The National Authority It expressed the view that the Acting Chief Tournament Director should have indicated that a ruling had been made and that the ruling would apply unless either an appeal against the ruling was successful or the Acting Chief Tournament Director managed to ascertain facts that led to the ruling being set aside.

The National Authority noted that the regulations specified an appeal period and that the appeal period had expired long before the end of Round 14.

The National Authority noted that it was open to the Regulations Committee to adopt a regulation designed to encourage players to pay more attention to the use of the electronic scorer.