

# Victorian Bridge Association

## Disciplinary By-Laws

**These by-laws apply to all bridge events run under the direct control of the Victorian Bridge Association (VBA) (except State events) whether the event is held in the VBA clubrooms or is sanctioned by the VBA on an online bridge platform.**

It presupposes that bridge players should

- be polite and courteous to their partners, opponents and officials at all times;
- be aware that, when playing in the clubrooms, any unwarranted noise derogates from the playing experience not just at your table but potentially throughout the room
- have respect for other people's rights to have different opinions;
- play in a proper, mature, well-mannered and unobtrusive fashion; and
- be aware of their obligations under Laws 73 and 74 of the Laws of Duplicate Bridge

These regulations describe the procedures to be adopted in reporting and dealing with breaches of the above code of conduct.

### 1. REPORTING A BREACH OF THE CODE OF CONDUCT

1.1 A complaint may be submitted by:

- Any player participating in a session during which an alleged breach occurs
- Any individual affected by a breach occurring outside of a session
- The Director

1.2 A written complaint must reach the offices of the VBA within seven (7) days of the date on which the breach is alleged to have occurred.

1.3 The accused person(s) will be informed by the club within seven (7) days of receiving the complaint that a complaint has been submitted.

1.4 Complaints against directors, staff or officers of the VBA are not subject to these by-laws. Such complaints should be submitted directly in writing to the Secretary of the VBA.

1.5 Complaints must be submitted either by email to [secretary@vba.asn.au](mailto:secretary@vba.asn.au) or in writing to the offices of the VBA, or by email directly to the Chairman of the Victorian Bridge Association Disciplinary Committee.

### 2. THE DISCIPLINARY PROCESS

2.1 The Disciplinary Committee will normally consist of three persons, including the Chairman.

2.2 All complaints will be received by the Chairman of the Disciplinary Committee either directly via email or indirectly from the VBA Secretary. The Chairman will then request one of the other Committee members to investigate the alleged breach, except in exceptional circumstances, due to the volume of cases, where the Chairman may do the investigation. [In the event that the Chairman of the Disciplinary Committee is accused of a breach, the

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Chairman must recuse themselves from the particular complaint and stand down from the Committee for the duration].

- 2.3 The Disciplinary Committee Chairman will notify the complainant that the alleged breach has been received in the required time frame and that the issue will be investigated. The Chairman will then notify the accused person(s) of the nature of the formal complaint that has been received and that it will be investigated by an assigned Committee member who will contact the accused person(s) in due course. The accused person(s) will be advised that if they strongly disapprove of the verdict of the Disciplinary Committee, they may lodge an Appeal, subject to the grounds of that Appeal being deemed by the Chairman not to be frivolous or vexatious.
- 2.4 The Committee member investigating the issue shall interview the complainant, the accused person(s) and any other relevant individuals (these people may include, but not be limited to, the Director, other players at the physical or virtual table and people that were indirectly involved in the alleged breach). This process would normally be completed in fourteen (14) days.
- 2.5 After this investigation is completed, the assigned Committee member will report back to the Chairman with a recommendation for the alleged offence. Agreement is then to be reached to either dismiss the complaint or stipulate a mandatory sentence within the accepted guidelines outlined in the table at the end of this document.
- 2.6 The accused person(s) and the complainant will be advised of the outcome. The accused person(s) may appeal the decision and request a Disciplinary Hearing to be held before the Appeals Committee. In such an event, the reasons and grounds for requesting a Hearing are to be set out in detail. The request is to be submitted to the office of the VBA in writing within seven (7) days of being informed of the sentence.
- 2.7 If the accused person(s) accepts the outcome of the investigation, then any suspension will start at the earliest practicable time.
- 2.8 If the accused person(s) does not accept the outcome of the investigation, then, in the period between the stipulated commencement date and the outcome of the Disciplinary Hearing, the accused person(s) may only continue playing at the VBA at the discretion of the President of the VBA.
- 2.9 The Appeals Committee will consist of the Chairman of the Committee [unless the Chairman investigated the complaint or recused themselves as outlined in 2.2] plus between two and four other members as appointed by the VBA Council. The Committee member who completed the investigation and submitted the recommendation on their report will not be a member of the Appeals Committee, but may be required to attend the meeting as a witness by the Appeals Committee. The accused person(s) is entitled to be represented before the Appeals Committee by another financial member of the VBA and/or by a lawyer, who need not be a member of the VBA. If the accused disputes facts found by the Chairman, witnesses may give evidence on matters relevant to the findings of fact.

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2.10 The Appeals Committee has the option of acquitting the player, varying the applied penalty within the range specified below, or modifying the offence under which the player is charged and applying the appropriate mandatory penalty for the modified offence.

2.11 The complainant and the accused person(s) will be notified of the Appeals Committee's verdict within three (3) working days.

### 3. MANDATORY PENALTIES

3.1 Should a person be found guilty of committing an offence, the Mandatory Penalties as listed below shall be applied.

3.2 If they are found guilty of more than one offence, committed on the same occasion, a cumulative sentence may be imposed.

3.3 All or part of the sentence may be suspended for a period, as is deemed fit.

3.4 No part of a sentence may be suspended for a second or subsequent offence committed within seven (7) years.

3.5 Any suspended sentence imposed for a first offence must be added to the sentence for a second offence, provided the period for which the suspended sentence was imposed has not expired.

3.6 If a person is found guilty of a subsequent offence, whether of the same nature as the offence as the initial offence or not, it shall be deemed to be a second offence.

3.7 For the purpose of second and subsequent offences, an offence will remain on the person's record for 7 (seven) years. For a third offence, regardless of the nature of the first two offences, all penalties are 'D' discretionary. [and marked in the Table accordingly except where the 1st or second 2nd offence is an 'L']

3.8 In the table of Mandatory Penalties shown below, "D" indicates that the penalty is discretionary, "L" indicates a lifetime suspension, "W" indicates a warning and numbers indicate the number of weeks of suspension.

Note: Offence 12 has been given a wide range to cater for both the in-house offence which can be serious and the online Victorian Bridge Association sanctioned events where concealed information may be due to player inexperience with online bridge rather than any attempt to gain an unfair advantage.

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No	Offence	PENALTY 1 <sup>st</sup> Offence	PENALTY 2 <sup>nd</sup> Offence	PENALTY Further Offences
1	Verbal abuse of an opponent or partner	W-12	4-24	D
2	Verbal or written abuse of an Official, or worker (whether paid or not) of the VBA in the context of their duties at the VBA	2-12	4-24	D
3	Verbal abuse of a Director whether within the VBA premises or playing in a VBA sanctioned online session	2-12	4-24	D
4	Making any racial, religious or cultural remark or comment to which offence might reasonably be taken	W-12	4-24	D
5	Use of crude or abusive hand signals or gestures	W-4	2-8	D
6	Threat of assault or physical interference	4-12	4-24	D
7	Physical interference without intent to cause grievous bodily harm	8-12	12-52	D
8	Physical interference with intent to cause grievous bodily harm	L		
9	Engaging in public acts of misconduct or unruly public behaviour whilst representing the VBA	W-12	2-24	D
10	Wilful damage or abuse of playing cards, scoresheets, bidding pads, bridgemates or other equipment or property	W-4	2-8	D
11	Persistent non-premeditated breaches of the Laws of Bridge with the effect of gaining an unfair advantage and/or unauthorized information	4-26	12-52	D
12	The use of pre-arranged legal or illegal understandings or methods that are concealed from the opponents to gain unfair advantage	W-12	26-52	D
13	Breach of the VBA's parking policies	W	W-2	D
14	Presenting in an intoxicated state, or becoming intoxicated during the course of a session	W-12	2-24	D
15	Playing in a VBA sanctioned event whether at the venue or online whilst suspended	D	D	D
16	Any other offence not specifically covered by any of the above	D	D	D