



International Sport Federation (IF) recognized by the International Olympic Committee

## WBF DISCIPLINARY CODE

(approved by the WBF Executive Council on 1<sup>st</sup> October 2015, in effect from 1<sup>st</sup> January 2016 and amended on 23<sup>rd</sup> September 2018, 17<sup>th</sup> September 2019, 23<sup>rd</sup> June 2020 and 27<sup>th</sup> November 2020)

### 1. General principles

1.1. In accordance with the sporting ideals and precepts of the Olympic Charter and in furtherance of the purposes set out at article 5 of the Statutes of the World Bridge Federation ("WBF"), the WBF requires its affiliated National Bridge Organizations ("NBOs"), Zonal Conferences ("Zones") and their members and affiliates to respect the fundamental principles of Olympism and, in particular, the principles of friendship, solidarity and fair play. One of the aims of this Disciplinary Code is to reinforce and promote the above- mentioned principles. More particularly, this Disciplinary Code sets out various forms of behaviour which constitute "Reprehensible Conduct" (see article 4 below) and may be punished with one or more disciplinary sanctions (see article 5 below).

1.2. Reprehensible Conduct shall be investigated and prosecuted by the WBF Prosecutor and (unless liability and proposed consequences are accepted) decided, in the first instance, by a Disciplinary Tribunal of the Disciplinary Panel (see, in particular, articles 6 and 7 below). The decisions of the Disciplinary Tribunal may be appealed to the Court of Arbitration for Sport (see, in particular, article 8 below).

### 2. Scope of Application

2.1. Without limitation, this Disciplinary Code shall apply to (i) all affiliated Zones and NBOs, (ii) any persons (including players, non-playing captains, team representatives, coaches, technical officials, technicians, accredited persons, observers and spectators) who participate in or attend any event, tournament or competition organized, granted or sanctioned by the WBF ("WBF Events") or by any of its Zones or NBOs ("Affiliate Events"), (iii) any persons who hold any position or carry out any functions on behalf of either the WBF, a Zone or an NBO (including any organ or commission of the same) and (iv) any other persons who accept that this Code shall apply to them or are otherwise subject to it. For the avoidance of doubt, and provided always that the entity or person is subject to this Code, it



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may apply to conduct that occurs outside of the context of WBF Events (including, without limitation, at Affiliate Events or third party events) as well as to conduct that does not occur within an event-related context.

2.2. For the avoidance of doubt, this Disciplinary Code shall be without prejudice to any event-specific provisions that are aimed at ensuring the orderly and fair conduct of such events (e.g. Laws of Duplicate Bridge, Conditions of Contest). Similarly, the fact that event-specific measures may be taken in respect of behaviour occurring at an event – whether by a Championship Committee or otherwise - shall not in any way prevent or restrict further disciplinary measures being taken in respect of the same behaviour in accordance with the provisions of this Code.

2.3. This Disciplinary Code shall be without prejudice to any powers which the Executive Council or Congress may have pursuant to provisions contained within the Statutes or By-laws of the WBF including, in particular, the power to suspend or remove an NBO from the WBF and the power to suspend or remove an officer or committee member from his/her position.

2.4. This Disciplinary Code shall not apply, and be without prejudice, to anti-doping matters, which shall be governed by the WBF Anti-Doping Rules and Regulations.

### **3. Responsibility of NBOs/Zones**

3.1. Each NBO and Zone shall, upon request, provide any reasonable assistance to the WBF and, in particular, the WBF Prosecutor and/or WBF Investigation Committee with respect to the investigation of alleged Reprehensible Conduct by its members or affiliates and the conduct of any resulting disciplinary proceedings.

3.2. In the event that an NBO, Zone or any other person subject to this Code becomes aware of behaviour which is likely to amount to Reprehensible Conduct for the purposes of this Code, it shall immediately inform the WBF Prosecutor or the WBF Secretariat of the same.

3.3. In respect of any sanction imposed pursuant to this Disciplinary Code, the NBOs and Zones shall respect, and be responsible for the enforcement of, such sanctions within their respective jurisdictions and spheres of activity.

### **4. Reprehensible Conduct**

4.1. Reprehensible Conduct includes, but is not limited to, the following:

a) illicit or unethical behavior on the part of an individual which is aimed at improperly affecting, or otherwise likely to improperly affect, the outcome of any match at a WBF Event, Affiliate Event or third party event (whether in-person or online), including, but not limited to, cheating, corruption, match-fixing and bribery;b) An individual placing a bet on,



or engaging in any betting-related activity in respect of, a WBF Event or match or any part thereof in which the person placing such bet or engaging in such activity is directly or indirectly involved or interested;

- c) Improper conduct, including without limitation, acts of aggression, violence or intimidation, on the part of an individual towards any official or body of the WBF in performance of their WBF duties or functions or towards any fellow player or participant, whether within the context of WBF Events or otherwise;
- d) knowingly or recklessly making a false declaration or affirmation or accusation to WBF including its organs, committees, commissions, tribunals and officials;
- e) public comments or statements, without justification, aimed at or likely to damage the reputation of the WBF, WBF Events, WBF officials, participants at WBF Events or the sport of bridge;
- f) failure to respect financial obligations (including fines but excluding annual membership dues or charges, which are dealt with in the By-laws) towards the WBF;
- g) failure of an NBO or Zone to comply with the responsibilities set out at articles, 3.1 and 3.2 and 3.3 above;
- h) failure to respect a decision of the WBF, including its organs, committees, commissions, tribunals and officials;
- i) actions or behavior unbecoming an individual participating or attending a WBF Event, function or activity;
- j) infringement of the WBF Statutes, By-laws, Code of Ethics or other Regulations;
- k) behaviour, actions or omissions which have the potential to cause harm or adversely affect the interests or reputation of the WBF or the sport of bridge; and
- l) any other conduct which is not consistent with the principles of Olympism set out at article 1 above including, in particular, any form of discrimination based on race, religion, politics, gender or otherwise.

[Comment to article 4.1:

*Where the Reprehensible Conduct occurs solely within the context of an Affiliate Event, it shall in principle be investigated and prosecuted by the relevant Zone or NBO (i.e. the organiser of the event) under its own rules. However, in the event that the relevant NBO or Zone confirms that it is unable or unwilling to prosecute the conduct under its own rules, the WBF shall be entitled to do so under this Code.*

*Where Reprehensible Conduct occurs solely within the context of third party events, it shall in principle be investigated and prosecuted by the NBO to which the relevant player is affiliated. However, in the*



*event that the relevant NBO confirms that it is unable or unwilling to prosecute the conduct under its own rules, the WBF shall be entitled to do so under this Code provided that the relevant individual has a WBF code and has played in a WBF or Zonal Championship in the [5] years immediately preceding the (commencement of the) alleged conduct.*

*Where a pattern of Reprehensible Conduct occurs both within WBF Events and other events (including Affiliate Events), the WBF shall in principle investigate and prosecute the same and shall be entitled, for the avoidance of doubt, to rely within that context on the conduct occurring both within WBF Events and other events].*

4.2 Unless stated otherwise, the different forms of Reprehensible Conduct may be committed by both legal persons (NBOs, Zones etc) and individuals (players, officials etc).

## **5. Sanctions liable to be imposed by the WBF**

5.1. Depending on the gravity of the Reprehensible Conduct, one or more of the following sanctions may be imposed in respect of Reprehensible Conduct:

- a) Warning;
- b) A monetary fine between one thousand Swiss francs (1,000 CHF) and twenty thousand Swiss francs (20,000 CHF).
- c) Where Reprehensible Conduct occurs at or in connection with a WBF Event, disqualification of all results (including, at the discretion of the hearing panel, the results of the team) at such WBF Event, including forfeiture of any points, prizes and medals;
- d) Suspension for a given period of time of a NBO or other person from being able to present candidates for positions or offices within WBF (including its organs, committees, commissions and tribunals);
- e) Suspension for a given period of time or removal of individuals from any existing position or office within the WBF (including its organs, committees, commissions and tribunals);
- f) Ineligibility of individuals, either for a given period of time or permanently, from being able to stand for any position or office within the WBF (including its organs, committees, commissions and tribunals);
- g) Suspension of a NBO or individual from attending and/or participating in WBF Events and/or activities, either for a specific number of events/activities or for a fixed period of time;
- h) Suspension of a NBO or other person from organizing WBF Events and/or activities for a fixed period of time;
- i) Permanent ban on the person concerned (excluding NBOs) from attending and/or participating in WBF Events and/or activities;



j) With respect only to the Reprehensible Conduct described at article 4.1a) above, a suspension of the person concerned from attending and/or participating in WBF Events and/or activities and the events and/or activities of the NBOs, Zones and other WBF affiliates, in each case either for a specific number of events/activities or for a fixed period of time; and

k) With respect only to the Reprehensible Conduct described at article 4.1a) above, a permanent ban of the person concerned from attending and/or participating in WBF Events and/or activities and the events and/or activities of the NBOs, Zones and other WBF affiliates.

5.2 For the avoidance of doubt, Reprehensible Conduct falling within article 4.1 a) but also within other types of Reprehensible Conduct shall be considered in all circumstances as a violation of article 4.1 a) for the purposes of sub-articles 5.1j) and k).

5.3 The above mentioned sanctions, when imposed, shall be officially communicated to all the Zones and NBOs and, if deemed necessary based on the specific circumstances of the case, published on the WBF website.

5.4. With respect to particularly serious Reprehensible Conduct committed by an NBO, the Disciplinary Tribunal shall be entitled to refer a matter to the Executive Council so that it may consider, in addition to any sanction imposed by the Disciplinary Tribunal, the possible suspension or removal of such NBO in accordance with articles 7 and 8 of the By-laws.

5.5 A reduction in the otherwise applicable sanction may be proposed or imposed in the event that the person promptly admits the commission of Reprehensible Conduct.

5.6 Any period of suspension imposed or accepted under this Code shall in principle commence on the date upon which it is imposed by Disciplinary Tribunal or accepted by the accused person(s). A credit shall be given for any period of provisional suspension that is effectively served by the accused person(s) prior to the imposition or acceptance of the period of suspension.

## **6. Prosecutor & the Initiation of Disciplinary Proceedings**

6.1. The WBF General Counsel acts as Prosecutor.

6.2. The WBF President may appoint one or more Substitutes of the Prosecutor and may appoint one or more third parties as is reasonably necessary to assist him/her in the performance of his/her duties.

6.3. The Prosecutor and/or his Substitutes may decide to investigate a case of possible Reprehensible Conduct either on his own initiative or following a complaint or referral by a body of the WBF, a Zone, an NBO or other party with a legitimate interest (including, without limitation, players). The Prosecutor shall not be obliged to consider anonymous



complaints or complaints that are manifestly unfounded and/or unsubstantiated. Where the possible Reprehensible Conduct occurs within the context of an Affiliate Event or third party event, the Prosecutor shall refer the matter to the relevant Zone or NBO (see comment to art. 4.1 above) and liaise with such body with respect to the status of the investigation and prosecution of such conduct by that body.

6.4. The Prosecutor and/or his Substitute/s shall, without limitation, have the following rights and duties in connection with this Disciplinary Code:

a) to conduct preliminary investigations with respect to an alleged or possible case of Reprehensible Conduct (which may include interviewing or putting written questions to the accused person);

b) to decide, after the conduct of preliminary investigations, whether to dismiss a matter or proceed to charge the accused person(s); c) to draft and send to the accused person(s) a statement of the charges (the “**Statement of Charges**”) against the accused person(s) including, in particular, a brief description of the Reprehensible Conduct as well as the consequences being sought (which may include a reduced sanction in the event that the Reprehensible Conduct is promptly admitted). The Statement of Charges shall provide the accused person(s) with the opportunity (i) to either admit the violation and to accept the proposed consequences or to dispute the violation and/or consequences before the Disciplinary Tribunal and (ii) if the violation and/or consequences are disputed, to provide an explanation with respect to the matters set out in the Statement of Charges;

*[Comment to article 6.4(c): The consequences set out in the Statement of Charges, including any reduction of such consequences in the event of a prompt admission of the Reprehensible Conduct, shall take into account any relevant sentencing guidelines and shall be approved in advance (i.e. before being proposed in the Statement of Charges) by the WBF Executive Council (or such person or persons as are specifically designated by the Executive Council for that purpose)]*

d) if the circumstances so require in the discretion of the Prosecutor, to impose a provisional suspension on the accused person(s) from participating in any events or other activities of the WBF, its Zones and NBOs pending the decision of the Disciplinary Tribunal. The provisional suspension may be imposed in the Statement of Charges or after receipt of any response of the accused person(s) to the Statement of Charges provided that, in the former case, the Prosecutor must review the need for the provisional suspension upon receipt of any explanation provided by the accused person(s) and either confirm or lift the same within a reasonable period of time after receipt and review of such explanation. Without prejudice to the discretion afforded to the Prosecutor as to whether to impose a provisional suspension, the Prosecutor shall, with respect to alleged violations of article 4.1(a), consult with and taken into account any representations of the Chairperson of the Investigation Committee (see article 6.5 below) before deciding to impose or maintain a provisional suspension;



*[Comment to article 6.4(d): Whereas the decision whether to impose a provisional suspension is within the absolute discretion of the Prosecutor, he/she shall take into account, without limitation, the severity of the allegations against the accused person(s), the international bridge calendar and the impact that the continued participation of the accused person(s) in WBF Events may have on the integrity of those competitions/activities.]*

e) in the event that liability and/or the proposed consequences are disputed by the accused person(s), to send the Statement of Charges to the WBF Secretariat with a request that the President appoint a Disciplinary Tribunal;

f) to intervene and represent the WBF in the written and oral proceedings of the Disciplinary Tribunal and the Court of Arbitration for Sport;

g) where necessary, to appeal the decisions of the Disciplinary Tribunal to the Court of Arbitration for Sport pursuant to article 8 below.

6.5 Without limitation to article 6.2, the WBF President shall appoint with the approval of the Executive Council a standing Investigation Committee of not less than seven persons (including a Chairperson) to act as the Substitute for the Prosecutor for the purposes of investigating potential Reprehensible Conduct falling under article 4.1(a)) ("**Cheating Conduct**"). Any allegation of Cheating Conduct shall immediately be referred by the Prosecutor and/or WBF Secretariat to the Investigation Committee, which shall conduct the preliminary investigations unless both the Prosecutor and Chairperson of the Investigation Committee agree that the allegation is manifestly unfounded and/or unsubstantiated. Once the preliminary investigations are concluded, the Investigation Committee shall compile a case report that sets out (i) the evidence of Cheating Conduct, (ii) its recommendation to the Prosecutor as to whether the matter should proceed and (iii) if the recommendation is that the matter should proceed, a further recommendation as to the consequences that should be proposed (both in the event of a prompt admission and otherwise). If the Investigation Committee recommends that the matter should proceed and the Prosecutor agrees, the Investigation Committee shall assist the Prosecutor with the substantive aspects of the Statement of Charges and shall provide assistance to the Prosecutor during any subsequent proceedings.

*[Comment to article 6.5: In principle, the Investigation Committee should include at least one person with a legal background and one representative of the Executive Council. Investigation Committee members should not be members of the Disciplinary Panel or the Credentials Committee.]*

## Disciplinary Tribunal Proceedings

### 6.6. Disciplinary Panel

A Disciplinary Panel of not less than 5 members, including the President, is appointed by the WBF President with the approval of the Executive Council. The members of the Executive Council and the Advisory Committee cannot be appointed as members of the Disciplinary Panel.



## 6.7. Appointment of the Disciplinary Tribunal

6.7.1. Upon receipt of a Statement of Charges by the WBF Secretariat, the President of the Disciplinary Panel shall appoint a Disciplinary Tribunal consisting of three members of the Disciplinary Panel and a secretary in order to assist such Tribunal.

6.7.2. The President of the Disciplinary Panel shall not appoint as a member of the Disciplinary Tribunal a person who has a direct interest in the matter at issue or is otherwise in a position of conflict.

6.8. The parties to the proceedings before the Disciplinary Tribunal shall be the Prosecutor and the accused person(s).

## 6.9. Initiation of the Disciplinary Proceedings and Written Submissions

6.9.1. Once constituted, the Disciplinary Tribunal shall issue procedural instructions to the parties regarding the written submissions.

6.9.2. Whereas the procedural instructions regarding written submissions will depend on the specific circumstances of the case, the Disciplinary Tribunal shall take the following guidelines into account:

- a) The Prosecutor shall be given a reasonable deadline (which should not ordinarily exceed thirty days) to file a written brief and annex any relevant evidence;
- b) The Prosecutor's brief shall be sent, together with any annexes, to the accused person(s);
- c) The accused person should be given a reasonable deadline (which should not ordinarily exceed thirty days) to file a written answer to the Prosecutor's brief;
- d) The parties' written submissions must indicate the names of any witnesses and experts they wish to have heard; and
- e) A second round of written submissions shall be permitted only in exceptional circumstances.

## 6.10. Hearing

6.10.1. The Disciplinary Tribunal shall determine, after receipt of the written submissions (and any further information or documentation) whether an oral hearing is necessary. There is no automatic right to an oral hearing, and any hearing may, at the discretion of the Disciplinary Tribunal, be held either in whole or in part by video-conference.

6.10.2. If a hearing is to be held, the Disciplinary Tribunal shall send a Notice of Hearing to the parties no less than 15 days prior to the commencement of such hearing.



6.10.3. The hearing should be held as soon as reasonably practicable following the closure of the written proceedings.

6.10.4. Any in-person hearing (if applicable) should be held in Lausanne, Switzerland unless the Tribunal determines in its discretion (bearing in mind the countries of residence of the accused person, the WBF Prosecutor, any counsel, experts, witnesses and the members of the Tribunal) that it is appropriate to hold the hearing elsewhere.

#### 6.11. Decision of the Disciplinary Tribunal

6.11.1. The Disciplinary Tribunal makes a decision (whether on the basis of the written submissions or after a hearing) by majority or unanimity; in the event of a majority decision, the position of the Tribunal member in the minority shall not ordinarily be recorded in the decision.

6.11.2. The Disciplinary Tribunal shall record its decision in a written and reasoned report which shall be signed by (at least) the Chairperson and notified to the parties as soon as reasonably practicable by any appropriate means.

6.11.3. The reasoned report of the Disciplinary Tribunal shall draw attention to the parties' right of appeal (see article 8 below).

6.11.4. The decision of the Disciplinary Tribunal shall deal with the costs of the procedure, including any fees and expenses of the members of the Tribunal, and experts or consultants appointed by the Tribunal, and the Secretary. The costs of the procedure shall be established by the secretary of the Tribunal and shall be met by the parties (or by one party) in accordance with an allocation established by the Tribunal and set out in the decision. The decision may also provide for a party to cover all or some of the legal and other costs of another party including, without limitation, the expenses and costs of the Prosecutor in investigating and pursuing the matter (including any consultants or Substitutes used by the Prosecutor) and the fees and expenses of any witnesses or experts called by the Prosecutor.

6.11.5. The fact the accused person(s) does not participate in the proceedings of the Disciplinary Tribunal (or any part thereof) does not prevent or restrict such tribunal from proceeding and rendering a decision.

#### 6.12. Burden and Standard of Proof

6.12.1. The Disciplinary Tribunal must be comfortably satisfied (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) that the accused person has engaged in Reprehensible Conduct within the meaning of article 4 above. .

6.12.2. The Disciplinary Tribunal may rely upon any reliable evidence including, without limitation, statistical and circumstantial evidence. 6.13. Administration of the proceedings



6.13.1. The language of the oral and written proceedings shall be English.

6.13.2. The parties can be assisted, at their own expense, by an interpreter.

6.13.3. If the parties seek to produce any document in a language other than English, the Disciplinary Tribunal may, whether on its own initiative or upon request by a party, require an English translation of such document.

6.13.4. If the Disciplinary Tribunal considers it necessary to supplement the presentations of the parties, it shall have the right at any point during the proceedings to (i) request further information and documentation from the parties (ii) order the examination of witnesses, (iii) appoint and hear experts and (iv) proceed with any other appropriate procedural act.

6.13.5. The Disciplinary Tribunal may, if reasonably necessary, consult and be assisted by experts.

6.13.6. All written submissions (including exhibits) and correspondence sent by a party to, or for the attention of, the Disciplinary Tribunal shall in principle be sent to all other parties to the proceedings.

6.13.7. The Disciplinary Tribunal may be assisted, with respect to any secretarial and administrative aspects of the proceedings, by the WBF Secretariat. Documents may be notified to the parties by any reliable means, including email, fax, post and courier.

6.13.8. A party may request the Tribunal to order the other party to produce documents in its custody or under its control. The party seeking such production shall demonstrate that such documents are likely to exist and to be relevant..

6.13.9. Save for the (possible) publication of any eventual sanction in accordance with article 5.3 above, the proceedings of the Disciplinary Tribunal shall be confidential. The parties, the members of the Disciplinary Tribunal, the secretary of the Disciplinary Tribunal and other persons involved in the proceedings shall respect this confidentiality.

6.13.10. Within the framework of the provisions set out in this Code, the Disciplinary Tribunal has the discretion and authority to resolve any procedural dispute.

#### 6.14 Statute of Limitations

No proceeding for Reprehensible Conduct may be commenced unless the the accused person(s) has been notified of the Statement of Charges (or notification has been reasonably attempted) within 3 years from the date on which the Reprehensible Conduct is asserted to have occurred.



## 8. Appeal to the Court of Arbitration for Sport

8.1. The decision of the Prosecutor to impose or maintain a provisional suspension may be appealed by the accused person(s) exclusively to the Court of Arbitration for Sport (CAS) to be resolved in accordance with the Code of Sports-related Arbitration. The appeal must be lodged within 7 days of the notification of the decision by the Prosecutor to impose or maintain the provisional suspension. The case shall be heard by a Sole Arbitrator and the language of the arbitration shall be English.

*[Comment to article 8.1: In principle, an appeal by the accused person(s) to the CAS shall not entail a stay of the proceedings before the Disciplinary Tribunal. For the avoidance of doubt, where a provisional suspension is imposed in the Statement of Charges, the accused person(s) shall be entitled to appeal to the CAS only after the decision of the Prosecutor to maintain such provisional suspension notwithstanding any explanation provided in the response by the accused person(s) to the Statement of Charges]*

8.2 The reasoned decision of the WBF Disciplinary Tribunal may be appealed exclusively to the CAS to be resolved in accordance with the Code of Sports-related Arbitration. Any such appeal must be lodged within 21 days of the date of notification of reasoned decision of the Disciplinary Tribunal and the following further provisions shall apply:

8.2.1 An appeal to CAS shall not stay the enforcement of the decision of the Disciplinary Tribunal.

8.2.2 In the event that the only sanctions imposed by the Disciplinary Tribunal are (one or more of) a reprimand and a monetary fine, the dispute shall be submitted to a Sole Arbitrator. In all other circumstances, the dispute shall be submitted to a Panel of three arbitrators unless the parties agree otherwise.

8.2.3 The language of the CAS arbitral proceedings shall be English.

8.2.4 At the WBF's request, the CAS Panel or Sole Arbitrator (as the case may be) shall appoint an appropriate high-level bridge player, chosen from amongst the World Grand Masters, as an expert to assist the Panel with respect to any bridge-related matters that are relevant to the appeal and subject to that person not being conflicted in respect of the appeal in question. Similarly, at the request of the WBF, the CAS Panel or Sole Arbitrator (as the case may be) shall appoint an appropriately qualified statistical expert to assist the Panel with respect to statistical matters.

*[Comment to article 8.6: The fact that a potential bridge expert has competed against the accused person(s) shall not be sufficient to amount to a conflict]*



## 9. Entry into Force

9.1. This Code, approved by the WBF Executive Council on 1<sup>st</sup> October 2015, in effect from 1<sup>st</sup> January 2016 and amended on 23<sup>rd</sup> September 2018, 17<sup>th</sup> September 2019, 23<sup>rd</sup> June 2020 and 27<sup>th</sup> November 2020, takes immediate effect.

9.2. With respect to Reprehensible Conduct occurring before the entry into force of this Disciplinary Code, the substantive provisions of the Disciplinary Code in force at the time of such conduct shall apply; however, the procedures contemplated by this Code shall apply retroactively.