

Penalty BCOB 3

Caroline Vandenhove, TD in charge, wrote the following report of an incident on 24 November 2019 in the round robin match BCOB 3 – Phenix 1 in Honour.

“At 10.50 G. Polet, captain of BCOB 3, let me know that one of his players, G. Crestey, would be late due to a car accident. Mr Crestey arrived at the table 10 minutes late. The match ended 8 minutes late (due to the late start), so they did play the match within the normal playing period.”

In a later phone call the TD told me the matches at all the other tables had actually started 3 minutes late, i.e. at 11.03.

On 25 November I informed Mr Polet that being late is penalized by 1 VP per 5 minutes, which meant that his team was to be penalized by 2 VPs. Mr Polet contacted me the same day asking me to accept force majeure. On my request he contacted Mr Crestey to provide more details about the incident. Mr Crestey then sent the following e-mail.

“Comme convenu je te raconte ci-dessous mes mésaventures survenues samedi matin. En partant de chez moi à Uccle samedi vers 10H25 j’ai accroché un véhicule, mal garé au demeurant, devant chez moi, avec l’arrière gauche du mien sans dégradation apparente du véhicule heurté. Le propriétaire étant présent il a voulu établir un constat mais comme j’étais pressé, je me suis contenté après discussion de lui laisser ma carte de visite, sachant qu’il savait où j’habitais. Cela étant cela m’a fait perdre de précieuses minutes qui ont conduit à mon retard à Louvain, mais je précise que je suis arrivé devant le club de bridge à exactement 11H05 puisque j’ai moi-même vérifié.”

The right procedure to appeal for force majeure as it is described in Section 55 of the National Teams Competition was not followed. However, there is reason to believe that all persons concerned acted in good faith and that Mr Polet thought informing the TD of the fact that Mr Crestey would be late due to a car accident was sufficient (quid non). Therefore, the case will be handled as if the procedure was followed.

Considering

- it is clear that Mr Crestey arrived late as he himself admitted he arrived at the entrance of the club at 11.05 and it takes time to go the playing area
- all the matches started a few minutes later than scheduled
- the TD therefore restricted Mr Crestey’s lateness to 5 minutes

BCOB 3 is given a penalty of 1 VP

Request to accept force majeure

Section 55.05b of the National Teams Competition says *“Coming late because of problems with public transport or because of traffic circumstances, accident or breakdown are principally no reason for force majeure, unless the time of departure allowed to arrive half an hour before the normal start of the match and the delay*

lasted longer than half an hour. The onus probandi lies with the team that was not (could not be) in time.”

As Mr Crestey admitted having left home at 10.25, it is clear that the above conditions are not met.

The request to accept force majeure is denied.

Paul Meerbergen
Competition Director