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LAWS 45 – 46 – 47

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The 2017 Laws changes to Laws 45-46-47 deal mainly with rewording and other small changes. This lecture deals with the main changes **NEW 2017** and with those aspects which seem to give trouble to TDs.

Law 45: CARD PLAYED

45A. PLAY OF CARD FROM HAND

“Each player except dummy plays a card by detaching it from his hand and facing¹² it on the table immediately before him”.

45B. PLAY OF CARD FROM DUMMY

“In playing from dummy’s hand declarer may, **if necessary**, pick up the desired card himself.”

This does not give carte blanche to declarer to play dummy’s cards. He is allowed to play dummy’s cards only when there is a valid reason, such as dummy’s absence from the table, or dummy’s disability.

45C. CARD DEEMED TO BE PLAYED

The conditions for when a card is deemed to be played (by declarer, by declarer from dummy and by defender) should be well known to all TDs and are dealt with in Laws 45C 1-5. The difference between declarer’s play [45C2(a), (b)] and defender’s (L C1) is vital.

Let’s see some examples:

Dummy wins a trick with the ♠K. Both the ♠J and the ♥J are on the table, and declarer says “jack” and dummy plays ♠J. (46B3(a)). Next to play takes a card out of her hand “almost” plays it and then returns it to her hand. TD is called. While TD is determining whether it was possible for partner to see the card and is about to say not possible, declarer says she saw the card, it was ♥5. Defender quickly retorts “it wasn’t – it was ♥6 and I thought the ♥J was played.”

Is the ♥6 played? Strictly, according to the wording of the law if the card could not be seen by partner this is not a “played card”, but Law 49 determines that it is a penalty card (“when a defender names a card as being in his hand”) so the effect is the same. Defender must follow suit and the ♥6 becomes a MPC.

This was one of the questions in the introductory test:

Entry Test 4.

	♠ –	
	♥ –	
	♦ Q 10	
	♣ –	
♠ Q 2		♠ –
♥ –		♥ Q
♦ –		♦ J
♣ –		♣ –
	♠ –	
	♥ 2	
	♦ 6	
	♣ –	

East plays 3NT. At this point he has 8 scored tricks.
 South is on lead and plays the ♦6, North (RHO) faces the ♦10 before facing the ♦Q too. He wants both tricks. TD.

The ♦10 was visible to partner so it was played, but North says that he intended to claim. Looking at Law 68 we see that a claim is defined, inter alia, as when the player shows his card **S**. Had he wanted to claim he should have played both card **S** together.

We should be wary when a defender claims he did not see a card held by his partner. The law states “**possible** ...to see”. So if, for example, both dummy and declarer have seen the card it was possible for it to be seen by defender, even if he claims he did not see it.

Note also the difference between declarer’s played card (which cannot be changed) and declarer’s change of designation. When can declarer change an unintended designation? **NEW 2017** The 2017 law replaces “if he does so without pause for thought” with “after a slip of tongue but not after a loss of concentration or a reconsideration of action.” Notice that it says nothing about the logic of the designation. It is very rare to allow a change under this law (old or new) and practically speaking the effect of this law is that the TD should “almost never” allow a change of designation by declarer. It is hard to find an example where a change is allowed. Here is an example often given:

Board 1					
North Deals	♠ J 8 5 4				
None Vul	♥ 10 9 6 3				
	♦ 5 2				
	♣ A 3 2				
♠ K 9 3	<table style="border: 2px solid green; width: 40px; height: 40px; display: inline-table; vertical-align: middle;"> <tr><td style="text-align: center;">N</td></tr> <tr><td style="text-align: center;">W E</td></tr> <tr><td style="text-align: center;">S</td></tr> </table>	N	W E	S	♠ A Q 7 6
N					
W E					
S					
♥ K J 7 2		♥ Q 8 4			
♦ 6		♦ 8 7 3			
♣ K Q J 6 4		♣ 10 9 8			
	♠ 10 2				
	♥ A 5				
	♦ A K Q J 10 9 4				
	♣ 7 5				
3 NT by South					
Lead: ♣K					

South wins in dummy and says “club” immediately corrects to “oh no, I meant to play a diamond”. This is quoted as an example of allowing the change of designation. With the introduction of the “loss of concentration” phrase in the 2017 laws I am not convinced.

Note that this law applies **only** to an unintended **designation** – not an unintended **play**.

For declarer’s card to be deemed to have been played either (a) “held ...touching or nearly touching...” or (b) “maintained in such a position...” in Law 45C2 must apply. Thus the played card situation is far less strict with declarer than with defender. For example declarer takes a card from his hand, holds it horizontally in front of him and all players can see the card, he thinks, and then puts it back in his hand. According to Law 45C2 it is not a played card. Of course if the same had been the case with a defender, then it would be a played card (Law 45C1).

Board 2		♠ A 9 4 2
East Deals		♥ 9 7
N-S Vul		♦ K J 9 8
		♣ Q 9 6
♠ Q J 5 3		♠ 10 6
♥ 8 6 4		♥ J 10 5 3
♦ Q 10 5		♦ A 6 3
♣ J 8 4		♣ K 10 5 2
		♠ K 8 7
		♥ A K Q 2
		♦ 7 4 2
		♣ A 7 3
3 NT by South		
Lead: ♠3 won by South's ♠K		

For trick 2, declarer places the ♥2 on the table and immediately says “Oh no. I meant to play ♦2”. This is a change of play, not designation, and the change is not allowed.

Another example from the entry test:

E12.
 Must the following card be played?
 (a) Declarer takes a card from hand, puts it nearly on the table, then jerks it back immediately saying “Whoops”. Everyone sees it.

Apart from the doubt about the card “nearly touching the table” the words “held” and “maintained” indicate a condition of stability for the card. In this example the card is not “held” so it is not a played card.

There are exceptions when a defender’s card can be seen by partner yet it is not a “played” card and it can be withdrawn. An example is when dummy has played a non-designated card. (Law 47 deals with this in detail.)

45D. DUMMY PICKS UP A NON-DESIGNATED CARD

Declarer has called for the ♥J from dummy but dummy puts the ♦J in the played position. Next defender plays a diamond and the mistake is noticed. The defender may retract the diamond without any rectification. The possibility of correction is allowed **only until each side has played to the next trick**.

NEW 2017 There is an important **change to Law 45D in the 2017 Laws**. 45D1 is unchanged but 45D2 has been added:

45D2: When it is too late to change dummy's wrongly placed card the play continues normally without alteration of the cards played to this or any subsequent trick. If the wrongly placed card was the first card of the trick, then the failure to follow suit to that card may now constitute a revoke (see Laws 64A, 64B7 and 64C). If the wrongly placed card was contributed to a trick already in progress and dummy thereby has revoked, see Laws 64B3 and 64C.

45E. FIFTH CARD PLAYED TO TRICK

The TD must determine if the extra card played was led (in which case it is treated as a lead out of turn) or played to the current trick (in which case it becomes a penalty card if it was a defender's card).

45F. DUMMY INDICATES CARD

When dummy has indicated a card and declarer plays that card the TD does not automatically adjust. He should not adjust if declarer would have played that card anyway. (WBFLC). A PP might be appropriate in some circumstances even if no adjustment is made.

45G. TURNING THE TRICK

"No player should turn his card face down until all four players have played to the trick."

LAW 46 INCOMPLETE OR INVALID DESIGNATION OF A CARD FROM DUMMY

46A. PROPER FORM FOR DESIGNATING DUMMY'S CARD

Law 46A says declarer, in calling for a card from dummy, "**should clearly state both the suit and the rank.**" This is usually ignored, to quote Shakespeare: "More honoured in the breach than in the observance". But not to worry, we have Law 46B to fall back on.

46B. INCOMPLETE OR INVALID DESIGNATION

Law 46B sets out the applicable restrictions when there is an incomplete or invalid designation. TDs should be already familiar with designations like "high", "low", "win" and similar interpretations laid out in Laws 46B1, B2 and B3. Law 46B4 (invalid call) and Law 46B5 ("play anything") are less common.

Here is a question from the Entry Test illustrating Law 46B4:

Question E12.

Must the following cards be played?

- (c) Declarer calls for the six of spades from dummy. There is no six of spades there, but there is a six of clubs.

Law 46B4 states that the call is invalid and declarer may designate any card.

Law 46B5 gives the right to either defender to determine the card played when the declarer has not designated a play in accordance with Laws 46A and 46B1-4 (for example “play anything”).

Let’s look at the heading of 46B again and not overlook the parenthetical part of 46B: The restrictions in Law 46B1-5 apply **“except when declarer’s different intention is incontrovertible”**.

Definitions of Incontrovertible.

Not disputable or debatable, undeniable (Webster)

Impossible to dispute, unquestionable (American Heritage)

Not able to be denied (Oxford)

Synonyms:

indisputable, incontestable, undeniable, irrefutable, unassailable, beyond dispute, unquestionable, beyond question, indubitable, not in doubt, beyond doubt, beyond a shadow of a doubt, unarguable, inarguable, undebatable, unanswerable

In other words the different intention should be **100%**

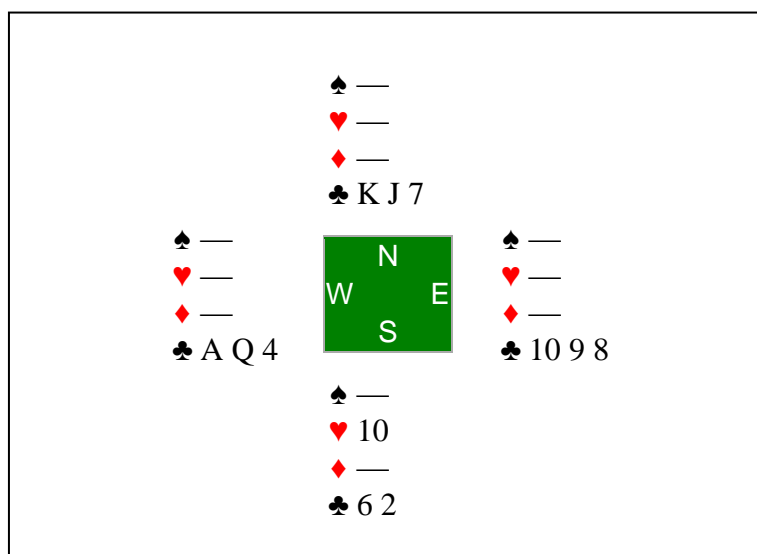
- An easy “incontrovertible” decision:

Declarer is in a NT slam with ♠: AKQJxxx in dummy opposite single 2 in hand.

She plays ♠A, everyone follows and then she calls "spade".

It is surely incontrovertible that her intention was to play a high spade.

- A little more difficult case, but still easy!



South in is 4♥ and has won 8 tricks. He leads ♣6 from hand, ♣4 from West and now he thinks for a long time. Then he says “I don’t know – play any card”. According to Law 46B5 either defender may designate a card. East says “play the ♣7.”

However, it is incontrovertible that declarer intended playing either the ♣J or the ♣K. So TD applies first 46B (“incontrovertible”), and then 46B5 allowing either defender to designate the ♣J or the ♣K (but not the ♣7).

- Not so easy:

Spades are trumps. The last 6 cards are (no trumps left in defenders' hands)

♠ x x
♥ A 6 4 3
♦ --
♣ --

♠ x x x
♥ --
♦ --
♣ 9 4 2

Lead in dummy. Declarer says “heart”, dummy plays ♥3 and declarer discards a club. She immediately sees this and says “No I meant ♥A”. Is her intention to play the ♥A incontrovertible?

Declarer explains to the TD that she intended to discard a club on the ♥A and then cross ruff the hand. But, she continues, if she were not allowed to change dummy’s card she would still make the rest of the tricks by trumping the small heart (if she were allowed to replace the played club), cross ruff and later throw a club on the ♥A.

So there is an alternate completely logical line of play: trump the small heart, trump a club in dummy, ♥A etc.). Can we be 100% sure that she intended to play the ♥A? Perhaps she intended to play a small heart and trump it and the club discard instead of trump was a mistake due to 'lack of concentration'.

I would not give her that trick. What do you think?

Still on 46B - “run the clubs”

There is one other situation not specifically mentioned in the Laws. When declarer makes a statement such as “run the clubs” (of course he shouldn’t do this!) then he may change his instruction at a later trick and he is allowed to change the card from dummy until his RHO plays to the trick. (Decision of WBFLC)

LAW 47: RETRACTION OF CARD PLAYED

Law 45 defines when a card is “played”, Law 46 deals with incomplete designation of a card from dummy, and Law 47 lists the situations in which a played card may be withdrawn. In simple words, when a played card is not quite a played card!

47A. IN COURSE OF RECTIFICATION

The most common example is to correct an unestablished revoke. The retracted card of a defender becomes a MPC and Law 16 may apply.

For example, defender realizes he has revoked on the trick just quitted. The revoke is not established and he can retract the card played and substitute a card of the suit led. However his original card is now a penalty card. The next player (declarer or dummy) may also change her card but the retracted card is not a penalty card. If she does replace her card then the next player (partner of the revoker) may also change his card but the retracted card becomes a penalty card. (Note that a retracted card by declarer is never a penalty card and that the fact that he has that card is UI for the defenders if a defender revoked).

47B. TO CORRECT AN ILLEGAL PLAY

After failing to comply with a lead or play restriction or obligation to play a penalty card the card may be withdrawn (and becomes a MPC).

Another example is two cards played simultaneously. The withdrawn card may become a MPC. (See Law 58)

47C. TO CHANGE AN UNINTENDED DESIGNATION

Following a change of designation permitted by Law 45C4 (b).

47D. FOLLOWING OPPONENT’S CHANGE OF PLAY

After opponent’s change of play a played card may be withdrawn and returned to hand (no rectification, but Law 16C2 may apply). However after a revoke, if the non-offender withdraws a card then the partner of the revoker may withdraw his card but it now becomes a penalty card. (Law 62C2)

47E. CHANGE OF PLAY BASED ON MISINFORMATION

Another important retraction of a played card is following a mistaken explanation by an opponent. A simple example is a lead or play out of turn by a player who was told by his opponent that he was to lead or play. The lead or play may not be accepted. The OOT lead is retracted and Law 16C may apply but it is not a penalty card and **NEW 2017** Law 63A1 (established revoke) does not apply. During play, when there is mistaken information (either about carding or bidding agreements), the card played before the correction may be withdrawn without rectification (Law 16C may apply) but only if no card was played subsequent to the card to be retracted. If another card has been played then there is no retraction and play continues, and the TD may award an adjusted score.

Opening lead: Note that the opening lead may not be retracted after dummy has faced any card.

47F. OTHER RETRACTION

When a proper lead has been made subsequent to an irregular lead the irregular lead (or play) may be withdrawn without rectification (i.e. no PC), but Law 16C applies. (See Law 53B)