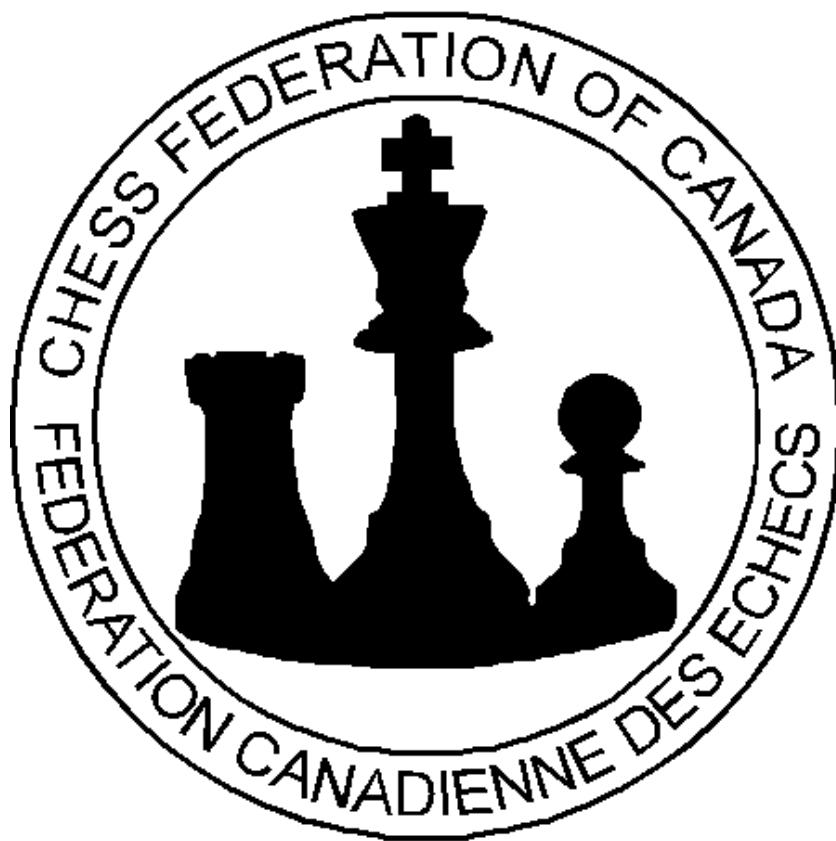


# **CHESS FEDERATION OF CANADA**

## **GOVERNORS' LETTER FOUR**

### **1998-1999**



Responses may be mailed, faxed or E-mailed to the Chess Federation of Canada, E-1 2212  
Gladwin Crescent, Ottawa, ON, K1B 5N1, fax: 613-733-5209, E-Mail: [info@chess.ca](mailto:info@chess.ca)

**ATTENTION ALL GOVERNORS:** Anyone with an E-Mail address can have their  
Governors' Letter sent to them via E-Mail and save the CFC paper and postage costs.  
Please E-Mail [info@chess.ca](mailto:info@chess.ca) if interested.  
Deadline for next Governors' Letter is April 9, 1999

## **KEEPING GOVERNORS INFORMED**

**The Executive voted in favour of a motion that structured the details of the Youth Championship Finals, the results of which now appear on the web.**

**The Executive voted in favour of paying the return airfare of Kevin Spraggett and Johanne Charest to their respective world championships, plus allowing an amount for expenses.**

**Maurice Smith  
President  
Chess Federation of Canada**

### **General Comments.**

**(Francisco Cabanas)** I have noticed what could become a serious double standard among the governors when it comes to the question of accountability. In this letter the combined effect of three independent instances comes to mind. First

99-3, secondly Mr. Taylor's comments with respect to the financial affairs of the OCA, and finally Mr. Langill's comments regarding the AEM. Let us first look at 99-3. The concern here is that Mr. Vail here has too much power as Executive Director, so let us increase accountability by changing the title and taking away some of the power. Fine but how many governors have stopped to consider the power that M. Bevand holds over the AEM as Executive Director and consequently over Canadian Chess, and what checks and balances does the AEM place over its Executive Director? I

respectfully suggest that there is a valid concern in 99-3, it is just that the CFC's case is not the real problem. I now come to Mr. Taylor's comments regarding the OCA finances. I attended the OCA AGM in 1997 and I found as I would expect that the officers of the OCA were very open when it came to the financial statements. They were presented and discussed at the meeting, and it was very obvious to me that there was nothing hidden. I am curious if Mr. Taylor has actually asked the OCA for a copy of its financial statements? On the other hand the story of the AEM financial statements was quite different. M. Bevand agreed to provide the BCCF with a copy of the AEM financial statements. I would say from my personal experience that the compliance on the part of the AEM was at best the bare minimum. A copy was sent to the BCCF President with the understanding that no further copies were to be made. I was allowed to view that said statements only under the understanding that I

would not take any notes or make a copy. Keep it as quiet as possible. Now my question is this: we have one organization run by volunteers with an annual budget of approximately \$10,000 that is very open with regard to its finances and we are all concerned about accountability. On the other hand we have an organization with an annual budget of approximately \$1,000,000 under the effective control of its PAID Executive Director, which tries to keep its financial affairs as secret as possible and its tournaments are called "chess at its purest level". Where are the real accountability concerns? I respectfully suggest we have our accountability concerns seriously misplaced. Surely we must all agree that children's chess deserves at least as much accountability as adult chess. By the way, the AEM calls itself a "non profit society". We must keep in mind that it is many actions in the past of both the CFC Executive and the CFC Governors both collectively and individually, the Chess Challenge and the Chess Festival were given by the

CFC to the AEM in the past. The latter has thankfully being taken back by the CFC. Furthermore many CFC members have volunteered in AEM events so it is very appropriate that the Governors of the CFC ask questions about the AEM's finances. It is our business since we are ultimately responsible for Canadian Chess by virtue of our Federal Incorporation and our relationship to FIDE. When it comes to the question of accountability I believe that our President has the right answer. We must support the CFC when it comes to rating tournaments or buying books and equipment. I realize that our President has made some governors uncomfortable by his position on this matter. Frankly this is a good thing since it shows very strong leadership on his part. If we don't support the CFC, as our President is urging us, who will? I will make one final comment. When it comes to the chess book and equipment market in Canada we are talking about two main players. The CFC and the AEM. This is not a market dominated by for-profit businesses where the market place can hold them accountable. This is a market dominated by two non profit societies, one which is highly accountable, and one which I will let the reader judge for him/her self. The choice is clear; it is for us to make both individually and collectively.

**(Lyle Craver)** I am opposed to the Canadian Championship being run as a Swiss as it has the practical effect of excluding - or at least reducing the relative number of - players from outside the host area.

Given past statements by Ontario governors this pretty much ensures the event will never take place outside of the Toronto/Ottawa region. If economics are what we're most interested in holding the Canadian Championship we may as well designate the Open section of the Toronto Open or North Bay to be the Canadian Championship. Either would certainly be cheaper than the "Swiss Zonal" and to my mind MORE representative of the country AS A WHOLE than the "Swiss Zonal".

## **Constitutional Amendment**

Notice of Constitutional Amendment for the outgoing board of the 1999 AGM in Vancouver.

Moved **Maurice Smith**, seconded **Francisco Cabañas**: That section 10 of Bylaw 2 be amended by replacing it with the following:

### **10. BOARD OF DIRECTORS**

The Board of Directors shall be elected at the Annual Meeting of the Assembly and shall be constituted by seven persons, namely, the President, Vice-President, Immediate Past President, Secretary, Treasurer, FIDE Representative, Rating Auditor, and Junior Coordinator unless these titles are changed by ordinary resolution of the Assembly pursuant to section 8(f) at the annual meeting. The position of Past President shall not be elected but shall be occupied by the immediate Past President unless he resigns or the Assembly, by ordinary resolution, at the Annual Meeting specifically decides to elect another person in place of the Past President. Upon election at an Annual Meeting the Board of Directors shall serve as Directors until the next Annual Meeting of the Assembly or until the Director(s) resign(s) or their successors are elected or appointed in their stead unless replaced by a vote of the Assembly prior to that time.

The current wording reads:

### **10. BOARD OF DIRECTORS**

The Board of Directors shall be elected at the Annual Meeting of the Assembly and shall be constituted by seven persons, namely, the President, Vice-President, Immediate Past President, Secretary, Treasurer, FIDE

Representative and Rating Auditor unless these titles are changed by ordinary resolution of the Assembly pursuant to section 8(f) at the annual meeting. The position of Past President shall not be elected but shall be occupied by the immediate Past President unless he resigns or the Assembly, by ordinary resolution, at the Annual Meeting specifically decides to elect another person in place of the Past President. Upon election at an Annual Meeting the Board of Directors shall serve as Directors until the next Annual Meeting of the Assembly or until the Director(s) resign(s) or their successors are elected or appointed in their stead unless replaced by a vote of the Assembly prior to that time.

The effect of these changes is to

- 1) add "and Junior Coordinator" after "Rating Auditor"
- 2) delete the word "and" after "FIDE Representative"
- 3) add "," after FIDE Representative.

COMMENTS:

**(Maurice Smith)** The last two years have seen the role of the C.F.C. in Junior chess change dramatically. Our school program is well under way and now for the first time we are fully involved in the National Youth Championships. Therefore the role of Junior Coordinator becomes very important. The involvement, consultation and advice of the person in that position is necessary for the programs to work to their maximum benefit for both Juniors and the C.F.C. Thus it is apparent that the time has come for the position of Junior Coordinator to be added to the Executive.

## **Treasurer's Update – Peter Stockhausen**

### **1. CFC Finances**

Solid, if unspectacular sales combined with continued cost controls keep fiscal 98/99 on firm ground. The Year to Date NOP at the end of January is 5% of Income compared with a loss of 7% for the same period last year.

### **2. 1999 Canadian Open**

Advance entries continue to roll in. The National Youth Finals are now confirmed for July 1<sup>st</sup> and July 2<sup>nd</sup> at the same location. We hope that many of the Youth Finalists will stay on to play in the

“Open”. So far, 20% of our advance entries are juniors!!

Corporate fund raising remains our biggest challenge.

### **Vote on 99-1**

**99-1 (Brown/Watson)** that the CFC by-laws be changed so that CFC Presidents no longer become CFC governors for life, but rather become CFC governors for a period of three years for every year served as President, immediately following their term as President. (To take effect retroactively.)

**For:** Joselin, Knox, Mendrinos, Boross-Harmer, Cheron, Keshet, Ottosen, Brodie, Taylor  
**Against:** Stockhausen, Thomson, Hartman, Bunning, Stringer, Gantzert, Craver, Cabanas, Rosner

**Nine in Favour, Nine Against; Straw Vote tied**

**(Lyle Craver)** I consider the role of past presidents to have been largely beneficial and as such oppose any change to their existing position. Certainly the record of those who have chosen to take part regularly in these discussions has been positive and in no way parochial. (I regularly disagree with Messrs. Cabanas and Stockhausen but would miss their contributions)

**(Francisco Cabanas)** There is really nothing I want to add to Mr. Stockhausen's and Mr. Jaeger's comments on the subject. Mr. Jaeger did raise an interesting issue regarding the votes of Past Presidents and the quorum requirements for constitutional amendments. The simplest solution in my mind is to not count the inactive Past Presidents in determining quorum. By inactive I would consider not having responded to the GL or attended an AGM in say the previous 12 months. I would not have a problem supporting or even moving such a motion; but I must say this has very little impact and I do think the CFC faces much more pressing matters.

### **Vote on 99-2**

**99-2 STRAW VOTE TOPIC: (Maurice Smith)** Move the C.F.C. Annual Meeting from its traditional time

of during the Canadian Open. The main option is to have it two days before the Tournament.

**For:** Stockhausen, Joselin, Hartman, Stringer, Keshet, Cabanas, Rosner  
**Against:** Knox, Mendrinos, Thomson, Boross-Harmer, Cheron, Bunning, Gantzert, Ottosen, Brodie, Craver, Taylor

### **Motion Fails**

**(Lyle Craver)** given the number of days the Canadian Open takes, I can't justify the additional cost in time and dollars holding the AGM early would cause. Yes the present system is inconvenient but presumably we care about getting a good turnout to the meeting. This motion would work against that goal.

**(Francisco Cabanas)** I am in favour of holding the meeting on the two days preceding the Canadian Open. This was done in the past the last time the meeting was held in Vancouver. I was present at that meeting and it was very well attended. The main advantage is that the governors can actually enjoy the Canadian Open and all the side events. The Organizers of the Open can also fully participate in the meeting. During my years in the CFC I have missed among other things a GM analyzing my own game in a lecture because of a conflict with the meeting. There is more to the Canadian Open than the tournament itself. The side events are also very important. As for Mr. Jaeger's suggestion of holding the meeting in Toronto on a fixed basis. Absolutely not! This simply gives too much of a regional advantage to Ontario in general and to Toronto in particular.

### **Vote on 99-3**

**99-3 STRAW VOTE TOPIC: (Alex Knox – Ari Mendrinos)** Moved that the title of Executive Director be removed from the CFC Handbook, and replaced with Business Office Manager.

**For:** Knox, Mendrinos, Hartman, Keshet  
**Against:** Stockhausen, Cheron, Bunning, Gantzert, Brodie, Craver, Cabanas, Rosner, Taylor  
**Abstain:** Joselin, Thomson, Boross-Harmer, Stringer, Ottosen

### **Motion Fails**

**(Lyle Craver)** this seems to be a solution in search of a problem. Like Mr. Taylor I just don't see the point of it.

### **Vote on 99-4**

**99-4 STRAW VOTE TOPIC:** (Alex Knox – Ari Mendrinos) Moved that all CFC business office employees (as a condition of employment) be prohibited from stating, or making public (in any way shape or form), their personal opinion on CFC business matters (including En Passant) without consent from the Executive.

**For:** Knox, Mendrinos, Hartman, Stringer, Cabanas  
**Against:** Stockhausen, Thomson, Boross-Harmer, Cheron, Bunning, Gantzert, Keshet, Ottosen, Brodie, Craver, Rosner, Taylor  
**Abstain:** Joselin

### **Motion Fails**

**(Lyle Craver)** - Mr. Rosner has this exactly right. Unless there's a current problem I'm unaware of this also seems to be a solution in search of a problem and thus not something for the Governors.

**(Francisco Cabanas)** This is one case where I would vote differently in a straw vote topic than in a motion. It is a straw vote topic, and as such has only advisory impact, and it does place the responsibility on the executive for dealing with the staff. If it were a motion I would vote No; particularly because of Mr. Taylor's concerns.

### **First Discussion on 99-5**

**99-5 Motion (Taylor, Hergott):** To lift the sanction imposed upon IM Jean Hebert and IM Jan Teplitsky (announced in GL #1 of 1998), barring them from participation in the next Olympiad.

**(Peter Stockhausen)** We seem to be doing this every time! We should enforce our rules. Players should do their "homework" prior to accepting or not accepting a spot on our Olympic Team. Accepting first, and weeks or even months later changing their mind shows a complete lack of commitment. Not only do these "changes of mind" cause more work for the Office

staff; it is also VERY costly, as tickets purchased are neither refundable nor transferable. There are many players in the 2300+ to 2400+ who would consider playing for the Canadian Olympic team a privilege and an honour. By continuously not enforcing our own rules, we sent the wrong message to those players.

**(Alexander Knox)** The information on this matter contained in Governors' letter number one of 1998/99 bears sufficient evidence for me to feel extenuating circumstances exist that warrants lifting the sanctions imposed on IM's J. Hebert and J. Teplitsky. Mr. Hebert has a strong valid argument when referring to how he was notified by the CFC business office, (Vail) compared to 1996 by Mr. D. Allan and, the very dangerous political climate in Elista. With respect to the J. Teplitsky problem, tell me who has never experienced delays when dealing with immigration, visas, border crossing, passports, etc. Clarification, and/or revisions may be needed in Handbook Rule 1205 a&b, in addition to instructions for the CFC business office employees on notification procedures that are obviously wanting.

**(Ari Mendrinos)** When a player commits himself to an event such as the chess Olympiad should be obliged to participate and follow the rules. However there is a possibility that sometimes there are some difficulties that may occur that will make the attendance impossible. Therefore the CFC should be making a reserve list of players that are willing to replace those who are unable to attend. The difficult situations could be last minute death in the family or Visa problems etc. etc. etc. In 1996 when my committee organized the Canadian closed championships for both the National and Women's Alexander Lesiege withdrew and Lawrence Day stepped in to save the championship.

**(Brad Thomson)** First of all, I wonder if it is appropriate for two former Olympians to be putting forth this motion. I am especially concerned with the participation of Mr. Hergott, considering the fact that he himself was in the same predicament last time around. Apart from this, the argument that the players in question may not have been aware of the rules stretches credulity, irrespective of the nature of the invitations issued by the business office. Further, it seems unfair to both Mr. Hebert and to Mr. Teplitsky to lump them together into the one motion. For what if the governors are sympathetic to one case but not the other? As a result, I would suggest that 99-5 be withdrawn and replaced by a separate motion for each player. At this

time, I find myself favouring the case of Mr. Hebert, but not the case of Mr. Teplitsky. I do not believe that a person cannot maintain a legitimate passport under normal circumstances, and further clarification would be required for my position to change with respect to Mr. Teplitsky.

**(Peter Boross-Harmer)** I have to echo the sentiments expressed by Gordon Taylor in GL#3 regarding the lifting of the sanctions against Hebert and Teplitsky. We are fortunate to have players of their caliber expressing an interest to represent Canada and it would be extremely counterproductive for the CFC to punish them for what could be considered a lack of due process from the Business Office. Invitations to represent our country should be sent out accompanied by as much available detail as possible. It would be rather ridiculous for us to expect anyone to accept any such invitation without being made aware of all available detail. The lack of information provided to the players including the express declaration to them that their refusal to participate after they accepted the invitation could result in sanctions should render this exercise futile.

After having spoken to representatives of both the Hungarian and British Olympiad Teams, I am astounded that the Business Office could not provide more information to the players about the arrangement around Elista when other teams and their players had this information. It is clearly in the best interest of chess in Canada to:

- A. Field the best possible team available
- B. Act in a manner reflection of any professional organization be providing all necessary information available to our players.
- C. Reinstate the above mentioned two players and make them aware of the mistakes made by the Business Office.

**(Anthony Cheron)** Barring players, especially good players can only hurt, not help the CFC. I would like to suggest at this time that a non-refundable deposit of \$200 be given by a player on acceptance of being a team -member of an Olympiad to the CFC. Cost too much? Not really – Just increase the player honorariums. Those that go are rewarded, those that decide not to go lose \$200.

**(Brian Hartman)** Indeed, both players, particularly IM Jean Hebert, have positively contributed to Canadian Chess for the benefit of all. The ban should be lifted, a letter of apology issued, and hope that they both

continue to contribute to Canadian Chess. If we want to ban people from events or chess in Canada, I can send a rather long list of petty bureaucrats and others who have done genuine harm to Canadian Chess.

**(Les Bunning)** The motion approving the sanction was passed after considerable debate. What is the point of having this sanction if we are not going to enforce it. These withdrawals cost the CFC considerable money when their tickets which had been purchased had to be cancelled. Jean Hebert gave as his primary reason that he was given insufficient information about the details of the event. Jean has been on the Olympic Team before and knew what he was getting into. If he required more details before accepting all he had to do was ask. Jean Hebert also cited economic reasons but presumably he would have known about this prior to accepting.

Jan Teplitsky cited VISA problems without giving further details. He has not provided any documentation to back up his contention and he has not responded to the President's request for further information.

Dropping out of Olympic Teams at the last minute has become a chronic problem for the CFC. We should only exempt the player from the sanction if there is a proper reason. In my opinion a proper reason does not exist in this case for either player. If the CFC enforces its own rules this time we may well have less problems in the future.

**(Lynn Stringer)** Jan Teplitsky and Jean Hebert have served us well and the sanctions should be lifted.

**(David Ottosen)** I have difficulty believing I am seeing this motion again, for the second consecutive Olympiad. The letter from the CFC should act as an alarm clock to the player invited that "hey, think seriously about whether you can go, what the chances are that you will not be able to go, and what you will be required to do in order to go". I don't feel that either of the players involved seriously considered all these factors. However, I fully expect this motion to pass, and once it does, I will immediately draft a motion to delete this section of the Handbook, since it is just wasting Governors time to have to exempt players every single Olympiad. Perhaps the new rules shall read "One day before the Olympiad, the CFC office shall find the highest rated players willing to go. If they accept, they will go. If they end up not appearing, there shall be

no consequences."

**(Hugh Brodie)** I am in full agreement with the lifting of sanctions. Due to the chaos surrounding the Kalmykia Olympiad, it was not clear until the last minute that Canada would send a team. It's not fair to expect the players to be notified at the last minute that the event is on (or off) - likewise, it seems reasonable that a player could change his mind with little notice.

I could see sanctions being upheld if the Olympiad had been held in a non-3rd world environment, and that both the CFC and the players had plenty of time to plan.

**(Lyle Craver)** While I agree with the intent of the original motion, given the chaos at FIDE it's difficult to support these kinds of sanctions. Had the event been organized at any of several "regular" sites of major tournaments I'd feel differently but Elista isn't somewhere where I have much confidence particularly for ex-Soviet players.

**(Francisco Cabanas)** I will first like to commend Mr. Gordon Taylor and Mr. Deen Hergott for bringing this matter to the attention of the assembly now. It is very gratifying to see governors take a preventive rather than reactive approach to important issues.

This motion raises a very interesting question. How detailed must an invitation be in order to bind a player to 1205 (b)? I will also raise a second question. In what language(s) must the invitation be in order to bind a player to 1205 (b)?

The first question is discussed by Mr. Taylor. While there is no doubt in my mind that an invitation clearly indicating the consequences of not playing after accepting is the proper way to go. I have some doubts with the premise that if the players were not informed of 1205 (b) in the invitation this is enough to invalidate 1205 (b). Maybe. Maybe not. I do feel that players are responsible to inform themselves of the rules and common sense would indicate that there are consequences to accepting an invitation and then declining it. If they are unclear about the rules they simply could have asked. As for the Passport thing it is dubious at best. On the first question alone I could go either way.

The question of language on the other hand is in my opinion M. Hebert's strongest defense in this case. The bottom line is this: The CFC is a federally incorporated corporation (Canada is officially bilingual

English

and French) attempting to enforce a contract only in English on a resident of the Province of Quebec (officially French only). Even if this could stick legally, which I doubt. It is morally wrong. We must keep in mind that the handbook has only being published in English and the invitation in question was only sent in English. La Charte de la langue française, the Quebec language law, is actually M. Hebert's best defense. In the case of Mr. Teplitsky he has to be reinstated on the grounds that if we suspend the sanctions under 1205 (b) in the Province of Quebec we must also do the same thing across Canada in order to be fair. Yes a Toronto resident will benefit from La Charte de la langue française in Quebec. It is ironic but it is the fair position.

What are the lessons in all of this. For the CFC. The invitation must contain all the relevant information including a quote of 1205 (b) and must be in both English and French. In particular the player must be required to acknowledge the consequences under 1205 (b). If the Player is a resident of the Province of Quebec this acknowledgement must either be in French or include the standard language waiver clause. For the players. They must inform themselves of the rules, and be prepared to suffer the consequences if they withdraw. La Charte de la langue française may not work again as a defense if the CFC crosses its t's and dots its i's in both English and French the next time around.

In conclusion I will vote yes on this motion.

## New Motion

**99-6 Moved Francisco Cabañas, seconded Joshua Keshet** : That section 711 of the CFC handbook be replaced with the following:

711. Rateable Tournaments. To be rated under the CFC "standard" rating system the maximum game time must be at least 120 minutes except in the case of Junior events where the maximum game time must be at least 50 minutes. An event is considered junior for the purposes of this section if all the players meet the age requirements of the World Junior of the year following the year in which the event ends. To be rated under the CFC Active rating system the maximum game time must be at least 50 minutes but less than 120 minutes. There may be many complicated time controls. The intention is to stick to the maximum game time. Non sudden death time controls shall not have a rate of play exceeding one move per minute. For

both rating systems, all secondary time controls must be a minimum of 5 minutes long.

All games in a tournament should fit the same category. All time controls of a tournament must be advertised and/or posted prior to the tournament. Any Active rated tournament must be advertised as such prior to the tournament. The Executive Director has discretion to accept or refuse any tournament for rating where the intent of this rule has not been followed.

The current wording reads:

711. Rateable Tournaments. To be rated under the CFC "standard" rating system the maximum game time must be at least 120 minutes. To be rated under the CFC Active rating system the maximum game time must be at least 50 minutes but less than 120 minutes. There may be many complicated time controls. The intention is to stick to the maximum game time. Non sudden death time controls shall not have a rate of play exceeding one move per minute. For both rating systems, all secondary time controls must be a minimum of 5 minutes long. All games in a tournament should fit the same category. All time controls of a tournament must be advertised and/or posted prior to the tournament. Any Active rated tournament must be advertised as such prior to the tournament. The Executive Director has discretion to accept or refuse any tournament for rating where the intent of this rule has not been followed.

The effect of this motion is to add:

"except in the case of Junior events where the maximum game time must be at least 50 minutes. An event is considered junior for the purposes of this section if all the players meet the age requirements of the World Junior of the year following the year in which the event ends."

**(Francisco Cabañas)** This change is designed to meet the needs of organizers of Junior and Scholastic events and of players in these events. It reflects the fact that in many of these events the vast majority of the games are over in an hour regardless what time control is used. This is especially true in the case of the younger age groups.

## Motions for Discussion

**Second discussion 99-5** Motion (Taylor, Hergott): To lift the sanction imposed upon IM Jean Hebert and IM Jan Teplitsky (announced in GL #1 of 1998), barring them from participation in the next Olympiad.

## ***First discussion* 99-6 Motion (Cabañas, Keshet)**