



SINGAPORE CHESS FEDERATION

Affiliated to -
Fédération Internationale des Échecs (FIDE)
Asean Chess Confederation (ACC)
Singapore National Olympic Council (SNOC)
Singapore Sports Council (SSC)

email dttd
27 Oct

25th October 2015

Mr Panupand Vijjuprabha
Secretary General
Asean Chess Confederation

RESOLUTION OF THE MANAGEMENT BOARD ON THE LETTER OF COMPLAINT BY THE NATIONAL CHESS FEDERATION OF THE PHILIPPINES TO THE SINGAPORE CHESS FEDERATION

Dear Mr Panupand Vijjuprabha,

We refer to your resolution of the ASEAN Chess Confederation (ACC) Management Board following the meeting on 10 October 2015 in Manila, regarding the Complaint of the National Chess Federation of the Philippines (NCFP) to the Singapore Chess Federation (SCF) dated 17 September 2015.

We sincerely apologise for the delay in our reply and would like to assure ACC that the SCF Exco has been tasked to look into this matter and that it will be investigated thoroughly. At this juncture, we wish to express our regret over the unfortunate incident and we wish the children who were affected by the incident well.

Upon receipt of the initial letter on 17th Sep 2015, we had set up an internal team to investigate the matter. However, as the letter pointed out, the incident happened on 12 June 2015, during the tenure of the previous EXCO ironically headed by ACC's current President, Ignatius Leong. With a lapse of three months since the incident occurred, we did not have the full details of the incident readily available. Some of the members of the previous EXCO who are part of the current EXCO note that Tony Tan himself, the principal person the complaint had been made against, had made a request for the Chairman of the Organizing Committee of the event at which the incident occurred – none other than Ignatius Leong himself - to conduct a briefing session after the event, but was told that it was not necessary. Given Ignatius Leong's decision then, we are surprised that he has not directly addressed ACC on this complaint since this was an issue raised during his term as President and he would have intimate knowledge about the way he dealt with it.

Nonetheless, we do recognise a need to address NCFP's complaint, and to that extent, we have also approached them for clarification, to better understand the incident, but have yet to receive a response from them. In the meantime, we will continue with our investigations and provide ACC with a substantive reply as soon as we are in a position to do so.

On being informed of the incident on 17th Sep 2015, we responded with an acknowledgement of the said mail. Despite this, the President of the ACC followed up with an email on 25th Sep 2015, stating that *"The Management Board of the Asean Chess Confederation has viewed the Complaint very seriously and will meet to discuss any action to be taken"*.

Notwithstanding that ACC viewed the complaint very seriously, it has found it fit not to invite SCF to present its side of the story or to attend the meeting of the Management Board on 10th Oct 2015. At this meeting, the Management Board of the ACC decided on a Resolution without hearing SCF, and in



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SCF's absence, unilaterally proclaimed that after "*due and thorough discussion and consideration*", the Meeting resolved the following with immediate effect:

1. A three-year ban on Mr. Tony Tan Teck Leng ("Tony Tan") in any capacity from all ACC sanctioned events.
2. Mr Tony Tan shall not be allowed to participate in any capacity in any event which is officially sanctioned by a member federation of the ACC for a period of three years.
3. If after 2 weeks a notice is served to the SCF regarding the complaint against Mr Tony Tan, and no action is taken by SCF, then the following shall be imposed:
 - 3.1 A three-year ban on members of the current Executive Board ("EXCO") of the Singapore Chess Federation ("SCF") in any capacity from all ACC sanctioned events.
 - 3.2 Members of the current EXCO of the SCF shall not be allowed to participate in any capacity in any event which is officially sanctioned by a member federation of the ACC for a period of two years.
4. The SCF shall not be allowed to organize an ACC sanctioned event for a period of 3 years.
5. In solidarity with the national Chess Federation of the Philippines, the sanctions stated in points 3 and 4 above shall be reduced by one year from the date that ACC accepts an apology from and satisfied with the disciplinary action taken against Mr Tony Tan by the SCF.

Neither SCF nor Tony Tan was offered the opportunity to be present before the ACC Management Board for SCF and Tony Tan to present their case in relation to the charge of the alleged inappropriate behavior. Without being given a hearing, ACC then decided to impose a slew of sanctions on SCF and Tony Tan. This was clearly in violation of the due process requirement and the rules of natural justice, and SCF hereby reserves its right to seek judicial redress against ACC and its officers unless it lifts the aforesaid sanctions immediately. In this regard, we note that ACC is a society registered in Singapore and is therefore subject to compliance with the Societies Act and Singapore law generally.

Without prejudice to the above, and for completeness, we would also like to highlight and emphasise the following key points:

1. There is nothing in the ACC Constitution giving the ACC authority to sanction an individual from a member federation. Only the member federation would have the right to sanction an individual who is in breach of that member federation's rules and regulations, not the ACC.
2. There is nothing in the ACC Constitution which allows the ACC to impose a ban from participation in ACC sanctioned events on any individual or any member federation of the ACC.
3. Insofar as the sanctions directed at the current SCF Exco, it appears that these sanctions were imposed solely by reason of a perceived lack of response from the current SCF Exco to the letter from the NCFP. The matter that gave rise to the imposition of sanctions by ACC was one



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that involved a dispute between the NCFP and SCF, both member federations of the ACC. According to ACC's Constitution, all disputes between member federations should be resolved at an Extraordinary General Meeting. By conveniently ignoring Clause 14.1 of the ACC Constitution and summarily deciding on imposing sanctions against SCF and Tony Tan, the ACC Board has acted unlawfully and ultra vires its own Constitution.

4. The sanctions imposed the current SCF Exco is for a three-year ban in any capacity from all ACC events and no participation in any event sanctioned by ACC for two years. The SCF is also not allowed to organize an ACC sanctioned event for 3 years. . These sanctions are manifestly excessive and wholly out of proportion to the acts of Tony Tan as alleged by the NCFP.

As with the organization of any event, such incidents should have been routinely raised during the event itself, and preferably resolved during the event where all parties are present. This was not done upon the closure of the event and this incident was only raised three months later, after ACC's President was unseated as President of SCF.

5. At the time of the incident, Ignatius Leong the current ACC President was also the Chairman of the Organising Committee for the event. At the same time, he was and remains SCF's representative delegate to the ACC. Given the clear conflict of interest here, we would like to be provided with the recorded minutes of the meeting that was held on 10 October 2015 in order to understand how the decision that resulted in sanctions being imposed on SCF and Tony Tan were arrived at, and what were the "*due and thorough discussion and consideration*" that allegedly took place at this meeting.

Given the effect of the sanctions imposed on SCF if not lifted with immediate effect, in addition to seeking judicial remedies against ACC and its officers, SCF also reserves the right to refer the matter to the World Chess Federation (FIDE) for its intervention if necessary.

On a separate note, we note that the ACC has issued a statement on FIDE's sanction on Ignatius Leong. We are glad that ACC has given effect to the sanction, which bans Ignatius Leong from "*holding an office or position within FIDE for the next two years*" as stated on your website, and also within FIDE's member federations, continental associations and other affiliated international organisations, as well as from participating in any FIDE meeting as delegate, proxy-holder or other representative as a FIDE member. Following this, the SCF hereby notifies ACC that SCF's delegate to the ACC shall be its current president Leonard Lau with immediate effect.



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We look forward to hearing from you in relation to our queries within the next seven (7) days. In the meantime, all of our rights are fully and expressly reserved.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'John Wong'.

John Wong
Vice President
Singapore Chess Federation



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