Code of Conduct for Players and Player Support Personnel

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CRICKET MALAWI

CODE OF CONDUCT FOR PLAYERS AND PLAYER SUPPORT PERSONNEL

INTRODUCTION

The *CM* is the national federation responsible for the governance of the sport of cricket in Malawi and the Code of Conduct for Players and Player Support Personnel (the **"Code of Conduct"**) is adopted and implemented as part of the *CM's* continuing efforts to maintain the public image, popularity and integrity of cricket by providing: (a) an effective means to deter any participant from conducting themselves improperly on and off the 'field-of-play' or in a manner that is contrary to the 'spirit of cricket'; and (b) a robust disciplinary procedure pursuant to which all matters of improper conduct can be dealt with fairly, with certainty and in an expeditious manner.

Unless otherwise indicated, references to Articles and Appendices are to articles and appendices of the *Code of Conduct*. Words in italicised text in the *Code of Conduct* are defined terms and their definitions are set out in Appendix 1.

ARTICLE 1 SCOPE AND APPLICATION

1.1 All *Players* and *Player Support Personnel* are automatically bound by and required to comply with all of the provisions of the *Code of Conduct*. Accordingly, by their participation (in the case of a *Player)* or assistance in a *Player's* participation (in the case of a *Player Support Personnel*) in an *International Match*, such *Players* or *Player Support Personnel* shall be deemed to have agreed:

1.1.1 that it is their personal responsibility to familiarise themselves with all of the requirements of the *Code of Conduct*, including what conduct constitutes an offence under the *Code of Conduct*;

1.1.2 to submit to the exclusive jurisdiction of any *Match Referee*, *Judicial Commissioner* or *Appeal Panel* convened under the *Code for Conduct* to hear and determine charges brought (and any appeals in relation thereto) pursuant to the *Code of Conduct*; and

1.1.3 not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the *Match Referee*, *Judicial Commissioner* or *Appeal Panel*.

1.2 All *Players* and *Player Support Personnel* shall continue to be bound by and required to comply with the *Code of Conduct* until he/she has not participated (in the case of a *Player*), or assisted a *Player's* participation (in the case of a *Player Support Personnel*) in an *Official Match* for a period of three (3) months and the *CM* shall continue to have jurisdiction over him/her under the *Code of Conduct* thereafter in respect of matters taking place prior to that point.

1.3 Without prejudice to Articles 1.1 and 1.2, the *CM* and the *Regional Cricket Federations* shall be responsible for promoting *Code of Conduct* awareness and education amongst all *Players* and *Player Support Personnel*.

1.4 It is acknowledged that certain *Players* and *Player Support Personnel* may also be subject to other rules of *Regional Cricket Federations* that govern discipline and/or conduct, and that the same conduct of such *Players* and/or *Player Support Personnel* may implicate not only the *Code of Conduct* but also such other rules that may apply. For the avoidance of any doubt, *Players* and

Player Support Personnel acknowledge and agree that: (a) the *Code of Conduct* is not intended to limit the responsibilities of any *Player* or *Player Support Personnel* under such other rules; and (b) nothing in such other rules shall be capable of removing, superseding or amending in any way the jurisdiction of the *Match Referee*, *Judicial Commissioner* or *Appeal Panel* to determine matters properly arising pursuant to the *Code of Conduct.*

1.5 For the avoidance of any doubt:

1.5.1 all *Umpires* and *Match Referees* officiating in any *International Matches* are automatically bound by and required to comply with all of the provisions of the *CM Code of Conduct for Umpires and Referees*; and

1.5.2 where a representative side of a *Regional Cricket Federation* participates in an *Tour Match* against a invitational team, for the purposes of their participation in such *Tour Match*:

1.5.2.1 all *Players* and *Player Support Personnel* representing the *National Cricket Federation's* representative side are automatically bound by, required to comply with, and shall submit themselves to the jurisdiction of this *Code of Conduct*; and

1.5.2.2 all players or player support personnel representing the domestic or invitational team shall be bound by this *Code of Conduct.*

ARTICLE 2 CODE OF CONDUCT OFFENCES

The conduct described in Articles 2.1 – 2.5, if committed by a *Player* or *Player Support Personnel* shall amount to an offence by such *Player* or *Player Support Personnel* under the *Code of Conduct*.

***COMMENT**: Where considered helpful, guidance notes* have *been provided in text boxes beneath the description of a particular offence. Such notes are intended only to provide guidance as to the nature and examples of certain conduct that might be prohibited by a particular Article and should not be read as an exhaustive or limiting list of conduct prohibited by such Article.*

2.1 ***Level 1 Offences*:**

2.1.1 Breach of the *CM's Clothing and Equipment Regulations* during an *International Match*, save for breaches relating to a 'Commercial Logo' or a 'Player's Bat Logo' as those terms are defined therein.

***NOTE**: One of the core objectives of the CM's Clothing and Equipment Regulations is to ensure appropriate and professional standards of appearance on the field of play and to prevent those practices that undermine that objective (for example the cover up/alteration of clothing and equipment with sticking plaster or marker pens, the wearing of batting pads painted with paint that subsequently fades or falls off and/or the use of prohibited logos).*

For the avoidance of any doubt, there shall be no requirement that the Umpire must first provide a warning to the offending person to remove or cover up a prohibited logo before a breach of this Article can be established.

It shall be a defence to a charge brought under this Article to show that a Player or Player Support Personnel was required by his/her Club or Regional Cricket Federation to use the offending clothing or equipment.

2.1.2 Abuse of cricket equipment or clothing, ground equipment or fixtures and fittings during an *Official Match*.

> ***NOTE**: Article 2.1.2 includes any action(s) outside the course of normal cricket actions, such as hitting or kicking the wickets and any action(s) which intentionally or negligently results in damage to the advertising boards, boundary fences, dressing room doors, mirrors, windows and other fixtures and fittings.*

2.1.3 Showing dissent at an *Umpire's* decision during an *Official Match*.

> ***NOTE**: Article 2.1.3 includes: (a) excessive, obvious disappointment with an Umpire's decision; (b) an obvious delay in resuming play or leaving the wicket; (c) shaking the head; (d) pointing or looking at the inside edge when given out lbw; (e) pointing to the pad or rubbing the shoulder when caught behind; (f) snatching the cap from the Umpire; (g) arguing or entering into a prolonged discussion with the Umpire about his decision*.
>
> *It shall not be a defence to any charge brought under this Article to show that the Umpire might have, or in fact did, get any decision wrong.*

2.1.4 Using language or a gesture that is obscene, offensive or insulting during an *Official Match*.

> ***NOTE**: Article 2.1.4 includes: (a) excessively audible or repetitious swearing; and (b) obscene gestures which are not directed at another person, such as swearing in frustration at one's own poor play or fortune. In addition, this offence is not intended to penalise trivial behaviour.*
>
> *When assessing the seriousness of the breach, the Umpire shall be required to take into account the context of the particular situation and whether the words or gesture are likely to: (a) be regarded as obscene; (b) give offence; or (c) insult another person.*
>
> *This offence is not intended to cover any use of language or gestures that are likely to offend another person on the basis of their race, religion, gender, colour, descent, national or ethnic origin. Such conduct is prohibited under the CM's Anti-Racism Code and must be dealt with according to the procedures set out therein.*

2.1.5 Excessive appealing during an *Official Match*.

> ***NOTE:** For the purposes of Article 2.1.5, 'excessive' shall include: (a) repeated appealing of the same decision/appeal; (b) repeated appealing of different decisions/appeals when the bowler/fielder knows the batter is not out with the intention of placing the Umpire under pressure; or (c) celebrating a dismissal before the decision has been given. It is not intended to prevent loud or enthusiastic appealing.*

2.1.6 Pointing or gesturing towards the pavilion by a bowler or other member of the fielding side upon the dismissal of a batsman during an *Official Match*.

2.1.7 Public criticism of, or inappropriate comment in relation to an incident occurring in an *Official Match* or any *Player*, *Player Support Personnel*, *Match* official or team participating in any *Official Match*, irrespective of when such criticism or inappropriate comment is made.

NOTE: *Without limitation, Players and Player Support Personnel will breach Article 2.1.7 if they publicly criticise the Match officials or denigrate a Player or team against which they have played in relation to incidents which occurred in anlOfficial Match. When assessing the seriousness of the breach, the context within which the comments have been made and the gravity of the offending comments must be taken into account.*

For the avoidance of doubt, any posting by a Player or Player Support Personnel of comments on a social media platform (including, without limitation, Facebook, Twitter, YouTube, Google+, Pinterest and LinkedIn) shall be deemed to be 'public' for the purposes of this offence. Consequently a Player or Player Support Personnel may breach Article 2.1.7 where they criticize or make an inappropriate comment in relation to an incident occurring in an Official Match or any Player, Player Support Personnel, Match official or team participating in any Official Match in any posting they make on a social media platform.

2.1.8 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct that either: (a) is contrary to the spirit of the game; or (b) brings the game into disrepute.

NOTE: *Article 2.1.8 is intended to be a 'catch-all' provision to cover all types of conduct of a minor nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in the Code of Conduct.*

By way of example, Article 2.1.8(a) may (depending upon the seriousness and context of the breach) prohibit the following: (a) the use of an illegal bat or illegal wicket-keeping gloves; (b) deliberate time wasting; (c) cheating during an Official Match, including deliberate attempts to mislead the Umpire; (d) failure to comply with the provisions of clause 7.1 of the CM Standard Official Match Playing Conditions; and (e) any conduct which is considered 'unfair play' under Law 42 of the Laws of Cricket.

By way of example, Article 2.1.8(b) may (depending upon the seriousness and context of the breach) prohibit the following: (a) public acts of misconduct; (b) unruly public behaviour; and (c) inappropriate comments which are detrimental to the interests of the game.

2.2 *Level 2 Offences*:

2.2.1 Showing serious dissent at an *Umpire's* decision during an *Official Match*.

NOTE: *Dissent, including the examples given in Article 2.1.3 above will be classified as 'serious' when the conduct contains an element of anger or abuse which is directed at the Umpire or the Umpire's decision or where there is excessive delay in resuming play or leaving the wicket or where there is persistent re-reference to the incident over time.*

It shall not be a defence to any charge brought under this Article to show that the Umpire might have, or in fact did, get any decision wrong.

2.2.2 Breach of the *CM's Clothing and Equipment Regulations* during an *Official Match* relating to a 'Commercial Logo' or a 'Player's Bat Logo' as those terms are defined.

> ***NOTE:*** *Article 2.2.2 only relates to breaches of the regulations regarding 'Commercial Logos' and 'Player's Bat Logos'.*
>
> *For the avoidance of any doubt, there shall be no requirement that the Umpire must first provide a warning to the offending person to remove or cover up a prohibited logo before a breach of this Article can be established.*
>
> *It shall be a defence to a charge brought under this Article to show that a Player or Player Support Personnel is required by his/her Club or Regional Cricket Federation to use the offending clothing or equipment.*

2.2.3 Serious public criticism of, or inappropriate comment in relation to an incident occurring in an *Official Match* or any *Player*, *Player Support Personnel*, *Match* official or team participating in any *Official Match*, irrespective of when such criticism or inappropriate comment is made.

> ***NOTE:*** *Without limitation, Players and Player Support Personnel will breach this rule if they publicly criticise the Match officials or denigrate a Player or team against which they have played in relation to incidents which occurred in an Official Match. When assessing the seriousness of the breach, the context within which the comments have been made and the gravity of the offending comments must be taken into account.*
>
> *For the avoidance of doubt, any posting by a Player or Player Support Personnel of comments on a social media platform (including, without limitation, Facebook, Twitter, YouTube, Google+, Pinterest and LinkedIn) shall be deemed to be 'public' for the purposes of this offence. Consequently a Player or Player Support Personnel may breach Article 2.2.3 where they seriously criticize or make an inappropriate comment in relation to an incident occurring in an Official Match or any Player, Player Support Personnel, Match official or team participating in any Official Match in any posting they make on a social media platform.*

2.2.4 Inappropriate and deliberate physical contact between *Players* in the course of play during an *Official Match*.

> ***NOTE:*** *Without limitation, Players will breach this regulation if they deliberately walk or run into or shoulder another Player.*

2.2.5 Charging or advancing towards the *Umpire* in an aggressive manner when appealing during an *Official Match*.

2.2.6 Deliberate and malicious distraction or obstruction on the field of play during an *Official Match*.

> ***NOTE:*** *This offence supplements and does not replace CM Standard Official Match Playing Conditions clauses 42.2 and 42.3.*

2.2.7 Throwing a ball (or any other item of cricket equipment such as a water bottle) at or near a *Player*, *Player Support Personnel, Umpire*, *Match Referee* or any other third person in an inappropriate and/or dangerous manner during an *Official Match*.

> ***NOTE:*** *This regulation will not prohibit a fielder or bowler from returning the ball to the stumps in the normal fashion.*

2.2.8 Using language or gesture(s) that is seriously obscene, seriously offensive or of a seriously insulting nature to another *Player*, *Player Support Personnel*, *Umpire*, *Match Referee* or any other third person during an *Official Match*.

NOTE: *It is acknowledged that there will be verbal exchanges between Players in the course of play. Rather than seeking to eliminate these exchanges entirely, Umpires will be required to report such conduct that falls below an acceptable standard. This offence is not intended to penalise trivial behaviour.*

When assessing the seriousness of the breach, the Umpire shall be required to take into account the context of the particular situation and whether the words or gesture are likely to: (a) be regarded as seriously obscene; or (b) give serious offence; or (c) seriously insult another person.

This offence is not intended to cover any use of language or gestures that are likely to offend another person on the basis of their race, religion, gender, colour, descent, national or ethnic origin. Such conduct is prohibited under the CM's Anti-Racism Code and must be dealt with according to the procedures set out therein.

2.2.9 Changing the condition of the ball in breach of Law 42.3 of the Laws of Cricket, as modified by CM Standard Official Match Playing Conditions clause 42.1.

NOTE: *This offence supplements and does not replace CM Standard Official Match Playing Conditions clause 42.1*

Any action(s) likely to alter the condition of the ball which were not specifically permitted under Law 42.3(a) may be regarded as 'unfair'. The following actions shall not be permitted (this list of actions is not exhaustive but included for illustrative purposes): (a) deliberately throwing the ball into the ground for the purpose of roughening it up; (b) applying any artificial substance to the ball; and applying any non-artificial substance for any purpose other than to polish the ball; (c) lifting or otherwise interfering with any of the seams of the ball; (d) scratching the surface of the ball with finger or thumb nails or any implement.

The Umpires shall use their judgment to apply the principle that actions taken to maintain or enhance the condition of the ball, provided no artificial substances are used, shall be permitted. Any actions taken with the purpose of damaging the condition of the ball or accelerating the deterioration of the condition of the ball shall not be permitted.

2.2.10 Any attempt to manipulate an *Official Match* for inappropriate strategic or tactical reasons.

NOTE: *Article 2.2.10 is intended to prevent the manipulation of Official Matches for inappropriate strategic or tactical reasons (such as when a team deliberately loses a pool Match in an CM Event in order to affect the standings of other teams in that CM Event). It might also apply to the inappropriate manipulation of a net run rate or accumulation of bonus points or otherwise.*

Article 2.2.10 is not intended to cover any corrupt or fraudulent acts (including any use of inside information and/or related betting activity). Such conduct is prohibited under the CM's Anti-Corruption Code and must be dealt with according to the procedures set out therein.

The Team Captain of any team guilty of such conduct shall be held responsible (and subject to sanction) for any offence found to have been committed under this Article.

2.2.11 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct that either: (a) is contrary to the spirit of the game; or (b) brings the game into disrepute.

> ***NOTE:*** *Article 2.2.11 is intended to be a 'catch-all' provision to cover all types of conduct of a serious nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in the Code of Conduct.*
>
> *See guidance notes to Article 2.1.8 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.2.11.*

2.3 ***Level 3 Offences*:**

2.3.1 Intimidation of an *Umpire* or *Match Referee* whether by language or conduct (including gestures) during an *Official Match*.

> ***NOTE:*** *Includes appealing in an aggressive or threatening manner.*

2.3.2 Threat of assault on another *Player*, *Player Support Personnel* or any other person (including a spectator) during an *Official Match*.

> ***NOTE:*** *This offence is not intended to cover threats of assault against Umpires or Match Referees, which are prohibited under Article 2.4.1.*

2.3.3 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct that either: (a) is contrary to the spirit of the game; or (b) brings the game into disrepute.

> ***NOTE:*** *Article 2.3.3 is intended to be a 'catch-all' provision to cover all types of conduct of a very serious nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in the Code of Conduct.*
>
> *See guidance notes to Article 2.1.8 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.3.3.*

2.4 ***Level 4 Offences*:**

2.4.1 Threat of assault on an *Umpire* or *Match Referee* during an *Official Match*.

2.4.2 Physical assault of another *Player*, *Player Support Personnel*, *Umpire*, *Match Referee* or any other person (including a spectator) during an *Official Match*.

2.4.3 Any act of violence on the field of play during an *Official Match*.

2.4.4 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct that either: (a) is contrary to the spirit of the game; or (b) brings the game into disrepute.

> ***NOTE:*** *Article 2.4.4 is intended to be a 'catch-all' provision to cover all types of conduct of an overwhelmingly serious nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in the Code of Conduct.*
>
> *See guidance notes to Article 2.1.8 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.4.4.*

2.5 ***Minimum Over Rate Offences*:**

Failure by a fielding team participating in an *Official Match* to meet the *Minimum Over Rate* requirements contained in Appendix 2 constitutes an offence under this *Code of Conduct* by the relevant *Team Captain* and each of the *Players* in that fielding team according to the following:

2.5.1 where the actual over rate in any *Official Match* of at least two days in duration is up to (and including) five overs short of the *Minimum Over Rate*, or, in any Limited Over *Match*, or any other *Official Match*, up to (and including) two overs short of the *Minimum Over Rate*, such an offence shall be considered a **"Minor Over Rate Offence"**.

2.5.2 where the actual over rate in any *Official Match* of at least two days in duration is more than five overs short of the *Minimum Over Rate*, or, in any *Limited Over* Match, or any other *Official Match*, is more than two overs short of the *Minimum Over Rate*, such an offence shall be considered a **"Serious Over Rate Offence"**.

> ***NOTE:*** *Subjective intent on behalf of the Team Captain to waste time is not required. It is sufficient to establish that the Minimum Over Rate was not met. To avoid liability under this offence the Team Captain would need to establish, on the balance of probabilities, that the shortfall was due to factors beyond his control and that the time allowances permitted by the Match officials in calculating the required over rate were not sufficient. The presence or absence of subjective intent and the extent of the shortfall shall be relevant in relation to the issue of penalty.*
>
> *The identity of the relevant Team Captain for the purposes of this Article 2.5 and Appendix 2 shall be determined in accordance with clause 1.3 of the Playing Conditions applicable to the particular Official Match.*

ARTICLE 3 REPORTING AN ALLEGED OFFENCE UNDER THE *CODE OF CONDUCT*

> ***NOTE:*** *Where a Code of Conduct offence is alleged to have occurred during, or in relation to an Official Match that is played as part of an CM Event, the Code of Conduct shall apply in full, but with a series of amendments to the reporting process (Article 3), disciplinary procedure (Article 5) and appeal process (Article 8) in order to ensure that any matters arising can be dealt with expediently. Such amendments are described in detail in Appendix 4.*
>
> *Where a Minimum Over Rate Offence may have occurred, see Appendix 2 for the reporting process, disciplinary process and sanctions that are to be applied.*

3.1 Any one of the following individuals can report an alleged offence under the *Code of Conduct* (other than *Minimum Over Rate Offences* - as to which see Appendix 2) by lodging a report in the manner described in Article 3.2, below (a **"Report"**):

3.1.1 an *Umpire* that officiated in the *Official Match* during which the alleged offence was committed;

3.1.2 the *Team Manager* of either of the two *Cricket Clubs* whose representative teams participated in the *Official Match* during, or in relation to which, the alleged offence was committed;

3.1.3 the *CM's President or Chief Executive Officer*; or

3.1.4 provided it is a *Level 3 Offence* or *Level 4 Offence* that is alleged to have been committed, the *Match Referee* that was appointed to officiate in the *Official Match* during which the alleged offence was committed. (For the avoidance of any doubt, the *Match Referee* is not entitled to lodge a *Report* in relation to an alleged *Level 1 Offence* or *Level 2 Offence*).

3.2 All *Reports* must be completed on Form "Rep 1" (or such other form as may be made available for such purpose by the *CM* from time to time). All *Reports* must be signed and dated by the person lodging the *Report*.

3.2.1 Where the *Report* is lodged by any of the individuals described in Articles 3.1.1 or 3.1.2 in relation to:

3.2.1.1 a *Level 1 Offence* or a *Level 2 Offence* that is alleged to have been committed on the field of play during an *Official Match,* then the *Report* must be lodged with the *Match Referee* (or, where, for logistical reasons, it is impractical to lodge with the *Match Referee*, the CM's Cricket Operations Office) within eighteen hours of the close of the day's play in the relevant *Official Match* or prior to the start of the following day's play or the start of the next relevant *Official Match*, whichever is the sooner; or

3.2.1.2 a *Level 1 Offence* or a *Level 2 Offence* that is alleged to have been committed at any time or place other than on the field of play then the *Report* must be lodged with the *Match Referee* (or, where, for logistical reasons, it is impractical to lodge with the *Match Referee*, the CM's Cricket Operations Office) as soon as reasonably practicable, and in any event, no later than forty-eight (48) hours (where the *Report* is lodged by an *Umpire*) or ninety-six (96) hours (where the *Report* is lodged by the *Team Manager* of either of the two *Cricket Clubs*) after: (a) the commission of the alleged offence; or (b) the alleged offence was brought to the attention of the person lodging the *Report*; or

3.2.1.3 a *Level 3 Offence* or a *Level 4 Offence* that is alleged to have been committed, then the *Report* must be lodged with the *CM's Head of Legal* as soon as reasonably practicable, and in any event no later than seven (7) days after either: (a) the commission of the alleged offence; or (b) the alleged offence was brought to the attention of the person lodging the *Report*.

3.2.2 Where the *Report* is lodged by the individual described in Article 3.1.3 in relation to:

3.2.2.1 a *Level 1 Offence* or a *Level 2 Offence* that is alleged to have been committed at any time or place (whether on the field of play or otherwise), then the *Report* must be lodged with the *Match Referee* (or, where, for logistical reasons, it is impractical to lodge with the *Match Referee*, the CM's Cricket Operations Office) within five (5) days of the commission of the alleged offence; or

3.2.2.2 a *Level 3 Offence* or a *Level 4 Offence* that is alleged to have been committed at any time or place (whether on the field of play or otherwise), then the *Report* must be lodged with the *CM's Head of Legal* as soon as reasonably practicable, and in any event no later than seven (7) days after: (a) the commission of the alleged offence; or (b) the alleged offence was brought to the attention of the *CM's President or Chief Executive Officer*.

3.2.3 Where the *Report* is lodged by the individual described in Article 3.1.4 in relation to a *Level 3 Offence* or a *Level 4 Offence* that is alleged to have been committed, then the *Report* must be lodged with the *CM's Head of Legal* as soon as reasonably practicable,

and in any event no later than seven (7) days after: (a) the commission of the alleged offence; or (b) the alleged offence was brought to the attention of the *Match Referee*.

3.3 Where it is alleged that a *Player* or *Player Support Personnel* has committed more than one offence under the *Code of Conduct* during, or in relation to an *Official Match* (whether arising out of the same set of facts or otherwise), then a separate *Report* should be filed in accordance with this Article 3 for each of the offences that are alleged to have been committed.

ARTICLE 4 NOTIFICATION PROCEDURE

***Level 1 Offences, Level 2 Offences and Minimum Over Rate Offences*:**

4.1 Where a *Match Referee* receives a *Report* lodged under Articles 3.2.1.1, 3.2.1.2, 3.2.2.1 or Article 3.2 of Appendix 2 (in the case of *Minimum Over Rate Offences*), he/she must promptly provide a copy of the *Report*, together with a completed Form "Not 1", (such documents comprising the **'Notice of Charge'**), to the following individuals:

4.1.1 the *Player* or *Player Support Personnel* named in the *Report*, or, where appropriate in the case of an offence under either Article 2.2.9 (changing the condition of the ball), 2.2.10 (manipulating an *Official Match*), or 2.5.1/2.5.2 (failure to meet the *Minimum Over Rate*), the relevant *Team Captain*; and

4.1.2 the *Team Manager* of the relevant *Player* or *Player Support Personnel* named in the *Report.*

4.2 The *Notice of Charge* shall specify that the *Player* or *Player Support Personnel* shall have the following three options:

4.2.1 he/she may admit the offence charged and accede to the proposed sanction specified in the *Notice of Charge* (which sanction shall be strictly at the *Match Referee's* discretion, but at all times within the appropriate range for the level of offence). In such circumstances, and provided that such admission has been received by the *Match Referee* prior to the commencement of the hearing at the time/place specified in the *Notice of Charge*, the hearing before the *Match Referee* shall not be required and no further action shall be taken, save that the *CM* shall promptly issue a public statement confirming: (a) the commission of an offence under the *Code of Conduct*; and (b) the imposition of the applicable sanction specified in the *Notice of Charge*; or

4.2.2 he/she may admit the offence charged but dispute the proposed sanction specified in the

Notice of Charge, in which case the matter shall proceed to a hearing in accordance with Article 5.1; or

4.2.3 he/she may deny the offence charged, in which case the matter shall proceed to a hearing in accordance with Article 5.1.

***Level 3 Offences* and *Level 4 Offences*:**

4.3 Where the *CM's Head of Legal* receives a *Report* lodged under Articles 3.2.1.3, 3.2.2.2 or 3.2.3, he/she must promptly conduct a review to determine whether the *Player* or *Player Support Personnel* named in the *Report* has a case to answer.

4.4 If the initial review of the *Report* reveals that there is no case to answer, then the *CM* shall notify the person who filed the *Report* of that fact, and the matter shall not proceed any further.

4.5 If the initial review of the *Report* reveals that there is a case to answer, then the *CM* shall promptly provide a copy of the *Report*, together with a completed Form "Not 1" (such documents comprising the **'Notice of Charge'**) to the following individuals:

4.5.1 the *Player* or *Player Support Personnel* named in the *Report*; and

4.5.2 the *Team Manager* of the relevant *Player* or *Player Support Personnel* named in the *Report*; and

4.5.3 the President of the *Cricket Club* to which the relevant *Player* or *Player Support Personnel* is registered.

4.6 The *Notice of Charge* shall specify that the *Player* or *Player Support Personnel* shall have the following options:

4.6.1 he/she may admit the offence charged and accede to the proposed sanction specified in the *Notice of Charge* (which sanction shall be strictly at the *CM's* discretion, but at all times within the appropriate range for the level of offence). In such circumstances, and provided that such admission has been received by the *CM's Head of Legal* prior to the commencement of the hearing at the time/place specified in the *Notice of* Charge, the hearing before the *Judicial Commissioner* shall not be required and no further action shall be taken, save that the *CM* shall promptly issue a public statement confirming: (a) the commission of an offence under the *Code of Conduct*; and (b) the imposition of the applicable sanction specified in the *Notice of Charge*; or

4.6.2 he/she may admit the offence charged but dispute the proposed sanction specified in the *Notice of Charge*, in which case the matter shall proceed to a hearing in accordance with Article 5.2; or

4.6.3 he/she may deny the offence charged, in which case the matter shall proceed to a hearing in accordance with Article 5.2.

ARTICLE 5 THE DISCIPLINARY PROCEDURE

> ***NOTE:*** *Where a Match Referee appointed to adjudicate any matter brought under this Code of Conduct is not physically present at the relevant Official Match (and therefore required to perform his/her duties remotely) then all hearings arising under Article 5.1 will be held by telephone conference or video conference (if available) and the provisions of Article 5.1 are to be interpreted accordingly.*

Level 1 Offences, Level 2 Offences and Minimum Over Rate Offences:

5.1 Where a matter proceeds to a hearing under Article 4.2.2 or 4.2.3, then the case shall be referred to the *Match Referee* for adjudication in accordance with the following procedure:

5.1.1 Subject to the discretion of the *Match Referee* to order otherwise for good cause shown by the *Player* or *Player Support Personnel*, the hearing will take place at the time specified in the *Notice of Charge* (which should, in the absence of exceptional circumstances, be no more than thirty-six (36) hours after the receipt by the *Player* or *Player Support Personnel* of the *Notice of Charge*) and, subject to the note to Article 5, in the region in which the alleged offence was committed. For the avoidance of doubt, nothing in this Article 5.1.1 prevents a hearing from being convened at a time during which the *Official Match* in relation to which the alleged offence took place, remains in progress.

5.1.2 The procedure followed at the hearing shall be at the discretion of the *Match Referee*, provided that the hearing is conducted in a manner which offers the *Player* or *Player Support Personnel* a fair and reasonable opportunity to present evidence (including the right to call and to question witnesses by telephone or video-conference where necessary), address the *Match Referee* and present his/her case.

5.1.3 The hearing before the *Match Referee* shall be in English, and certified English translations shall be submitted of any non-English documents put before the *Match Referee*. The cost of the translation shall be borne by the party offering the document(s).

5.1.4 Where video evidence of the alleged offence is available at the hearing before the *Match Referee*, then it may be relied upon by any party, provided that all other parties shall have the right to make such representations in relation to it that they may see fit.

5.1.5 Unless exceptional circumstances apply, each of the following individuals must attend any hearing before the *Match Referee*: (a) the *Player* or *Player Support Personnel* who has been charged with the alleged offence; and (b) the person who lodged the *Report* (or, in the case of the *CM's President or Chief Executive Officer*, his/her representative/nominee). Where any such individual has a compelling justification for his/her non-attendance, then they shall be given the opportunity to participate in the hearing before the *Match Referee* by telephone or video conference (if available). Without prejudice to the *Player* or *Player Support Personnel's* ability to call and to question such witnesses as may be necessary and/or to be represented by such other person of his/her own choosing pursuant to Article 5.1.6, one of the *Team Captain*, *Team Vice-Captain* or *Team Manager* of the team that the *Player* or *Player Support Personnel* represents may also attend such a hearing to provide additional support and assistance to the *Player* or *Player Support Personnel*.

5.1.6 Each of the individuals described in Article 5.1.5(a) and (b) shall have the right (at his/her or its own expense) to be represented at the hearing before the *Match Referee* by such representative (including legal counsel) of his/her or its own choosing. Where the person lodging the *Report* is an *Umpire* that officiated in the *Official Match* in question or the *CM's President or Chief Executive Officer*, then such person shall be entitled to be represented prior to, and during, the hearing (if he/she considers necessary) by a representative of the CM's Legal Department.

5.1.7 The non-attendance of any *Player* or *Player Support Personnel* or his/her representative at the hearing, shall not prevent the *Match Referee* from proceeding with the hearing in his/her absence and issuing a ruling in relation to the offence charged.

5.1.8 At the end of a hearing, where the *Match Referee* considers that further evidence is necessary or further time is required to consider the evidence that has been presented, he/she shall adjourn the hearing for an appropriate period of time and make such directions as may be necessary.

5.1.9 Alternatively, at the end of a hearing:

5.1.9.1 brought under Article 4.2.2:

(a) as soon as possible after the conclusion of the hearing (and, in any event, no later than forty-eight (48) hours thereafter), the *Match Referee* will confirm the *Player* or *Player Support Personnel's* admission that he/she had committed a *Code of Conduct* offence and announce his/her decision in writing, with reasons, setting out: (a) what sanctions, if any, are to be imposed (including any fine and/or period of suspension); (b)

the date that any period of suspension shall come into force and effect; and (c) any rights of appeal that may exist pursuant to Article 8.

5.1.9.2 brought under Article 4.2.3 (or where the *Player* or *Player Support Personnel* has failed to respond in a timely fashion to the *Notice of Charge*):

(a) the *Match Referee* shall adjourn the hearing (for a period of no less than ten (10) minutes and no more than twenty-four (24) hours), following which he/she will reconvene the hearing and verbally announce his/her finding as to whether a *Code of Conduct* offence has been committed;

(b) where the *Match Referee* determines that a *Code of Conduct* offence has been committed, the *Player* or *Player Support Personnel* may request a short adjournment (of no more than thirty (30) minutes) to prepare any submissions that he/she might wish to make in relation to the appropriate sanction that ought to be applied; and

(c) as soon as possible after the conclusion of the hearing (and, in any event, no later than forty-eight (48) hours thereafter), the *Match Referee* will announce his/her decision in writing, with reasons, setting out: (a) the finding as to whether a *Code of Conduct* offence had been committed; (b) what sanctions, if any, are to be imposed (including any fine and/or period of suspension); (c) the date that any period of suspension shall come into force and effect; and (d) any rights of appeal that may exist pursuant to Article 8.

5.1.10 The *Match Referee* shall have the discretion to announce the substance of his/her decision prior to the issue of the written reasoned decision referred to in Article 5.1.9.

5.1.11 A copy of the written reasoned decision will be provided to the *Player* or *Player Support Personnel*, the Manager of the *Player or Player Support Personnel's Cricket Club*, and the *CM's Cricket Operations*.

5.1.12 Subject only to the rights of appeal under Article 8, the *Match Referee's* decision shall be the full, final and complete disposition of the matter and will be binding on all parties.

***Level 3 Offences* and *Level 4 Offences*:**

5.2 Where a matter proceeds to a hearing under Article 4.6.2 or 4.6.3, then the case shall be referred to a *Judicial Commissioner* for adjudication in accordance with the following procedure:

5.2.1 As soon as reasonably possible, the *CM* shall appoint one member from the *CM's Code of Conduct Commission* to sit as the *Judicial Commissioner* to hear the case sitting alone. The appointed member shall be independent of the parties, have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from a club participating in the *Official Match*, during, or in relation to which, the alleged offence was committed.

5.2.2 The *Judicial Commissioner* shall convene a preliminary hearing with the *CM* and its legal representatives, together with the *Player* or *Player Support Personnel* and his/her legal representatives (if any). The preliminary hearing should take place as soon as possible by telephone conference call unless the *Judicial Commissioner* determines otherwise. The non-participation, without compelling justification, of the *Player* or *Player Support Personnel* or his/her representative at the preliminary hearing, after proper notice of the preliminary hearing has been provided, shall not prevent the *Judicial Commissioner* from

proceeding with the preliminary hearing, whether or not any written submissions are made on behalf of the *Player* or *Player Support Personnel*.

5.2.3 The purpose of the preliminary hearing shall be to allow the *Judicial Commissioner* to address any preliminary issues that need to be resolved prior to the hearing date. In particular (but without limitation), the *Judicial Commissioner* shall:

5.2.3.1 determine the date(s) upon which the full hearing shall be held. Save in exceptional circumstances or where the parties otherwise agree, the full hearing should take place no longer than fourteen (14) days after the receipt by the *Player* or *Player Support Personnel* of the *Notice of Charge*.

5.2.3.2 establish dates reasonably in advance of the date of the full hearing by which:

(a) the *CM* shall submit an opening brief with argument on all issues that the *CM* wishes to raise at the hearing and a list of the witnesses that the *CM* intends to call at the hearing (and a summary of the subject areas of the witness's anticipated testimony), and enclosing copies of the exhibits that the *CM* intends to introduce at the hearing;

(b) the *Player* or *Player Support Personnel* shall submit an answering brief, addressing the *CM's* arguments and setting out argument on the issues that he/she wishes to raise at the hearing, as well as a list of the witnesses that he/she intends to call at the hearing (and a summary of the subject areas of the witness's anticipated testimony), and enclosing copies of the exhibits that he/she intends to introduce at the hearing; and

(c) the *CM* may (at its discretion) submit a reply brief, responding to the answer brief of the *Player* or *Player Support Personnel* and listing any rebuttal witnesses that the *CM* intends to call at the hearing (and a summary of the subject areas of the witness's anticipated testimony), and enclosing copies of any other exhibits that the *CM* intends to introduce at the hearing; and

5.2.3.3 make such order as the *Judicial Commissioner* shall deem appropriate in relation to the production of relevant documents and/or other materials between the parties.

5.2.4 Subject to the discretion of the *Judicial Commissioner* to order otherwise for good cause shown by either party, or if otherwise agreed between the parties, hearings before the *Judicial Commissioner* shall take place in the country in which the alleged offence was committed.

5.2.5 The procedure followed at the hearing shall be at the discretion of the *Judicial Commissioner*, provided that the hearing is conducted in a manner which offers the *Player* or *Player Support Personnel* a fair and reasonable opportunity to present evidence (including the right to call and to question witnesses by telephone or video-conference where necessary), address the *Judicial Commissioner* and present his/her case.

5.2.6 The hearing before the *Judicial Commissioner* shall be in English, and certified English translations shall be submitted of any non-English documents put before the *Judicial Commissioner*. The cost of the translation shall be borne by the party offering the document(s). If required by the *Judicial Commissioner* (at his/her discretion), the *CM* shall make arrangements to have the hearing recorded or transcribed. If requested by

the *Player* or *Player Support Personnel*, the *CM* shall also arrange for an interpreter to attend the hearing. Such costs of transcription and interpretation shall be paid by the *CM*.

5.2.7 Where video evidence of the alleged offence is available at the hearing before the *Judicial Commissioner*, then it may be relied upon by any party, provided that all other parties shall have the right to make such representations in relation to it that they may see fit.

5.2.8 Unless exceptional circumstances apply, each of the following individuals must attend any hearing before the *Judicial Commissioner*: (a) the *Player* or *Player Support Personnel* who has been charged with the alleged offence; (b) the person who lodged the *Report* (or, in the case of the *CM's President or Chief Executive Officer*, his/her representative/nominee); and (c) a representative of the *CM's* Legal Department. Where any such individual has a compelling justification for his/her non-attendance, then they shall be given the opportunity to participate in the hearing before the *Judicial Commissioner* by telephone or video conference (if available). Without prejudice to the *Player* or *Player Support Personnel's* ability to call and to question such witnesses as may be necessary and/or to be represented by such other person of his/her own choosing pursuant to Article 5.2.9, one of the *Team Captain*, *Team Vice-Captain* or *Team Manager* of the team that the *Player* or *Player Support Personnel* represents may also attend such hearing to provide additional support and assistance to the *Player* or *Player Support Personnel*.

5.2.9 Each of the individuals described in Article 5.2.8(a) and (b) shall have the right (at his/her or its own expense) to be represented at the hearing before the *Judicial Commissioner* by such representative (including legal counsel) of his/her or its own choosing. Where the person lodging the *Report* is an *Umpire* or *Match Referee* that officiated in the *Official Match* in question or the *CM's President or Chief Executive Officer*, then such person shall be entitled to be represented prior to, and during, the hearing (if he/she considers necessary) by a representative of the *CM's* Legal Department.

5.2.10 The non-attendance of the *Player* or *Player Support Personnel* or his/her representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the *Judicial Commissioner* from proceeding with the hearing in his/her absence, whether or not any written submissions are made on his/her behalf.

5.2.11 At the end of a hearing, where the *Judicial Commissioner* considers that further evidence is necessary or further time is required to consider the evidence that has been presented, he/she shall adjourn the hearing for an appropriate period of time and make such directions as may be necessary.

5.2.12 Alternatively, at the end of a hearing:

5.2.12.1 brought under Article 4.6.2:

(a) as soon as possible after the conclusion of the hearing (and, in any event, no later than forty-eight (48) hours thereafter), the *Judicial Commissioner* will confirm the *Player* or *Player Support Personnel's* admission that he/she had committed a *Code of Conduct* offence and announce his/her decision in writing, with reasons, setting out: (a) what sanctions, if any, are to be imposed (including any fine and/or period of suspension); (b) the date that any period of suspension shall come into force and effect; and (c) any rights of appeal that may exist pursuant to Article 8.

5.2.12.2 brought under Article 4.6.3 (or where the *Player* or *Player Support Personnel* has failed to respond in a timely fashion to the *Notice of Charge*):

(a) the *Judicial Commissioner* shall adjourn the hearing (for a period of no less than ten (10) minutes and no more than twenty-four (24) hours), following which he/she will reconvene the hearing and verbally announce his/her finding as to whether a *Code of Conduct* offence has been committed;

(b) where the *Judicial Commissioner* determines that a *Code of Conduct* offence has been committed, the *Player* or *Player Support Personnel* may request a short adjournment (of no more than thirty (30) minutes) to prepare any submissions that he/she might wish to make in relation to the appropriate sanction that ought to be applied; and

(c) as soon as possible after the conclusion of the hearing (and, in any event, no later than forty-eight (48) hours thereafter), the *Judicial Commissioner* will announce his/her decision in writing, with reasons, setting out: (a) the finding as to whether a *Code of Conduct* offence had been committed; (b) what sanctions, if any, are to be imposed (including any fine and/or period of suspension); (c) the date that any period of suspension shall come into force and effect; and (d) any rights of appeal that may exist pursuant to Article 8.

5.2.13 The *Judicial Commissioner* shall have the discretion to announce the substance of his/her decision prior to the issue of the written reasoned decision referred to in Article 5.2.12.

5.2.14 A copy of the written reasoned decision will be provided to the *Player* or *Player Support Personnel,* the President of the *Player or Player Support Personnel's Cricket Club*, and the *CM's Cricket Operations*.

5.2.15 Subject only to the rights of appeal under Article 8, the *Judicial Commissioner's* decision shall be the full, final and complete disposition of the matter and will be binding on all parties.

General Principles of Procedure

5.3 Where a *Report* is filed by more than one of the individuals described in Article 3.2 in relation to the same alleged offence under the *Code of Conduct*, then the *Player* or *Player Support Personnel* alleged to have committed the offence will only be served with one *Notice of Charge* in accordance with the procedures set out in Article 4. However, all persons who filed a *Report* (or, in the case of the *CM's President or Chief Executive Officer*, his/her representative/nominee) in relation to the alleged offence are required to attend the hearing before the *Match Referee* or *Judicial Commissioner* unless there is a compelling justification for his/her non-attendance, in which case they shall be given the opportunity to participate in the hearing by telephone or video conference (if available).

5.4 Where two or more *Players* or *Player Support Personnel* are alleged to have committed offences under the *Code of Conduct*, they may both be dealt with at the same hearing where the proceedings arise out of the same incident or set of facts, or where there is a clear link between separate incidents, provided that the *Code of Conduct* permits the alleged offences to be determined by the same adjudicator. For the avoidance of doubt:

5.4.1 any number of *Level 1 Offences* and/or *Level 2 Offences* can all be determined by a *Match Referee* at the same hearing*;* and

5.4.2 any number of *Level 3 Offences* and/or *Level 4 Offences* can all be determined by a Judicial *Commissioner* at the same hearing; but

5.4.3 a *Level 1 Offence* or *Level 2 Offence* cannot be determined at the same hearing as a *Level 3 Offence* or a *Level 4 Offence* (and vice versa), and separate proceedings should therefore be issued in relation to each alleged offence.

5.5 Where a *Player* or *Player Support Personnel* is alleged to have committed more than one breach of the *Code of Conduct* during, or in relation to the same *Official Match*, then all of the alleged offences may be dealt with at the same hearing, provided that the *Code of Conduct* permits the offences that are alleged to have been committed to be determined by the same adjudicator. For the avoidance of doubt:

5.5.1 any number of *Level 1 Offences* and/or *Level 2 Offences* can all be determined by a *Match Referee* at the same hearing*;* and

5.5.2 any number of *Level 3 Offences* and/or *Level 4 Offences* can all be determined by a Judicial *Commissioner* at the same hearing; but

5.5.3 a *Level 1 Offence* or *Level 2 Offence* cannot be determined at the same hearing as a *Level 3 Offence* or a *Level 4 Offence*, and separate proceedings should therefore be issued in relation to each alleged offence.

5.6 Any failure or refusal by any *Player* or *Player Support Personnel* to provide assistance to a *Match Referee* or *Judicial Commissioner* in connection with any charge made pursuant to this *Code of Conduct* may constitute a separate offence (depending upon the seriousness and context of such failure or refusal) under Articles 2.1.8, 2.2.12, 2.3.3 or 2.4.3 of the *Code of Conduct*.

5.7 Where a *Match Referee* is, or becomes unwilling or unable to hear a case (for example, where he/she finds him/herself in a position of conflict), then the *CM's Head of Legal* shall have the discretion to appoint the *CM's Chief Referee* or such other referee as the *CM* deems to be appropriate in all the circumstances. Where the *CM's Chief Referee* (or such other referee) is unwilling or unable to hear the case, a member of the *CM's Code of Conduct Commission* (who shall have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from a country participating in the *Official Match* during, or in relation to which, the alleged offence was committed) as a replacement to the *Match Referee* and all of the remaining procedure will apply accordingly

5.8 Where a *Judicial Commissioner* is, or becomes unwilling or unable to hear a case (for example, where he/she finds him/herself in a position of conflict), then the *CM's Head of Legal* shall have the discretion to appoint another member of the *CM's Code of Conduct Commission* (who shall have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from a country participating in the *Official Match* during, or in relation to which, the alleged offence was committed) as a replacement to the *Judicial Commissioner* and all of the remaining procedure will apply accordingly.

5.9 The *CM* will issue a public announcement regarding any decision of the *Match Referee* or *Judicial Commissioner* made under the *Code of Conduct*, as soon as is reasonably practicable after the decision has been communicated to the parties. The public announcement of the decision may include details of the offences committed under the *Code of Conduct* and of the sanctions imposed, if any. Until such time as a public announcement is published, all parties and participants in the proceedings shall treat such proceedings as strictly confidential. For the

avoidance of doubt, nothing in this Article shall prevent any party publicly confirming the date of the hearing, the offence that is alleged to have been committed and/or the name of the *Player* or *Player Support Personnel* charged.

ARTICLE 6 STANDARD OF PROOF AND EVIDENCE

6.1 Unless otherwise described herein, the standard of proof in all cases brought under the *Code of Conduct* shall be whether the *Match Referee* or *Judicial Commissioner* is comfortably satisfied, bearing in mind the seriousness of the allegation that is made, that the alleged offence has been committed. This standard of proof in all cases shall be determined on a sliding scale from, at a minimum, a mere balance of probability (for the least serious offences) up to proof beyond a reasonable doubt (for the most serious offences).

6.2 The *Match Referee* or *Judicial Commissioner* shall not be bound by judicial rules governing the admissibility of evidence. Instead, facts relating to an offence committed under the *Code of Conduct* may be established by any reliable means, including admissions.

6.3 The *Match Referee* or *Judicial Commissioner* may draw an inference adverse to the *Player* or *Player Support Personnel* who is asserted to have committed an offence under the *Code of Conduct* based on his/her refusal, without compelling justification, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the *Match Referee* or *Judicial Commissioner*) and/or to answer any relevant questions.

ARTICLE 7 SANCTIONS ON *PLAYERS* AND *PLAYER SUPPORT PERSONNEL*

7.1 Where a *Match Referee* or *Judicial Commissioner* determines that an offence under the *Code of Conduct* has been committed, he/she will be required to impose an appropriate sanction on the *Player* or *Player Support Personnel*.

7.2 In order to determine the sanction that is to be imposed in each case, the *Match Referee* or *Judicial Commissioner* must first consider whether the *Player* or *Player Support Personnel* has previously been found guilty of an offence under the same Article of the *Code of Conduct* (or any predecessor regulations that may have applied) within a period of twelve months prior to the date on which the alleged offence took place.

7.3 Once the *Match Referee* or *Judicial Commissioner* has established whether this is a repeat offence within the relevant twelve month period, then he/she shall go on to take into account any other factors that he/she deems relevant and appropriate to the mitigation or aggravation of the nature of the *Code of Conduct* offence (including, without limitation, the nature and frequency of any previous offences under the *Code of Conduct*) before determining, in accordance with the following table, what the appropriate sanction(s) should be:

LEVEL OF OFFENCE	RANGE OF PERMISSIBLE SANCTIONS (FIRST OFFENCE)	RANGE OF PERMISSIBLE SANCTIONS (SECOND OFFENCE WITHIN 12 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (THIRD OFFENCE WITHIN 12 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (FOURTH AND SUBSEQUENT OFFENCES WITHIN 12 MONTHS)

Level 1	Warning/reprimand and/or the imposition of a fine of up to 50% of the applicable Match Fee.	The imposition of a fine of between 50-100% of the applicable Match Fee and/or up to two (2) Suspension Points.	The imposition of between two (2) and eight (8) Suspension Points. *	The imposition of eight (8) Suspension Points or a suspension for a fixed period of time ranging between the equivalent of eight (8) Suspension Points and one (1) year. *
Level 2	The imposition of a fine of between 50-100% of applicable Match Fee and/or up to two (2) Suspension Points.	The imposition of between two (2) and eight (8) Suspension Points. *	The imposition of eight (8) Suspension Points or a suspension for a fixed period of time ranging between the equivalent of eight (8) Suspension Points and one (1) year.*	The imposition of a suspension of between one (1) and five (5) years.
Level 3	The imposition of between four (4) and eight (8) Suspension Points.*	The imposition of eight (8) Suspension Points or a suspension for a fixed period of time ranging between the equivalent of eight (8) Suspension Points and one (1) year. *	The imposition of a suspension between one (1) year and a lifetime.	n/a
Level 4	The imposition of eight (8) Suspension Points or a suspension for a fixed period of time ranging between, at a minimum, the lesser of the equivalent of eight (8) Suspension Points and one (1) year, up to a maximum of a lifetime's suspension.	The imposition of a suspension of between one (1) year and a lifetime.	n/a	n/a

Minimum Over Rate Offences	See specific sanctions described in the table at Article 4 of Appendix 2.

*** NOTE:** In all cases marked with a *****, the maximum 'actual' period of suspension shall be no more than one (1) year, irrespective of the number and/or the practical application of any *Suspension Points* that might be imposed.

7.4 Where a *Match Referee* or *Judicial Commissioner* imposes a period of suspension on any *Player* or *Player Support Personnel*, then, unless such period is for a fixed period of time (for example, one year) then, any such period of suspension shall be referenced by *Suspension Points*, which shall carry the following weightings:

7.4.1 a *Official Match* of at least two days in duration is given a weighting of two (2) *Suspension Points*;

7.4.2 a limited over *Match* is given a weighting of one (1) *Suspension Point*; and

7.4.3 all other *Official Matches* are given a weighting of one (1) *Suspension Point*.

7.5 Where *Suspension Points* are imposed against a *Player* or *Player Support Personnel*, then such *Suspension Points* will be applied in accordance with the following principles:

7.5.1 the *Match Referee* or *Judicial Commissioner* shall have regard to the *Player's* or *Player Support Personnel's* participation in the various formats of *Official Matches* over the previous two years in order to determine (to the best of his/her ability) which of the forthcoming *Official Matches* the *Player* is most likely to participate in or the *Player Support Personnel* is most likely to assist the participation of a *Player* in;

7.5.2 where necessary, the *Match Referee* or *Judicial Commissioner* shall be entitled to consult with the *CM* in order to make a determination as to which of the forthcoming *Official Matches* the *Player* is most likely to participate in or the *Player Support Personnel* is most likely to assist the participation of a *Player* in;

7.5.3 in so far as is reasonably possible, the *Match Referee* or *Judicial Commissioner* shall apply the *Suspension Points* to the subsequent *Official Matches* in which the *Player* is most likely to participate in or the *Player Support Personnel* is most likely to assist the participation of a *Player* in, on a chronological basis immediately following the announcement of the decision;

7.5.4 where a *Player* or *Player Support Personnel* has his/her *Suspension Points* applied to an *Official Match* that is subsequently cancelled, postponed or otherwise abandoned prior to the actual day on which it is scheduled to take place, then such *Suspension Points* must be reallocated to the next subsequent *Official Matches* in which the *Player* is most likely to participate in or the *Player Support Personnel* is most likely to assist the participation of a *Player* in. Where an *Official Match* is cancelled, postponed or otherwise abandoned at any time on the actual day on which it is scheduled to take place, then the *Suspension Points* will remain allocated to that *Official Match*, irrespective of such cancellation, postponement or abandonment.

EXAMPLES OF THE APPLICATION OF SUSPENSION POINTS:

1. Where a Player's playing history suggests that he/she is most likely to represent his Cricket Club in 2 day Matches only, then the Suspension Points shall be applied to his/her future participation in 2 day Matches only, so that six (6) Suspension Points would be applied to the three (3) Test Matches immediately following the announcement of the decision, notwithstanding that the Cricket Club might be participating in intervening Official limited over Matches.

2. *Where a Player's playing history suggests that he/she is likely to be selected to represent his Cricket Club in all formats of Official Matches, then the Suspension Points shall be applied to his/her future participation in all Official Matches in the sequential order in which such Official Matches take place immediately following the announcement of the decision. The examples set out below, would apply to the following chronological list of potential playing fixtures:*

- Code of Conduct decision
- *50 over Match - weighting 1 Suspension Point (**"Match A"**)*
- *50 over Match - weighting 1 Suspension Point (**"Match B"**)*
- *2 day Match - weighting 2 Suspension Point ("**Match C"**)*
- *2 day Match - weighting 2 Suspension Point (**"Match D"**)*
- *Twenty20 Match - weighting 1 Suspension Point (**"Match E"**)*
- *Twenty20 Match - weighting 1 Suspension Point (**"Match F"**)*

(a) One (1) Suspension Point would be applied to Match A;
(b) Two (2) Suspension Points would be applied to Matches A and B;
(c) Three (3) Suspension Points would be applied to Matches A, B and E;
(d) Four (4) Suspension Point would be applied to Match A, B and C;
(e) Five (5) Suspension Points would be applied to Matches A, B, C and E;
(f) Six (6) Suspension Points would be applied to Matches A, B, C and D;
(g) Seven (7) Suspension Points would be applied to Matches A, B, C, D and E;
(h) Eight (8) Suspension Points would be applied to Matches A, B, C, D, E and F.

7.6 For the avoidance of any doubt:

7.6.1 the *Match Referee* or *Judicial Commissioner* will have no jurisdiction to adjust, reverse or amend the results of any *Official Match*;

7.6.2 where a *Player* or *Player Support Personnel* is found guilty of committing two separate *Code of Conduct* offences that do not relate to the same incident or set of circumstances arising during an *Official Match* and sanctioned separately for each offence, then any sanctions should run cumulatively (and not concurrently);

7.6.3 where a *Player* or *Player Support Personnel* is found guilty of committing two *Code of Conduct* offences in relation to the same incident or set of circumstances arising during an *Official Match* and sanctioned separately, then any sanctions imposed should run concurrently (and not cumulatively);

7.6.4 nothing in this *Code of Conduct* shall permit plea bargaining in relation to any alleged offence committed under this *Code of Conduct*;

7.6.5 where the *Match Referee* or *Judicial Commissioner* finds a *Player or Player Support Personnel* not guilty of the offence allegedly committed under the *Code of Conduct*, then it remains open to him/her, at his/her discretion, to find the *Player* or *Player Support Personnel* guilty of an offence of a lower level than that with which he/she has been charged. For example where a *Player* or *Player Support Personnel* has been charged with (but been found not guilty of) the *Level 2 Offence* of 'showing serious dissent at an *Umpire's* decision' (Article 2.2.1), the *Match Referee* may, instead, find the *Player* or *Player Support Personnel* guilty of the *Level 1 Offence* of 'showing dissent at an *Umpire's* decision' (Article 2.1.3) and impose an appropriate sanction; and

7.6.6 where a fine and/or costs award is imposed against a *Player* or *Player Support Personnel*, then such fine and/or costs award must be paid: (a) by the *Player* or *Player Support Personnel* (and not any other third party, including a *Cricket Club*); (b) to the *Player* or *Player Support Personnel's Cricket Club* (for onward transmission to the CM) within one calendar month of receipt of the decision imposing the fine. However, the *CM* will consider any request from any *Player* or *Player Support Personnel* to make the payment of such fines and/or costs over a prolonged period of time on the grounds of financial hardship. Should any fine and/or costs award (or agreed part-payment or instalment thereof) not be paid to the relevant *Cricket Club* within such deadline or by the time of the next agreed payment date, the *Player* or *Player Support Personnel* may not play, coach or otherwise participate or be involved in any capacity in any *Official Match* until such payment has been satisfied in full.

7.7 Where a *Player* or *Player Support Personnel* has had *Suspension Points* imposed against him/her or has been suspended for a fixed period of time, he/she may not play, coach or

otherwise participate or be involved in any capacity in the *Official Match(es)* which: (a) are covered by the application of his/her *Suspension Points* as determined in accordance with Article 7.7; or (b) take place during the fixed period of his/her suspension.

NOTE: *For the avoidance of any doubt, a Player or (where relevant) Player Support Personnel who has had Suspension Points imposed against him/her or has been suspended for a fixed period of time shall not, during the Official Matches which are covered by his/her Suspension Points or the period of suspension:*

(a) be nominated as, or carry out any of the duties or responsibilities of, a substitute fielder; or

(b) enter any part of the playing area (which shall include, for the avoidance of doubt, the field of play and the area between the boundary and perimeter boards) at any time, including during any scheduled or unscheduled breaks in play.

In addition, Player Support Personnel so sanctioned shall not be permitted to enter the players' dressing room (including the viewing areas) during any Official Match covered by his/her Suspension Points or the period of suspension. Players so sanctioned will, however, be permitted to enter the players' dressing room provided that the players' dressing room (or any part thereof) for the relevant Official Match is not within the player area described in (b) above (for example, no such Player shall be permitted access to an on-field 'dug-out').

Finally, any Player or Player Support Personnel so sanctioned shall not be prevented from attending any post-match ceremonies or presentations taking place anywhere on the field of play or otherwise following the conclusion of an Official Match covered by his/her Suspension Points or the period of suspension unless the suspension or Suspension Points have been imposed in respect of a Level 3 or Level 4 Offence under this Code of Conduct. In such circumstances, the Player or Player Support Personnel shall not be permitted to attend such ceremonies or presentations.

7.8 Once any *Suspension Points* or fixed period of suspension has expired, the *Player* or *Player Support Personnel* will automatically become re-eligible to participate (in the case of a *Player*) or assist the participation (in the case of a *Player Support Personnel*) in *Official Matches* provided that he/she has paid, in full, all amounts forfeited under the *Code of Conduct*, including any fines, compensatory awards or award of costs that may have been imposed against him/her.

ARTICLE 8 APPEALS

8.1 Appeals from decisions in relation to a first *Level 1 Offence*

8.1.1 Decisions made under the *Code of Conduct* by a *Match Referee* in relation to a first *Level 1 Offence* shall be non-appealable and shall remain the full and final decision in relation to the matter.

8.2 Appeals from decisions in relation to: (a) a second, third or fourth *Level 1 Offence*; (b) a *Level 2 Offence*; or (c) a *Minimum Over Rate Offence*

8.2.1 Decisions made under the *Code of Conduct* by a *Match Referee* in relation to: (a) a second, third or fourth *Level 1 Offence* within the applicable twelve month period; or (b) a *Level 2 Offence*; or (c) a *Minimum Over Rate Offence*, may be challenged solely by appeal

as set out in this Article 8.2. Such decision shall remain in effect while under appeal unless any *Judicial Commissioner* properly convened to hear the appeal orders otherwise.

8.2.2 The only parties who may appeal a decision of this nature shall be: (a) the *Player* or *Player Support Personnel* found guilty of the offence or, where appropriate in the case of an offence under either Article 2.2.9 (changing the condition of the ball), 2.2.10 (manipulation of an *Official Match*), or 2.5.1/2.5.2 (failure to meet the *Minimum Over Rate*), the relevant *Team Captain*; and (b) the *CM's President or Chief Executive Officer* (or his/her designee).

8.2.3 Any notice to appeal under this Article must be lodged with the *CM's Head of Legal* within 48 hours of receipt of the written decision of the *Match Referee*. In all cases, a copy of such notice will also be provided to the President of the *Cricket Club* to which the *Player* or *Player Support Personnel* is affiliated. Thereafter, the following will apply:

8.2.3.1 Within 48 hours of receipt of a notice to appeal: (a) the *CM's Head of Legal* will appoint a member of the *CM's Code of Conduct Commission* who is (unless otherwise agreed between the parties) from a club other than those participating in the Official *Match* during, or in relation to which, the alleged offence was committed, to act as *Judicial Commissioner* and hear the appeal sitting alone; and (b) the *Match Referee* will provide a written statement to the *CM's Head of Legal* setting our any relevant facts (to be copied to the *Player* or *Player Support Personnel*).

8.2.3.2 The *provisions* of Articles 5.1.2 to 5.1.11, applicable to proceedings before the *Match Referee*, shall apply *mutatis mutandis* (ie with changes deemed to have been made as required to reflect the different context) to appeal hearings before the *Judicial Commissioner*.

8.2.3.3 The *Judicial Commissioner* shall hear and determine all issues arising from any matter which is appealed pursuant to this Article on a *de novo* basis, ie he/she shall hear the matter over again, from the beginning, without being bound in any way by the decision being appealed. For the avoidance of doubt, the *Judicial Commissioner* shall have the power to increase or decrease, amend or otherwise substitute a new decision on the appropriateness (or otherwise) of the sanction imposed at first instance, provided that any new sanction must be within the permitted range of sanctions set out in the table in Article 7.3 (or, where applicable, Article 4 of Appendix 2).

8.2.3.4 Appeal hearings pursuant to this Article 8.2 should be completed expeditiously. Save where all parties agree or fairness requires otherwise, the appeal hearing shall be commenced no later than seven (7) days after the appointment of the member of the *Judicial Commissioner*.

8.2.3.5 The *Judicial Commissioner* shall have the power to order some or all of the costs of the appeal proceedings (including the costs of holding the hearing, any interpretation costs, the legal and/or travel/accommodation costs of the *Judicial Commissioner* and/or any other relevant parties) to be paid by the appealing party if he/she considers that such party has acted spuriously, frivolously or otherwise in bad faith.

8.2.3.6 Any decision made by the *Judicial Commissioner* under this Article 8.2, shall be the full, final and complete disposition of the matter and will be binding on all parties.

8.3 Appeals from decisions in relation to a *Level 3 Offence* or *Level 4 Offence*

8.3.1 Decisions made under the *Code of Conduct* by a *Judicial Commissioner* in relation to a *Level 3 Offence* or *Level 4 Offence* may be challenged solely by appeal as set out in this Article 8.3. Such decision shall remain in effect while under appeal unless any properly convened *Appeal Panel* orders otherwise.

8.3.2 The only parties who may appeal a decision made in relation to a *Level 3 Offence* or *Level 4 Offence* shall be: (a) the *Player* or *Player Support Personnel* found guilty of the offence; and (b) the *CM's President or Chief Executive Officer*.

8.3.3 Any notice to appeal under this Article must be lodged with the *CM's Head of Legal* within seven (7) days of receipt of the written decision of the *Judicial Commissioner*. In all cases, a copy of such notice will also be provided to the President of the *Cricket Club* to which the *Player* or *Player Support Personnel* is affiliated. Thereafter, the following will apply:

8.3.3.1 Within forty-eight (48) hours of receipt of a notice to appeal: (a) the *CM's Head of Legal* will appoint three members of the *CM's Code of Conduct Commission* each of whom are (unless otherwise agreed between the parties) from a club other than those participating in the relevant *Official Match* to sit as the *Appeal Panel* to hear the appeal; and (b) the *Judicial Commissioner* will provide a written statement to the *CM's Head of Legal* setting our any relevant facts (to be copied to the *Player* or *Player Support Personnel*).

8.3.3.2 The provisions of Articles 5.2.2 to 5.2.14, applicable to proceedings before the *Judicial Commissioner*, shall apply *mutatis mutandis* (ie with changes deemed to have been made as required to reflect the different context) to appeal hearings before the *Appeal Panel*.

8.3.3.3 The *Appeal Panel* shall hear and determine all issues arising from any matter which is appealed to it pursuant to this Article on a *de novo* basis, ie it shall hear the matter over again, from the beginning, without being bound in any way by the decision being appealed. For the avoidance of doubt, the *Appeal Panel* shall have the power to increase or decrease, amend or otherwise substitute a new decision on the appropriateness (or otherwise) of the sanction imposed at first instance, provided that any new sanction must be within the permitted range of sanctions set out in the table in Article 7.3.

8.3.3.4 Appeal hearings pursuant to this Article 8.3 should be completed expeditiously. Save where all parties agree or fairness requires otherwise, the appeal hearing shall be commenced no later than thirty (30) days after the appointment of the *Appeal Panel*.

8.3.3.5 The *Appeal Panel* shall have the power to order some or all of the costs of the appeal proceedings (including the costs of holding the hearing, any interpretation costs, the legal and/or travel/accommodation costs of the *Appeal Panel* and/or any other relevant parties) to be paid by the appealing party if it considers that such party has acted, spuriously, frivolously or otherwise in bad faith.

8.3.3.6 Any decision made by the *Appeal Panel* under this Article 8.3, shall be the full, final and complete disposition of the matter and will be binding on all parties.

8.4 No appeal in relation to an accepted sanction

8.4.1 For the avoidance of doubt, where a *Player* or *Player Support Personnel* admits the offence charged and accedes to the proposed sanction specified in the *Notice of Charge* in

accordance with the procedure described in Articles 4.2.1 or 4.6.1, the *Player* or *Player Support Personnel* waives his/her right to any appeal against the imposition of such a sanction.

ARTICLE 9 RECOGNITION OF DECISIONS

9.1 Any hearing results or other final adjudications under the *Code of Conduct* shall be recognised and respected by the *CM* and its *Cricket Clubs* automatically upon receipt of notice of the same, without the need for any further formality. Each of the CM and its *Cricket Clubs* shall take all steps legally available to it to enforce and give effect to such decisions.

9.2 It shall be a condition of membership of the *CM* that all *Cricket Clubs* shall comply with the *Code of Conduct*.

ARTICLE 10 AMENDMENT AND INTERPRETATION OF THE *CODE OF CONDUCT*

10.1 The *Code of Conduct* may be amended from time to time by the Executive Board of the *CM*, with such amendments coming into effect on the date specified by the *CM*.

10.2 The headings used for the various Articles of the *Code of Conduct* are for the purpose of guidance only and shall not be deemed to be part of the substance of the *Code of Conduct* or to inform or affect in any way the language of the provisions to which they refer.

10.3 The *Code of Conduct* shall come into full force and effect on 12th February 2014 (the **"Effective Date"**). It shall not apply retrospectively to matters pending before the *Effective Date*; provided, however, that any case pending prior to the *Effective Date*, or brought after the *Effective Date* but based on an offence that is alleged to have occurred before the *Effective Date*, shall be governed by the predecessor version of the *Code of Conduct* in force at the time of the alleged offence, subject to any application of the principle of *lex mitior* by the hearing panel determining the case.

10.4 If any Article or provision of this *Code of Conduct* is held invalid, unenforceable or illegal for any reason, the *Code of Conduct* shall remain otherwise in full force apart from such Article or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

10.5 The *Code of Conduct* is governed by and shall be construed in accordance with Malawi law. Strictly without prejudice to the arbitration provisions of Articles 5 and 8 of the *Code of Conduct*, disputes relating to the *Code of Conduct* shall be subject to the exclusive jurisdiction of the Malawian courts.

APPENDIX 1 - DEFINITIONS

Affiliate Member. Any *club or institution who is affiliated to* the *CM*.

Appeal Panel. A panel of three persons appointed by the *CM* from the members of the *CM Code of Conduct Commission* to perform the functions assigned to the *Appeal Panel* under the *Code of Conduct*. Each member of the *Appeal Panel* shall be independent of the *CM*, which may provide reasonable compensation and reimbursement of expenses to such members.

Associate Member. Any *Cricket Club* with associate member status of the *CM*.

Effective Date. As defined in Article 10.3.

CM. The Cricket Malawi or its designee.

CM's President or Chief Executive Officer. The person appointed by the CM from time to time to act as the CM's Chief Executive Officer (or his/her designee).

CM's Chief Referee. The person appointed by the CM from time to time to act as the CM's Chief Referee (or his/her designee).

CM's Clothing and Equipment Regulations. The CM's Clothing and Equipment Regulations, in force from time to time.

CM Code of Conduct Commission. An official committee of the *CM* established, amongst other things, to provide independent enquiries, investigations and rulings in relation to matters brought to its attention pursuant to the *Code of Conduct*. Each member of the *CM Code of Conduct Commission* shall be independent of the *CM*, which may provide reasonable compensation and reimbursement of expenses to such members.

CM Code of Conduct for Umpires and Referees. The CM's Code of Conduct for Umpires and Referees, in force from time to time.

CM's Head of Legal. The person appointed by the *CM* from time to time to act as the CM's Head of Legal (or his/her designee).

CM's Operating Manual. The ICC's Official Operating Manual in force from time to time.

Official Match. Each of the following (in men's and women's cricket): (a) any *2 day Match*, *Limited Overs Match*; (b) any *Match* played as part of an *CM Event*; (c) any *International Tour Match*; or (d) any other *Match* organised or sanctioned by the *CM* from time to time to which the *CM* deems it appropriate that the *Code of Conduct* should apply.

Judicial Commissioner. The independent person appointed by the *CM* from the *CM Code of Conduct Commission,* to perform the functions assigned to the *Judicial Commissioner* under the *Code of Conduct*.

Level 1 Offence. Any of the offences described in Articles 2.1.1 – 2.1.8.

Level 2 Offence. Any of the offences described in Articles 2.2.1 – 2.2.12.

Level 3 Offence. Any of the offences described in Articles 2.3.1 – 2.3.3.

Level 4 Offence. Any of the offences described in Articles 2.4.1 – 2.4.4.

Match. A cricket match of any format and duration in length played between representative teams (male or female) of two *Cricket Clubs* affiliated to the *CM*.

Match Fee. The designated match fee (which is to be used for the purposes of calculating sanctions in accordance with Article 7) as set out in Appendix 3 of this *Code of Conduct*.

Match Referee. The independent person appointed by the *CM* (or any other relevant party) as the official match referee for a designated *Official Match*, whether such *Match Referee* carries out his/her functions remotely or otherwise. Where a *Match Referee* is not physically present at a particular *Match*, he/she may be assisted in the administrative performance of his/her duties under this *Code of Conduct* by any official 'Match Manager' who may be appointed to officiate at such *Official Match*.

Minimum Over Rate. As defined in Appendix 2 of this *Code of Conduct*.

Minimum Over Rate Offence. Any of the offences described in Articles 2.5.1 – 2.5.2.

Minor Over Rate Offence. As defined in Article 2.5.1.

Notice of Charge. As defined in Article 4.1 and/or Article 4.5.

Player. Any cricketer who is selected in any playing or touring team or squad that is chosen to represent a*n affiliated Cricket Club* in any *Official Match*.

Player Support Personnel. Any coach, trainer, manager, selector, team official, doctor, physiotherapist or any other person employed by, representing or otherwise affiliated to a playing/touring team or squad that is chosen to represent a *Cricket Club* in any *Official Match*.

Report. As defined in Article 3.1.

Serious Over Rate Offence. As defined in Article 2.5.2.

Suspension Points. The weighting points used to determine the period of suspension imposed against any *Player* or *Player Support Personnel* pursuant to Article 7 of the *Code of Conduct*.

Team Captain or Vice Captain. The official captain or vice captain of any team participating in a *Match.*

Team Manager. The official manager of any team participating in a *Match*.

Umpire. Any umpire (including any third or other umpires) appointed to officiate in a *Match*.

APPENDIX 2 – *MINIMUM OVER RATE* REQUIREMENTS, CALCULATION, REPORTING AND DISCIPLINARY PROCESS AND SANCTIONS

1. *Minimum Over Rate*

The minimum over rate to be achieved by the fielding team in all *Official Matches* shall be as set out in the playing conditions to the relevant *Official Match* (the **"Minimum Over Rate"**).

2. Calculating the Actual Over Rate

2.1 The actual over rate will be calculated at the end of each *Official Match* by those *Umpires* appointed to officiate in such *Official Match*. In the case of *2 day Matches* (or other *Official Matches* of at least two days in duration), the actual over rate will be the average rate which is achieved by the fielding team across both of the batting team's innings.

2.2 In calculating the actual over rate for an *Official Match,* allowances will be given for the actual time lost as a result of any of the following:

2.2.1 treatment given to a *Player* by an authorised medical personnel on the field of play;

2.2.2 a *Player* being required to leave the field as a result of a serious injury;

2.2.3 all third *Umpire* referrals and consultations;

2.2.4 time wasting by the batting side (which may, in addition, constitute a separate offence pursuant to any of Articles 2.1.8, 2.2.11, 2.3.3 or 2.4.4 depending upon the context and seriousness of the incident); and

2.2.5 all other circumstance that are beyond the control of the fielding team.

2.3 In addition, the following time allowances will only be given in:

2.3.1 *2 day Matches* (or other *Official Matches* of at least two days in duration):

(a) 2 minutes per wicket taken, provided that such wicket results in the subsequent batsmen immediately commencing his innings. For the avoidance of any doubt, no time allowance will be given for the final wicket of an innings or where a wicket falls immediately prior to any interval; and

(b) 4 minutes per drinks break taken (one per session).

2.3.2 *Twenty20 Matches*:

(a) 1 minute for every 3 full overs that an innings is reduced by as a result of any delay and/or interruption in play.

2.4 Further, where the batting team:

2.4.1 in a *2 day Match* (or other *official Match* of at least two days in duration) is bowled out in 3½ hours or less (taking into account all of the time allowances described in this

Article 2) in any particular innings, no account shall be taken of the actual over rate in that innings when calculating the actual over rate at the end of such *Match*.

2.4.2 in an *Limited Over Match* is bowled out within the time determined for that innings pursuant to the CM's Standard Limited Over Playing Conditions, no sanction may be imposed in respect of a breach of the *Minimum Over Rate*.

3. Procedure

3.1 Where the actual over rate is calculated by the *Umpires* as being equal to or in excess of the *Minimum Over Rate*, no further action shall be taken.

3.2 Where the actual over rate is calculated by the *Umpires* as being less than the *Minimum Over Rate*, the following shall apply:

3.2.1 only the *Umpires* that officiated in the *Official Match* during which the alleged offence was committed can report such an offence to the *Match Referee*, and such Report, which must be completed on Form "Rep 1" must be lodged with the *Match Referee* (or, where, for logistical reasons, it is impractical to lodge with the *Match Referee*, the CM's Cricket Operations) within 18 hours of the close of the day's play in the relevant *Official Match* or prior to the start of the following day's play, whichever is the sooner;

3.2.2 thereafter, the *Match Referee* shall promptly consult with the *Umpires* and shall be entitled, after such consultation, to make such amendments to the actual over rate calculation as he/she deems appropriate in the circumstances to reflect those circumstances that are beyond the control of the fielding team (including, but not limited to those set out in Article 2 of this Appendix 2).

3.2.3 where the *Match Referee* confirms that the *Minimum Over Rate* has not been achieved by the fielding side in any *Official Match*, this shall constitute an offence under either Article 2.5.1 or 2.5.2 of the *Code of Conduct* and the *Match Referee* will promptly issue a *Notice of Charge* in accordance with Article 4.1 of the *Code of Conduct* (with the *Team Captain* being charged on behalf of the *Players* in the fielding side as well as him/herself) and the matter will be thereafter be adjudicated by the *Match Referee* in accordance with the procedure set out in Article 5.

4. Applicable Sanctions for a *Minimum Over Rate Offence*

4.1 The principles set out in Article 7 (regarding sanctions) shall be applied in full except that:

4.1.1 in order to determine the sanction that is to be imposed in each case, the *Match Referee* must first consider whether the *Player* has previously been found guilty of the same offence under the *Code of Conduct* (or any predecessor regulations that may have applied) in the same format of the game within a period of twelve months prior to the date on which the alleged offence took place.

4.1.2 once the *Match Referee* has established whether or not this is a repeat offence in the same format of the game within the relevant twelve month period, then:

4.1.2.1 in the case of a *Minor Over Rate Offence*, (and subject to the qualifying guidance note below), he/she shall apply the mandatory sanctions that are set out in the table at Article 4.2, below; or

4.1.2.2 in the case of a *Serious Over Rate Offence*, he/she shall take into account any other factors that he/she deems relevant and appropriate to the mitigation or aggravation of the nature of the *Serious Over Rate Offence* before determining, in accordance with the table at Article 4.2, below, what the appropriate sanction(s) should be.

4.2 For the purposes of *Minimum Over Rate Offences* only, the table at Article 7.3 of the Code of Conduct shall be replaced with the following:

MINIMUM OVER RATE OFFENCE	INDIVIDUAL	RANGE OF PERMISSIBLE SANCTIONS (FIRST OFFENCE)	RANGE OF PERMISSIBLE SANCTIONS (SECOND OFFENCE IN THE SAME FORMAT OF THE GAME WITHIN 12 MONTHS)
Minor Over Rate Offence (Article 2.5.1)	Player	10% of Match Fee per over short of Minimum Over Rate.	
	Team Captain	20% of Match Fee per over short of Minimum Over Rate.	20% of Match Fee per over short of Minimum Over Rate **AND** the imposition of a suspension for the immediately subsequent one (1) Official Match in the same format of the game as that in which the offence occurred.

NOTE: *For the avoidance of doubt, where a Team Captain whose team has already been found to have committed two Minor Over Rate Offences in the same format of the game within a period of twelve months, commits a further offence in the same format of the game in the same twelve month period, in determining the sanction to be imposed, the latest offence shall be treated as a first offence for the purposes of the table at Article 4.2 above.*

MINIMUM OVER RATE OFFENCE	INDIVIDUAL	RANGE OF PERMISSIBLE SANCTIONS (FIRST OFFENCE)	RANGE OF PERMISSIBLE SANCTIONS (SECOND OFFENCE IN THE SAME FORMAT OF THE GAME WITHIN 12 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (THIRD OFFENCE IN THE SAME FORMAT OF THE GAME WITHIN 12 MONTHS)
Serious Over Rate Offence (Article 2.5.2)	Player	10% of Match Fee per over short of the Minimum Over Rate for the: (a) first five overs in a 2 day Match (or other Official Matches of at least two days in duration); or (b) first two overs in any Limited Over Match, Twenty20 Match or any other International Match of fifty (50) or twenty (20) overs per side **AND** 20% of Match Fee per additional over short of the Minimum Over Rate.		

	Team Captain	The imposition of two (2) Suspension Points.	The imposition of between two (2) and eight (8) Suspension Points.	The imposition of between eight (8) Suspension Points and a suspension for one (1) year.

APPENDIX 3 – *MATCH FEES*

Unless otherwise agreed in advance of an *Official Match* or *CM Event,* for the purposes of any sanctions that are to be applied pursuant to this *Code of Conduct*, the following designated *Match Fees* shall apply:

Type of International Match	Designated Match Fee
Any men's 2 day Match or Limited over Matches.	A Club-specific amount which is to be determined by the CM's President or Chief Executive's Committee.
All other Official Matches.	No Match Fee will be applied. Accordingly, no Match Referee or Judicial Commissioner shall have jurisdiction under this Code of Conduct to impose any financial sanctions against any Player or Player Support Personnel for a breach of this Code of Conduct. However the remaining range of permissible sanctions (set out in the tables in Article 7.3 and Article 4 of Appendix 2) shall be available to the Match Referee and/or Judicial Commissioner in full.

For the avoidance of doubt, the designated *Match Fee* to be applied for the purposes of an offence committed by a *Player Support Personnel* shall be the same as that which would be applied to a *Player* from the same *Cricket Club* participating in the same *Official Match*.

APPENDIX 4 - EXPEDITED PROCEDURE FOR *CODE OF CONDUCT* OFFENCES OCCURING DURING AN *CM EVENT*

Where a *Code of Conduct* offence is alleged to have occurred during, or in relation to, an *Official Match* that is played as part of an *CM Event*, the provisions of the *Code of Conduct* shall apply in full save for the amendments described in this Appendix 4, which are deemed to be made in order to ensure that any matters arising can be dealt with expediently:

ARTICLE 3 REPORTING AN ALLEGED OFFENCE UNDER THE *CODE OF CONDUCT*

- Article 3.2.1.2 – "forty-eight (48) hours (where the *Report* is lodged by an *Umpire*) or ninety-six (96) hours (where the *Report* is lodged by the *Team Manager* of either of the two relevant *Cricket Clubs*)" is replaced with "eighteen (18) hours".

- Article 3.2.1.3 – "seven (7) days" is replaced with "thirty-six (36) hours".

- Article 3.2.2.1 – "five (5) days" is replaced with "twenty-four (24) hours".

- Article 3.2.2.2 – "seven (7) days" is replaced with "thirty-six (36) hours".

- Article 3.2.3 – "seven (7) days" is replaced with "thirty-six (36) hours".

…

ARTICLE 4 NOTIFICATION PROCEDURE

- Article 4.2.2 – "Article 5.1" is replaced with "Article 5.1.1"

- Article 4.2.3 – "Article 5.1" is replaced with "Article 5.1.1"

- Article 4.6.2 – "Article 5.2" is replaced with "Article 5.1.2"

- Article 4.6.3 – "Article 5.2" is replaced with "Article 5.1.2"

…

ARTICLE 5 THE DISCIPLINARY PROCEDURE

- Articles 5.1 and 5.2 are replaced in their entirety with the following:

5.1 Where a matter proceeds to a hearing:

5.1.1 under Article 4.2.2 or 4.2.3, then the case shall be referred to the *Match Referee* for adjudication in accordance with the procedure described in Article 5.2.

5.1.2 under Article 4.6.2 or 4.6.3, then the *CM* shall appoint one member of the *CM's Code of Conduct Commission* (who shall be independent of the parties, have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from a club participating in the *Official* Match, during, or in relation to which, the alleged offence was committed) to sit alone as the *Judicial Commissioner* and the case shall be referred to him/her for adjudication in accordance with the procedure described in Article 5.2.

5.2 Disciplinary Procedure during an *CM Event*

5.2.1 Subject to the discretion of the *Match Referee* or *Judicial Commissioner* to order otherwise for good cause shown by the *Player* or *Player Support Personnel*, the hearing will take place at the time specified in the *Notice of Charge* (which should, in the absence of exceptional circumstances, be no more than twenty-four (24) hours after the receipt by the *Player* or *Player Support Personnel* of the *Notice of Charge*) and in the region in which the alleged offence was committed. For the avoidance of doubt, nothing in this Article 5.2.1 prevents a hearing from being convened at a time during which the *Official Match* in relation to which the alleged offence took place, remains in progress.

5.2.2 The procedure followed at the hearing shall be at the discretion of the *Match Referee* or *Judicial Commissioner*, provided that the hearing is conducted in a manner which offers the *Player* or *Player Support Personnel* with a fair and reasonable opportunity to present evidence (including the right to call and to question witnesses by telephone or video-conference where necessary), address the *Match Referee* or *Judicial Commissioner* and present his/her case.

5.2.3 The hearing before the *Match Referee* or *Judicial Commissioner* shall be in English, and certified English translations shall be submitted of any non-English documents put before the *Match Referee* or *Judicial Commissioner*. The cost of the translation shall be borne by the party offering the document(s). In the case of a *Level 3 Offence* or *Level 4 Offence* only: (a) if required by the *Judicial Commissioner* (at his/her discretion), the *CM* shall make arrangements to have the hearing recorded or transcribed; and (b) if requested by the *Player* or *Player Support Personnel*, the *CM* shall also arrange for an interpreter to attend the hearing. Such costs of transcription and interpretation shall be paid by the *CM*.

5.2.4 Where video evidence of the alleged offence is available at the hearing before the *Match Referee* or *Judicial Commissioner*, then it may be relied upon by any party, provided that all other parties shall have the right to make such representations in relation to it that they may see fit.

5.2.5 Unless exceptional circumstances apply, each of the following individuals must attend any hearing before the *Match Referee* or *Judicial Commissioner*: (a) the *Player* or *Player Support Personnel* who has been charged with the alleged offence; and (b) the person who lodged the *Report* (or, in the case of the *CM's President or Chief Executive Officer*, his/her representative/nominee). Where any such individual has a compelling justification for his/her non-attendance, then they shall be given the opportunity to participate in the hearing before the *Match Referee* or *Judicial Commissioner* by telephone or video conference (if available). Without prejudice to the *Player* or *Player Support Personnel's* ability to call and to question such witnesses as may be necessary and/or to be represented by such other person of his/her own choosing pursuant to Article 5.2.6, one of the *Team Captain*, *Team Vice-Captain* or *Team Manager* of the team that the *Player* or *Player Support Personnel* represents may also attend such hearing before the *Match Referee* or *Judicial Commissioner* to provide additional support and assistance to the *Player* or *Player Support Personnel*.

5.2.6 Each of the individuals described in Article 5.2.5(a) and (b) shall have the right (at his/her or its own expense) to be represented at the hearing before the *Match Referee* or *Judicial Commissioner* by such representative (including legal counsel) of his/her or its own choosing. Where the person lodging the *Report* is an *Umpire* or *Match Referee* that officiated in the *Official Match* in question or the *CM's President or Chief Executive Officer*, then

such person shall be entitled to be represented prior to, and during, the hearing (if he/she considers necessary) by a representative of the CM's Legal Department.

5.2.7 The non-attendance of any *Player* or *Player Support Personnel* or his/her representative at the hearing, shall not prevent the *Match Referee* or *Judicial Commissioner* from proceeding with the hearing in his/her absence and issuing a ruling in relation to the offence charged.

5.2.8 At the end of a hearing, where the *Match Referee* or *Judicial Commissioner* considers that further evidence is necessary or further time is required to consider the evidence that has been presented, he/she shall adjourn the hearing for an appropriate period of time and make such directions as may be necessary.

5.2.9 Alternatively, at the end of a hearing:

5.2.9.1 brought under Article 4.2.2:

(a) as soon as possible after the conclusion of the hearing (and, in any event, no later than twenty-four (24) hours thereafter), the *Match Referee* or *Judicial Commissioner* will confirm the *Player* or *Player Support Personnel's* admission that he/she had committed a *Code of Conduct* offence and announce his/her decision in writing, with reasons, setting out: (a) what sanctions, if any, are to be imposed (including any fine and/or period of suspension); (b) the date that any period of suspension shall come into force and effect; and (c) any rights of appeal that may exist pursuant to Article 8.

5.2.9.2 brought under Article 4.2.3 (or where the *Player* or *Player Support Personnel* has failed to respond in a timely fashion to the *Notice of Charge*):

(a) the *Match Referee* or *Judicial Commissioner* shall adjourn the hearing (for a period of no less than ten (10) minutes and no more than two (2) hours), following which he/she will reconvene the hearing and verbally announce his/her finding as to whether a *Code of Conduct* offence has been committed;

(b) where the *Match Referee* or *Judicial Commissioner* determines that a *Code of Conduct* offence has been committed, the *Player* or *Player Support Personnel* may request a short adjournment (of no more than thirty (30) minutes) to prepare any submissions that he/she might wish to make in relation to the appropriate sanction that ought to be applied; and

(c) as soon as possible after the conclusion of the hearing (and, in any event, no later than twenty-four (24) hours thereafter), the *Match Referee* or *Judicial Commissioner* will announce his/her decision in writing, with reasons, setting out: (a) the finding as to whether a *Code of Conduct* offence had been committed; (b) what sanctions, if any, are to be imposed (including any fine and/or period of suspension); (c) the date that any period of suspension shall come into force and effect; and (d) any rights of appeal that may exist pursuant to Article 8.

5.2.10 The *Match Referee* shall have the discretion to announce the substance of his/her decision prior to the issue of the written reasoned decision referred to in Article 5.2.9. 39

5.2.11 A copy of the written reasoned decision will be provided to the *Player* or *Player Support Personnel*, the President of the *Player or Player Support Personnel's Cricket Club*, and the *CM's Cricket Operations*.

5.2.12 Subject only to the rights of appeal under Article 8, the *Match Referee's* or *Judicial Commissioner's* decision shall be the full, final and complete disposition of the matter and will be binding on all parties.

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ARTICLE 8 APPEALS

- Article 8.2.3 - "48 hours" is replaced with "24 hours".

- Article 8.2.3.1 – "48 hours" is replaced with "24 hours".

- Article 8.2.3.2 – "Articles 5.1.2 to 5.1.10" is replaced with "the amended Articles 5.1 and 5.2".

- Article 8.2.3.4 – "seven days" is replaced with "48 hours".

- Article 8.3.3 – "seven (7) days" is replaced with "48 hours".

- Article 8.3.3.2 - "Articles 5.2.2 to 5.2.13" is replaced with "the amended Articles 5.1 and 5.2".

- Article 8.3.3.4 – "thirty (30) days" is replaced with "72 hours".