Code of Conduct for Umpires

REVIEWED & ADOPTED 29TH JUNE 2020

Note: The Umpires Code of Conduct included herewith is currently under review. Until such time as the revised Code has been finalized this Code shall remain applicable.

1 Code of Conduct

1.1 Umpires shall not make any public pronouncement or media comment which is detrimental to:

a) the game of cricket in general, or

b) any particular match between Member Clubs/Institutions in which any such Umpire is involved, or

c) any match between Member Clubs/Institutions which is taking place; or

d) relations between the Cricket Authority of a Member Clubs/Institutions.

1.2 Umpires shall not disclose or comment upon any alleged breach of this Code or the CM Code of Conduct or any hearing, report or decision arising from such a breach unless such disclosure is required under the provisions of this Code or the CM Code of Conduct.

1.3 Umpires shall not engage, directly or indirectly, in betting or any conduct described in the Appendix.

1.4 Umpires shall not use or in any way be concerned in the use or distribution of illegal drugs.

1.5 Umpires shall at all times observe and comply with the provisions of any Regulation of CM which applies to Umpires including but not limited to CM's Logo Policy from time to time in force.

1.6 Umpires shall not engage in any conduct which is prejudicial to the interests of the game of cricket.

2 Application of the Code

2.1 An alleged breach of Clause 1.3 of the Code shall be dealt with by the CM Code of Conduct Commission, through the CM Executive Board.

2.2 Any other breach of the Code shall be dealt with by the Home Board of the Umpire concerned and the Home Board may, subject to the provisions of the Code, regulate its proceedings in relation thereto as it may think fit.

3 Procedures for dealing with Disciplinary Matters

3.1 Reports

3.1.1 Eligibility to lodge a Report
An alleged breach of this Code by an Umpire may be reported by

a) the Referee;

b) the Team Manager (in his own right or on behalf of any of his players) of one of the cricket teams playing in the Match in relation to which such breach is alleged to have occurred;

c) the President/Manager of a Cricket Club/Institution who
was represented by one of the cricket teams playing in the Match in relation to which such breach is alleged to have occurred;

d) the CM President/Chief Executive.

3.1.2 If any person eligible to lodge a report becomes aware of any alleged breach of the Code by an Umpire, he shall report the alleged breach in writing to the CM President/Chief Executive as soon as possible and, forthwith upon the receipt of such written report, the CM President/Chief Executive shall be responsible for informing the Home Board of its contents.

3.2 Hearings by the CM Code of Conduct Commission

3.2.1 If an Umpire is reported for an alleged breach of Clause 1.3, the CM President/Chief Executive shall be responsible for informing the Chairman of the CM Code of Conduct Commission of the report's contents and any investigation shall be conducted in accordance with the Commission's Terms of Reference and not by the Home Board.

3.3 Hearings by the Home Board

3.3.1 A hearing of any alleged breach of the Code shall be arranged by the Home Board as soon as possible and practical after the Home Board has been informed by the CM President/Chief Executive of the contents of the report of the alleged breach. Notice of the hearing shall be given by the Home Board to the Umpire concerned and the Home Board shall send him a copy of the said report. If the Umpire shall elect to have a legal representative appear on his behalf at the hearing, he shall forthwith notify the Home Board of his decision and the name of his legal representative. If the Umpire fails to do so, such legal representative may only appear on the Umpire's behalf at the sole and absolute discretion of the Chairman who shall require a good reason for such failure on the part of the Umpire.

3.3.2 The hearing should be attended by the Umpire against whom the alleged breach has been made, by any legal representative instructed by the Umpire to appear on his behalf and by any eligible person who shall have lodged a report with the CM President/Chief Executive in relation to such breach, none of whom may be denied the right to appear at the hearing. The hearing may also attended by a representative of CM and by the President/Chief Executive Officer of the Home Board and by any other duly appointed representative of the Home Board, including a legal representative instructed by the Home Board to appear on its behalf. If the Umpire against whom the alleged breach is made fails to attend at the time and place fixed for the hearing, reasonable notice of which shall have been duly given to him, the hearing may be conducted in his absence. The Home Board shall appoint an individual to preside at the hearing as the Chairman, to decide whether or not a breach has occurred and, if so, to determine what penalty should be imposed.

3.3.3 The Chairman shall allow the Umpire concerned to present evidence, either oral or written, in support. The Chairman may, at his discretion, call such witnesses as may be necessary.

3.3.4 In hearing evidence of the alleged breach of the Code and in deciding what action should be taken in relation thereto, the Chairman shall have due regard to the principles of natural justice, guidelines on which appear as an appendix to the CM Code of Conduct, and to the need to ensure a fair and prompt determination of the alleged breach.

3.3.5 The Home Board shall always have the right to investigate any incident which, in its opinion, may give rise to a breach of the Code, irrespective of whether or not a report in relation thereto has been lodged with the CM President/Chief Executive; and, if it decides to hold a hearing in relation thereto, it shall, as soon as possible, notify in writing the Umpire in respect of whom an alleged breach of the Code has been made of the Home Board's decision and of the circumstances giving rise to the alleged breach and shall send a copy of the said notice to the CM President/Chief Executive.

3.4 Decision

3.4.1 The Chairman's decision is final.

3.4.2 As soon as possible after the Chairman has arrived at his decision, he shall inform the CM President/Chief Executive Officer of the Home Board and the Umpire concerned of his decision.

3.4.3 The CM President/Chief Executive Officer of the Home Board shall announce the decision of the Chairman to the news media.

3.4.4 The Chairman and the Home Board shall not discuss or comment upon the Chairman's decision at any time save with the express authority in writing of the CM President/Chief Executive.

3.5 Penalties

3.5.1 In the event that, after a hearing under the Code, the Chairman decides on a balance of probability that an Umpire is in breach of the Code, the Chairman may, in his absolute discretion impose any penalty by way of reprimand and/or fine and/or suspension, including power to suspend a fine or a suspension for a period not exceeding one year.

3.5.2 In deciding what penalty to impose on an Umpire for a breach of the Code, the Chairman shall have regard to:

a) The character of that Umpire

b) The nature of the action on the part of that Umpire giving rise to the breach of the Code; and

c) Any other circumstances of the case which may seem to the Chairman relevant to the imposition of a penalty.

3.5.3 The Home Board shall co-operate with the Chairman in ensuring that a penalty imposed on any such Umpire by way of suspension is carried into full force and effect and the Home Board is hereby authorised under the Code to take all necessary steps to enforce such suspension.

3.5.4 In the event that the Chairman shall decide to impose a fine on an Umpire, the fine shall be paid by the Umpire on whom it is imposed within one calendar month of the date on which he is notified of the Chairman's decision. In this respect, the CM President/Chief Executive shall arrange with the Home Board for the fine to be paid by the Umpire concerned to the Home Board who will, in turn, forward it to CM.

Any Umpire failing to pay such fine to the Home Board within the said period shall not, until such time as the fine has been paid, be eligible for appointment as an Umpire by CM or by the Home Board for any international or national team fixture under the control of the Home Board.

3.5.5 In the event that the Chairman exercises his power to suspend any fine or suspension on an Umpire who is subsequently found to be in further breach of the Code during the period of suspension, the original penalty will automatically be imposed. The Chairman of the hearing of the subsequent breach may impose a penalty in respect of such further breach.

4 Records

The Home Board shall supply CM with a copy of all hearings conducted by it under the Code and CM shall be responsible for keeping copies of all reports and of all hearings.

5 General

5.1 If there shall be any conflict between the provisions of the Code and the provisions of any code of conduct or similar regulation issued by any Cricket Club/Institution, the provisions of the Code shall prevail and shall override any such code of conduct.

5.2 It shall be an implied condition in any contract, agreement, understanding or arrangement involving a Cricket Club/Institution or a Home Board and an Umpire that the provisions of the Code shall be binding on such an Umpire and that his acceptance of an appointment to stand as an Umpire in any Cricket Match or to be a member of the national panel of Umpires established by CM shall constitute his acceptance of his obligation to be bound by and his undertaking, directly with CM to observe at all times the provisions of the Code.

5.3 Each Cricket Authority shall bring to the express notice of its Umpires the provisions of the Code and shall procure the compliance by its Umpires with the provisions of the Code.

APPENDIX 1

An Umpire shall be in breach of Clause 1.3 of the Code if he is found to have engaged in any of the following conduct and the penalties to be considered are the same as those set out in Clause C4 of the Code of Conduct for Players and

Team Officials:

1 Bet on any Match cricket match ('Match') or series of Matches, or on any event connected with any Match or series of Matches ('Event'), in which such Umpire took part or in which the Member Club/Institution of any such Umpire was represented;

2 Induced or encouraged any other person to bet on any Match or series of Matches or on any Event or to offer the facility for such bets to be placed;

3 Gambled or entered into any other form of financial speculation on any Match or on any Event or induced or encouraged any other person to do so;

4 Was a party to contriving or attempting to contrive the result of any Match or the occurrence of any Event;

5 Failed to meet the standards of a Umpire owing to an arrangement relating to betting on the outcome of any Match or on the occurrence of any Event;

6 Induced or encouraged any player not to perform on his merits in any Match owing to any such arrangement;

7 Received from another person any money, benefit or other reward (whether financial or otherwise) for the provision of any information concerning the weather, the teams, the state of the ground, the status of, or the outcome of, any Match or the occurrence of any Event unless such information has been provided to a newspaper or other form of media in accordance with an obligation entered into in the normal course and disclosed in advance to the Home Board;

8 Received or provided any money, benefit or other reward (whether financial or otherwise) which could bring him or the game of cricket into disrepute;

9 Received any approaches from another person to engage in conduct such as that described in any of the above Paragraphs 1 to 8 and has failed to disclose the same to the CM President/Chief Executive;

10 Is aware that any other Umpire or individual has engaged in conduct, or received approaches, such as described in any of the above Paragraphs 1 to 9 and has failed to disclose the same to the CM President/Chief Executive;

11 Has received or is aware that any other person has received threats of any nature which might induce him to engage in conduct, or acquiesce in any proposal made by an approach, such as that described in any of the above Paragraphs 1 to 10 and has failed to disclose the same to the CM President/Chief Executive;

12 Has engaged in any conduct which, in the opinion of the Executive Board, relates directly or indirectly to any of the above paragraphs 1 to 11 and is prejudicial to the interests of the game of cricket.