

# **The International Cricket Council**

## **Code of Conduct for Players and Player Support Personnel**

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# INTERNATIONAL CRICKET COUNCIL

## CODE OF CONDUCT FOR PLAYERS AND PLAYER SUPPORT PERSONNEL

### INTRODUCTION

The ICC is the international federation responsible for the global governance of the sport of cricket and the Code of Conduct for Players and Player Support Personnel (the “**Code of Conduct**”) is adopted and implemented as part of the ICC’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 of 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 *International Match* for a period of three (3) months and the ICC 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 ICC and the *National 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 *National 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 *ICC Code of Conduct for Umpires and Referees*; and

**1.5.2** where a representative side of a *National Cricket Federation* participates in an *International Tour Match* against a domestic or invitational team, for the purposes of their participation in such *International 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 not be bound by this *Code of Conduct*. Instead, such individuals will be bound by, required to comply with, and shall submit themselves to the jurisdiction of the relevant *National Cricket Federation's* own applicable rules 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.

For the purposes of the *Code of Conduct*, the phrase “during an *International Match*” should be interpreted broadly to cover all conduct which takes place at the ground on the day of an *International Match*, and not just conduct which takes place on the field of play. It will therefore include conduct which takes place off the field of play, for example in the changing rooms, or during any of the intervals in the match.

For the avoidance of doubt, the ICC's jurisdiction to take action against a *Player* or *Player Support Personnel* under this *Code of Conduct* is limited to incidents which take place during, or in relation to, an *International Match* or *ICC Event*. In circumstances where a *Player* or *Player Support Personnel* is involved in an off-field incident which may warrant action under this *Code of Conduct* and any code of conduct or disciplinary rules of the *Player* or *Player Support Personnel's* *National Cricket Federation*, the ICC will consult with the relevant *National Cricket Federation* in order to determine what the most appropriate course of action against the *Player* or *Player Support Personnel* should be.

### **2.1 Level 1 Offences:**

**2.1.1** Conduct that is contrary to the spirit of the game.

**NOTE:** Article 2.1.1 is intended to cover all types of conduct of a *minor nature* that is contrary to the spirit of the game and which is not specifically and adequately covered by the specific offences set out elsewhere in

*this Code of Conduct. The spirit of the game is defined by reference to the Preamble to the Laws of Cricket and involves respect for (a) your opponents, (b) your captain and team, (c) the role of the umpires and (d) the game and its traditional values.*

*By way of example, Article 2.1.1 may (depending upon the seriousness and context of the breach) prohibit, without limitation, the following: (a) the use of an illegal bat or illegal wicket-keeping gloves; (b) cheating during an International Match, including deliberate attempts to mislead the Umpire; and (c) failure to comply with the provisions of clause 7.1 of the ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions.*

#### **2.1.2** Conduct that brings the game into disrepute.

**NOTE:** *Article 2.1.2 is intended to cover all types of conduct of a minor nature that bring the game into disrepute and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct, including Article 2.1.1.*

*By way of example, Article 2.1.2 may (depending upon the seriousness and context of the breach) prohibit, without limitation, the following: (a) public acts of misconduct; (b) unruly public behavior; and (c) inappropriate comments which are detrimental to the interests of the game.*

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

**NOTE:** *Without limitation, Players and Player Support Personnel will breach Article 2.1.3 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 International 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 2.1.3 where they criticize or make an inappropriate comment in relation to an incident occurring in an International Match or any Player, Player Support Personnel, Match official or team participating in any International Match in any posting they make on a social media platform.*

#### **2.1.4** Using language or a gesture that is obscene, offensive or insulting during an *International 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 ICC's Anti-Racism Code and must be dealt with according to the procedures set out therein.*

#### **2.1.5** Showing dissent at an *Umpire's* decision during an *International Match*.

**NOTE:** Article 2.1.5 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) requesting a referral to the TV Umpire (other than in the context of a legitimate request for a referral as may be permitted in such International Match); and (h) arguing or entering into a prolonged discussion with the Umpire about his/her 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.*

#### **2.1.6 Excessive appealing during an International Match.**

**NOTE:** For the purposes of Article 2.1.6, '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.

#### **2.1.7 Using language, actions or gestures which disparage or which could provoke an aggressive reaction from a batsman upon his/her dismissal during an International Match.**

**NOTE:** Article 2.1.7 includes any language, action or gesture used by a Player and directed towards a batsman upon his/her dismissal which has the potential to provoke an aggressive reaction from the dismissed batsman, whether or not any reaction results, or which could be considered to disparage or demean the dismissed batsman, regardless of whether the batsman himself feels disparaged or demeaned. Without limitation, Article 2.1.7 includes: (a) excessive celebration directed at and in close proximity to the dismissed batsman; and (b) verbally abusing the dismissed batsman.

*Nothing in this Article 2.1.7 is, however, intended to stop Players celebrating, in an appropriate fashion, the dismissal of the opposing team's batsman.*

#### **2.1.8 Abuse of cricket equipment or clothing, ground equipment or fixtures and fittings during an International Match.**

**NOTE:** Article 2.1.8 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.

## **2.2 Level 2 Offences:**

#### **2.2.1 Conduct that is contrary to the spirit of the game.**

**NOTE:** Article 2.2.1 is intended to cover all types of conduct of a serious nature that is contrary to the spirit of the game and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct. The spirit of the game is defined by reference to the Preamble to the Laws of Cricket and involves respect for (a) your opponents, (b) your captain and team, (c) the role of the umpires and (d) the game and its traditional values.

*See guidance note to Article 2.1.1 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.2.1.*

#### **2.2.2 Conduct that brings the game into disrepute.**

**NOTE:** Article 2.2.2 is intended to cover all types of conduct of a serious nature that brings the game into disrepute and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct, including Article 2.2.1.

See guidance note to Article 2.1.2 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.2.2.

**2.2.3** Serious public criticism of, or inappropriate comment in relation to an incident occurring in an *International Match* or any *Player, Player Support Personnel, Match official* or team participating in any *International 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 *International 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 *International Match* or any *Player, Player Support Personnel, Match official* or team participating in any *International Match* in any posting they make on a social media platform.

**2.2.4** 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 *International 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 ICC's Anti-Racism Code and must be dealt with according to the procedures set out therein.

**2.2.5** Showing serious dissent at an *Umpire's* decision during an *International Match*.

**NOTE:** Dissent, including the examples given in Article 2.1.5 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.

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

**2.2.7** Inappropriate and deliberate physical contact with a *Player, Player Support Personnel, Umpire, Match Referee* or any other *Person* (including a spectator) in the course of play during an *International Match*.

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

**2.2.8** 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 *International Match*.

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

**2.2.9** Changing the condition of the ball in breach of Law 42.3 of the Laws of Cricket, as modified by ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clause 42.

**NOTE:** This offence supplements and does not replace ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clause 42.3.

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** Dangerous and unfair bowling in breach of Law 42.6, 42.7 or 42.8 of the Laws of Cricket, as modified by ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clause 42.

**NOTE:** This offence supplements and does not replace ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clauses 42.6, 42.7 or 42.8.

Article 2.2.10 is intended to cover any breach of Law 42.8, or any dangerous and unfair bowling in breach of Law 42.6 or 42.7 which the umpires determine should be reported under the Code of Conduct due to the seriousness of the breach.

**2.2.11** Causing avoidable damage to the pitch during an *International Match* in breach of Law 42.13 or 42.14 (as applicable) of the Laws of Cricket, as modified by ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clause 42.

**NOTE:** This offence supplements and does not replace ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clauses 42.13 or 42.14.

Article 2.2.11 is intended to cover deliberate action by a Player to cause damage to the pitch, including, without limitation, action which is intended to give the Player's team an unfair advantage in the Match.

**2.2.12** Deliberate time wasting by any Player or team in breach of Law 42.9 or 42.10 of the Laws of Cricket, as modified by ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clause 42.



**NOTE:** This offence supplements and does not replace ICC Standard Test Match, ODI and Twenty20 International Match Playing Conditions clauses 42.9 or 42.10.

Article 2.2.12 is intended to cover deliberate action by a Player or team to waste time during a Match in breach of Law 42.9 or 42.10.

**2.2.13** Any attempt to manipulate an *International Match* for inappropriate strategic or tactical reasons.

**NOTE:** Article 2.2.13 is intended to prevent the manipulation of *International Matches* for inappropriate strategic or tactical reasons (such as when a team deliberately loses a pool Match in an ICC Event in order to affect the standings of other teams in that ICC Event). It might also apply to the inappropriate manipulation of a net run rate or accumulation of bonus points or otherwise.

Article 2.2.13 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 ICC'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.

## 2.3 Level 3 Offences:

**2.3.1** Conduct that is contrary to the spirit of the game.

**NOTE:** Article 2.3.1 is intended to cover all types of conduct of a very serious nature that is contrary to the spirit of the game and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct. The spirit of the game is defined by reference to the Preamble to the Laws of Cricket and involves respect for (a) your opponents, (b) your captain and team, (c) the role of the umpires and (d) the game and its traditional values.

See guidance note to Article 2.1.1 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.3.1.

**2.3.2** Conduct that brings the game into disrepute.

**NOTE:** Article 2.3.2 is intended to cover all types of conduct of a very serious nature that brings the game into disrepute and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct, including Article 2.3.1.

See guidance note to Article 2.1.2 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.3.2.

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

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

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

**NOTE:** This offence is not intended to cover threats of assault against *Umpires* or *Match Referees*, which are prohibited under Article 2.4.3.

## 2.4 **Level 4 Offences:**

### 2.4.1 Conduct that is contrary to the spirit of the game.

**NOTE:** Article 2.4.1 is intended to cover all types of conduct of an overwhelmingly serious nature that is contrary to the spirit of the game and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct. The spirit of the game is defined by reference to the Preamble to the Laws of Cricket and involves respect for (a) your opponents, (b) your captain and team, (c) the role of the umpires and (d) the game and its traditional values.

See guidance note to Article 2.1.1 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.4.1.

### 2.4.2 Conduct that brings the game into disrepute.

**NOTE:** Article 2.4.2 is intended to cover all types of conduct of an overwhelmingly serious nature that brings the game into disrepute and which is not specifically and adequately covered by the specific offences set out elsewhere in this Code of Conduct, including Article 2.4.1.

See guidance note to Article 2.1.2 for examples of conduct that may (depending upon the seriousness and context of the breach) be prohibited under Article 2.4.2.

### 2.4.3 Threat of assault on an *Umpire* or *Match Referee* during an *International Match*.

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

### 2.4.5 Any act of violence on the field of play during an *International Match*.

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

Failure by a fielding team participating in an *International 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 *Test Match* or any other *International Match* of at least four days in duration is up to (and including) five overs short of the *Minimum Over Rate*, or, in any *One Day International Match*, *Twenty20 International Match* or any other *International Match* of fifty (50) or twenty (20) overs per side, 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 *Test Match* or any other *International Match* of at least four days in duration is more than five overs short of the *Minimum Over Rate*, or, in any *One Day International Match*, *Twenty20 International Match* or any other *International Match* of fifty (50) or twenty (20) overs per side, 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/her 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 International 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 International Match that is played as part of an ICC 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 International Match during which the alleged offence was committed;

**3.1.2** the CEO of either of the two National Cricket Federations whose representative teams participated in the International Match during, or in relation to which, the alleged offence was committed, or his/her designee (provided that the identity of such designee is advised to the ICC by the National Cricket Federation in advance of, or at least at the same time as, the Report is lodged);

**3.1.3** the ICC’s 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 International 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 ICC 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 International 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 ICC’s Cricket Operations Department) (a) where the Report is lodged by an Umpire, within eighteen hours of the close of the day’s play in the relevant International Match or prior to the start of the following day’s play or the start of the next relevant International Match, whichever is the sooner or (b) where the Report is lodged by the CEO of either of the two National Cricket Federations (or his/her designee), as soon as reasonably practicable, and in any event no later than forty-eight (48) hours after the close of the day’s play in the relevant International Match; 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 ICC's Cricket Operations Department) 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 CEO of either of the two *National Cricket Federations* (or his/her designee)) 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 ICC's *General Counsel* 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 ICC's Cricket Operations Department) 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 ICC's *General Counsel* 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 ICC's *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 ICC's *General Counsel* 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 *International 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.

**NOTE:** For the avoidance of doubt, only one *Report* should be laid per offence. As such, where the incident in question could fall within more than one offence under Article 2, for example Article 2.2.4 (serious public criticism or inappropriate comment) and Article 2.2.2 (conduct of a serious nature that brings the game into disrepute) a *Report* should be laid only in respect of the offence which most specifically covers the relevant conduct (in the example above, Article 2.2.4) and not both offences.

## 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 *International 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 *ICC* 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 *ICC's General Counsel* 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 in relation to the specific type and/or level of offence identified in the *Report* (i.e. to determine, in the *ICC's* opinion, whether the specific type and level of offence noted in the *Report* is properly identified when reviewed against the conduct complained of).
- 4.4** If the initial review of the *Report* reveals that there is no case to answer in relation to the specific type and/or level of offence, then the *ICC* shall notify the person who filed the *Report* of that fact, advising them of the reasons that such a determination has been made and, where applicable, providing guidance on which specific type and level of offence the *ICC* considers to be appropriate. Upon receipt of such a decision, the person who filed the *Report* shall, notwithstanding the provisions of Article 3.2 and having considered the *ICC's* guidance in good faith, within a period of twenty-four (24) hours from the time of notification by the *ICC*, notify the *ICC* whether he/she wishes to: (a) revise the specific type and/or level of the offence charged, in which case a revised *Report* must be lodged with the *ICC* within such twenty-four (24) period; (b) proceed on the basis of the original *Report* lodged; or (c) withdraw the *Report*.
- 4.5** If the initial review of the *Report* reveals that there is a case to answer, or a revised *Report* is lodged with the *ICC* pursuant to Article 4.4, then the *ICC* 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 CEO of the *National Cricket Federation* to which the relevant *Player* or *Player Support Personnel* is affiliated.
- 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 *ICC*’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 *ICC*’s *General Counsel* 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 *ICC* 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 *International 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 country 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 *International 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 ICC's *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 *International Match* in question or the ICC's *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 ICC'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 CEO of the *Player* or *Player Support Personnel's National Cricket Federation*, and the ICC's *Cricket Operations Manager*.

**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 ICC shall appoint one member from the ICC'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 country participating in the *International 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 individual lodging the *Report* pursuant to Article 3.1 (the **Complainant**) and his/her legal representatives (if any), 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*. Where the initial *Report* was lodged by someone other than the individual described in Article 3.1.3, the *ICC* will be notified and invited to participate in any such preliminary hearing convened by the *Judicial Commissioner* through its representative.

**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 *Complainant* shall submit an opening brief with argument on all issues that the *Complainant* wishes to raise at the hearing and a list of the witnesses that the *Complainant* 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 *Complainant* intends to introduce at the hearing;

(b) the *Player* or *Player Support Personnel* shall submit an answering brief, addressing the *Complainant'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 *Complainant* 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 *Complainant* 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 *Complainant* 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 *ICC* shall make arrangements to have the hearing recorded or transcribed. If requested by the *Player* or *Player Support Personnel*, the *ICC* shall also arrange for an interpreter to attend the hearing. Such costs of transcription and interpretation shall be paid by the *ICC*.
- 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; and (b) the *Complainant* (or, in the case of the *ICC's 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 *Judicial Commissioner* by telephone or video conference (if available). In addition, a representative of the *ICC's* legal department shall be entitled to attend any such hearing. 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 *Complainant* is an *Umpire* or *Match Referee* that officiated in the *International Match* in question or the *ICC's 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 *ICC'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 CEO of the *Player* or *Player Support Personnel's National Cricket Federation*, the *Complainant* and the *ICC's Cricket Operations Manager*.

**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 3.1 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 *ICC's 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, as follows:
- 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; and
  - 5.4.3** a *Level 1 Offence* and/or *Level 2 Offence* can be determined by a *Judicial Commissioner* at the same hearing as a *Level 3 Offence* and/or a *Level 4 Offence*; but
  - 5.4.3** a *Level 3 Offence* or *Level 4 Offence* cannot be determined by a *Match Referee* at the same hearing as a *Level 1 Offence* or a *Level 2 Offence*, 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 *International Match*, then all of the alleged offences may be dealt with at the same hearing, as follows:
- 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; and
  - 5.5.3** a *Level 1 Offence* and/or *Level 2 Offence* can be determined by a *Judicial Commissioner* at the same hearing as a *Level 3 Offence* and/or a *Level 4 Offence*; but
  - 5.5.3** a *Level 3 Offence* or *Level 4 Offence* cannot be determined by a *Match Referee* at the same hearing as a *Level 1 Offence* or a *Level 2 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 *ICC's General Counsel* shall have the discretion to appoint the *ICC's Chief Referee* or such other referee as the *ICC* deems to be appropriate in all the circumstances. Where the *ICC's Chief Referee* (or such other referee) is unwilling or unable to hear the case, a member of the *ICC'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 *International 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 *ICC's General Counsel* shall have the discretion to appoint another member of the *ICC'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 *International 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 *ICC* 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 (or any relevant *National Cricket Federation*) 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**

**COMMENT:** *The aim of the sanctioning regime under this Code of Conduct is to (a) sanction those Players and Player Support Personnel found to have committed an offence under the Code of Conduct, and (b) to act as a deterrent to other Players and Player Support Personnel to deter them from conducting themselves improperly on and off the "field of play". The ICC believes that the threat of a suspension is the strongest deterrent to bring about a change in behavior. As such, a system of accumulated Demerit Points, which can lead to suspensions, in addition to the standard sanctioning regime, has been introduced into this version of the Code of Conduct.*

- 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 determining the appropriate sanction, the *Match Referee* or *Judicial Commissioner* shall take into account any factors that he/she deems relevant and appropriate to the mitigation or aggravation of the nature of the *Code of Conduct* offence before determining, in accordance with the table set out in Article 7.3 below, what the appropriate sanction(s) should be.
- 7.3** In addition to sanctions imposed by a *Match Referee* or *Judicial Commissioner* under Article 7.2 above, *Demerit Points* will be imposed upon a *Player* or *Player Support Personnel* found to have committed an offence under the *Code of Conduct*. The number of *Demerit Points* imposed will be

calculated by reference to the sanction imposed for the particular offences, as set out in the following table.

LEVEL OF OFFENCE	RANGE OF PERMISSIBLE SANCTIONS	CORRESPONDING DEMERIT POINTS	
Level 1	Warning and/or the imposition of a fine of up to 50% of the applicable <i>Match Fee</i> .	Warning or 0-25% fine	1
		26-50% fine	2
Level 2	The imposition of a fine of between 50-100% of the applicable <i>Match Fee</i> and/or up to two (2) <i>Suspension Points</i> .	50-100% fine or 1 <i>Suspension Point</i>	3
		2 <i>Suspension Points</i>	4
Level 3	The imposition of between four (4) and eight (8) <i>Suspension Points</i> .*	4-5 <i>Suspension Points</i>	5
		6-8 <i>Suspension Points</i>	6
Level 4	The imposition of eight (8) <i>Suspension Points</i> or a suspension for a fixed period of time ranging between, at a minimum, the lesser of the equivalent of eight (8) <i>Suspension Points</i> and one (1) year, up to a maximum of a lifetime's suspension.	8 <i>Suspension Points</i>	7
		Fixed period of suspension between 8 <i>Suspension Points</i> and one (1) year	8
<i>Minimum Over Rate Offences</i>	See specific sanctions described in the table at Article 4 of Appendix 2.	N/A	

*Demerit Points* will remain on a *Player* or *Player Support Personnel's* disciplinary record for a period of twenty-four (24) months from their imposition following which they shall be immediately expunged.

**\* 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 *Test Match* or any other *International Match* of at least four days in duration is given a weighting of two (2) *Suspension Points*;

**7.4.2** a *One Day International Match* or *Twenty20 International Match* is given a weighting of one (1) *Suspension Point*; and

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

**7.5** Each time a *Player* or *Player Support Personnel* is found to have committed an offence under the *Code of Conduct* and a sanction is imposed by a *Match Referee* or *Judicial Commissioner*, corresponding *Demerit Points* as per the table in Article 7.3 above shall be added to the *Player* or *Player Support Personnel's* record and accumulated with any existing *Demerit Points* imposed on the *Player* or *Player Support Personnel* within the previous twenty-four (24) months. The ICC's Cricket Operations Department will keep an accurate and up-to-date record of all *Demerit Points* imposed upon *Players* and *Player Support Personnel* and will carry out the process of accumulating *Demerit Points* each time a *Player* or *Player Support Personnel* is found to have committed an offence and sanctioned.

**7.6** Where a *Player* or *Player Support Personnel* accumulates a total of four or more *Demerit Points* as set out in the table below, these *Demerit Points* shall be converted into *Suspension Points* (at the point that the *Player* or *Player Support Personnel* first crosses the relevant threshold) as follows:

<b>Accumulated Demerit Points</b>	<b>Corresponding Suspension Points</b>
4-7	2
8-11	4
12 and above	6

**7.7** Notice of the amount of *Demerit Points* imposed and the accumulated total, together with any resulting *Suspension Points*, will be communicated by the ICC's Cricket Operations Department, as soon as is reasonably practicable, to the *Player* or *Player Support Personnel* at the same time as notice is provided to the CEO of the *Player* or *Player Support Personnel's National Cricket Federation* of the commission of the offence and resulting sanction. Any resulting *Suspension Points* imposed on the basis of accumulated *Demerit Points* shall be applied in accordance with the principles set down in Article 7.9 below and shall take effect immediately upon notice of the same to the *Player* or *Player Support Personnel*.

**7.8** Any *Suspension Points* imposed on a *Player* or *Player Support Personnel* through the accumulation of *Demerit Points* will be applicable in addition to, and, for the avoidance of doubt, not in place of, any *Suspension Points* or period of suspension imposed by the *Match Referee* or *Judicial Commissioner* pursuant to Article 7.2 above. However, any such period of suspension shall run concurrently with any period of suspension imposed by the *Match Referee* or *Judicial Commissioner*.

**EXAMPLE OF THE APPLICATION OF DEMERIT POINTS:**

1. A *Player* commits a *Level 1 offence* and receives a *fine of 50%* from the *Match Referee*.
2. That *Player* will correspondingly receive two (2) *Demerit Points* in respect of that offence on his/her disciplinary record.

3. *The same Player then commits a Level 2 offence three (3) months after the Level 1 offence was committed and is sanctioned with 2 Suspension Points by the Match Referee.*
4. *The Level 2 offence will equate to four (4) Demerit Points.*
5. *As the second offence took place within three (3) months of the first offence, the Demerit Points imposed in respect of the second offence are added to the Demerit Points imposed in respect of the first offence, meaning that the Player now has an accumulated total of six (6) Demerit Points.*
6. *Six (6) Demerit Points equate to a suspension equivalent to two (2) Suspension Points (i.e. 1 Test Match or 2 ODIs or 2 T20Is). Such suspension will be served by the Player concurrently with the suspension imposed in respect of the Level 2 offence.*
7. *After completing his/her suspension, the Demerit Points remain on the Player's disciplinary record for a period of twenty-four (24) months.*
8. *Three (3) months later, the Player commits another Level 2 offence and is sanctioned for that offence with a 100% fine.*
9. *A further three (3) Demerit Points will then be added to the Player's disciplinary record in respect of that offence, taking his/her accumulated total within twenty-four (24) months to nine (9) Demerit Points.*
10. *Nine (9) Demerit Points equate to a suspension equivalent to four (4) Suspension Points (i.e. 2 Test Matches, 1 Test Match and 2 ODIs/T20Is or 4 ODIs or 4 T20Is). Such suspension will be served by the Player immediately upon notice of the same in accordance with Article 7.7.*
11. *After completing his/her suspension, the Demerit Points remain on the Player's disciplinary record for a period of twenty-four (24) months.*

**7.9** Where *Suspension Points* are imposed against a *Player* or *Player Support Personnel* (whether by a *Match Referee* or *Judicial Commissioner*, or through the accumulation of *Demerit Points* in accordance with Article 7.6 above), then such *Suspension Points* will be applied in accordance with the following principles:

- 7.9.1** the *Match Referee*, *Judicial Commissioner* or the *ICC* (as applicable) shall have regard to the *Player's* or *Player Support Personnel's* participation in the various formats of *International Matches* over the previous two years in order to determine (to the best of his/her ability) which of the forthcoming *International 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;
- 7.9.2** where necessary, the *Match Referee* or *Judicial Commissioner* shall be entitled to consult with the *ICC* in order to make a determination as to which of the forthcoming *International 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;
- 7.9.3** in so far as is reasonably possible, the *Match Referee*, *Judicial Commissioner* or the *ICC* (as applicable) shall apply the *Suspension Points* to the subsequent *International 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;
- 7.9.4** where a *Player* or *Player Support Personnel* has his/her *Suspension Points* applied to an *International 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 *International 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 *International 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 *International 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/her National Cricket Federation in Test Matches only, then the *Suspension Points* shall be applied to his/her future participation in Test 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 National Cricket Federation might be participating in intervening One Day International Matches and/or Twenty20 International Matches.
  
2. Where a *Player's* playing history suggests that he/she is likely to be selected to represent his/her National Cricket Federation in all formats of International Matches, then the *Suspension Points* shall be applied to his/her future participation in all International Matches in the sequential order in which such International 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
  - One-Day International Match - weighting 1 *Suspension Point* ("**Match A**")
  - One-Day International Match - weighting 1 *Suspension Point* ("**Match B**")
  - Test Match - weighting 2 *Suspension Point* ("**Match C**")
  - Test Match weighting 2 *Suspension Point* ("**Match D**")
  - Twenty20 International Match - weighting 1 *Suspension Point* ("**Match E**")
  - Twenty20 International 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.

**7.10** For the avoidance of any doubt:

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

**7.10.2** 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 *International Match* and sanctioned separately for each offence, then any sanctions should run cumulatively (and not concurrently);

**7.10.3** 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 *International Match* and sanctioned separately, then any sanctions imposed should run concurrently (and not cumulatively);

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

**7.10.5** 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

**7.10.6** 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 *National Cricket Federation*); (b) to the *Player* or *Player Support Personnel's National Cricket Federation* (for onward transmission to the ICC) within one calendar month of receipt of the decision imposing the fine. However, the ICC 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 *National Cricket Federation* 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 *International Match* until such payment has been satisfied in full.

**7.11** 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 *International Match(es)* which: (a) are covered by the application of his/her *Suspension Points* as determined in accordance with Article 7.9; 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 *International 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 *International 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 *International 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 *International 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.*

- 7.12** 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 *International 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**

**NOTE:** *For the avoidance of doubt, the right of appeal will be determined by reference to the Level of offence which the decision of the Match Referee or Judicial Commissioner (as applicable) relates to, and not necessarily the Level of offence originally reported.*

*By way of example, a Judicial Commissioner may have been asked to determine a Level 3 Offence, but in coming to his/her decision, he/she has exercised the right afforded to him/her in Article 7.10.5 and found the Player or Player Support Personnel concerned not guilty of the Level 3 Offence, but guilty of a Level 2 Offence. In such circumstances, the right of appeal shall be determined on the basis of the Level 2 Offence and thus in accordance with Article 8.2.*

*In circumstances where the application of this note would lead to the same level of adjudicator hearing the appeal as heard the first instance case, then the relevant adjudicatory body shall be the higher body. By way of example, in the example listed above, an Appeal Panel would have the jurisdiction to hear the appeal against the Level 2 Offence even though technically under the Code of Conduct a Judicial Commissioner would hear the appeal, as the first instance hearing was held before a Judicial Commissioner. The terms of this Article 8 should therefore be construed accordingly.*

### **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.

**NOTE:** *For the avoidance of doubt, a Level 1 Offence will not be considered to be a first Level 1 Offence where the Player or Player Support Personnel concerned has previously been found guilty of the same Article under the Code of Conduct within a period of twelve months prior to the date on which the alleged offence took place.*

### **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), 2.2.13 (manipulation of an *International Match*), or 2.5.1/2.5.2 (failure to meet the *Minimum Over Rate*), the relevant *Team Captain*; (b) the person who lodged the *Report* pursuant to Article 3,1; and (c) the ICC's *Chief Executive Officer* (or his/her designee).

**8.2.3** Any notice to appeal under this Article must be lodged with the *ICC's General Counsel* 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 CEO of the *National Cricket Federation* to which the *Player* or *Player Support Personnel* is affiliated and the person who lodged the *Report* pursuant to Article 3.1. Thereafter, the following will apply:

**8.2.3.1** Within 48 hours of receipt of a notice to appeal: (a) the *ICC's General Counsel* will appoint a member of the *ICC's Code of Conduct Commission* who is (unless otherwise agreed between the parties) from a country other than those participating in the *International 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 *ICC's General Counsel* setting out 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; (b)

the person who lodged the *Report* pursuant to Article 3.1; and (b) the *ICC's Chief Executive Officer*.

**8.3.3** Any notice to appeal under this Article must be lodged with the *ICC's General Counsel* 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 CEO of the *National Cricket Federation* 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 *ICC's General Counsel* will appoint three members of the *ICC's Code of Conduct Commission* each of whom are (unless otherwise agreed between the parties) from a country other than those participating in the relevant *International Match* to sit as the *Appeal Panel* to hear the appeal; and (b) the *Judicial Commissioner* will provide a written statement to the *ICC's General Counsel* setting out 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** Where required in order to do justice (for example to cure procedural errors at the first instance hearing), the appeal shall take the form of a re-hearing *de novo* of the issues raised by the case. In all other cases, the appeal shall not take the form of a *de novo* hearing but instead shall be limited to a consideration of whether the decision being appealed was erroneous.

**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*. It shall be open to the *Appeal Panel*, in its discretion, to determine that the matter (or any part thereof) be dealt with by way of written submissions only.

**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 ICC and its *National Cricket Federations* automatically upon receipt of notice of the same, without the need for any further formality. Each of the ICC and its *National Cricket Federations* 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 ICC that all *National Cricket Federations* 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 ICC, with such amendments coming into effect on the date specified by the ICC.
- 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 22 September 2016 (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 English 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 English courts.

## APPENDIX 1 - DEFINITIONS

Affiliate Member. Any National Cricket Federation with affiliate member status of the ICC.

Appeal Panel. A panel of three persons appointed by the ICC from the members of the ICC 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 ICC, which may provide reasonable compensation and reimbursement of expenses to such members.

Associate Member. Any National Cricket Federation with associate member status of the ICC.

Complainant. As defined in Article 5.2.2.

Demerit Points. Points which are accrued by a Player or Player Support Personnel pursuant to Article 7 each time he/she commits an offence under the Code of Conduct.

Effective Date. As defined in Article 10.3.

Full Member. Any National Cricket Federation with full member status of the ICC.

ICC. The International Cricket Council or its designee.

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

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

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

ICC Code of Conduct Commission. An official committee of the ICC 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 ICC Code of Conduct Commission shall be independent of the ICC, which may provide reasonable compensation and reimbursement of expenses to such members.

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

ICC Events. Each of the following: (a) the ICC Cricket World Cup; (b) the ICC World Twenty20; (c) the ICC Champions Trophy; (d) the ICC World Cricket League Championship and Divisions 2-8 (inclusive), together with any regional qualifying events thereto; (e) the ICC Women's Cricket World Cup; (f) the ICC Under 19 Cricket World Cup; (g) the ICC World Cup Qualifying Tournament; (h) the ICC Women's Cricket World Cup Qualifying Tournament, together with any regional qualifying events thereto; (i) the ICC World Twenty20 Qualifying Tournament; (j) the ICC Under 19 Cricket World Cup Qualifying Tournament, together with any regional qualifying events thereto; (k) the ICC Intercontinental Cup; and (l) any other event organised or sanctioned by the ICC from time to time to which the ICC deems it appropriate that the Code of Conduct should apply.

ICC's General Counsel. The person appointed by the ICC from time to time to act as the ICC's General Counsel (or his/her designee).

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

International Match. Each of the following (in men's and women's cricket): (a) any *Test Match*, *One Day International Match* or *Twenty20 International Match*; (b) any *Match* played as part of an *ICC Event*; (c) any *International Tour Match*; or (d) any other *Match* organised or sanctioned by the *ICC* from time to time to which the *ICC* deems it appropriate that the *Code of Conduct* should apply.

International Tour Match. Any *Match* played between a representative team of a *Full Member* (or *Associate Member* with Test and/or ODI or T20I Status) and any domestic, guest or invitational team.

Judicial Commissioner. The independent person appointed by the *ICC* from the *ICC 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 *National Cricket Federations* affiliated to the *ICC*.

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 *ICC* (or any other relevant party) as the official match referee for a designated *International 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 *International 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.

National Cricket Federation. A national or regional entity which is a member of or is recognised by the *ICC* as the entity governing the sport of cricket in a country (or collective group of countries associated for cricket purposes).

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

One Day International Match. As defined by Section 33 (ICC Classification of Official Cricket) of the *ICC's Operating Manual*.

Player. Any cricketer who is selected in any playing or touring team or squad that is chosen to represent a *National Cricket Federation* in any *International Match* or series of *International Matches*.

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 *National Cricket Federation* in any *International Match* or series of *International Matches*.



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*.

Test Match. As defined by Section 33 (ICC Classification of Official Cricket) of the *ICC's Operating Manual*.

Twenty20 International Match. As defined by Section 33 (ICC Classification of Official Cricket) of the *ICC's Operating Manual*.

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 *International Matches* shall be as set out in the playing conditions to the relevant *International 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 *International Match* by those *Umpires* appointed to officiate in such *International Match*. In the case of *Test Matches* (or other *International Matches* of at least four 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 *International 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** *Test Matches* (or other *International Matches* of at least four days in duration):

(a) 2 minutes per wicket taken, provided that such wicket results in the subsequent batsmen immediately commencing his/her 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 International 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 *Test Match* (or other *International Match* of at least four 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 *One Day International Match* is bowled out within the time determined for that innings pursuant to the ICC's Standard ODI 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 *International 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 ICC's Cricket Operations Department) within 18 hours of the close of the day's play in the relevant *International 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 *International 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 notes 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:

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

**NOTE:** In an ICC Event (other than the ICC World Cricket League Championship, World Cricket League Divisions 2-8 and the ICC Intercontinental Cup) any prior *Minimum Over Rate Offence* committed by the *Team Captain* in the same format of the game within the preceding twelve month period shall not count for the purposes of determining whether a repeat *Minimum Over Rate Offence* has been committed in the ICC Event. In other words, at the start of any ICC Event, all *Team Captains* will be treated, for the purposes of the ICC Event only, as having not committed any *Minimum Over Rate Offences* within the previous twelve month period.

Where a *Team Captain* has been found guilty of a first *Minimum Over Rate Offence* in an *International Match* which does not form part of an ICC Event and then commits a further *Minimum Over Rate Offence* during an ICC Event, he/she will be determined to have committed a second *Minimum Over Rate Offence* for the purposes of this Article 4.2 and consequently will be sanctioned in accordance with the table above. Any suspension so imposed will not, however, be imposed in respect of any subsequent *Match* in the relevant ICC Event. Rather the suspension shall be applied to the first *International Match in the same format of the game* that the *Player* takes part in subsequent to the ICC Event.

Where a *Team Captain* has been found guilty of a first *Minor Over Rate Offence* in an *International Match* which does not form part of an ICC Event and then commits two further *Minor Over Rate Offences* during

an ICC Event, he/she will be suspended for his/her immediately subsequent Match in the relevant ICC Event, and his/her Minor Over Rate Offence count for the ICC Event shall return to zero. In such circumstances, the Minor Over Rate Offence that was committed before the ICC Event shall, however, continue to stand and will be considered in determining whether the Player has committed a repeat Minor Over Rate Offence within twelve months of the first pre-ICC Event offence.

In circumstances where the second of the two Minor Over Rate Offences committed during the ICC Event was committed in the Player's final game in the ICC Event, the suspension shall be applied to the first International Match that the Player takes part in subsequent to the ICC Event.

For the avoidance of doubt, for a Team Captain to be suspended for an Over Rate Offence during an ICC Event, he/she will need to commit two Minor Over Rate Offences or at least one Serious Over Rate Offence during the ICC Event.

<b>MINIMUM OVER RATE OFFENCE</b>	<b>INDIVIDUAL</b>	<b>RANGE OF PERMISSIBLE SANCTIONS (FIRST OFFENCE)</b>	<b>RANGE OF PERMISSIBLE SANCTIONS (SECOND OFFENCE IN THE SAME FORMAT OF THE GAME WITHIN 12 MONTHS)</b>	<b>RANGE OF PERMISSIBLE SANCTIONS (THIRD OFFENCE IN THE SAME FORMAT OF THE GAME WITHIN 12 MONTHS)</b>
<b>Serious</b> Over Rate Offence (Article 2.5.2)	<i>Player</i>	10% of <i>Match Fee</i> per over short of the <i>Minimum Over Rate</i> for the: (a) first five overs in a <i>Test Match</i> (or other <i>International Matches</i> of at least four days in duration); or (b) first two overs in any <i>One Day International Match</i> , <i>Twenty20 International Match</i> or any other <i>International Match</i> of fifty (50) or twenty (20) overs per side  <b>AND</b>  20% of <i>Match Fee</i> per additional over short of the <i>Minimum Over Rate</i> .		
	<i>Team Captain</i>	The imposition of two (2) <i>Suspension Points</i> .	The imposition of between two (2) and eight (8) <i>Suspension Points</i> .	The imposition of between eight (8) <i>Suspension Points</i> and a suspension for one (1) year.

## APPENDIX 3 – MATCH FEES

Unless otherwise agreed in advance of an *International Match* or *ICC 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:

<u><b>Type of International Match</b></u>	<u><b>Designated Match Fee</b></u>
Any men's <i>Test Match</i> , <i>One Day International Match</i> or <i>Twenty20 International Matches</i> .	A country-specific amount which is to be determined by the ICC's Chief Executive's Committee in consultation with the relevant <i>National Cricket Federations</i> .
All other <i>International Matches</i> .	No <i>Match Fee</i> will be applied. Accordingly, no <i>Match Referee</i> or <i>Judicial Commissioner</i> shall have jurisdiction under this <i>Code of Conduct</i> to impose any financial sanctions against any <i>Player</i> or <i>Player Support Personnel</i> for a breach of this <i>Code of Conduct</i> . 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 <i>Match Referee</i> and/or <i>Judicial Commissioner</i> 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 *National Cricket Federation* participating in the same *International Match*.

## **APPENDIX 4 - EXPEDITED PROCEDURE FOR CODE OF CONDUCT OFFENCES OCCURRING DURING AN ICC EVENT**

Where a *Code of Conduct* offence is alleged to have occurred during, or in relation to, an *International Match* that is played as part of an *ICC Event* (except the ICC Intercontinental Cup and Shield in which no expedited procedure is to be applied), 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 3.2.1.1(b) – “twenty-four (24) hours” is replaced with “eighteen (18) hours”.
- 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* or *CEO* of either of the two relevant *National Cricket Federations*)” 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”.

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### **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”

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### **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 *ICC* shall appoint one member of the *ICC’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 country participating in the *International 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 ICC 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 country 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 *International 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 *ICC* shall make arrangements to have the hearing recorded or transcribed; and (b) if requested by the *Player* or *Player Support Personnel*, the *ICC* shall also arrange for an interpreter to attend the hearing. Such costs of transcription and interpretation shall be paid by the *ICC*.
- 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 *ICC's 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 *International Match* in question or the ICC's *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 ICC's Legal Department. In the case of a *Level 3 Offence* or a *Level 4 Offence* only, where the person lodging the *Report* is the CEO of one of the *National Cricket Federations* involved in the relevant *International Match* (or his/her designee), such individual (or his/her representative) shall have the right to make oral submissions in support of the charge at the hearing.

**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.

**5.2.11** A copy of the written reasoned decision will be provided to the *Player* or *Player Support Personnel*, the CEO of the *Player or Player Support Personnel's National Cricket Federation*, and the *ICC's Cricket Operations Manager*.

**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".