

Cricket Australia

Code of Behaviour for Players and Player Support Personnel

Effective as from 29 September 2013

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Cricket Australia

CODE OF BEHAVIOUR FOR PLAYERS AND PLAYER SUPPORT PERSONNEL

INTRODUCTION

CA is the national federation responsible for the governance of the sport of cricket and the Code of Behaviour for *Players* and *Player Support Personnel* (the “**Code of Behaviour**”) is adopted and implemented as part of CA’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 Behaviour. Words in italicised text in the Code of Behaviour 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 Behaviour. Accordingly, by their participation or involvement in any way in the sport of cricket in Australia, 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 Behaviour, including what behaviour constitutes an offence under the Code of Behaviour;
 - 1.1.2** to submit to the exclusive jurisdiction of any *Match Referee*, *Code of Behaviour Commissioner* or *Appeal Panel* (as the case may be) convened under the *Code for Behaviour* to hear and determine charges brought (and any appeals in relation thereto) pursuant to the Code of Behaviour; 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*, *Code of Behaviour Commissioner* or *Appeal Panel*.
- 1.2** Without prejudice to Articles 1.1 and 1.2, CA and the State and Territory Associations shall be responsible for promoting Code of Behaviour awareness and education amongst all *Players* and *Player Support Personnel*.

- 1.3** It is acknowledged that certain *Players* and *Player Support Personnel* may also be subject to other rules of State and or Territory Associations (including, but not limited to, individual teams establishing their own internal rules for behaviour) that govern discipline and/or behaviour, and that the same behaviour of such *Players* and/or *Player Support Personnel* may implicate not only the Code of Behaviour 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 Behaviour is not intended to limit the responsibilities of any *Player* or *Player Support Personnel* under such other rules and will not in any way restrict the imposition of penalties for breach of those 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*, *Code of Behaviour Commissioner* or *Appeal Panel* to determine matters properly arising pursuant to the Code of Behaviour.
- 1.4** Where it is alleged that a *Player* or *Player Support Personnel* has breached an undertaking given in accepting an invitation to represent CA or a State or Territory Association or to officiate, or that a *Player* or *Player Support Personnel* has breached a contract with, or letter of invitation from, CA or any State or Territory Association, proceedings under this Code of Behaviour will not preclude or limit CA or any State or Territory Association, or any other party to such contract, letter of invitation or agreement, from taking legal action against any *Player* or *Player Support Personnel* who may have committed a breach thereof.

ARTICLE 2 CODE OF BEHAVIOUR OFFENCES

The behaviour 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 Behaviour.

COMMENT: For each particular offence, guidance notes have been provided in text boxes beneath the description of that offence. Such notes are illustrative guides only to provide guidance as to the nature and examples of certain conduct that are prohibited by a particular Article and should not be read as an exhaustive or limiting list of conduct prohibited by such Article. In the case of any doubt as to the interpretation of an offence, the provisions of the offence itself shall take precedence over any guidance notes.

2.1 Level 1 Offences:

- 2.1.1** Breach of CA's *State Equipment and Apparel Policy* during any *Match*, save for breaches relating to a 'Commercial Logo' or a 'Player's Bat Logo' as those terms are defined therein.

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

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

2.1.2 Abuse of cricket equipment or clothing, ground equipment or fixtures and fittings during a Match.

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

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

NOTE: Article 2.1.3 includes: (a) excessive, obvious or inappropriate 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 Match); and (h) arguing or entering into a prolonged discussion with the Umpire about his decision.

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

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

NOTE: Article 2.1.4 includes: (a) 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.

2.1.5 Excessive appealing during a Match.

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

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

2.2 Level 2 Offences:

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

NOTE: *Dissent, including the examples given in Article 2.1.3 above will be classified as 'serious' when the conduct contains an element of anger or abuse that 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 reference to the incident over time.*

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

2.2.2 Breach of CA's State Apparel and Equipment Policy during a Match relating to a 'Commercial Logo' or a 'Player's Bat Logo' as those terms are defined.

NOTE: *Article 2.2.2 only relates to breaches of the regulations regarding 'Commercial Logos' and 'Player's Bat Logos'.*

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

2.2.3 Public or media comment that is detrimental to the interests of cricket, irrespective of when or where such comment is made.

NOTE: *Without limitation, Players and Player Support Personnel will be deemed to have made comment detrimental to the interests of cricket in breach of Article 2.2.3 if they:*

- *Publicly denigrate or criticise a Player or Player Support Personnel, or a team against which they have played, whether or not in relation to incidents which occurred in a Match;*
- *Denigrate or criticise CA, the ICC, a State or Territory Association or any Big Bash League team or any of their respective commercial partners;*
- *Denigrate a country in which they are or are likely to be touring or officiating;*
- *Denigrate the home country of a touring team against which they are likely to be playing or in respect of which they are or are likely to be officiating;*
- *Comment on the likely outcome of a hearing of a Report or an appeal;*
- *Criticise the outcome of a hearing of a Report or an appeal under this Code of Behaviour; or*
- *Criticise any evidence, submission or other comment made by any person at the hearing of a Report or any appeal under this Code of Behaviour.*

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.

2.2.4 Inappropriate and deliberate physical contact with *Players* or with *Player Support Personnel*, either in the course of play during a *Match* or during the periods before or after play at the relevant venue.

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

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

2.2.6 Deliberate and malicious distraction or obstruction of a *Player* or *Player Support Personnel* on the field of play during a *Match*.

NOTE: *This offence supplements and does not replace clauses 37 and 42 in each set of CA's domestic match playing conditions.*

This regulation includes Players deliberately attempting to distract a striker by words or gestures or deliberately shepherding a batsman while running or attempting to run between the wickets.

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

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

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

2.2.9 Changing the condition of the ball in breach of Law 42.3 of the Laws of Cricket, as modified by clause 42.1 in each set of CA's domestic match playing conditions.

NOTE: *This offence supplements and does not replace clause 42.1 in each set of CA's domestic match playing conditions.*

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

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

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

NOTE: *Article 2.2.10 is intended to prevent the manipulation of Matches for inappropriate strategic or tactical reasons e.g. prohibit incidents where a team bats in such a way as to either adversely affect its own, or improve its opponent's, bonus points, net run rate or quotient. 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.*

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

2.2.11 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct at any time that either: (a) is contrary to the spirit of the game; (b) is unbecoming of a representative or official; (c) is or could be harmful to the interests of cricket; or (d) does or could bring the game of cricket into disrepute.

NOTE: *Article 2.2.11 is intended to be a 'catch-all' provision to cover all types of conduct of a serious nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in this Code of Behaviour.*

Article 2.2.11 includes but is not limited to:

(i) On-Field

- The use of illegal equipment during a Match;*
- failure to comply with the provisions of clause 7.1 of the playing conditions for the relevant competition of which the relevant Match forms part; and/or*
- Any conduct that is considered 'unfair play' under Rule 42 of the Laws of Cricket or against the spirit in which the game of cricket should be played.*

(ii) Off-Field

- Criminal conduct;*
- Public acts of misconduct;*
- Unruly public behavior; and/or*
- Sexual misconduct.*

2.3 Level 3 Offences:

2.3.1 Intimidation or attempted intimidation of an *Umpire* or *Match Referee* whether by language or behaviour (including gestures) during a *Match*.

NOTE: Includes appealing in an aggressive or threatening manner.

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

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

2.3.3 Use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, gender, colour, descent, sexuality or national or ethnic origin.

NOTE: This offence is not intended to limit the operation of CA's Racial and Religious Vilification Code.

2.3.4 Public or media comment that is very detrimental to the interests of cricket, irrespective of when or where such comment is made.

NOTE: Without limitation, *Players* and *Player Support Personnel* will be deemed to have made comment detrimental to the interests of cricket in breach of Article 2.3.4 if they:

- publicly denigrate or criticise a *Player* or *Player Support Personnel*, or a team against which they have played, whether or not in relation to incidents which occurred in a *Match*;
- Denigrate or criticise CA, the ICC, a State or Territory Association or any Big Bash League team or any of their respective commercial partners;
- Denigrate a country in which they are or are likely to be touring or officiating;
- Denigrate the home country of a touring team against which they are likely to be playing or in respect of which they are or are likely to be officiating;
- Comment on the likely outcome of a hearing of a *Report* or an appeal;
- Criticise the outcome of a hearing of a *Report* or an appeal under this Code of Behaviour; or
- Criticise any evidence, submission or other comment made by any person at the hearing of a *Report* or any appeal under this Code of Behaviour.

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.

2.3.5 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct at any time that either: (a) is contrary to the spirit of the game; (b) is unbecoming of a representative or official; (c) is or could be harmful to the interests of cricket; or (d) does or could bring the game of cricket into disrepute.

NOTE: Article 2.3.5 is intended to be a 'catch-all' provision to cover all types of conduct of a very serious nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in this Code of Behaviour.

Article 2.3.5 includes but is not limited to:

(i) On-Field

- Any conduct that is considered 'unfair play' under Rule 42 of the Laws of Cricket or against the spirit in which the game of cricket should be played.

(ii) Off-Field

- Public acts of misconduct;
- Serious or repeated criminal conduct;
- Unruly public behaviour; and/or
- Sexual misconduct.

2.4 Level 4 Offences:

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

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

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

2.4.4 Use language or gestures that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, gender, colour, descent, sexuality or national or ethnic origin.

NOTE: This offence is not intended to limit the operation of CA's Racial and Religious Vilification Code.

2.4.5 Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct at any time that either: (a) is contrary to the spirit of the game; (b) is unbecoming of a representative or official; (c) is or could be harmful to the interests of cricket; or (d) does or could bring the game of cricket into disrepute.

NOTE: Article 2.4.5 is intended to be a 'catch-all' provision to cover all types of conduct of a serious nature that is not (and, because of its nature, cannot be) adequately covered by the specific offences set out elsewhere in this Code of Behaviour.

Article 2.4.5 includes but is not limited to:

(i) On-Field

- failure to comply with the provisions of clause 7.1 of the playing conditions for the relevant competition of which the relevant Match forms part; and/or
- Any conduct that is considered 'unfair play' under Rule 42 of the Laws of Cricket or against the spirit in which the game of cricket should be played.

(ii) Off-Field

- Public acts of misconduct;
- Serious or repeated criminal conduct;
- Unruly public behaviour; and/or
- Sexual misconduct.

ARTICLE 3 REPORTING AN ALLEGED OFFENCE UNDER THE CODE OF BEHAVIOUR

3.1 Any one of the following individuals can report an alleged offence under the Code of Behaviour by lodging a report in the manner described in Article 3.2, below (a "**Report**"):

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

3.1.2 the *Team Manager* or CEO of either of the two State or Territory Cricket Associations (including Big Bash League Teams) whose representative teams participated in the *Match* during, or in relation to which, the alleged offence was committed;

3.1.3 CA's *Chief Executive Officer* (or his or her designee);

3.1.4 Any State or Territory Cricket Association CEO in respect of which the relevant *Player* or *Player Support Personnel* is employed or contracted or retained; or

3.1.5 provided it is a *Level 3 Offence* or *Level 4 Offence* that is alleged to have been committed during a *Match*, the *Match Referee* that was appointed to officiate in that *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 CA from time to time). All *Reports* must be signed and dated by the person lodging the *Report*. Prior to the start of each *Match*, the State or Territory Cricket Association hosting such *Match* shall ensure that all officiating *Umpires* and *Match Referees* are provided with at least five (5) copies of the Form "Rep 1". In addition, each State or Territory Cricket Association shall ensure that a sufficient number of additional copies of the Form "Rep 1" are available at each venue at which *Matches* are played in their respective territories or under their auspices for use by any person designated under Article 3.1. CA shall ensure that an electronic copy of the Form "Rep

1” is posted on its official website (currently www.cricket.com.au) for use, if necessary, by any person designated under Article 3.1.

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 a *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 *Senior Manager - Cricket Operations*) within twenty-four hours of the close of the day’s play in the relevant *Match*; or

3.2.1.2 a *Level 3 Offence* or a *Level 4 Offence* that is alleged to have been committed on the field play during a *Match*, then the *Report* must be lodged with the *Senior Manager – Cricket Operations* 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*, whichever is the later.

3.2.2 Where the *Report* is lodged by any of the individuals described in Article 3.1.3 or 3.1.4 in relation to:

3.2.2.1 a *Level 1 Offence* or a *Level 2 Offence* that is alleged to have been committed on the field of play during a *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 *Senior Manager – Cricket Operations*) within five (5) days of the alleged offence being brought to the attention of the person making the report; or

3.2.2.2 a *Level 2 Offence* that is alleged to have been committed at any time or place other than on the field of play during a *Match*, then the *Report* must be lodged with the *Senior Manager - Cricket Operations* 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*, whichever is the later; or

3.2.2.3 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 during a *Match* or otherwise), then the *Report* must be lodged with the *Senior Manager – Cricket Operations* as soon as reasonably practicable, and in any event no later than ten (10) days after either (a) the commission of the alleged offence or (b) the alleged offence was brought to the attention of CA’s *Chief Executive Officer* or any State or Territory Cricket Association CEO (as the case may be), whichever is the later.

3.2.3 Where the *Report* is lodged by the individual described in Article 3.1.5 in relation to a *Level 3 Offence* or a *Level 4 Offence* that is alleged to have been committed on the field of play during a *Match*, then the *Report* must be lodged with the *Senior Manager – Cricket Operations* as soon as reasonably practicable, and in any event no later than seven (7) days after the commission of the alleged offence.

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

ARTICLE 4 NOTIFICATION PROCEDURE

Level 1 Offences and Level 2 Offences (except 2.2.3 and 2.2.11 – “off-field”)

4.1 Where a *Match Referee* receives a *Report* lodged under Articles 3.2.1.1 or 3.2.2.1, 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) or 2.2.10 (manipulating a *Match*), 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 proposed sanction shall be imposed and CA shall promptly issue a public statement confirming (a) the commission of an offence under the Code of Behaviour 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 2.2.3 and 2.2.11 (“Off-Field” only) Offences, Level 3 Offences and Level 4 Offences:

4.3 Where the *Senior Manager – Cricket Operations* receives a *Report* lodged under Articles 3.2.1.2, 3.2.2.1, 3.2.2.2, 3.2.2.3 or 3.2.3, 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:

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

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

4.3.3 the CEO of the State or Territory Cricket Association to which the relevant *Player* or *Player Support Personnel* is affiliated.

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

4.4.1 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 CA’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 *Senior Manager – Cricket Operations* prior to the commencement of the hearing at the time/place specified in the *Notice of Charge*, the hearing before the *Code of Behaviour Commissioner* shall not be required and no further action shall be taken, save that the proposed sanction shall be imposed and CA shall promptly issue a public statement confirming (a) the commission of an offence under the Code of Behaviour and (b) the imposition of the applicable sanction specified in the *Notice of Charge*; or

4.4.2 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

4.4.3 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 Behaviour is not physically present at the relevant 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 and Level 2 Offences (except 2.2.3 and 2.2.11 – “Off-Field”):

- 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 be held as soon as practicable, 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 State or Territory 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 *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. Except to the extent specifically set out in Article 5 the *Match Referee*:
- (a) will conduct the hearing:
 - (i) in private unless the *Match Referee* agrees otherwise; and
 - (ii) in all other respect as the *Match Referee* determines; and
 - (b) will conduct the hearing:
 - (i) with as little formality and technicality; and
 - (ii) as quickly, as proper consideration of the *Report* permits.
- 5.1.3** Where video evidence of the alleged offence is available at the hearing before the *Match Referee*, then it may be utilised by the *Match Referee* in his or her discretion and may be relied upon by any party, provided that in either case, all other parties shall have the right to make such representations in relation to it that they may see fit.
- 5.1.4** 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 *CA's Chief Executive Officer*, his/her representative/nominee).

Where any such individual has a compelling justification for his/her non-attendance that is accepted by the *Match Referee* in his or her absolute discretion, 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*.

5.1.5 Each of the individuals described in Article 5.1.4(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.

5.1.6 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.

5.1.7 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.

5.1.8 Alternatively, at the end of a hearing:

5.1.8.1 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 Behaviour 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.

5.1.8.2 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 Behaviour offence has been committed;

- (b) where the *Match Referee* determines that a Code of Behaviour 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, including submissions on sanctions (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 Behaviour 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.

5.1.9 Notwithstanding 5.1.8, the *Match Referee* shall have the discretion to announce the substance of his/her decision prior to the issue of the written decision referred to in Article 5.1.8.

5.1.10 A copy of the written decision will be provided to the *Player* or *Player Support Personnel*, the CEO of the *Player* or *Player Support Personnel's* State or Territory Cricket Association, the *Senior Manager - Cricket Operations* and CA's General Manager, Legal and Business Affairs.

5.1.11 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.

5.1.12 The *Match Referee* is entitled, in his or her absolute discretion, to seek legal advice prior to or during any hearing (for which purpose the *Match Referee* is entitled to adjourn the hearing) and/or prior to giving his or her decision.

Level 2.2.3 and 2.2.11 ("Off-Field" only) Offences, Level 3 Offences and Level 4 Offences:

5.2 Where a matter proceeds to a hearing under Article 4.4.2 or 4.4.3, then the case shall be referred to a *Code of Behaviour Commissioner* for adjudication in accordance with the following procedure:

5.2.1 As soon as reasonably possible, CA shall appoint one member from CA's *Code of Behaviour Commission* to sit as the *Code of Behaviour Commissioner* to hear the case sitting alone. The appointed member shall be independent of the parties and have had no prior involvement with the case.

5.2.2 The procedure followed at the hearing shall be at the discretion of the *Code of Behaviour 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 *Code of Behaviour Commissioner* and present his/her case. Except to the extent specifically set out in Article 5 the *Code of Behaviour Commissioner*:

- (a) will conduct the hearing:
 - (i) in private unless the *Code of Behaviour Commissioner* agrees otherwise; and
 - (ii) in all other respect as the *Code of Behaviour Commissioner* determines; and
- (b) will conduct the hearing:
 - (i) with as little formality and technicality; and
 - (ii) as quickly, as proper consideration of the *Report* permits.

5.2.3 The hearing before the *Code of Behaviour Commissioner* may be recorded at the election of the *Code of Behaviour Commissioner*.

5.2.4 Where video evidence of the alleged offence is available at the hearing before the *Code of Behaviour 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 *Code of Behaviour Commissioner*:

- (a) the *Player* or *Player Support Personnel* who has been charged with the alleged offence;
- (b) the person who lodged the *Report* (or, in the case of *CA's Chief Executive Officer*, his/her representative/nominee); and
- (c) a representative of *CA*.

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 *Code of Behaviour 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 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 *Code of Behaviour Commissioner* by such representative (including legal counsel) of his/her or its own choosing.

5.2.7 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 *Code of Behaviour Commissioner* from proceeding with the hearing in his/her absence, whether or not any written submissions are made on his/her behalf.

5.2.8 At the end of a hearing, where the *Code of Behaviour 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 4.4.2:

- (a) as soon as possible after the conclusion of the hearing (and, in any event, no later than forty-eight (48) hours thereafter), the *Code of Behaviour Commissioner* will confirm the *Player* or *Player Support Personnel's* admission that he/she had committed a Code of Behaviour 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 4.4.3 (or where the *Player* or *Player Support Personnel* has failed to respond in a timely fashion to the *Notice of Charge*):

- (a) the *Code of Behaviour 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 Behaviour offence has been committed;
- (b) where the *Code of Behaviour Commissioner* determines that a Code of Behaviour 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 *Code of Behaviour Commissioner* will announce his/her decision in writing, with reasons, setting out: (a) the finding as to whether a Code of Behaviour 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 Notwithstanding Article 5.2.9 the *Code of Behaviour Commissioner* shall have the discretion to announce the substance of his/her decision prior to the issue of the written decision referred to in Article 5.2.9.

5.2.11 A copy of the written decision will be provided to the *Player* or *Player Support Personnel*, the CEO of the *Player* or *Player Support Personnel's* State or Territory Cricket Association, the *Senior Manager - Cricket Operations* and CA's General Manager of Legal and Business Affairs.

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

5.2.13 The *Code of Behaviour Commissioner* is entitled, in his or her absolute discretion, to seek legal advice prior to or during any hearing (for which purpose the *Code of Behaviour Commissioner* is entitled to adjourn the hearing) and/or prior to giving his or her decision.

General Principles of Procedure

5.3 Where a *Report* is filed by more than one of the individuals described in Article 3.2 in relation to the same alleged offence under the *Code of Behaviour*, 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 CA'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 *Code of Behaviour 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 Behaviour, they may both be dealt with at the same hearing where the proceedings arise out of the same incident or set of facts, or where there is a clear link between

separate incidents, provided that the Code of Behaviour permits the alleged offences to be determined by the same adjudicator. For the avoidance of doubt:

5.4.1 any number of *Level 1 Offences* and/or *Level 2 Offences* (except *Level 2.2.3* and *2.2.11 – “Off Field”*) can all be determined by a *Match Referee* at the same hearing; and

5.4.2 any number of *Level 2.2.3* and *2.2.11 (“Off-Field”) Offences*, *Level 3 Offences* and/or *Level 4 Offences* can all be determined by a *Code of Behaviour Commissioner* at the same hearing; but

5.4.3 a *Level 2.2.3* and *2.2.11 (“Off-Field”) Offence*, *Level 1 Offence* or *Level 2 Offence* (other than *Level 2.2.3* and *2.2.11 – “Off Field”*) cannot be determined at the same hearing as a *Level 3 Offence* or a *Level 4 Offence* (and vice versa), and separate proceedings should therefore be issued in relation to each alleged offence.

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

5.5.1 any number of *Level 1 Offences* and/or *Level 2 Offences* (except *Level 2.2.3* and *2.2.11 – “Off Field”*) can all be determined by a *Match Referee* at the same hearing; and

5.5.2 any number of *Level 2.2.3* and *2.2.11 (“Off-Field” only) Offences*, *Level 3 Offences* and/or *Level 4 Offences* can all be determined by a *Code of Behaviour Commissioner* at the same hearing; but

5.5.3 a *Level 2.2.3* and *2.2.11 (“Off-Field”) Offence*, a *Level 1 Offence* or *Level 2 Offence* (other than *Level 2.2.3* and *2.2.11 – “Off Field”*) cannot be determined at the same hearing as a *Level 3 Offence* or a *Level 4 Offence* (and vice versa), and separate proceedings should therefore be issued in relation to each alleged offence.

5.6 Any failure or refusal by any *Player* or *Player Support Personnel* to provide assistance to a *Match Referee* or *Code of Behaviour Commissioner* in connection with any charge made pursuant to this Code of Behaviour may constitute a separate offence (depending upon the seriousness and context of such failure or refusal) under Articles 2.2.11, 2.3.5 or 2.4.5 of the Code of Behaviour.

5.7 Where a *Match Referee* is, or becomes unwilling or unable to hear a *Report* (for example, where he/she finds him/herself in a position of conflict), then the *Senior Manager – Cricket Operations* shall have the discretion to appoint another *Match Referee* to hear the *Report* as CA deems to be appropriate in all the circumstances. Where the alternative *Match Referee* is unwilling or unable to hear the case, a *Code of Behaviour Commissioner* (who shall have had no prior involvement with

the case) shall be appointed as a replacement to the *Match Referee* and all of the remaining procedure will apply accordingly.

- 5.8** Where a *Code of Behaviour Commissioner* is, or becomes unwilling or unable to hear a *Report* (for example, where he/she finds him/herself in a position of conflict), then the *Senior Manager – Cricket Operations* shall have the discretion to appoint another *Code of Behaviour Commissioner* (who shall have had no prior involvement with the case) as a replacement to the *Code of Behaviour Commissioner* and all of the remaining procedure will apply accordingly.
- 5.9** CA will issue a public announcement regarding any decision of the *Match Referee* or *Code of Behaviour Commissioner* made under the Code of Behaviour, 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 Behaviour and of the sanctions imposed, if any. Subject to the permitted attendance of media personnel under Article 5.1.2 and 5.2.2, until such time as a public announcement is published by CA, 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 State or Territory Cricket Association) 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 and nothing shall prevent any party (or any relevant State or Territory Cricket Association) from issuing a public announcement regarding a decision after CA has issued its public announcement regarding the decision.

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 Behaviour shall be whether the *Match Referee* or *Code of Behaviour 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 *Code of Behaviour Commissioner* shall not be bound by judicial rules governing the admissibility of evidence. Instead, facts relating to an offence committed under the Code of Behaviour may be established by any reliable means, including admissions.
- 6.3** The *Match Referee* or *Code of Behaviour 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 Behaviour 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 *Code of Behaviour Commissioner*) and/or to answer any relevant questions.

ARTICLE 7 SANCTIONS ON PLAYERS AND PLAYER SUPPORT PERSONNEL

- 7.1** Where a *Match Referee* or *Code of Behaviour Commissioner* determines that an offence under the Code of Behaviour has been committed, he/she will be required to impose an appropriate sanction on the *Player* or *Player Support Personnel*.
- 7.2** In order to determine the sanction that is to be imposed in each case, the *Match Referee* or *Code of Behaviour Commissioner* must first consider whether the *Player* or *Player Support Personnel* has previously been found guilty of an offence under the same Article of the Code of Behaviour (or any predecessor regulations that may have applied) within a period of eighteen months prior to the date on which the alleged offence took place.
- 7.3** Once the *Match Referee* or *Code of Behaviour Commissioner* has established whether this is a repeat offence within the relevant eighteen month period, then he/she shall go on to take into account any other factors that he/she deems relevant and appropriate to the mitigation or aggravation of the nature of the *Code of Behaviour* offence before determining, in accordance with the table below, the appropriate sanction(s). Those factors may include:
1. the seriousness of the breach;
 2. the harm caused by the breach to the interests of cricket;
 3. the *Player's* or *Player Support Personnel's* seniority and standing in the game;
 4. remorse shown by the *Player* or *Player Support Personnel* and the prospect of further breaches;
 5. the prior record of the *Player* or *Player Support Personnel* in abiding by this Code of Behaviour (or any predecessor regulations that may have applied), the ICC Code of Conduct and any similar code of behaviour; and
 6. the impact of the penalty on the *Player* or *Player Support Personnel*, including his or her capacity to pay a fine as evidenced by the proportion of their annual income from CA, a State or Territory Cricket Association or a Big Bash League Team that the proposed fine represents.

LEVEL OF OFFENCE	RANGE OF PERMISSIBLE SANCTIONS (FIRST OFFENCE)	RANGE OF PERMISSIBLE SANCTIONS (SECOND OFFENCE WITHIN 18 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (THIRD OFFENCE WITHIN 18 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (FOURTH AND SUBSEQUENT OFFENCES WITHIN 18 MONTHS)
Level 1**	Warning/reprimand and/or the imposition of a fine of up to 50% of the applicable <i>Match Fee</i> (Up to \$1000 for BBL players only) and/or one (1) <i>Suspension Point</i> .	The imposition of a fine of between 50-100% of the applicable <i>Match Fee</i> (\$1000 - \$2000 for BBL players only) and/or up to two (2) <i>Suspension Points</i> .	The imposition of between two (2) and eight (8) <i>Suspension Points</i> . *	The imposition of eight (8) <i>Suspension Points</i> or a suspension for a fixed period of time ranging between the equivalent of eight (8) <i>Suspension Points</i> and one (1) year. *
Level 2**	The imposition of a fine of between 50-100% of applicable <i>Match Fee</i> (\$1000- \$2000 for BBL players only) and/or up to two (2) <i>Suspension Points</i> .	The imposition of between two (2) and eight (8) <i>Suspension Points</i> . *	The imposition of eight (8) <i>Suspension Points</i> or a suspension for a fixed period of time ranging between the equivalent of eight (8) <i>Suspension Points</i> and one (1) year.*	The imposition of a suspension of between one (1) and five (5) years.
Level 3**	The imposition of between four (4) and eight (8) <i>Suspension Points</i> .*	The imposition of eight (8) <i>Suspension Points</i> or a suspension for a fixed period of time ranging between the equivalent of eight (8) <i>Suspension Points</i> and one (1) year. *	The imposition of a suspension between one (1) year and a lifetime.	n/a
Level 4**	The imposition of eight (8) <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.	The imposition of a suspension of between one (1) year and a lifetime.	n/a	n/a

LEVEL OF OFFENCE	RANGE OF PERMISSIBLE SANCTIONS (FIRST OFFENCE)	RANGE OF PERMISSIBLE SANCTIONS (SECOND OFFENCE WITHIN 18 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (THIRD OFFENCE WITHIN 18 MONTHS)	RANGE OF PERMISSIBLE SANCTIONS (FOURTH AND SUBSEQUENT OFFENCES WITHIN 18 MONTHS)
Any of offences 2.2.3, 2.2.11, 2.3.4, 2.3.5 or 2.4.5	<p>Any one or more of the following penalties:</p> <p>(a) the imposition of a suspension of between one (1) suspension Point up to a maximum of a lifetime's suspension;</p> <p>(b) the imposition of a fine of no more than \$10,000;</p> <p>(c) banning the position from holding (or continuing to hold) any position within CA or a State or Territory Cricket Association (including any Big Bash League Team), including as an employee, contractor, official or officer);</p> <p>(d) direct that the person make reparation for damage caused by that person to any property;</p> <p>(e) require the person undergo counseling for a specified time;</p> <p>(f) require the person perform voluntary service to cricket or the community; and/or</p> <p>(g) reprimand the person</p>	<p>***</p> <p>Same as for first offence but maximum fine of \$25,000</p>	<p>***</p> <p>Same as for first offence but maximum fine of \$50,000</p>	<p>***</p> <p>Same as for first offence but maximum fine of \$100,000</p>

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.

** Excludes Offences listed in 2.2.3, 2.2.11, 2.3.4, 2.3.5 and 2.4.5.

*** For the purposes of ascertaining whether it is a second, third or fourth offence in 18 months, offences 2.2.3, 2.2.11, 2.3.4, 2.3.5.

7.4 Where a *Match Referee* or *Code of Behaviour 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 *Match* of at least 3 days in duration is given a weighting of two (2) *Suspension Points*; and

7.4.2 a *Match* of one or two days duration or which is a twenty20 match is given a weighting of one (1) *Suspension Point*.

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

7.5.1 the *Match Referee* or *Code of Behaviour Commissioner* shall have regard to the *Player's* or *Player Support Personnel's* participation in the various formats of *Matches* in order to determine (to the best of his/her ability) which of the forthcoming *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. The exact number of suspension points shall be applied and within the shortest period available. For example, a four-day and one-day *Player* who receives a penalty of 2 suspension points, and is scheduled to next play a one-day match followed by a four-day followed by another one-day match, shall be ineligible to participate in each of the one-day matches, but shall be eligible to participate in the four-day match to ensure the full and exact application of the 2 suspension points to the sequence of scheduled games as quickly as possible;

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

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

7.5.4 where a *Player* or *Player Support Personnel* has his/her *Suspension Points* applied to a *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 *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 a *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 *Match*, irrespective of such cancellation, postponement or abandonment.

7.6 In addition to any ban imposed under this Article (and without limiting the *Code of Behaviour Commissioner's* powers with respect to Level 2, Level 3 and 4 suspensions), the *Code of Behaviour Commissioner* may, if he or she deems appropriate, ban a *Player* from participation in any club match or matches in Australia for a specified period of time.

7.7 In the event that a *Player* receives an ICC imposed international Match ban for a breach of any of the offences set out in either Level 3 or Level 4 of the ICC Code of Conduct (or their equivalent from time to time) other than a Level 3 offence under the ICC Code of Conduct for a repeat of a Level 2 offence within a twelve month period, A *Code of Behaviour Commissioner* nominated by CA's *Chief Executive Officer* may conduct a hearing to determine whether the *Player* should also receive a domestic *Match* ban during the period commencing on the first day of the ICC imposed ban and the last day of the ICC imposed ban and, if so, the type of *Match* or *Matches* in which the ban is to be served. As far as appropriate, the provisions of Article 5 of this Code of Behaviour will apply to any hearing under this Article 7.7 except that:

7.7.1 the hearing will be a hearing as to penalty only (and will not be a review of the guilt or innocence of the *Player* under the ICC Code of Conduct or a rule of this Code of Behaviour); and

7.7.2 the hearing must be convened within 10 business days of the relevant decision (or an appeal from that decision) under the ICC Code of Conduct.

When imposing any penalty under this Article 7.7 the following principles will apply:

- (i) the *Code of Behaviour Commissioner* may not impose a ban in relation to Test Matches, One Day International Matches or Twenty20 International Matches;
- (ii) the *Code of Behaviour Commissioner* may not impose a ban which extends beyond the last day of the ICC imposed match ban;
- (iii) the number of domestic matches in a ban imposed by the *Code of Behaviour Commissioner* must not exceed the number of matches forming part of the ICC imposed match ban (for example, a *Player* who receives a three Test Match ban may not receive a ban of more than three Sheffield Shield Matches); and
- (iv) the *Code of Behaviour Commissioner* may take into account any circumstance it considers relevant, including those listed in Article 7.3.

7.8 In the event that a *Player* receives a ban from playing club/grade cricket matches as a result of a breach of any offences set out in any applicable rules of behaviour governing such club/grade cricket matches ("**Club Ban**"), A *Code of Behaviour Commissioner* nominated by CA's *Chief Executive Officer* may, solely at the request of the *Senior Manager - Cricket Operations*, conduct a hearing to determine whether the *Player* should receive a *Match* ban during the period commencing on the first day of the Club Ban and concluding on the last day of the Club Ban, and if

so, the number and type of *Match* or *Matches* in which the ban is to be served. As far as appropriate, the provisions of Article 5 of this Code will apply to any hearing under this Article 7.8 except that:

7.8.1 the hearing will be a hearing as to penalty only (and will not be a review of the guilt or innocence of the *Player* under the club rules or a rule of this Code of Behaviour); and

7.8.2 the hearing must be convened within 10 business days of the relevant decision (or an appeal from that decision) under the club/grade rules.

When imposing any penalty under this Article 7.8 the following principles will apply:

(i) the *Code of Behaviour Commissioner* may not impose a ban in relation to Test Matches, One Day International Matches or Twenty20 International Matches;

(ii) the *Code of Behaviour Commissioner* may not impose a ban which extends beyond the last day of the Club Ban; and

(iii) the *Code of Behaviour Commissioner* may take into account any circumstance it considers relevant, including those listed in Article 7.3.

7.9 In relation to a fine which is determined by reference to a *Match Fee* (as referred to in the table in Article 7.3), the relevant *Match* for the purposes of calculating the *Match Fee* will be the *Match* in which the offence occurred.

7.10 For the avoidance of any doubt:

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

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

7.10.4 nothing in this Code of Behaviour shall permit plea bargaining in relation to any alleged offence committed under this Code of Behaviour;

7.10.5 where the *Match Referee* or *Code of Behaviour Commissioner* finds a *Player* or *Player Support Personnel* not guilty of the offence allegedly committed under the Code of Behaviour, then it remains open to him/her, at his/her absolute 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;

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 State or Territory Cricket Association); (b) to CA within thirty (30) days of receipt of the decision imposing the fine. However, CA 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 solely in its absolute discretion and on the grounds of financial hardship. Should any fine and/or costs award (or agreed part-payment or installment thereof) not be paid to CA 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 *Match* until such payment has been satisfied in full; and

7.10.7 A *Report* may be withdrawn at any time before a hearing by the individual responsible for lodging the *Report* alleging a breach of the Code of Behaviour.

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 (including a lifetime), he/she may not play, coach or otherwise participate or be involved in any capacity in any *Match(es)* which: (a) are covered by the application of his/her *Suspension Points* as determined in accordance with Article 7.5; 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 *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 *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 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 a 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 Behaviour. 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 *Matches* provided that he/she has paid, in full, all amounts forfeited under the *Code of Behaviour*, including any fines, compensatory awards or award of costs that may have been imposed against him/her.

ARTICLE 8 APPEALS

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

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

8.2 Appeals from decisions in relation to: (a) a second, third or fourth *Level 1 Offence*; (b) a *Level 2 Offence* (except 2.2.3 and 2.2.11 – “Off-Field”)

- 8.2.1** Decisions made under the Code of Behaviour by a *Match Referee* in relation to: (a) a second, third or fourth *Level 1 Offence* within the applicable 18 eighteen month period; or (b) a *Level 2 Offence* (except 2.2.3 and 2.2.11 – “Off-Field”);, 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 *Code of Behaviour 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) or 2.2.10 (manipulation of a Match), the relevant *Team Captain*, provided a \$2,000 appeal deposit is paid to CA at the time such appeal is lodged in accordance with Article 8.2.3; and (b) CA's *Chief Executive Officer* (or his/her designee).
- 8.2.3** Any notice to appeal under this Article must be lodged with CA's General Manager of Legal and Business Affairs within 48 hours of receipt of the written decision of the *Match Referee* or Tour Executive. In all cases, a copy of such notice (which will be in a form prescribed by the

Senior Manager – Cricket Operations and available on CA's official website) will also be provided to the CEO of the State or Territory Cricket Association to which the *Player* or *Player Support Personnel* is affiliated. Thereafter, the following will apply:

- 8.2.3.1** Within 48 hours of receipt of a notice to appeal: (a) CA's General Manager of Legal and Business Affairs will appoint a *Code of Behaviour Commissioner* to hear the appeal sitting alone; and (b) the *Match Referee* will provide a written statement to CA's General Manager of Legal and Business Affairs 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 5.1.12, otherwise applicable to proceedings before the *Match Referee*, shall apply *mutatis mutandis* (i.e. with changes deemed to have been made as required to reflect the different context) to appeal hearings before the *Code of Behaviour Commissioner*.
- 8.2.3.3** The *Code of Behaviour Commissioner* shall hear and determine all issues arising from any matter which is appealed pursuant to this Article on a *de novo* basis, i.e. 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 *Code of Behaviour 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.
- 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 fourteen (14) days after the appointment of the *Code of Behaviour Commissioner*. The *Senior Manager – Cricket Operations* must notify in writing the parties to the appeal of all relevant details of the appeal as soon as practicable.
- 8.2.3.5** The *Code of Behaviour Commissioner* shall have the power to order some or all of the costs of the appeal proceedings (including the costs of holding the hearing, the legal and/or travel/accommodation costs of the *Code of Behaviour Commissioner* and/or any other relevant parties, including CA) to be paid by the appealing party if he/she considers that such party has acted spuriously, frivolously, without reasonable cause or otherwise in bad faith.
- 8.2.3.6** Any decision made by the *Code of Behaviour 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 2.2.3* and *2.2.11* (“Off-Field” only) *Offences, Level 3 Offence* or *Level 4 Offence*

8.3.1 Decisions made under the Code of Behaviour by a *Code of Behaviour Commissioner* or Tour Executive (acting in place of the *Code of Behaviour Commission* pursuant to Article 10) in relation to a *Level 2.2.3* and *2.2.11* (“Off-Field” only) *Offence, 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 2.2.3* and *2.2.11* (“Off-Field” only) *Offence, Level 3 Offence* or *Level 4 Offence* shall be: (a) the *Player* or *Player Support Personnel* found guilty of the offence, provided a \$2,000 appeal deposit is paid to CA at the time such appeal is lodged in accordance with Article 8.3.3; and (b) CA’s *Chief Executive Officer* (or his/her designee).

8.3.3 Any notice to appeal under this Article must be lodged with CA’s General Manager of Legal and Business Affairs within seven (7) days of receipt of the written decision of the *Code of Behaviour Commissioner*. In all cases, a copy of such notice (which will be in a form prescribed by the *Senior Manager – Cricket Operations* and available on CA’s official website) will also be provided to the CEO of the State or Territory Cricket Association to which the *Player* or *Player Support Personnel* is affiliated. Thereafter, the following will apply:

8.3.3.1 Within five (5) days of receipt of a notice to appeal: (a) CA’s General Manager of Legal and Business Affairs will appoint three members of CA’s *Code of Behaviour Commission* to sit as the *Appeal Panel* to hear the appeal; and (b) the *Code of Behaviour Commissioner* whose decision is being appealed will provide a written statement to CA’s General Manager of Legal and Business Affairs 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 5.2.13, applicable to proceedings before *Code of Behaviour Commissioner*, shall apply *mutatis mutandis* (i.e. with changes deemed to have been made as required to reflect the different context) to appeal hearings before the *Appeal Panel*.

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

8.3.3.4 Appeal hearings pursuant to this Article 8.3 should be completed expeditiously. Save where all parties agree or fairness requires otherwise, the appeal hearing shall be commenced no later than thirty (30) days after the appointment of the *Appeal Panel*. The *Senior Manager – Cricket Operations* must notify in writing the parties to the appeal of all relevant details of the appeal as soon as practicable.

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, 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, without reasonable cause 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

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 4.4.1, the *Player* or *Player Support Personnel* waives his/her right to any appeal against the imposition of such a sanction.

8.5 Appeal Deposit and Costs

8.5.1 If an appeal heard under Article 8 is dismissed, the *Code of Behaviour Commissioner* or *Appeals Panel* (as the case may be) shall order the forfeiture of the \$2,000 appeal deposit.

8.5.2 Unless otherwise directed by the *Code of Behaviour Commissioner* or *Appeals Panel* (as the case may be), each party to the appeal shall be responsible for their own costs associated with the appeal.

ARTICLE 9 RECOGNITION OF DECISIONS

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

ARTICLE 10 AUSTRALIAN TOURING TEAMS

- 10.1** Where a *Report* concerns the behaviour of a *Player* or *Player Support Personnel* involved with an Australian touring team while overseas, the provisions of this Code of Behaviour will apply except that:
- 10.1.1** the Tour Executive may (if so directed by CA's *Chief Executive Officer* or *Senior Manager - Cricket Operations* in his/her absolute discretion) act in place of the *Code of Behaviour Commissioner* in the initial hearing of *Reports*; and
- 10.1.2** only CA's *Chief Executive Officer* or *Senior Manager - Cricket Operations* or media manager will be authorised to notify the media of a *Report* and the outcome of that *Report*.
- 10.2** Where a *Report* is made either by or against a member of the Tour Executive and, pursuant to Article 10.1 above, the Tour Executive takes the place of the *Code of Behaviour Commissioner* for the purpose of this Code of Behaviour, that member will be disqualified from participating in the hearing of the *Report*. For the purposes of that hearing only, the disqualified person's place on the Tour Executive will be taken by a person nominated by CA's *Chief Executive Officer* or *Senior Manager - Cricket Operations*.

ARTICLE 11 AMENDMENT AND INTERPRETATION OF THE CODE OF BEHAVIOUR

- 11.1** The Code of Behaviour may be amended from time to time by CA, with such amendments coming into effect on the date specified by CA.
- 11.2** The headings used for the various Articles of the Code of Behaviour are for the purpose of guidance only and shall not be deemed to be part of the substance of the Code of Behaviour or to inform or affect in any way the language of the provisions to which they refer.
- 11.3** The Code of Behaviour shall come into full force and effect on 1 October 2013 (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 Behaviour 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.
- 11.4** If any Article or provision of this Code of Behaviour is held invalid, unenforceable or illegal for any reason, the Code of Behaviour shall remain otherwise in full force apart from such Article or provision that shall be deemed deleted insofar as it is invalid, unenforceable or illegal.
- 11.5** The Code of Behaviour is governed by and shall be construed in accordance with the laws of the State of Victoria, Australia. Strictly without prejudice to the arbitration provisions of Articles 5 and 8 of the Code of Behaviour, disputes relating to the Code of Behaviour shall be subject to the exclusive jurisdiction of the Victorian courts.

ARTICLE 12 OTHER CODES AND POLICIES

The conduct prohibited under the following codes and policies shall also amount to an offence under this Code of Behaviour, provided that the offences, processes and penalties shall be determined in accordance with the relevant code or policy:

1. CA Anti-Corruption Code;
2. CA Anti-Doping Policy;
3. CA Illicit Substances Rule;
4. CA Racial and Religious Vilification Code; and
5. CA Anti-Harassment Policy.

APPENDIX 1 - DEFINITIONS

Appeal Panel. A panel of three persons appointed by the CA from the members of the CA Code of Behaviour Commission to perform the functions assigned to the *Appeal Panel* under the Code of Behaviour.

CA. Cricket Australia or its designee.

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

CA's State Equipment and Apparel Policy. CA's Clothing and Equipment Regulations, in force from time to time.

CA Code of Behaviour Commission. An official committee of CA established under Appendix 2 of this Code of Behaviour.

Code of Behaviour Commissioner. The independent person appointed by CA from the CA Code of Behaviour Commission, to perform the functions assigned to the *Code of Behaviour Commissioner* under the Code of Behaviour, including Appendix 2 of this Code of Behaviour.

Effective Date. As defined in Article 11.3.

Level 1 Offence. Any of the offences described in Articles 2.1.1 – 2.1.6.

Level 2 Offence. Any of the offences described in Articles 2.2.1 – 2.2.11.

Level 3 Offence. Any of the offences described in Articles 2.3.1 – 2.3.5.

Level 4 Offence. Any of the offences described in Articles 2.4.1 – 2.4.5.

Match. Any cricket match:

- (a) played as part of a test series, one day international series or International twenty20 series (whether or not one or more matches are played as part of that series), whether in Australia or overseas, and whether or not played under the auspices of the ICC or any other country's governing authority for cricket;
- (b) played as part of a Cricket Australia-approved cricket tour (whether in Australia or overseas);
- (c) played as part of the domestic one-day competition in Australia;
- (d) played as part of the domestic four-day competition in Australia;
- (e) played as part of the domestic twenty20 competition in Australia;

- (f) played by a State Association (including the Champions League Twenty20) team against a touring international team in Australia or against any other team overseas (including the Champions League Twenty20);
- (g) played by a Big Bash League team against a touring team in Australia or against any team overseas;
- (h) played as part of the WNCL competition;
- (i) played as part of the WT20 competition;
- (j) played as part of the Futures League competition;
- (k) played as part of the National Under 19 Male Championships;
- (l) played as part of the National Under 18 Female Championships;
- (m) played as part of the National Under 17 Male Championships;
- (n) played as part of the National Under 15 Female Championships;

and includes any other matches played under the jurisdiction or auspices or with the consent or approval of CA or any State or Territory Association.

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 Behaviour.

Match Referee. The independent person appointed by CA (or any other relevant party) as the official match referee for a designated *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 Behaviour by any official 'Match Manager' who may be appointed to officiate at such *Match*.

Notice of Charge. As defined in Article 4.1 and/or Article 4.3.

Player. Any cricketer who is selected in any playing team or squad that is chosen to represent CA or a State or Territory Association in any *Match* or series of *Matches* or any cricketer that is contracted to CA or a State or Territory Association to play cricket.

Player Support Personnel. Any *Umpire*, *Match Referee*, coach, trainer, manager, selector, team official, doctor, physiotherapist, fitness or other health related advisor or any other person employed by, contracted to, representing or otherwise affiliated to CA or any State or Territory Association or Big Bash League Team or any other person employed by, contracts to, representing or otherwise affiliated to a Team or squad that is chosen to represent CA, a State or Territory Association in any *Match* or series of *Matches*.

Report. As defined in Article 3.1.

Senior Manager – Cricket Operations. The person holding that position at CA from time to time (including any person acting in that position).

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 Behaviour.

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

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

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

APPENDIX 2 – CA CODE OF BEHAVIOUR COMMISSION

Establishment

- (o) A CA Code of Behaviour Commission (*the Commission*) is established.

Powers

- (p) The Commission is empowered to:
 - (a) hear and decide reports and appeals brought before it in accordance with this Code of Behaviour and impose penalties for any proven breaches in accordance with the terms of this Code of Behaviour;
 - (b) hear and decide complaints referred to it under the Anti-Corruption Code, Racial and Religious Vilification Code and the Anti-Harassment Policy and impose penalties for any proven breaches in accordance with the terms of each respective code or policy; and
 - (c) deal with any other matter referred to it by CA.

Membership

- 3. The Commission will consist of up to 6 Commissioners being:
 - (a) a Senior Commissioner;
 - (b) a Deputy Senior Commissioner; and
 - (c) up to 4 ordinary Commissioners.
- 4. CA will appoint the Commissioners. All Commissioners will hold office for a period of one (1) year from the date of their appointment by CA. CA may appoint or approve substitute Commissioners in the event a Commissioner is unwilling or unable to fulfill the requirements of the role at a particular time.
- 5. Any *Report*, complaint or other matter brought to the Commission will be heard and determined by any Commissioner(s) in accordance with the applicable provision of the Code of Behaviour (including the applicable provisions of the Anti-Corruption Code, Racial and Religious Vilification Code and the Anti-Harassment Policy).

Register

- 7. The *Senior Manager – Cricket Operations* must maintain a register of all reports of alleged breaches of this Code of Behaviour and of all complaints referred to the Commission under the Anti-Corruption Code, the Racial and Religious Vilification Code and the Anti-Harassment Policy. The register must record the outcome of any hearings and appeals including any penalty imposed under Article 7 of the Code of Behaviour (and any penalties levied under the other codes and policies). The register is to be available to the Commission for the purpose of assisting it in fixing any penalty for a breach of this Code of Behaviour and of the Anti-Corruption Code, the Racial and Religious Vilification Code and the Anti-Harassment Policy. No reference may be made to the register prior to the making of a finding of guilt or innocence.

Address of Commission

8. The address of the Commission for the purposes of the lodging of documents pursuant to this Code of Behaviour shall be the address for the time being of Cricket Australia, which is currently: **60 Jolimont Street, Jolimont, Victoria, 3002.**

APPENDIX 3 – MATCH FEES

Unless otherwise agreed in advance of a *Match*, for the purposes of any sanctions that are to be applied pursuant to this Code of Behaviour, the following designated *Match Fees* shall apply:

<u>Type of Match</u>	<u>Designated Match Fee</u>
<p>Any men’s International Match, First Class Match, International Tour Match, One Day Domestic Match or Twenty20 Match.</p> <p>Any Women’s One Day Domestic Match or Twenty20 Match.</p>	<p>The amount determined from year to year as agreed under the applicable Memorandum of Understanding between CA and the ACA.</p> <p>As agreed by CA the specific match fee for a Women’s One Day Domestic match and a Women’s T20 Match (2013-14 \$200 and \$120 respectively).</p>
<p>All other <i>Matches</i>.</p>	<p>No <i>Match Fee</i> will be applied. Accordingly, no <i>Match Referee</i> or <i>Code of Behaviour Commissioner</i> shall have jurisdiction under this Code of Behaviour to impose any financial sanctions against any <i>Player</i> or <i>Player Support Personnel</i> for a breach of this Code of Behaviour in relation to such <i>Matches</i>. However the remaining range of permissible sanctions (set out in the table in Article 7.3) shall be available to the <i>Match Referee</i> and/or <i>Code of Behaviour Commissioner</i> in full.</p>

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 State or Territory Association participating in the same *Match*.