

## 8. CODE OF CONDUCT

### 8.1. INTRODUCTION

This Code of Conduct shall apply to all competitions subject to both Canterbury Cricket Association (“CCA”) and Christchurch Metropolitan Cricket Association (“Metro”) playing conditions.

The New Zealand Cricket (“NZC”) Code of Conduct shall apply to all District representative matches.

### 8.2. COMMISSIONERS

- a. Prior to 1 September each year, both CCA and Metro will nominate and have approved by their respective Boards, sufficient Club Commissioners to hear and decide on any reports of alleged breaches of Rules 8.3 a, b or c below.
- b. For the purposes of nominating, approving and appointing Commissioners, the Board will have regard to the need for such Commissioners to conduct enquiries into alleged breaches of the Code of Conduct in a quasi-judicial manner in accordance with the rules of natural justice, and for the Commissioners to have an adequate understanding of the Laws of Cricket, and that it is in the best interests of the game to dispose of any alleged breaches of the Code in a fair and timely fashion.
- c. Two Commissioners shall be appointed on each occasion to conduct enquiries into any alleged breach of the Code of Conduct. If two Commissioners cannot be contacted within any of the time limits herein stated then contact may be made with the General Manager of CCA or Metro (as the case may require), his/her nominee or the Chairman of the CCA Board.
- d. The Commissioners shall have a discretionary power to extend all time limits under this Code, whether or not the time limit has passed.
- e. CCA and Metro shall be responsible for

maintaining a register of all reports, appeals and decisions taken, and circulating these decisions to all Commissioners from time to time.

### 8.3. RULES OF THE CODE

- a. Players and team officials must not indulge in unacceptable behaviour on any part of a cricket ground including the field of play.
- 8.9. sets out a non-exhaustive list of examples of unacceptable behaviour, and how they should be addressed.
- b. Players must not infringe the rules relating to advertising on cricket clothing and equipment (refer to Condition 3.14 and 3.15).
- c. Players and team officials (including any person holding any official position within cricket) must not make any public announcement or media comment or engage in any act, omission or conduct prejudicial to the interests of cricket or which may bring the game of cricket or any cricketer or group of cricketers into disrepute.

### 8.4. ELIGIBILITY TO LODGE A REPORT

- a. An alleged breach of any Rules in 8.3 may be reported by:
  - i. either, all or both Umpires; or
  - ii. the General Manager of CCA or Metro (as the case may require); or
  - iii. a CCA or Metro staff member; or
  - iv. any team official.
- b. No alleged breach of Rules 8.3(a) or (b) shall be reported by any of the persons referred to in 8.4(ii), (iii) or (iv) above unless they have first consulted with the Umpire or Umpires in respect of any on-field conduct or behaviour that is alleged to have breached this Code. For the avoidance of doubt, notwithstanding the requirement to consult with the Umpire or Umpires before making a report, the decision as to whether a report shall be made shall remain that of the person named in Clause 8.4(a) above.
- c. All reports of an alleged breach or breaches of the code must be in writing in the form

set out in 8.9, or substantially in compliance with such form, stating the level of offending alleged.

### **8.5. REPORTS - PROCEDURE**

a. The General Manager of CCA or Metro (as the case may be) or his/her nominee will at the earliest opportunity advise that a report has been lodged and forward the report to the player and/or the team official reported and his team manager, and appoint two Commissioners to conduct a hearing into the alleged breach or breaches.

b. Notice of the report shall be deemed to have been duly given or made:

i. If given by hand, on personal delivery to the player or team official reported; and

ii. In the case of communication by letter, on the second day after being posted by mail, correctly addressed and stamped; and

iii. In the case of communication by facsimile, when transmitted with indication of complete transmission to the last known fax number of the player or team official reported or alternatively, to the fax number of the Club with which the player or team official is associated and which is recorded in Section 11; and

iv. In the case of communication by email when the sender has received electronic confirmation that the message has been sent to the last known email address of the player or Team Official reported or, alternatively to the email address of the Club of which the player or Team Official is associated and which is recorded in Section 11 of the Handbook.

c. Upon receipt of the report, lodged in accordance with rule 8.4, the Commissioners must investigate and determine the alleged breach or breaches of this Code as soon as possible.

d. Without limiting the manner in which the person reported may be given a right to be heard in relation to the alleged breach or breaches of this Code, that person must be taken to have been given the right if –

i. The person reported is fairly advised of all

allegations concerning the alleged breach or breaches with sufficient details and time given to enable the person reported to prepare a response to the allegations made; and

ii. The person reported has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and

iii. A oral hearing is held if the person reported requires it, or if the Commissioners consider that an oral hearing is needed to ensure an adequate hearing; and

iv. The written statement of the person reported together with any other submissions or evidence are considered by the Commissioners before they determine whether the alleged breach or breaches of this Code has occurred.

e. Unless excused by the Commissioners for any reason, an oral hearing must be attended by:

i. the person reported; and

ii. the Captain and/or team manager (save where the report is against the Captain then the vice-Captain or team manager will attend) and;

iii. the initiator of the report; and

iv. any other person subject to this Code who, in the opinion of the Commissioners, might assist in any way

f. Where any person required to attend an oral hearing (other than the person reported) fails to attend such hearing without reasonable justification, this may be treated as a breach of clause 8.3 (c) and any person entitled to do so may make a report as set out above.

g. The Commissioners will hear and decide on the report in a manner which accords with the principles of natural justice and which best ensures the fair and prompt determination of the alleged breach or breaches of the Code.

h. The Commissioners must communicate their decision orally within 24 hours of the conclusion of the hearing and must deliver a written decision with full reasons for the decision within 72 hours of the decision

being orally communicated. The Commissioners will ensure that their written decision is forwarded in the first instance to:

- i. the player and/or team official concerned;
  - ii. the initiator of the report;
  - iii. the General Manager of either CCA or Metro (as the case may be) or his/her nominee;
- No one shall be entitled to make any comment in relation to any such decision unless and until the person reported has been advised of the Commissioners decision.

### 8.6. PENALTIES

Where a player or team official has been found in breach of the Code a penalty or any combination of penalties may be imposed pursuant to this Rule.

- a. The penalties that may be imposed are:
  - i. Written censure;
  - ii. a fine up to a maximum of \$2,000.00.
  - iii. In the case of a player, suspension from playing in fixtures under the control of either CCA or Metro, their affiliated associations or bodies, any other match in which either CCA or Metro is involved including matches under the auspices of NZC or ICC.
  - iv. In the case of a Team Official, suspension from any involvement with any team playing in fixtures under the control of either CCA or Metro, their affiliated associations or bodies, or any other match in which either CCA or Metro is involved including matches under the auspices of NZC or ICC.
- b. Suspensions may be imposed either for a number of matches or for a defined period, shall take effect immediately following the decision to suspend (unless circumstances warrant a deferral in order that the suspension shall have disciplinary effect) and shall apply to any fixtures under the control of CCA and Metro, their affiliated associations or bodies, or any other match in which CCA or Metro is involved including matches under the auspices of NZC or ICC.
- c. When determining penalty, the Commissioners will bring into account the circum-

stances in which the breach occurred, and:

- i. any mitigating circumstances including, without limitation, contrition, apology, previous good record, and the circumstances in which a breach occurred.

- ii. any aggravating circumstances including, without limitation, ignoring the umpire's warning, the fact that a player is a repeat offender, refusal to acknowledge a breach;
- iii. the players forthcoming playing schedule;
- iv. any match fees that may be lost as a result of a suspension.

d. The Commissioners retain an overall discretion as to any penalty to be imposed and will endeavour to achieve consistency. Comment: While penalties are for the Commissioners to determine, the Code must respond to the fact that it will apply to both contracted players and amateur players alike. A suspension should therefore be imposed as the primary penalty in the case of a breach by an amateur player, but a financial penalty may, depending upon the circumstances, be considered more appropriate in the case of a breach by a player who is contracted by CCA or NZC.

e. Where a player or team official has been found guilty of a breach of the Code, he must personally pay and be liable for payment of any fine imposed.

f. Any fine must be paid to the General Manager of CCA or Metro (as the case may be) within 7 days of the decision being orally communicated and any failure to meet this requirement will render the player or the team official ineligible for selection or involvement in any fixture under the control of CCA or Metro, any of their affiliated associations or bodies, or any other match in which CCA or Metro is involved including matches under the auspices of NZC or ICC until such time a fine is paid.

### 8.7. MEDIA

Only the General Manager or Chairman of the Board of CCA or Metro (as the case may

be) are authorised to notify the media of a report, or a decision, and any information regarding that process. In the absence of special reasons publicity will be given to the disciplinary process in each case.

## 8.8. DEFINITIONS

For the purposes of this Code of Conduct: “Team Official(s)” shall mean and include any team manager, team cricket manager, or team coach appointed by CCA or by a Metro club to manage and/or coach a team participating in the match; “Umpire” shall mean an umpire appointed by the Canterbury Regional Umpires and Scorers Association Incorporated to stand as an umpire in any match. For the avoidance of doubt this does not include players who are participating in a lower grade match and who are from time to time presiding as umpires during that match.

## 8.9. APPENDIX A - CODE OF CONDUCT

The conduct described below, if committed by a player or team official, shall amount to an offence by such player or team official under the Code of Conduct. It is not a limiting list of conduct prohibited by the Code. Comment: Reference should also be made to the NZC Playing Conditions and to the ICC Code of Conduct Standard Playing Conditions and other Regulations at the commencement of each cricket season for further examples of unacceptable behaviour.

1. Breach of any NZC rules relating to advertising on cricket clothing and equipment.
2. Abuse of cricket equipment or clothing, ground equipment or fixtures and fittings during a match.
3. Showing dissent at an Umpire’s decision during a match.

Comment: It is no defence to any charge brought under this Rule to show that the Umpire might have, or in fact did, get any decision wrong.

4. Using language or a gesture that is ob-

scene, offensive or insulting during a match.

Comment: This includes:

- (a) Loud or repetitious swearing; and
- (b) Obscene gestures or conduct which is/are not directed at another person, such as swearing at one’s own poor play or fortune.

This offence is not intended to penalise behaviour which may be regarded as trivial. When assessing the seriousness of the breach, umpires 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 by others on the field of play or outside the playing area as obscene;
- (b) give offence to others in the field of play or outside the playing area; or
- (c) insult another person.

5. Using any language or gesture that offends, insults, disparages or vilifies another person on the basis of that person’s race, religion, gender, colour, descent, national or ethnic origin.

6. Excessive appealing or celebrating a dismissal before the umpire has made a decision.

Comment: It is not intended this rule should prevent loud or enthusiastic appealing of itself.

7. Charging or advancing towards, or challenging, the umpire in an aggressive, threatening, or intimidating manner when appealing during a match.

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

9. Inappropriate physical contact between players in the course of play during a match (eg: deliberately walking or running into or shouldering another player).

10. Assaulting or threatening to assault, an umpire, another player, team official, or any other person (including a spectator) during a match.

11. Any act of violence on the field of play during a match.

12. Public criticism of, or inappropriate comment, in relation to an incident occurring in a match, or in relation to any player, team official, match official or team participating in any match, irrespective of when or how or by what method such criticism or inappropriate comment is made.

13. Conduct intended to wrongly influence any element of the game, including deliberate attempts to mislead the Umpire;

14. Any action(s) likely to alter the condition of the ball which are not specifically permitted under Law 41.3 of the Laws of Cricket and which may be regarded as 'unfair'.

15. Any attempt to manipulate a match for inappropriate strategic, tactical or other reasons, including, but not limited to, any conduct which is considered 'unfair play' under Law 41 of the Laws of Cricket.

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 Rule.

16. Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct that either:  
 15.1 is contrary to the spirit of the game; or  
 15.2 brings the game into disrepute; or  
 15.3 is considered 'unfair play' under Law 41 of the Laws of Cricket.

*Note: This is intended to be a "catch-all" provision to cover all types of conduct not covered by the specific offences set out elsewhere in this Code of Conduct.*

**8.10. APPENDIX B  
 CODE OF CONDUCT REPORT  
 CLUB CRICKET WRITTEN REPORT FORM**

Dear Sir,  
 In accordance with Section 8 of the Club and Youth Cricket Handbook I make the following report:  
 Match: .....  
 Venue: .....  
 Dates: .....

Umpires: .....

I wish to bring to your attention my belief that during the match conduct amounting to "unacceptable behaviour" occurred. Those involved were:

Player(s)/Team Officials(s): Team: .....  
 .....

I believe that the conduct breached Rule (Appendix A Number) ..... of the Code. The circumstances were: .....  
 .....  
 .....

This report was completed by: (the umpires jointly or by eligible persons, as outlined in section 4.1 of the Code of Conduct)

The day's play concluded at ..... am/pm on ..... 20 .....  
 And Metro was notified at ..... am/pm on ..... 20 .....

Signed .....	Signed .....
Name	Name
Contact Number	Contact Number

Where any person wishes to make a report of an alleged breach under 4.1, 4.2 or 4.3 of Metro Code Of Conduct they shall contact Metro at the earliest opportunity and complete a written report no later than 4pm on the first working day following the conclusion of the match.

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