

**RULES AND CODE OF CONDUCT
OF
GAUTENG CRICKET BOARD**

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**RULES AND CODE OF CONDUCT
OF
GAUTENG CRICKET BOARD**

1. CODE OF CONDUCT

- 1.1 PARTICIPANTS shall abide by the LAWS, the Playing Conditions, RULES and Regulations, Bye-laws and Contracts with and of GCB.
- 1.2 PLAYERS and TEAM OFFICIALS must at all times accept an UMPIRES decision and must not show dissent at an UMPIRES decision.
- 1.3 PARTICIPANTS shall not verbally abuse, assault, intimidate or attempt to assault or intimidate any other PARTICIPANT or spectator, nor shall any PARTICIPANT engage in any conduct, act towards or speak to any other PARTICIPANT or spectator in a manner which offends, insults, humiliates, intimidates, threatens, disparages or vilifies that other person on the basis of that other person's race, religion, colour, descent or national or ethnic origin.
- 1.4 PARTICIPANTS shall not use crude or abusive language nor make offensive gestures to any other PARTICIPANT, OFFICIAL or SPECTATOR.
- 1.5 PARTICIPANTS shall not engage in –
 - 1.5.1 Acts of misconduct, or unruly behaviour or commit any criminal offence whilst participating in or about to or having participated in a REGULATED MATCH and whilst within the precincts of the ground at which the REGULATED MATCH is played; or
 - 1.5.2 Unbecoming or detrimental conduct which could bring them, GCB or the game of cricket into disrepute.
- 1.6 PARTICIPANTS shall not disclose or comment publicly or make any public pronouncement or media comment –
 - 1.6.1 Which is detrimental to the game of cricket in general; or
 - 1.6.2 Which is detrimental to a particular tournament or match in which they are involved; or
 - 1.6.3 Which is detrimental to relations between the competing teams; or
 - 1.6.4 Which is critical of or detrimental to the selection of any team for any REGULATED MATCH; or
 - 1.6.5 Upon any alleged breach of the CODE or upon any hearing, DISCIPLINARY REPORT or decision arising from such a breach; or
 - 1.6.6 On any decision by an UMPIRE or DISCIPLINARY COMMISSIONER or APPEAL BOARD.
- 1.7 A PARTICIPANT shall not, directly or indirectly, engage in, or give advice concerning, betting, gambling or any form of financial speculation on the outcome of any REGULATED MATCH.
- 1.8 A PARTICIPANT shall not accept any form of inducement which is likely or calculated to affect his/her performance or the performance of any PARTICIPANT involved in any REGULATED MATCH adversely.
- 1.9 PARTICIPANTS shall not –

- 1.9.1 Whilst participating in a REGULATED MATCH, wear or use clothing and equipment other than that as is approved by GCB from time to time;
- 1.9.2 At any time, wear or use or display commercial logos or other advertising material which is not approved by GCB.
- 1.10 A PARTICIPANT shall not be involved in any form of handling, selling or taking of drugs or substances which are unlawful in terms of South African legislation; and shall abide by the Doping Policy of Cricket South Africa.
- 1.11 Any PARTICIPANT who attempts to commit any breach of this CODE shall be deemed to have breached the CODE and shall be liable, on conviction, to the same penalties as are competent for a contravention of the CODE itself.

2. APPLICATION OF THE CODE

- 2.1 The CODE shall apply to PARTICIPANTS who are participating in REGULATED MATCHES or have participated in REGULATED MATCHES within the preceding year.
- 2.2 The CODE, a breach of which may render a PARTICIPANT to disciplinary action, shall be enforced in accordance with procedures laid down in these RULES.
- 2.3 All PARTICIPANTS shall acquaint themselves and shall be deemed acquainted with the CONSTITUTION, BYE-LAWS and RULES AND REGULATIONS of GCB and this CODE.

3. CAPTAINS

- 3.1 CAPTAINS are responsible at all times for ensuring that play is conducted within the SPIRIT of the game of cricket as well as within the LAWS and in accordance with this CODE.
- 3.2 During the playing of a REGULATED MATCH, if an individual member of a team, who cannot be identified, breaches the CODE, then the CAPTAIN of that team will be sanctioned.

4. DISCIPLINARY PROCESS

- 4.1 The CONVENER shall, and shall have the power to:
 - 4.1.1 investigate any breaches of the CODE;
 - 4.1.2 initiate DISCIPLINARY PROCEEDINGS for any breaches of the CODE. The CONVENOR shall be empowered to, in his discretion, offer a "PLEA BARGAIN" to an ACCUSED should the ACCUSED plead guilty without a hearing. Such "PLEA BARGAINS" shall be standardized in the PENALTIES SECTION of this CODE and shall carry a lesser sentence than that which can be imposed by the DISCIPLINARY COMMISSIONER following a hearing.

4.2. DISCIPLINARY COMMISSIONER

The DISCIPLINARY COMMISSIONER shall:

- 4.2.1 have the power to adjudicate upon and impose penalties for any breaches of the CODE;
- 4.2.2 be appointed from THE PANEL as required to adjudicate in a particular disciplinary or appeal hearing.”

4.3. THE PANEL

- 4.3.1 comprise no less than three (3) members who shall sit as DISCIPLINARY COMMISSIONERS in disciplinary and appeal hearings from time to time as required;
- 4.3.2 be appointed annually by GCB not later than the first playing day of the new season.

4.4 Media

The DISCIPLINARY COMMISSIONER shall not write for the press or commentate for television and/or radio during or about any REGULATED MATCH in which he is involved or could be involved and the DISCIPLINARY COMMISSIONER'S relationship with the media is governed by rule 8 below.

5. PROCEDURE FOR DEALING WITH DISCIPLINARY MATTERS

5.1 Disciplinary Reports

5.1.1 The CONVENER shall always have the right to investigate any incident, whether or not it is the subject of a DISCIPLINARY REPORT.

5.1.2 Eligibility to lodge a DISCIPLINARY REPORT.

An alleged breach of the CODE or other offence can be reported by:

- 5.1.2.1 The UMPIRES, including the reserve and fourth UMPIRE;
- 5.1.2.2 The MATCH REFEREE, other than in respect of Level 1 offences.
- 5.1.2.3 Either TEAM MANAGER (in his own right or on behalf of any of his PLAYERS);
- 5.1.2.4 Either one of the CAPTAINS participating in the match in which an alleged breach occurs;
- 5.1.2.5 The Home Club's President/Chairman;
- 5.1.2.6 Any GCB BOARD member;
- 5.1.2.7 The Chief Executive of GCB or his nominee.

5.1.3 On Field DISCIPLINARY REPORTS

Should any person eligible to do so decide to report a PARTICIPANT for an alleged breach of the CODE or other offence, he/she must, no later than EIGHTEEN (18) HOURS after the close of the day's play (or such further period as the DISCIPLINARY COMMISSIONER may in due course in his discretion allow), complete a DISCIPLINARY REPORT and submit it to the GCB Club Administrator ,& DISCIPLINARY CONVENOR .

The Club Administrator shall inform the club chairmen of the reported matter .

5.1.4 Off Field DISCIPLINARY REPORTS

If a MATCH REFEREE, an UMPIRE, the Chief Executive of GCB or his nominee, or a TEAM MANAGER decides to report a person for an alleged breach of the CODE, he/she must complete a DISCIPLINARY REPORT and deliver or send it to the GCB club administrator & the DISCIPLINARY CONVENOR as soon as possible.

If a PLAYER is the subject of such a report, the GCB Club administrator shall inform the club chairmen of the implicated player of the reported matter .

If a MATCH REFEREE, an UMPIRE, the Chief Executive of GCB or his nominee, or a TEAM MANAGER decides to report a person for an alleged breach of the CODE, he/she must complete a DISCIPLINARY REPORT no later than EIGHTEEN (18) HOURS after the close of the day's play (or such further period as the DISCIPLINARY COMMISSIONER may in due course in his discretion allow),

5.1.5 In any case, if a CAPTAIN is the reported PLAYER, the Vice-Captain will be responsible for all relevant matters assigned to the CAPTAIN under these RULES.

5.2 Hearings

5.2.1 The DISCIPLINARY CONVENOR has the right to decide if a report received from any party warrants any action.

After a DISCIPLINARY REPORT has been received, and after due consideration as to the credibility of the report and as to whether further action is required, and proper notification given, the following procedures must be carried out:

5.2.1.1 The DISCIPLINARY CONVENER must notify the DISCIPLINARY COMMISSIONER concerned and arrange the hearing as soon as possible and practicable, bearing in mind that, unless there are exceptional circumstances, a decision should be made no later than twenty four hours after the receipt of the DISCIPLINARY REPORT.

5.2.1.2 The hearing may be attended by the reported Participant, his/her chosen representative, who may be his/her Captain, Team Manager or Club Chairman, and the initiator of the Disciplinary Report, none of whom may be denied the right to appear at the hearing.

- 5.2.1.3 The DISCIPLINARY COMMISSIONER may proceed with the hearing if the reported PARTICIPANT or his representative, having received notice of the hearing, fails to attend.
- 5.2.1.4 If a CAPTAIN is unavailable or is the reported PARTICIPANT, the Vice-Captain will be responsible for all relevant matters assigned to the CAPTAIN.
- 5.2.1.5 The DISCIPLINARY COMMISSIONER must hear details of the alleged breach of the CODE and adjudicate thereon.
- 5.2.1.6 In any hearing, but subject to the provisions of these RULES, the DISCIPLINARY COMMISSIONER must adhere to the principles of natural justice.
- 5.2.1.7 Subject to Rule 5.2.1.3, the DISCIPLINARY COMMISSIONER must allow the reported PARTICIPANT to give evidence in his/her defence and produce evidence, either orally or in writing and to call and question witnesses.
- 5.2.1.8 The DISCIPLINARY COMMISSIONER may also call such witnesses as he may deem necessary or allow such witnesses evidence to be admitted on affidavit.
- 5.2.1.9 The DISCIPLINARY COMMISSIONER shall be entitled to adjourn the hearing if he/she considers that further evidence needs to be obtained, that further time is needed to consider the evidence in advance of the hearing or for any other reason deemed appropriate.
- 5.2.1.10 Subject to these RULES, the DISCIPLINARY COMMISSIONER shall, in his sole discretion, determine the procedure, date, and time for the hearing and shall notify all involved parties accordingly.
- 5.2.1.11 The DISCIPLINARY COMMISSIONER must not discuss or comment upon the hearing at any time prior to making his decision.

5.3 Result

- 5.3.1 The DISCIPLINARY COMMISSIONER may make his decision at the end of the hearing or, subject to RULE 5.2.1.1, at any time thereafter.
- 5.3.2 Subject to Rule 7, the DISCIPLINARY COMMISSIONER'S decision shall be final and binding.
- 5.3.3 As soon as possible, but no later than 48 hours after the decision and unless there are exceptionable circumstances, the DISCIPLINARY COMMISSIONER must, after making his decision:

- 5.3.3.1 Submit all reports, evidence and exhibits to the CONVENOR; and
 - 5.3.3.2 Inform the CONVENOR of his decision; and
 - 5.3.3.3 If he believes that the decision should not be made public, indicate why the decision should not be made public.
- 5.3.4 If the DISCIPLINARY COMMISSIONER has not made his decision known at the end of the hearing, the CONVENOR shall inform the reported PARTICIPANT of the decision.

In any event the CONVENOR shall transmit the decision to GCB and the person lodging the DISCIPLINARY REPORT.

6. CODE OF CONDUCT OFFENCES AND PENALTIES

6.1 On-Field and Match-Related Offences

- 6.1.1 Subject to the provisions of paragraph 6.2 – 6.5 below, the DISCIPLINARY COMMISSIONER may impose an appropriate penalty in the form of a reprimand and/a fine and/or a match suspension and may further, in his/her discretion, suspend the operation of such penalty;
- 6.1.2 For the purposes of determining an appropriate penalty, the Disciplinary Commissioner may, in his/her discretion:
 - i) take into account the Participant`s previous convictions, if any;
 - and
 - ii) with reference to paragraphs 6.2 – 6.5 below, regard a repeat of the same offence committed within 12 months of such offence as an offence at the next level above such offence.
 - iii) In such event the Convenor shall give written notice to the Participant in advance of the hearing of his/her intention to invoke the provisions of this rule, in which circumstances the charge against the Participant shall be dealt with as an offence at the next level above such offence for the purposes of this code, including the Participants right to representation;
- 6.1.3 Where this Code does not specify a penalty for a particular offence, the Disciplinary Commissioner shall in his/her discretion impose an appropriate penalty for such offence, having due regard to:
 - a) all the relevant circumstances;
 - and

- b) penalties for similar offences as provided for in the CRICKET SOUTH AFRICA RULES AND CODE OF CONDUCT or the INTERNATIONAL CRICKET COUNCIL CODE OF CONDUCT.

6.2 LEVEL 1

6.2.1 The offences set out below are **Level 1** offences, and the penalty for a Level 1 offence shall be at least an official reprimand , or at most a one (1) match suspension that will apply to the next match to be played following the finding of the DISCIPLINARY COMMISSIONER :

- a) Breach of GCB's rules regulating the use of clothing and equipment, commercial logo's and advertising material;
- b) Abuse of cricket equipment or clothing, ground equipment or fixtures and fittings;
- c) Showing dissent at an umpire's decision;
- d) Using language that is obscene, offensive or insulting and/or the making of an obscene gesture;
- e) Excessive appealing;
- f) Pointing or gesturing towards the pavilion in an aggressive manner by a bowler or other member of the fielding side upon the dismissal of a batsman;
- g) Public criticism of or inappropriate comment on a match-related incident or match official.

6.2.2 Any charges of misconduct in respect of Level 1 offences shall be dealt with by the DISCIPLINARY CONVENOR by way of the DISCIPLINARY PROCEDURE as set out herein, within 4 days of the conclusion of the day's play in which the alleged incident occurred, and he/she may impose an appropriate penalty as prescribed in paragraph 6.2.1 above.

6.2.3 If dealt with in accordance with 6.2.2 above, an offence will be regarded as having been finalized and a Participant may not be further charged for such offence in terms of this code.

6.3 LEVEL 2

6.3.1 The offences set out below are **Level 2** offences, and the minimum penalty for a Level 2 offence shall be a suspension for two (2) matches and the maximum penalty shall be four (4) matches subject to any a partially suspended sentence being imposed by the DISCIPLINARY COMMISSIONER;

- a) Showing serious dissent at an umpire's decision;
- b) Serious public criticism of, or inappropriate comment on a match-related incident or match official;
- c) Inappropriate and deliberate physical contact between players in the course of play;
- d) Charging or advancing towards the umpire in an aggressive manner when appealing;
- e) Throwing the ball at or near a Participant in an inappropriate and/or dangerous manner;

- f) Using language/a gesture that is seriously obscene, offensive or insulting to another Participant or a spectator.

6.4 LEVEL 3

6.4.1 The offences set out below are **Level 3** offences, and the penalty for a Level 3 offence shall be a suspension for the Participant concerned of between four (4) matches eight (8) matches;

- a) Intimidation of an umpire or referee whether by language or conduct;
- b) Threat of assault on another Participant or spectator;
- c) Using language or a gesture that offends, insults, humiliates, intimidates, threatens, disparages, or vilifies another person on the basis of that person's race, religion, gender, colour, descent or national or ethnic origin.

6.5 LEVEL 4

6.5.1 The offences set out below are **Level 4** offences, and the penalty for a Level 4 offence shall be a suspension of between ten (10) matches and a life ban for the Participant concerned:

- a) Physical assault of another Participant or spectator;
- b) Any act of violence on the field of play;
- c) Threat of assault on an umpire or referee;
- d) Using language or gestures that seriously offends, insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion, gender, colour, descent or national or ethnic origin.

7. APPEALS

7.1 Any PARTICIPANT found to be in breach of the CODE has the right to appeal against any finding, penalty or decision made by the DISCIPLINARY COMMISSIONER.

7.2 An appeal shall lie to an APPEAL BOARD and to no other body or person.

7.3 All decisions, penalties, rulings, determinations or findings of an APPEAL BOARD shall be final and binding on the person or persons concerned.

7.4 An APPEAL BOARD shall not be obliged to provide any person with any proof of their authority to act.

7.5 An APPEAL BOARD, on hearing an appeal, shall have the powers:

7.5.1 To allow or dismiss the appeal;

- 7.5.2 To substitute any finding or decision as it deems fit or substitute such penalty as it deems fit, including any increased penalty;
 - 7.5.3 To make an order to remit the decision to the DISCIPLINARY COMMISSIONER for the hearing of further evidence or to hear further evidence itself;
 - 7.5.4 To make such rulings as it in its sole discretion shall determine including postponing or adjourning any appeal.
- 7.6 Procedure in appeals
- 7.6.1 Any person who wishes to appeal ("the appellant") shall give notice in writing of his/her intention to appeal ("Notice of Intention to Appeal") to the CONVENOR within 24 hours from the date on which the decision of the DISCIPLINARY COMMISSIONER was communicated to him/her. Should a Notice of Intention to Appeal not be lodged within the prescribed time periods the right of appeal shall lapse.
 - 7.6.2 All reports, evidence and exhibits which form part of the record of the decision appealed against, shall be made available for inspection by the appellant and his/her legal representative/s on a date and at a time and venue determined by the CONVENOR.
 - 7.6.3 Within 24 hours from the day referred to in rule 7.6.2 the appellant shall lodge with the CONVENOR a Notice of Appeal which shall set out whether he/she appeals against the conviction, penalty or both, and giving reasons why such decision and/or penalty ought to be set aside. Should a Notice of Appeal not be lodged within this time period (or as may be extended under 7.7.5), the appeal shall lapse.
 - 7.6.4 Upon receipt of the Notice of Appeal, the CONVENOR will immediately advise GCB.
 - 7.6.5 The period for lodging a Notice of Appeal may be extended by the CONVENOR at his discretion on receipt of a written application from the appellant. This application must be lodged within the time period allowed for the lodging of the Notice of Appeal.
 - 7.6.6 Where an appeal has been lodged, the CONVENOR shall arrange for the appointment of an APPEAL BOARD, which shall consist of one or more members of the Panel and be appointed in accordance with the provisions of paragraphs 4.2 and 4.3 above .
 - 7.6.7 An APPEAL BOARD, when hearing an appeal, shall adopt such procedures as it, in its sole discretion, may determine and shall determine the place, date and time for the hearing of any appeal and shall notify all interested parties accordingly. All appeals must be heard as soon as possible.
 - 7.6.8 Should any appellant not appear at the hearing of an appeal, the appeal may be proceeded with in his/their absence or may be postponed in the APPEAL BOARD'S entire discretion.

7.6.9 Subject to rule 7.6.3, the appellant and GCB (and their respective representatives) shall be bound by and confined to the record of the proceedings before the DISCIPLINARY COMMISSIONER.

7.8 The operation of the finding, penalty or decision of the DISCIPLINARY COMMISSIONER concerned shall be suspended –

7.8.1 During the period referred to in rule 7.6.1; and/or

7.8.2 When a Notice of Intention to Appeal has been lodged, pending the final determination of such appeal by an APPEAL BOARD, or the lapsing or withdrawal of the appeal.

8. MEDIA

8.1 Only the Chief Executive of GCB is authorised to notify the media of the lodgement of a DISCIPLINARY REPORT and its outcome.

8.2 Only Chief Executive of GCB is authorised to notify the media of any appeal, and its outcome.

9. RECORDS

The CONVENOR is responsible for –

9.1 maintaining a register of all DISCIPLINARY REPORTS and actions taken pursuant thereto and decisions taken by any DISCIPLINARY COMMISSIONER or APPEAL BOARD.

9.2 forwarding copies of DISCIPLINARY REPORTS, together with details of action taken, to GCB and the Chief Executive of GCB.

10. GENERAL PROVISIONS

10.1 No indulgence granted by GCB, the CONVENOR, a DISCIPLINARY COMMISSIONER or APPEAL BOARD shall constitute a waiver or abandonment of rights under the CODE or these RULES.

10.2 The failure of any person to comply with any procedures laid down in terms of these RULES shall not invalidate any action or decision taken or made, by such person, nor shall any penalty imposed in terms of the CODE and these RULES be invalidated as a consequence of any such non-compliance, provided that such failure has not materially prejudiced any other person concerned.

10.3 No person shall have any claim of any nature whatsoever and howsoever arising (including without limitation legal or other costs) against GCB, any members of GCB, the CONVENOR or the DISCIPLINARY COMMISSIONER or employees of GCB, arising, from any act or omission in connection with the administration, operation or regulation of cricket, whether in terms of the CODE, these RULES or not.

- 10.4 All acts done in good faith by –
- 10.4.1 GCB, or an APPEAL BOARD shall, notwithstanding that it be afterwards discovered that there was some defect in the composition, election or appointment of such body, be as valid as if such body had been duly constituted, elected or appointed;
- 10.4.2 any members of GCB, the CONVENOR or any DISCIPLINARY COMMISSIONER shall, notwithstanding that it be afterwards discovered that there was some defect in the election or appointment of such individual, be as valid as if every such individual had been duly elected or appointed.
- 10.5 Where in these RULES any power, duty, function or discretion is given or is to be carried out or exercised by the Chief Executive of GCB, such power, duty, function or discretion may be carried out or exercised by another person nominated by the Chief Executive.
- 10.6 Any person shall be deemed to have been given proper notice if a communication in writing be sent by registered post to his latest address recorded with GCB, and he shall be deemed to have received such notice within 7 days of dispatch. Faxes, emails and text messages shall be deemed to be a proper means of communication if accompanied by proof of address (being the latest updated contact details provided). It shall be deemed to have been received by the addressee within 24 hours of sending.
- 10.7 The English version of the CODE and the RULES is the official version. All hearings and appeals shall be conducted in English, provided that any party or witness in any such hearings or proceedings shall be entitled to the services of a translator approved by the body concerned.
- 10.8 If any provision in a definition in clause 11 constitutes a substantive provision conferring rights or imposing obligations on any person or body, notwithstanding that the provision is only contained in clause 11, effect shall be given to it as if it were a substantive provision contained in the body of the CODE.
- 10.9 Should a player who represents the province at any level be found guilty of an offence, the DC Committee can rule that the player will not be eligible for selection until his sentence has been served.

11. DEFINITIONS

In these RULES, unless the context indicates otherwise, words in capital letters listed below have the following meanings –

- 11.1 APPEAL BOARD – an appeal board shall consist of one or more persons constituted and appointed by GCB in their discretion, In accordance with the provisions of paragraphs 4.2 and 4.3 of this code
- 11.2 BOARD – Gauteng Cricket Board.
- 11.3 CAPTAIN – the captain of a team in a REGULATED MATCH
- 11.4 CODE – the code of conduct set out in paragraph 1 above
- 11.5 CONVENOR – the convenor as appointed by GCB or, should he be unavailable for whatever reason, any member of GCB

- 11.6 DISCIPLINARY COMMISSIONER – a person or persons, appointed by GCB to perform the duties and functions, exercise the powers and to hear and to adjudicate upon alleged breaches of the CODE
- 11.7 DISCIPLINARY REPORT – the disciplinary report in the form prescribed and approved by GCB from time to time
- 11.8 LAWS – the Laws of Cricket (2000 Code) Fourth Edition
- 11.9 OFFICIALS – members and employees of GCB, members and employees of GCB of any Club or Affiliate affiliated to GCB, and delegated sports representatives or officials of any company which provides sponsorship to GCB
- 11.10 PARTICIPANTS – PLAYERS, UMPIRES, TEAM OFFICIALS and/or the ground staff at which the REGULATED MATCH is played
- 11.11 PLAYER – any player who holds himself/herself available for or is participating or about to participate in a REGULATED MATCH or any player who is contracted to play for GCB
- 11.12 REGULATED MATCHES – all matches played under the auspices of GCB
- 11.13 RULES – the rules of procedure and related matters made and promulgated by GCB which is set out in this document
- 11.14 TEAM MANAGER – the team manager of a team participating in a REGULATED MATCH
- 11.15 TEAM OFFICIALS – physiotherapists, coaches and technical assistants and any other person associated with a team participating in a REGULATED MATCH
- 11.16 UMPIRE – an umpire appointed to officiate in a REGULATED MATCH by GCUA
- 11.17 MATCH REFEREE – a match referee appointed by GCB to superintend a REGULATED MATCH.