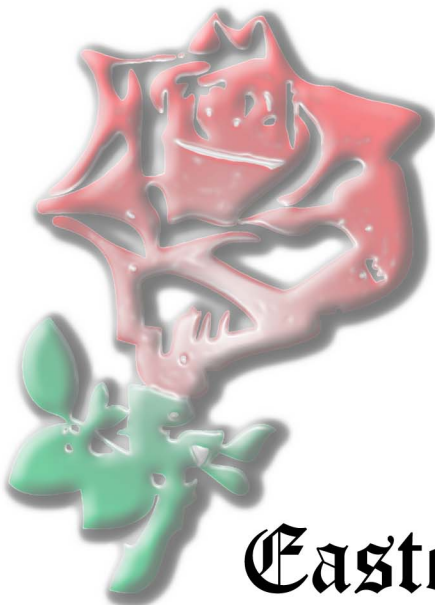


Disciplinary Code

2009-10



Eastern Cricket Union

SECTION 5

DISCIPLINARY CODE

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1. APPLICATION OF THE DISCIPLINARY CODE

This Disciplinary Code shall be applicable to the following persons: -

1. A member of a club playing in an ECU Senior Club competition.
2. An Eastern Cricket Union Director or the President.
3. A Club Executive member
4. An employee of the ECU.
5. An Executive of an affiliate body
6. Any person performing any activity within the area of operation of Eastern Cricket Union, whether such activity or conduct takes place on or off the field of play.

DISCIPLINARY CODE

PART A - CODE OF CONDUCT

Particular reference is made to the Preamble of the Laws of Cricket 2000 Code.

- A 1. Persons must not assault, attempt to assault or threaten to assault a spectator, another player or umpire.
- A 2. Players must not abuse or dispute, as distinct from question, an umpire's decision, or act in an obviously provocative or disapproving manner either towards an umpire, his decision or generally following an umpiring decision.
- A 3. Players must only wear and use approved clothing and equipment. The wearing or display of unauthorized commercial logo is not permitted.
- A 4. Players must not use crude/abusive language. An umpire would be expected to caution the player and advise the captain of his concern before reporting any player for this type of behavior.
- A 5. Player must not indulge in conduct detrimental to the game.
- A 6. Players must in no way use crude or abusive hand signals.
- A 7. Persons must at all times abide by the playing conditions, rules and regulations, playing regulations and contracts of the Eastern Cricket Union.
- A 8. Any person by way of his actions or statements brings the game of cricket or the Eastern Cricket Union into disrepute shall be guilty of misconduct.
- A9. A provincial player may only wear his provincial headgear whilst batting in ECU club matches.
- A10. No player may wear the provincial clothing of another Union whilst playing in a match played under the auspices of the Eastern Cricket Union.
- A11. No Provincial player may wear their provincial clothing, except headgear (See A12), whilst batting or fielding in club matches. This shall not apply to matches played at EJCCA level.

DISCIPLINARY CODE

PART B - OFFENCES & MANDATORY ACTIONS

Should the Disciplinary Committee find the person guilty of committing the offence, the mandatory actions as listed below shall be applied. Should the perpetrator be the captain of the team or a committee member of an affiliate, the Disciplinary Committee shall have the right to double the specified mandatory sentence.

The Disciplinary Committee shall have the right to suspend a maximum of 75% of the sentence for a period, as they deem fit in the case of a first offence.

The Disciplinary Committee shall not be allowed to suspend all or part of a sentence for a second or third offence. Any suspended sentence imposed for a first offence must be added to the sentence for a second offence, provided the period for which the suspended sentence was imposed has not expired.

If an offender is found guilty of any other offence other than the offence for which they were first found guilty, it shall be deemed to be a second offence.

The time between committing the first offence and a second offence shall be 2 years.

The time between committing the second offence and a third offence shall be 2 years.

Any suspension handed out by the Disciplinary Committee shall be applicable to all activities of cricket including playing, practicing, coaching and administrating.

PERPETRATORS

1. A registered club member
2. An Umpire
3. An ECU Director or the ECU President
4. An ECU Employee
5. A Club Official
6. An Affiliate Official
7. An ECU Sub-Committee Member

VICTIMS

1. A registered club member
2. An Umpire
3. An ECU Director or the ECU President
4. An ECU Employee
5. A Club Official
6. An Affiliate Official
7. An ECU Sub-Committee Member
8. A Spectator

Criticism of the President, Directors or any of the policies of the ECU will be acceptable behavior at any of the official meetings of the ECU. However the Chairman of the meeting shall have the right to eject any person from the meeting who he deems to have overstepped the bounds of normal behavior at such meetings.

PLEASE SEE THE TABLE OF OFFENCES AND THEIR MANDATORY ACTIONS ON PAGES 2 & 3 OF THIS SECTION.

All ACTIONS LISTED BELOW ARE IN WEEKS & APPLY TO THE CRICKET SEASON ONLY

No.	Offence	1 st	2 nd	3 rd
1.	Abuse – In any language or medium.	6	12	24
2.	Physical assault.	48	Life	
3.	Threat of assault.	6	12	24
4.	Incitement of any person to physically assault	6	12	24
5.	Incitement of any person to verbally abuse.	6	12	24
6.	Use of crude or abusive hand signals or gestures.	6	12	24
7.	Engaging in public acts of misconduct or unruly public behavior whilst representing ECU.	6	12	24
8.	Engaging in public acts of misconduct or unruly public behavior whilst representing a Club.	6	12	24
9.	The making of any racial/derogatory remark or a remark that could be interpreted as racial/derogatory in nature on or off the field of play in any language.	12	18	24
10.	Incitement of any person to utter a racial remark.	12	18	24
11.	The making of any death threat or a remark that could be interpreted as death threat in nature on or off the field of play in any language.	48	Life	
12.	Consuming of alcoholic beverages on the field of play whilst umpiring or playing.	6	12	24
13.	Consuming of alcoholic beverages off the field of play whilst the match is still in progress by any player involved in the match.	6	12	24
14.	Consuming of alcoholic beverages not purchased from the home club. Or consuming of alcoholic beverages at a Club where the consumption of such beverages is prohibited.	6	12	24
15.	A captain of a team causing the abandonment of a match by refusing to continue play.	12	24	48
16.	Causing unnecessary holding of disciplinary hearing, which could be prevented if the party involved had known the Playing Regulations or the Laws of Cricket.	6	12	18
17.	Giving false information at a disciplinary hearing.	24	48	Life
18.	Abuse of cricket equipment on or off the field of play. Cricket equipment shall be deemed to be personal equipment and opposition equipment. Equipment need not be damaged by such abuse.	4	8	12
19.	Theft of ECU or affiliates property.	48	Life	
20.	Theft of Ekurhuleni Metro property.	48	Life	
21.	Theft of property belonging to opposition club.	48	Life	
22.	Theft of property belonging to opposition member.	48	Life	
23.	Vandalizing of ECU, Ekurhuleni Metro or affiliates property.	48	Life	
24.	Vandalizing property belonging to opposition member.	48	Life	
25.	Failure to leave a meeting when requested to do so by the Chairman of the meeting.	4	8	12
26.	A captain of a team who fails to control his players after having been requested to do so by an officially appointed Umpire and a player is reported.	Same as Player	Same as Player	Same as Player
27.	Persons criticizing by any means the ECU, its policies or its Directors outside of the correct forums.	4	8	12
28.	Persons disputing an official umpires decision or acting in a disapproving manner either towards an umpire, his decision or generally.	6	12	18
29.	A person bringing the game of Cricket or the ECU into disrepute by way of his actions or statements.	6	12	18

No.	Offence	1 st	2 nd	3 rd
30.	A player wearing the Provincial clothing of another province in any match.	2	4	62
31.	A player making or receiving a telephone call on a mobile telephone on the field whilst the match is in progress.	2	4	62
32.	Any person who fails to serve out any action imposed by a Disciplinary Committee or Appeals Board.	-	12	24
33.	Captain of a team failing to produce a copy of the ECU Playing Regulations and Information Book when requested to do so by the Directors – Club Cricket	1	2	3
34.	Captain of a team whose players do not assist with the placing/removal of covers.	4	8	12
35.	Chairman of a Premier League club whose club fails to place covers on the pitch at the times indicated in Clause B7. (Willowmoore Park is excluded)	2	4	8
36.	Any person purchasing an alcoholic beverage during a match with or without the intention of consuming it.	4	8	12
37.	Any person in possession of alcoholic beverages.	4	8	12
38.	Altering of names on the official result sheet without the approval of the opposing captain.	6	12	18
39.	The captain of a team who allows an unregistered player to play under the name of a registered player.	6	12	18
40.	Disobeying the instruction of a Director of the Eastern Cricket Union.	4	8	12
41.	Persons of authority witnessing breaches of the bye-laws/playing regulations/code of conduct and taking no action.	4	8	12
42.	Repeated transgressions of minor offences.	4	8	12
43.	The use of any method, outside the laws of the game, to influence the outcome of a match	52	Life	
44.	A player registered with or playing under the auspices of the ECU, EJCCA or the ESCA representing another province	52	Life	
45.	Contact in any form with the Disciplinary Coordinator regarding pending disciplinary matters	4	8	12

DISCIPLINARY CODE

PART C - REPORTING PROCEDURE

C1 ELIGIBILITY TO LODGE A REPORT

Only the following persons are eligible to lodge a report: -

- 1.1 Captain of a team.
- 1.2 An official Umpire appointed by the Eastern Cricket Umpires Association.
- 1.3 A Chairman of a directly affiliated club.
- 1.4 An elected Eastern Cricket Union Director.
- 1.5 The Chairman of an Eastern Cricket Union meeting or committee.
- 1.6 An official scorer appointed by the Eastern Cricket Umpires Association.
- 1.7 The Members of the Eastern Cricket Union Disciplinary Committee

C2 REPORTING

- 2.1 Form ECU.DC 1 – “Incident Report form” must be completed and conveyed to the Eastern Cricket Union offices.
 - 2.1.1 If faxed the confirmation slip should be retained as proof of transmission.
 - 2.1.2 If mailed it must be by registered mail and the registration slip should be retained as proof of mailing.
 - 2.1.3 If hand delivered a receipt must be obtained as proof of delivery.
 - 2.1.4 The form may not be conveyed by means of electronic E-Mail.
 - 2.1.5 All sections of the form must be completed.
 - 2.1.6 The completed form must reach the Eastern Cricket Union Offices within seventy-two (72) hours after the scheduled end of the match in which the incident occurs or within seventy two (72) hours of the incident occurring if not in a match.
- 2.2 The full report on the incident mentioned in form ECU.DC 1 should reach the Eastern Cricket Union offices within 168 hours (7 Days) after the scheduled end of the match in which the incident occurs or within 168 Hours (7 Days) of the incident occurring if not in a match.
- 2.3 The report must only give the facts and not be judgmental.
- 2.4 The report must clearly state the grounds on which the complaint or dispute is based.
- 2.5 If the Captain of a team initiates the complaint, the Chairman or Secretary of that Club must countersign the complaint.
- 2.6 If the Chairman of a Club initiates the complaint, another club Committee member must countersign the complaint. Only committee members whose contact details are lodged with the Union are eligible to countersign.
- 2.7 If an umpire, a Director, the Chairman of a committee or the members of the Disciplinary Committee initiates the complaint, the complaint need not be countersigned.

C3 NOTIFICATION

Upon receipt of a report the Disciplinary Co-ordinator/Executive Director (Club Cricket) shall decide, at his sole discretion and on the evidence of the written report that if there is a reasonable chance that the Club or person may be guilty of committing an offense, initiate the following steps:

- 3.1 Supply a copy of the report to the club or person who is the subject of the complaint or protest together with the charges.
- 3.2 Refer the matter to the ECU Disciplinary Committee or an affiliate’s Disciplinary Committee.
- 3.3 All parties will be advised of the date and time for a Disciplinary Hearing to take place. The hearing will not be held earlier than 4 days after the notice of the hearing has been sent.

The Disciplinary Co-ordinator/Executive Director (Club Cricket) may, at his sole discretion, request further information from the complainant in an effort to establish if a breach of the Disciplinary code has occurred.

C4 UMPIRE REPORT OF PLAYER

All the reporting procedures required by Law 42A shall be replaced by a verbal report to the captain of the team or his deputy that a player is to be cited. The absence of such a report shall in no way invalidate a complaint initiated by an Umpire

DISCIPLINARY CODE

PART D - DISCIPLINARY HEARING PROCEDURE

D1. DISCIPLINARY COMMITTEE

- 1.1 The disciplinary committee shall consist of eight (8) disciplinary officers. Additional members may be co-opted from time to time.
- 1.2 At a hearing a maximum of five (5) and a minimum three (3) members shall hear the case.
- 1.3 One (1) of the members in 1.2 above shall act as Chairman. A person not forming part of the DC Committee shall be appointed as a minute Secretary and shall have no other function other than that of minute secretary.

D2. THE HEARING

- 2.1 All parties will be introduced to each other.
- 2.2 The defendant shall be informed of the charge, complaint or dispute, which initiated the hearing.
- 2.3 If the defendant is not present at the appointed date and time the hearing shall proceed in their absence.
- 2.4 Witnesses will be requested to leave the room.
- 2.5 The defendant shall be allowed one (1) person to represent him at the hearing. Such a person must be a member of the defendants Club, Association or Organization. If the defendant is from a Club, his representative must be registered with that Club and their name must appear on the Clubs list of members lodged with the ECU.
- 2.6 The defendant will be asked to plead.
- 2.7 The witnesses shall be called in to testify. Should such a witness not be present at the time required for him to testify, the hearing shall not be delayed in any way.
- 2.8 The Disciplinary Committee members shall question the witnesses.
- 2.8 The defendant and/or his representative shall be allowed to cross question witnesses.
- 2.9 The defendant may request witnesses to testify on his behalf. However, should such a witness not be present at the time required for him to testify, the hearing shall not be delayed in any way.
- 2.10 The Disciplinary Committee or the defendant may recall witnesses to give further testimony to clear up uncertainties.
- 2.11 The hearing will then be adjourned.

D3. DELIBERATIONS

- 3.1 The Disciplinary Committee shall then consider all the evidence and reach a verdict.
- 3.2 The Disciplinary Committee must endeavor to reach a consensus as to the verdict in the case.
- 3.3 Should the Disciplinary Committee fail to reach a consensus then a majority verdict shall be accepted and the minutes of the hearing shall clearly state that consensus was not reached.
- 3.4 The defendant shall have the right to a copy of the minutes of a disciplinary hearing.

D4. FINDINGS

- 4.1 The defendant shall be informed as to the findings of the Disciplinary Committee.
- 4.2 If the defendant is found guilty he may present evidence in pleading for mitigating circumstances.
- 4.3 The findings shall clearly state the duration of the punishment and the commencement and termination dates of such punishment. The verdict shall be in force and effect immediately after it has been conveyed to the defendant by the Chairman of the Disciplinary Committee.
- 4.4 If the defendant is found guilty and a fine is imposed, the findings shall clearly state the due date for such a fine to be paid.
- 4.5 The findings must be kept on file at the Union.
- 4.6 The defendant has a right of appeal to the Appeals Board within seven (7) days as per the Disciplinary Code Part E.
- 4.7 The findings shall be in force and effect during the seven (7) days unless an appeal is received.

D4. ADDITIONAL CHARGES

The Chairman of the Disciplinary Committee may convey to the Disciplinary Co-ordinator/ Executive Director (Club Cricket) information arising out of the hearing which may allow the Disciplinary Co-ordinator to formulate charges against persons not originally charged with a breach of the Disciplinary Code or to formulate additional charges against persons originally charged.

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PART E - APPEALS PROCEDURE

E1. RIGHT OF APPEAL

- 1.1 Any person, club or Association found guilty of any offense by the Eastern Cricket Union's Disciplinary Committee or the complainant shall have the right to appeal to the Eastern Cricket Union's Appeals Board.
- 1.2 Any person or club found guilty of an offense by the Disciplinary Committee of an Affiliate and such a decision is upheld by the appeals committee of that affiliate, shall have the right to appeal to the Eastern Cricket Union's Appeals Board.
- 1.3 Any person, Club or Association may appeal to the Eastern Cricket Union's Appeals Board a decision of a Director, employee or an Eastern Cricket Union sub-committee member.
- 1.4 The appellant shall have the right to appeal against the decision of the Disciplinary Committee or a lower Appeals Committee or against the penalty imposed.

E2. CONDITIONS OF APPEAL

- 2.1 The notification to appeal must be in writing and handed in at the Union's offices within seven (7) days of the notification, whether verbal or in writing, of the decision appealed against. An appeal fee, as specified in the schedule of fees, shall accompany the notification to appeal. (See Part G).
- 2.2 The appeal shall set out fully the grounds of the appeal in detail.
- 2.3 The operation of the decision being appealed against shall be suspended pending the hearing of an appeal.
- 2.4 The appeal shall not be withdrawn except by leave of the Board of Directors or the Appeals Board.
- 2.5 All appeals shall be heard as soon as practical within fourteen (14) days of the lodging of the appeal.

E3. APPEALS BOARD

- 3.1 The Appeals Board shall consist of eight (8) disciplinary officers and shall be appointed by the Board of Directors. Additional members may be co-opted from time to time.
- 3.2 Members of the original Disciplinary Committee are excluded from sitting as members of the Appeals Hearing. Further the members hearing the appeal shall exclude any members of the club or association concerned or any person affected by the appeal.
- 3.3 At an Appeals Board hearing a minimum of three (3) persons shall hear the appeal.
- 3.4 One (1) of the members in 3.1 above shall act as Chairman. A person not forming part of the DC Committee shall be appointed as a minute Secretary and shall have no other function other than that of minute secretary.

E4. THE APPEALS HEARING

- 4.1 The appeal shall not be conducted as a re-hearing of the case. Fresh evidence shall not be permitted except with the permission of the Appeals Board. The Appeals Board may, at its sole discretion, allow fresh evidence from the umpire if the original hearing was conducted in his absence.
- 4.2 The Appeals Board may consider the matter purely on the documentation submitted, or may allow oral presentation in support of the documentation.
- 4.3 The Appeals Board shall have the power to adjourn the hearing wholly or in part, and having considered the contentions of the parties, shall make one of the following decisions:
 - 4.3.1 to allow or dismiss the appeal
 - 4.3.2 to alter the decision being appealed against
 - 4.3.3 to reduce, increase or leave unaltered the penalty, if any, resulting from the decision being appealed against, provided it is a person's first offense.

D5. FINDINGS

- 5.1 The appellant shall be informed, in writing, as to the findings of the Appeals Board.
- 5.2 The findings of the Appeal Board shall constitute the final appeal and the decision of the Appeals Board will be final and binding on all parties.

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PART F - PROTESTS, DISPUTES AND MINOR COMPLAINTS

F1. PROTEST, DISPUTE AND MINOR COMPLAINTS PROCEDURE

- 1.1 Every protest, dispute or minor complaint must be made in writing, within seventy two (72) hours of the incident which gave rise to the protest, dispute or complaint, to the Union's officers and must contain particulars of the grounds upon which it is founded.
- 1.2 A protest fee as specified in the Schedule of Fees must accompany the notification for a protest, dispute or complaint. (See Part G)
- 1.3 All or part of the fee may be forfeited to the Eastern Cricket Union in the event of the protest, dispute or complaint not being sustained and the remainder, if any, will be refunded.
- 1.4 The Executive Director – Club Cricket & Facilities in consultation with the Deputy Director – Club Cricket shall be the Arbitrator in cases of protest, disputes or complaints.
- 1.5 The format for the settling the case shall be informal but each party to the dispute may support its case by witnesses.
- 1.6 The Executive Director – Club Cricket & Facilities may order any person or body engaged in a protest, dispute or complaint to pay such sum as may be considered necessary towards defraying the expenses incurred. Such a sum shall not exceed R1000.00.
- 1.7 Any protest relating to the ground or other appurtenances of the game, shall not be entertained by the Arbitrator, unless an objection has been lodged with the umpire or opposing captain before the commencement of the match. The umpire or opposing captain shall require the responsible team and/or its officials to correct the cause of the objection, if this is possible without unduly delaying the progress of the match.
- 1.8 When an objection has been lodged with an umpire or any opposing captain, a protest must be made to the Union and neither objection nor protest shall be withdrawn.
- 1.9 The Administrator – Club Cricket of the Eastern Cricket Union shall send a copy of the protest to the body protested against.

F2. FINDINGS

- 2.1 The parties shall be informed, in writing, as to the findings of the Executive Director – Club Cricket & Facilities.
- 2.2 The findings of the Executive Director – Club Cricket & Facilities shall be subject to appeal to the Appeals Board.

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PART G - SCHEDULE OF FEES

G1 PROTEST FEE

- 1.1 The fee payable to the Eastern Cricket Union to lodge a protest shall be R100.00.
- 1.2 The copy of the receipt must accompany the protest.

G2 APPEAL FEE

- 2.1 The fee payable to the Eastern Cricket Union to lodge an appeal shall be R100.00.
- 2.2 A copy of the receipt must accompany the appeal.

PART H - ON-FIELD DISCIPLINARY MEASURES

H1. ELIGIBILITY TO EXERCISE AUTHORITY

Only official umpires appointed by the Eastern Cricket Umpires Association may exercise the "On Field Disciplinary Measures".

H2. OFFENCES

On Field Disciplinary Measures will be applied for the following offences, amongst others:

- 2.1 Gratuitous use of foul language that may be heard from off the field.
- 2.2 Use of foul language towards another player.
- 2.3 Prolonged verbal harassment of an opposition player.
- 2.4 Player incorrectly dressed whilst umpiring.
- 2.5 Smoking on the field during play.
- 2.6 Giving a batsman a "send off".

H3. FORMAT OF ON FIELD DISCIPLINARY MEASURES

A player who is deemed to have committed a breach of discipline by the Umpires shall be shown a "Yellow Card".

A player shall automatically be suspended for a period of one (1) week upon receipt of three "Yellow Cards" for any offence from three different officially appointed umpires.

Such a suspension shall be applicable to all activities of cricket including playing, coaching, practicing and administrating.

Such a suspension shall not be subject to appeal.