



CRICKET FAR NORTH INC- CONSTITUTION.

Rules of the Association



JULY 12, 2020
CRICKET FAR NORTH INC.
PO Box 645 Bungalow 4870

CRICKET FAR NORTH INC.
RULES

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NAME

1. The name of the incorporated association shall be Cricket Far North Inc. (in these rules called 'the association')

OBJECTS

2. The objects for which the association is established are -
To promote, develop and co-ordinate cricket and cricket facilities at all levels of competition throughout Far North Queensland.

POWERS

3. The powers of the association are-
 - (a) to subscribe to, become a member of and co-operate with any other association, club or organisation, whether or not, whose objects are altogether or in part similar to those of the association, but the association shall not subscribe to or support with its funds any club, association or organisation which does not prohibit the distribution of its income and property among its members to an extent at least as great as that imposed on the association under or by virtue of rule 34.
 - (b) in furtherance of the objects of the association to buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the association or persons frequenting the association's premises;
 - (c) to purchase, take on lease or in exchange, hire and otherwise acquire any lands, buildings, easements or property, real and personal, and any rights or

privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with any of the objects of the association, but in case the association shall take or hold any property which may be subject to any trusts the association shall only deal with the same in such manner as is allowed by law having regard to such trusts;

- (d) to enter into any arrangements with any government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the association;
- (e) to obtain from any such government or authority any rights, privileges and concessions which the association may think it desirable to obtain; and to carry out exercise and comply with any such arrangements, rights, privileges and concessions;
- (f) to appoint, employ, remove or suspend such managers, clerks, secretaries, employees and other persons as may be necessary or convenient for the purposes of the association;
- (g) to remunerate any person or body corporate for services rendered, or to be rendered, and whether by way of brokerage or otherwise in placing or assisting to place or guaranteeing the placing of any unsecured notes, debentures or other securities of the incorporated association, or in or about the incorporated association or promotion of the incorporated association or in the furtherance of its objects;
- (h) to construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidise or otherwise assist and take part in the construction, improvement, maintenance, development, working, management, carrying out, alteration or control thereof;
- (i) to invest and deal with the money of the association not immediately required in such manner as may from time to time be thought fit;
- (j) to take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate;
- (k) in furtherance of the objects of the association to lend and advance money or give credit to any person or body corporate;
- (l) to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate, and otherwise to assist any person or body corporate;
- (m) to borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities;
- (n) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

- (o) in furtherance of the objects of the association to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the association;
- (p) to take or hold mortgages, liens or charges, to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property of whatsoever kind sold by the association, or any money due to the association from purchasers and others;
- (q) to take any gift of property whether subject to any special trust or not, for any one or more of the objects of the association but subject always to the exception in paragraph (d);
- (r) to take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the association, in the shape of donations, annual subscriptions or otherwise;
- (s) to print publish any newspapers, periodicals, books or leaflets that the association may think desirable for the promotion of its objects;
- (t) in furtherance of the objects of the association to amalgamate with any 1 or more incorporated associations having objects altogether or in part similar to those of the association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the association under or by virtue of rule 28(10);
- (u) in furtherance of the objects of the association to purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the association is authorised to amalgamate;
- (v) in furtherance of the objects of the association to transfer all or any part of the property, assets, liabilities and engagements of the association to any one or more of the incorporated associations with which the association is authorised to amalgamate;
- (w) to make donations for patriotic, charitable or community purposes;
- (x) to transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged;
- (y) to do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the association.
- (z) Preclude payment to an officer or employee of the Association of an amount by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied by the association or the receipts of the association for such liquor.

CLASSES OF MEMBERSHIP

4. Classes

- (1) The membership of the association shall consist of any of the following classes of members:
 - (a) Ordinary Members (Being a member of an affiliated Association or a parent or guardian of a Junior Member)
 - (b) Junior Members (Registered players Under 18 years of age with an Affiliated

- Association)
- (c) Honorary Members (Interested persons applying in writing and approved by the Management Committee)
- (d) Life members.
- (2) Numbers
 - (a) The number of ordinary members shall be unlimited.
 - (b) The number of junior members shall be unlimited.
 - (c) The number of honorary members shall be unlimited.
 - (d) The number of life member appointments shall be limited to two per annum.
- (3) Voting
 - (a) Junior members shall not be entitled to vote at any meeting.
 - (b) Life members shall not be eligible to vote unless they are also either an ordinary or honorary member.
- 5. Membership
 - (1) Every person who is a member of a body currently affiliated with the association, shall automatically become a member of the association.
 - (2) Every Life Member of the now defunct Far North Queensland Junior Cricket Association Incorporated and the defunct Far North Queensland Cricket Council shall automatically become life members of this association.
 - (3) Every applicant for honorary membership of the association shall be proposed by 1 member of the association and seconded by another member.
 - (4) The application for new Affiliated Clubs and Associations membership shall be made in writing, signed by the applicant and the applicant's proposer and seconder and shall be in such form as the management committee from time to time prescribes.

MEMBERSHIP FEES

- 6.
 - (1) Affiliated Clubs and Associations shall pay an annual fee to the association such sum as the members shall from time to time at any general meeting shall determine.
 - (2) The membership fees for each class of membership shall be payable at such time and in such manner as the management committee shall from time to time determine.

ADMISSION AND REJECTION OF MEMBERS

- 7.
 - (1) At the next meeting of the management committee after the receipt of any application and the fee applicable for any class of membership, such application shall be considered by the management committee, who shall thereupon determine upon the admission or rejection of the applicant.
 - (2) Any applicant who receives a majority of the votes of the members of the management committee present at the meeting at which such application is being considered shall be accepted as a member to the class of membership applied for.
 - (3) Upon the acceptance or rejection of an application for any class of membership the secretary shall forthwith give the applicant notice in writing of such acceptance or

rejection.

TERMINATION OF MEMBERSHIP

8.

- (1) A member may resign from the association at any time by giving notice in writing to the secretary.
- (2) Such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date.
- (3) If member-
 - (a) is convicted of an indictable offence; or
 - (b) fails to comply with any of the provisions of these rules; or
 - (c) has membership fees in arrears for a period of 2 months or more; or
 - (d) conducts himself or herself in a manner considered to be injurious or prejudicial to the character or interests of the association, the management committee shall consider whether the members membership shall be terminated.
- (4) The member concerned shall be given a full and fair opportunity of presenting the members case and if the management committee resolves to terminate the membership it shall instruct the secretary to advise the member in writing accordingly.

APPEAL AGAINST REJECTION OR TERMINATION OF MEMBERSHIP

9.

- (1) A person whose application for membership has been rejected or whose membership has been terminated may within 1 month of receiving written notification thereof, lodge with the secretary written notice of the person's intention to appeal against the decision of the management committee.
- (2) Upon receipt of a notification of intention to appeal against rejection or termination of membership the secretary shall convene, within 3 months of the date of receipt by the secretary of such notice, a general meeting to determine the appeal.
- (3) At any such meeting the applicant shall be given the opportunity to fully present the applicant's case and the management committee or those members thereof who rejected the application for membership or terminated the membership subsequently shall likewise have the opportunity of presenting its or their case.
- (4) The appeal shall be determined by the vote of the members present at such meeting.
- (5) Where a person whose application is rejected, does not appeal against the decision of the management committee within the time prescribed by these rules or so appeals but the appeal is unsuccessful, the secretary shall forthwith refund the amount of any fee paid.

REGISTER OF MEMBERS

10.

- (1) The Management Committee shall cause a register of their management committee to be kept in which shall be entered the names, email address, mobile number and residential addresses of all persons admitted to membership of said committee and their dates of admission, resignation and reinstatement.
- (2) Each registered affiliated club or association shall cause a register of their membership to be kept in which shall be entered the names and residential addresses of all person admitted to membership of that association and the dates of their admission. These registrations will be kept in the My Cricket database (or any newly developed site which may be developed to replace My Cricket in the future) for each club and association. Affiliated Clubs Associations must also indicate the association as their parent association within My Cricket.
- (3) Affiliated clubs and associations are also required to keep particulars of resignations and reinstatements of membership and any further particulars as the management committee or the members at any general meeting may require from time to time.
- (4) The register of the management committee shall be open for inspection at all reasonable times by any member who previously applies to the secretary for such inspection.
- (5) Application for inspection of membership of affiliated clubs and associations must be made through an application to each individual club and association secretary.

SECRETARY

11.

- (1) If the association has not elected an interim officer as secretary for the association before its incorporation, the members of the management committee must appoint or elect a secretary for the association within 14 days after incorporation.
- (2) If a vacancy happens in the office of secretary, the members of the management committee must appoint or elect a secretary within 14 days after the vacancy happens.

MEMBERSHIP OF MANAGEMENT COMMITTEE

12.

- (1) The management committee of the association shall consist of a president, two vice-presidents, administration officer (if appointed), secretary, treasurer, all of whom shall be members of the association, together with:
 - (a) One delegate (or nominee) per affiliated club or association with one or more registered top-grade teams and at least 2 other senior grade teams; and
 - (b) One delegate (or nominee) for each affiliated club or association excluding clubs or associations who meet the requirements of 12.1.a above, who have at least 2 senior teams and 2 junior teams.
 - (c) Where any affiliated club or association does not qualify for a delegate pursuant to 12.1.(a) or 12.1.(b) above, application shall be made for such at least 14 days prior to the next annual general meeting.

- (2)
- (a) The management committee shall be elected at the Annual General Meeting.
 - (b) Where an appointed delegate is unable to attend, an affiliated association may appoint a nominee to attend and vote at management committee meetings in place of the appointed delegate.
- (3) The election of officers and appointment of other members of the management committee shall take place in the following manner –
- (a) any 2 members of the association shall be at liberty to nominate any other member to serve as an officer of the management committee;
 - (b) the nomination, which shall be in writing and signed by the member and the members proposer and seconder, shall be lodged with the secretary at least 14 days before the annual general meeting at which the election is to take place;
 - (c) balloting lists shall be prepared (if necessary) containing the names of the candidates in alphabetical order, and each member present at the annual general meeting shall be entitled to vote for any number of such candidates not exceeding the number of vacancies;
 - (d) should, at the commencement of such meeting, there be an insufficient number of candidates nominated, nominations may be taken from the floor of the meeting.
 - (e) Each affiliated association shall nominate a delegate or delegates pursuant to 12.1.(a), 12.1.(b) and 12.1.(c) above. Such nominations shall be lodged with the secretary at least 14 days before the annual general meeting from which date the appointments are to take place.
 For the purposes of this section (12) –
"affiliated association" means any association of clubs approved by the management committee having both senior and junior players and is conducting a cricket competition.
"officer" means president, vice-president, secretary or treasurer. Officers are not eligible to be nominated or act of a delegate or nominee of a delegate.

RESIGNATION OR REMOVAL FROM OFFICE OF MEMBER OF MANAGEMENT COMMITTEE

13.

- (1) Any member of the management committee may resign from membership of the management committee at any time by giving notice in writing to the secretary but such resignation shall take effect at the time such notice is received by the secretary unless a later date is specified in the notice when it shall take effect on that later date or such member may be removed from office at a general meeting of the association where that member shall be given the opportunity to fully present the members case.
- (2) Where a resigning member of the management committee is a delegate of an affiliated association, the affiliated association shall be required to nominate a replacement delegate.
- (3) The question of removal shall be determined by the vote of the members present at such a general meeting.

- (4) There is no right of appeal against a member's removal from office under this section.

VACANCIES ON MANAGEMENT COMMITTEE

14.

- (1) Where an affiliated association fails to nominate a delegate(s), the management committee shall have power at any time to appoint any member of the affiliated association to fill any casual vacancy on the management committee until the next annual general meeting.
- (2) The continuing members of the management committee may act notwithstanding any casual vacancy in the management committee, but if and so long as their number is reduced below the number fixed by or pursuant to these rules as the necessary quorum of the management committee, the continuing member or members may act for the purpose of increasing the number of members of the management committee to that number or of summoning a general meeting of the association, but for no other purpose.

FUNCTIONS OF THE MANAGEMENT COMMITTEE

15.

- (1) Except as otherwise provided by these rules and subject to resolutions of the members of the association carried at any general meeting the management committee –
 - (a) shall have the general control and management of the administration of the affairs, property and funds of the association; and
 - (b) shall have authority to interpret the meaning of these rules and any matter relating to the association on which these rules are silent.
- (2) The management committee may exercise all the powers of the association –
 - (a) to borrow or raise or secure the payment of money in such manner as the members of the association may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of the association's property, both present and future, and to purchase, redeem or pay off any such securities;
 - (b) to borrow amounts from members and to pay interest on the amounts borrowed and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association, and to provide and pay off any such securities; and
 - (c) to invest in such manner as the members of the association may from time to time determine.
- (3) For sub-section 15.2.(b) the rate of interest must not be more than the rate for the time being charged for overdrawn accounts for money lent (whatever the term of the loan) by –
 - (a) the financial institution for the association; or
 - (b) if there is more than 1 financial institution for the association - the financial

institution nominated by the association.

MEETINGS OF MANAGEMENT COMMITTEE

16.

- (1) The management committee shall meet at least once every 2 calendar months to exercise its functions.
- (2) The management committee must decide how a meeting is to be called.
- (3) Notice of a meeting is to be given in the way decided by the management committee.
- (4) A special meeting of the management committee shall be convened by the secretary on the requisition in writing signed by not less than one-third of the members of the management committee, which requisition shall clearly state the reasons why such special meeting is being convened and the nature of the business to be transacted thereat.
- (5) At every meeting of the management committee a simple majority of a number equal to the number of voting members appointed to the management committee as at the close of the last general meeting of the members, shall constitute a quorum.
- (6) Subject as previously provided in this section, the management committee may meet together and regulate its proceedings as it thinks fit. However, questions arising at any meeting of the management committee shall be decided by a majority of votes and, in the case of equality of votes, the question shall be deemed to be decided in the negative.
- (7) The administration officer, secretary and treasurer shall not be entitled to vote at management committee meetings.
- (8) A member of the management committee shall not vote in respect of any contract or proposed contract with the association in which the member is interested, or any matter arising thereout, and if the member does so vote the member's vote shall not be counted.
- (9) Not less than 14 days' notice shall be given by the secretary to members of the management committee of any special meeting of the management committee.
- (10) Such notice shall clearly state the nature of the business to be discussed thereat.
- (11) The president shall preside as chairperson at every meeting of the management committee, or if there is no president, or if at any meeting the president is not present within 10 minutes after the time appointed for holding the meeting, the vice-president shall be chairperson or if the vice-president is not present at the meeting then the members may choose 1 of their number to be chairperson of the meeting.
- (12) If within half an hour from the time appointed for the commencement of a management committee meeting a quorum is not present, the meeting, if convened upon the requisition of members of the management committee, shall lapse.
- (13) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the management committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting,

the meeting shall lapse.

DELEGATION OF POWERS OF MANAGEMENT COMMITTEE

17.

- (1) The management committee may delegate any of its powers to a subcommittee consisting of such members of the association as the management committee thinks fit.
- (2) Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the management committee.
- (3) A subcommittee may elect a chairperson of its meetings.
- (4) If no such chairperson is elected, or if at any meeting the chairperson is not present within 10 minutes after the time appointed for holding the meeting, the members present may choose 1 of their number to be chairperson of the meeting.
- (5) A subcommittee may meet and adjourn as it thinks proper.
- (6) Questions arising at any meeting shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the question shall be deemed to be decided in the negative.

ACTS NOT AFFECTED BY DEFECTS OR DISQUALIFICATIONS

18. All acts done by any meeting of the management committee or of a subcommittee or by any person acting as a member of the management committee shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member of the management committee or person acting as aforesaid, or that the members of the management committee or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the management committee.

RESOLUTIONS OF MANAGEMENT COMMITTEE WITHOUT MEETING

19.

- (1) A resolution in writing signed by all the members of the management committee for the time being entitled to receive notice of a meeting of the management committee shall be as valid and effectual as if it had been passed at a meeting of the management committee duly convened and held.
- (2) Any such resolution may consist of several documents in like form, each signed by 1 or more members of the management committee.

FIRST GENERAL MEETING

20.

- (1) The first general meeting must be held not less than 1 month, and not more than 3 months after the day the association is incorporated.
- (2) The management committee must decide where the meeting is to be held.
- (3) The business to be transacted at the first general meeting must include the appointment of an auditor.

FIRST ANNUAL GENERAL MEETING

21. The first annual general meeting must be held within 18 months after the day the association is incorporated.

SUBSEQUENT ANNUAL GENERAL MEETINGS

22. Each subsequent annual general meeting must be held –
- (a) at least once each year, and
 - (b) within 3 months after the end of the association's previous financial year.

BUSINESS TO BE TRANSACTED AT ANNUAL GENERAL MEETING

23. The following business must be transacted at every annual general meeting –
- (a) the receiving of the statement of income and expenditure, assets and liabilities and of mortgages, charges and securities affecting the property of the association for the last financial year;
 - (b) the receiving of the auditor's report on the financial affairs of the association for the last financial year;
 - (c) the presenting of the audited statement to the meeting for adoption;
 - (d) the election of members of the management committee;
 - (e) the appointment of an auditor.

SPECIAL GENERAL MEETING

24.

- (1) A special general meeting shall follow each annual general meeting and an agenda for such will be included with notice of the annual general meeting. At this meeting, the following appointments will be made for:
 - (a) Director(s) of Coaching – one or more may be chosen to manage the coaching and management of representative teams. The role of the Director of Coaching is outlined in the By-Laws of the association.
 - (b) A Chairman of Selectors for both the association fixtures and for the North Queensland fixtures – the role of Chair of Selectors is outlined in the By-Laws of the association.
 - (c) Any sub-committee as deemed required by the Management Committee, which may include but is not limited to:
 - (i) a fixtures sub-committee for the senior competitions chaired by the Vice-President (senior).
 - (ii) A fixtures sub-committee chaired by the Vice-President (Junior).
 - (iii) A Coaching and Development sub-committee, chaired by the Director(s) of coaching.
 - (iv) A Representative Cricket coordinator.
 - (v) A Finance Sub-Committee, chaired by the Treasurer.
 - (d) Appointment of coaches and selectors for the association fixtures and for the North Queensland fixtures.
 - (e) Appointment of the Code of Conduct Commissioner.
 - (f) Appointment of the My Cricket (or its equivalent) Coordinator.
 - (g) Appointments of zone delegates to the relevant higher-level or out-of-zone

associations.

- (h) Membership fees to the association for the following season.
- (2) The secretary shall convene a special general meeting by sending out notice of the meeting within 14 days of:-
 - (a) being directed to do so by the management committee; or
 - (b) being given a requisition in writing signed by not less than one-third of the members presently on the management committee or not less than the number of ordinary members of the association which equals double the number of members presently on the management committee plus one;
 - (c) being given a notice in writing of an intention to appeal against the decision of the management committee to reject an application for membership or to terminate the membership of any person.
 - (d) A requisition mentioned in subsection 24.(2).(b) shall clearly state the reasons why such special general meeting is being convened and the nature of the business to be transacted thereat.

QUORUM AT GENERAL MEETING

25.

- (1) At any general meeting the number of members required to constitute a quorum shall be (9) Nine.
- (2) No business shall be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business.
- (3) If within half an hour from the time appointed for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members of the management committee or the association, shall lapse.
- (4) In any other case it shall stand adjourned to the same day in the next week at the same time and place, or to such other day and at such other time and place as the management committee may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- (5) The chairperson may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (6) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.
- (7) Save as aforesaid it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

NOTICE OF GENERAL MEETING

26.

- (1) The secretary shall convene all general meetings of the association by giving not less than 14 days' notice of any such meeting to the members of the association.
- (2) The manner by which such notice shall be given shall be determined by the management committee.

- (3) However, notice of any meeting convened for the purpose of hearing and determining the appeal of a member against the rejection or termination of his membership by the management committee, shall be given in writing.
- (4) Notice of a general meeting shall clearly state the nature of the business to be discussed thereat.

PROCEDURE AT GENERAL MEETING

27.

- (1) Unless otherwise provided by these rules, at every general meeting –
 - (a) the president shall preside as chairperson, or if there is no president, or if the president is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the vice-president shall be the chairperson or if the vice-president is not present or is unwilling to act then the members present shall elect 1 of their number to be chairperson of the meeting; and
 - (b) the chairperson shall maintain order and conduct the meeting in a proper and orderly manner, and
 - (c) every question, matter or resolution shall be decided by a majority of votes of the members present; and
 - (d) every member present shall be entitled to 1 vote and in the case of an equality of votes the matter shall be decided in the negative; and
 - (e) however, no member shall be entitled to vote at any general meeting if the members annual subscription is more than 1 month in arrears at the date of the meeting; and
 - (f) voting shall be by show of hands or a division of members, unless not less than one-fifth of the members present demand a ballot, in which event there shall be a secret ballot; and
 - (g) The chairperson shall appoint 2 members to conduct the secret ballot in such manner as the chairperson shall determine and
 - (h) the result of the ballot as declared by the chairperson shall be deemed to be the resolution of the meeting at which the ballot was demanded; and
 - (i) a member may vote in person or by proxy or by attorney and on a show of hands every person present who is a member or a representative of a member shall have 1 vote and in a secret ballot every member present in person or by proxy and or by attorney or other duly authorised representative shall have 1 vote;
 - (j) the instrument appointing a proxy shall be in writing, in the common or usual form under the hand of the appointor or of the appointor's attorney duly authorised in writing or, if the appointor is a corporation, either under seal or under the hand of an officer or attorney duly authorised; and
 - (k) a proxy may but need not be a member of the association; and
 - (l) the instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a secret ballot; and
 - (m) where it is desired to afford members an opportunity of voting for or against a resolution the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances permit-

ASSOCIATION:

- a. I, _____ of _____, being a member of the abovementioned association, hereby appoint _____ of _____, or failing the member, _____ of _____ as my proxy to vote for me on my behalf at the (annual) general meeting of the association, to be held on the _____ day of _____, 20____, and at any adjournment thereof.

Signed this _____ day of _____, 20____.

Signature.

This form is to be used *in favour of the resolution.

*against

*Strike out whichever is not desired. (Unless otherwise instructed, the proxy may vote as the proxy thinks fit);

- (n) the instrument appointing a proxy shall be deposited with the secretary prior to the commencement of any meeting or adjourned meeting at which the person named in the instrument proposes to vote; and
- (o) the secretary shall cause full and accurate minutes of all questions, matters, resolutions and other proceedings of every management committee meeting and general meeting to be entered in a book to be open for inspection at all reasonable times by any financial member who previously applies to the secretary for that inspection
- (2) For the purposes of ensuring the accuracy of the recording of such minutes, the minutes of every management committee meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding management committee meeting verifying their accuracy.
- (3) Similarly, the minutes of every general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting.
- (4) However, the minutes of any annual general meeting shall be signed by the chairperson of that meeting or the chairperson of the next succeeding general meeting or annual general meeting.

BY-LAWS

28. The management committee may from time to time make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association and any by-law may be set aside by a general meeting of members.

ALTERATION OF RULES

29.

- (1) Subject to the provisions of the Associations Incorporation Act 1981, these rules may be amended, rescinded, or added to from time to time by a special resolution carried at any general meeting.
- (2) However, an amendment, rescission or addition is valid only if it is registered by the chief executive.

COMMON SEAL

30.

- (1) The management committee shall provide for a common seal and for its safe custody.
- (2) The common seal shall only be used by the authority of the management committee and every instrument to which the seal is affixed shall be signed by a member of the management committee and shall be countersigned by the secretary or by a second member of the management committee or by some other person appointed by the management committee for the purpose.

FUNDS AND ACCOUNTS

31.

- (1) The funds of the association must be kept in the name of the association in a financial institution decided by the management committee.
- (2) Proper books and accounts shall be kept and maintained either in written or printed form in the English language showing correctly the financial affairs of the association and the particulars usually shown in books of a like nature.
- (3) All moneys shall be deposited as soon as practicable after receipt thereof.
- (4) All amounts of \$100 or over shall be paid either by cheque signed by any 2 of the president, secretary, treasurer or other member authorised from time to time by the management committee or through internet banking where authorisation of expenditure by any 2 of the president, secretary or treasurer or other member authorised from time to time by the management committee.
- (5) Cheques shall be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupments which may be open.
- (6) The management committee shall determine the amount of petty cash which shall be kept on the imprest system.
- (7) All expenditure shall be approved or ratified at a management committee meeting.
- (8) As soon as practicable after the end of each financial year the treasurer shall cause to be prepared a statement containing the particulars of –
 - (a) the income and expenditure for the financial year just ended; and
 - (b) the assets and liabilities and of all mortgages, charges and securities affecting the property of the association at the close of that year.
- (9) If the association is incorporated within 3 months of the end of the association's financial year, subsection (h) does not apply for the financial year the association is incorporated.
- (10) The auditor must examine the statement prepared under subsection (8) and present a report on it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- (11) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

DOCUMENTS

32. The management committee shall provide for the safe custody of books, documents, instruments of title and securities of the association.

FINANCIAL YEAR

33. The financial year of the association shall close on 30 April in each year.

DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

34.

- (1) This section applies if the association is wound-up under part 10 of the Act and there are surplus assets.
- (2) The surplus assets must not be distributed among the members but must be given to another entity –
 - (a) that has objects similar to the association's objects; and
 - (b) the rules of which prohibit the distribution of the entity's income and assets to its members.
- (3) In this section -
“**surplus assets**” has the meaning given by section 92(3) of the Act.

BY-LAWS OF CRICKET FAR NORTH INC.

1 Preamble

Rule 31 of the Association's constitution provides for the management committee from time to time make by-laws, not inconsistent with the rules, for the internal management of the Association.

The management committee may from time to time amend or repeal the By-Laws.

Any By-Law may be set aside by a general meeting of members.

Pursuant to Rule 31, the management committee amend the existing By-Laws and replaces them with the following By-Laws.

Rule 18(3) sets out the framework for the operation of all sub committees

2 Administration

(1) Meetings

(a) Meetings are held as per the constitution and By-Laws of the Association. The venue for those meetings shall be with the provision to hold meetings at any location or through the use of electronic communications as decided from time to time by the Management Committee.

(2) Delegates of Members of the Association Expenses

(a) The policy for paying Delegate's expenses is as follows:

(i) Petrol costs related to traveling to a general meeting by Delegates who travel in excess of 150 kilometres return, will be reimbursed on production to the Treasurer of a properly documented receipt. The receipt should be provided within 21 days of the general meeting and is for the previous 12 months only and is not retrospective to previous years.

(3) Communication within the Zone

(a) All secretaries of Member Clubs are required to provide to the Secretary of the Association the mailing and emailing address of their association as well as contact names, mobile phone and email details of their senior executive e.g. President/Secretary, at least, as well as the contact details for their ground staff. The Secretary shall ensure all information relevant to Member Clubs is distributed to Member Club secretaries without delay.

(4) Judicial or Disciplinary Tribunals

(a) The Association supports the Code of Behaviour as set out in annexure "A" and is fully managed by the Commissioner, in association with the fixtures and grounds sub-committee as outlined in the association's playing conditions-

(b) The Commissioner is empowered to impose appropriate penalties on any member, player, official, parent or spectator at any of the Association's fixtures including teams' representatives of the association, who comes before him/her.

(c) If a tribunal in the form of a Conducts or Appeals Committee is called by the Commissioner, persons shall not be permitted to sit on a tribunal, hearing allegations against a member of their own club or association.

(d) The members of the Conducts or Appeals Committee will come from the Presidents of the Member Clubs.

(5) Duties of Management Committee Members

The duties of the members of the Management committee are set out below.

(a) President

The President shall

- (i) oversee the general administration of the Association and exercise a general supervision of the affairs of the Association in conjunction with the Management Committee. The President shall preside at all meetings of the Management Committee.
- (ii) shall be Chairman of all meetings of the Management Committee and shall conduct such meetings in accordance with the constitution and By-Laws of the Association
- (iii)(along with the Secretary) be the only persons permitted to comment publicly on matters relating to the association.
- (iv)shall liaise with each Management Committee member to ensure effective function of each portfolio is maintained and is in the best interests of the Association and Cricket in general.
- (v) shall have power to delegate his authority.

(b) Vice President (Senior)

The Vice President (Senior)

- (i) shall assume the President's role in the President's absence.
- (ii) shall co-chair the Fixtures and Grounds sub-committee.
- (iii)shall liaise with the Executives of all the Member Clubs who have senior grade teams.

(c) Vice President (Junior)

The Vice President (Junior)

- (i) shall co-chair the Fixtures and Grounds Sub-Committee.
- (ii) shall liaise with the Executives of all the Member Clubs of the Association who have junior grade teams.
- (iii)also liaise with the Director of Coaching, Secretary and Treasurer to ensure coaching clinics/camps are effectively planned and operated and junior representative teams are appointed appropriately
- (iv)Supervise the Director of Coaching.

(d) Vice President (Female) NEW May 2022

The Vice President (Female)

- (v) shall be included in Fixtures and Grounds Sub-Committee, should she be required on issues of players in the female competitions.
- (vi)shall liaise with the Executives of all the Member Clubs of the Association who or are intending to have female (senior and junior) teams.
- (vii) also liaise with the Female Director of Coaching, Secretary and Treasurer to ensure coaching clinics/camps are effectively planned and operated and female representative teams are appointed appropriately
- (viii) Supervise the Female Director of Coaching.

(e) Secretary

The Secretary shall

- (i) attend to the general business of the Association and hold the Common Seal of the Association.
- (ii) carry out all administration duties, as required by the Management Committee and the President, for the day to day running of the Association.
- (iii) also be an ex-officio member of any subcommittee and shall record the minutes of any meeting they attend as Secretary of the Association.
- (iv) conduct all correspondence connected with the Association;
- (v) maintain minutes of meetings of the Management Committee and any general or special meetings of the association.
- (vi) submit all returns and provision of all information, which may be required by law, to be submitted by the Association. This will include administration of the association's Blue Card Portal;
- (vii) maintain minutes of meetings of the Sub-Committee meetings;
- (viii) prepare and update as required, an inventory of the Association's property;
- (ix) publicise appropriate information about the operations of the Association;
- (x) upon the appointment of an administration officer, the secretary's role will be reduced to items (v) and (vi) only.

Treasurer

The Treasurer shall

- (i) attend to the finances as required by the constitution and in particular:
 - (a) accept any monies due,
 - (b) receive and give official receipts,
 - (c) issue Association accounts,
 - (d) maintain bank and cheque books and produce at each meeting,
 - (e) pay all accounts in accordance with normal trading terms,
 - (f) prepare and submit a financial statement for all management meetings and
 - (g) prepare an audited statement for submission at the annual general meeting of-the Association.
- (ii) be charged with the responsibility of calculating team levies and ensuring cost recovery is maintained.
- (iii) liaise with the Secretary/President to ensure appropriate cost-effective travel arrangements are made.

(f) Administration Officer

- (i) The management committee may appoint an administration officer to attend to many of the everyday running of the association.
- (ii) If appointed, the administration officer must submit a report of the operations since the previous Management Committee meeting and attend all such meetings in an ex-officio capacity.

- (iii) If appointed, the administration officer will take on the roles of the secretary excluding secretary items (v) and (vi) above.
- (iv) The administration officer may also take on a marketing role if deemed appropriate.
- (v) The administration officer may also work in collaboration with the treasurer and Directors of Coaching to assist with the planning and deployment of any representative teams.
- (vi) The administration officer will be appointed via a process which will be based on an advertised position description, which may vary from year to year as deemed appropriate by the association executive and approved by the Management Committee. This employment process, which will be coordinated by the executive or their delegates, may involve:
 - (a) A written application addressing the key roles outlined in the position description and
 - (b) A shortlisting process from the applications and
 - (c) A face-to-face or media-based interview,
 - (d) Appointment on the negotiated terms.
- (vii) The position description will be advertised to the local community as required.
- (viii) This is a paid position which will be advertised as a casual (part-time) position within the association. The administration officer is not an employee of the association. He/she will be considered a contractor. The officer will provide a monthly invoice outlining their duties to the treasurer for payment.
- (ix) Funding for the position may come from funds provided by Cricket Australia, Queensland Cricket or the Queensland Country Cricket provisions to the zone or through any other avenue including grants and provisions available to the association.
- (x) Payment will reflect any requirements of the State government's industry boards.
- (xi) The executive has the right to set tenure on this position and to negotiate its terms and conditions.

3 Sub Committees – Rule 18

- (1) Rule 18 of the constitution allows the Management Committee to set up sub-committees to assist the management committee in the internal management of the Association.
- (2) Rule 18(4) allows the management committee to nominate the Chairperson of any of the Subcommittees that are set up under the By-Laws.
- (3) The mandatory Chairpersons are named for the following Committees

(a) Fixtures and Grounds Sub-committee	Senior/Junior/Female Vice President
(b) Coaching and Development Sub-Committee	Junior/Female Vice-President
(c) Finance Sub-Committee	Treasurer
- (4) Sub-committee – ex officio Members
 - (a) The President and Secretary (or Administration Officer if appointed) shall be ex-officio members of all sub-committees. The Administration Officer has no vote entitlements and will be required to provide minutes from the meetings.

4 Fixtures and Grounds Sub-Committee

- (1) A permanent sub-committee shall be setup and shall be known as **Fixtures and Grounds Sub-Committee**
- (2) The Sub-Committee is comprised of:
 - (a) Vice-Presidents (Senior, Junior, and Female) as Co-Chair under By-Law 3(3)(a). The chair of any given meeting may be one or more of the above. If the meeting involves a specific competition (senior, junior or female), the Vice-President for that competition will be the active chair.
 - (b) President of the Association
 - (c) A maximum of 7 Delegates of Member Clubs:
 - (i) one of which must be the Delegate of CFN Umpires Association provided that association is a Member Club
 - (ii) A member club can have no more than 1 delegate on the sub-committee, unless approved by the majority votes of member delegates at the special meeting.
 - (iii) At least 1 delegate should come from the senior, junior and female competitions, or representatives of these competitions as such. It is preferable but not mandatory that the female competition delegate is female.
 - (iv) Nominations for positions on the Sub-Committee to be submitted in writing prior to the commencement of the Special Meeting. IF there are insufficient nominations received at that time, nominations can be accepted from the meeting.
- (3) The Sub-Committee is to organise senior and junior cricket within Far North Zone.
- (4) Decisions of this Sub-Committee shall be reported regularly to the Management Committee and subject to ratification, as necessary, by the Management Committee.
- (5) Senior and Junior Cricket includes all female competitions.
- (6) The Sub-Committee shall meet as required throughout the year in such manner as the Chair(s) determines
- (7) The sub-committee is responsible for:
 - (a) upholding and managing the current season's Regulations and Playing conditions and can sanction any misdemeanours on these.
 - (b) It also is the conduit for the management of the transfer of match reports and incident reports through to the commissioner.
 - (c) The commissioner will deal directly with the appropriate chair who will forward on any communications as is seen fit.
 - (d) Liaise with the Executives of all Member Clubs who have either or all of senior, junior and female teams. This is to ensure an effective level of service is maintained by the zone or district.
- (8) Where possible, Delegates shall vote in the manner they deem to be in the best interests of the game of cricket.

5 Coaching and Development Sub-Committee

- (1) A permanent sub-committee shall be setup and shall be known as **the Coaching and Development Sub-Committee**

- (2) The Sub-Committee is comprised of:
 - (a) Vice-President (Junior) and Vice-President (Female) as co-chairs
 - (b) President of the Association
 - (c) The 3 Chairs of Selectors (senior, junior and female) as outlined in 9.(2).(a)(ii)
 - (d) Directors of Coaching appointed under By-Law 9.(3)
 - (e) As and when required a special member of this sub-committee will be the Queensland Cricket Coaching and Talent Specialist (CATS).
- (3) Decisions of this Sub-Committee shall be reported regularly to the Management Committee and subject to ratification, as necessary, by the Management Committee.
- (4) The Sub-Committee shall meet as required throughout the year in such manner as the Chair(s) determines
- (5) The sub-committee is responsible for:
 - (a) Approving, or recommending changes to the selection of representative coaches and managers as outlined in By-Law 11.(5)(b)(iv). The Director(s) of Coaching will adjust coach and manager selections if required.
 - (b) upholding and managing, in consultation with the current appointed coach of each representative team (senior, junior and Female) confirming, and publishing the appointment of representative team players.
 - (c) Ensuring appropriate training for representative teams is provided to the representative players
 - (d) Ensuring the coaches and managers follow the guidelines outlining their roles and responsibilities is adhered to
 - (e) Ensuring the coaches and managers operate within the aforesaid guidelines and sanction any misdemeanours on these.
 - (f) Ensuring all financial budgets are appropriately expended within the guidelines outlined for representative matches.
 - (g) It also is the conduit for the management of the transfer of match reports and incident reports which may be delivered during any representative match through to the commissioner.
 - (h) The commissioner will deal directly with the appropriate chair who will forward on any communications as is seen fit.
 - (i) Liaise with the Executives of all Member Clubs who have either or all of senior, junior and female teams. This is to ensure an effective level of service is maintained by the zone or district.
 - (j) At all times, the sub-committee shall vote with the best interests of far north cricket and its hierarchy across Queensland in mind.

6 Finance Sub-Committee

- (1) A permanent sub-committee shall be setup and shall be known as **Finance Sub-Committee**
- (2) The Sub-Committee is comprised of:
 - (a) Treasurer as Chair under By-Law 3(3)(c)
 - (b) President of the association.
 - (c) 1 additional member nominated and appointed at the special meeting.

7 Mission Statement

- (1) The Mission Statement as adopted is designed to assist all members of this Association to come to decisions that will not disadvantage any person who is a member of this Association. This Mission Statement was adopted on and forms part of these By Laws and is attached.

8 Code of Behaviour

- (1) This Association wholly accepts, supports and abides by the 'Code of Behaviour', a copy of this is attached and shall be enforced. All members of this Association are bound by this 'Code of Behaviour'.

9 Appointments at start of the season under Rule 27

(1) Special meeting

- (a) Rule 27 requires certain appointments to be made at a special meeting of members immediately after the annual general meeting.

(2) Appointments and nominations

- (a) These appointments and their responsibilities for CFN positions are set out below:
- (i) Directors of Coaching – 2 to be appointed
 - (ii) Chair of Selectors – 3 to be appointed – one each for the Far North Zone senior, junior and female Representative teams.
 - (iii) Chair of Selectors – 1 nominee to be appointed - for the North Queensland Representative senior teams
(the successful applicant's nomination will be submitted to North Queensland Cricket Alliance for final appointment).
 - (iv) Representative Team Coordinator (if there is no administration officer)
 - (v) Coaches for Far North Zone Representative teams
 - (vi) Coaches, Managers and Selectors - for the North Queensland Representative teams. (The successful applicants will be submitted to North Queensland Cricket Alliance for final appointment).
 - (vii) Code of Conduct Commissioner.
 - (viii) My Cricket (or its equivalent) Coordinator.
 - (ix) Zone delegates to the relevant higher-level or out-of-zone associations. See 9.(8) for automatic delegates and duties.
 - (x) Appointment of delegates to the Fixtures and Grounds Subcommittee
 - (xi) Appointment of delegates to the Finance Subcommittee
 - (xii) Appointment of delegates to the Coaching and Development Subcommittee

(3) Directors of Coaching

- (a) A Director of Coaching - male junior cricketers
- (b) A Director of Coaching – female junior cricketers
- (c) The Director of Coaching shall
 - (i) Report directly to:
Director of Coaching – Vice-President (Junior)
Female Director of Coaching – Vice-President (Female)
 - (ii) Organise and coordinate the Marlins Academy for emerging junior players in association with the secretary (or if appointed, the Administration Officer) and the treasurer. This will involve the ordering of required goods, uniforms, food,

refreshments, and hire of grounds and resources within the bounds of the agreed financial budget.

- (iii) Approval for all expenditure must be attained from the supervisors (9.(3)(c) before the funds are expended.
- (iv) Encourage nominations from accredited coaches for appointment as zone coaches and/or make recommendations for their appointment at the special meeting.
- (v) Coordinate coaching of all teams representing the Association.
- (vi) Act as the final arbitrator on any selection of representative teams through the Coaching and Development sub-committee.
- (vii) liaise with the Secretary (or Administration Officer, if appointed) for efficient planning and operation of coaching clinics.
- (viii) liaise with the Coaching and Development Sub-Committee for efficient planning and operation of any selection trials.
- (ix) maintain a register of all accredited coaches within the zone or district. Forward the register to the secretary (or Administration Officer if appointed) at the end of each representative season.
- (x) Liaise with the zone's Coaching and Talent Specialist (CATS) for assistance with improving skills and talent of the members' coaching staffs, the representative coaching staff, and for any other positions as deemed appropriate (such as managers and coaching assistants).
- (xi) supervise and ensure effective coaching is given to touring representative teams before they depart on tour.
- (xii) have direct responsibility over all association players and coaches once those teams are selected and in particular ensure that specialised coaching is provided, if required and that players/coaches dress and behaviour standards are maintained.
- (xiii) Ensure the financials for both coaching and development are managed and maintained in cooperation with the Secretary (or Administration Officer if appointed) and the Treasurer.
- (xiv) Forward any concerns regarding any selection decisions to the appropriate Vice-President for the Coaching and Development Sub-Committee's action. All appropriate statements regarding these and other issues will be made by the association,

(4) Representative Team Coordinator

If an Administration Officer has been appointed, he/she will be automatically appointed to this position, otherwise this position can be taken during a special or general meeting of the association. The Representative Team Coordinator shall

- (a) assist all members of the Management Committee and Appointed Persons in their various capacities within their portfolios to ensure proper organisation is maintained for selected touring teams.
- (b) have the responsibility to order and distribute clothing and other items, travel and accommodation requirements as approved by the Management Committee and liaise with the Secretary and/or Treasurer for the timely purchasing of these items.

(5) Selectors, Coaches, and Managers

- (a) Selectors shall comprise the members of the Coaching and Development sub-committee as outlined in By-Law 5.
- (b) The Duties of Coaches are set out in By-Laws 11(5)(d) and 11(5)(f)
- (c) The Duties of Managers are set out in By-Laws 11(5)(e) and 11(5)(f).

(6) Code of Behaviour Commissioner

- (a) The Commissioner will manage the reporting on any code of behaviour breach by a player, spectator or official as outlined in the Code of Behaviour (Appendix A).

(7) My Cricket Coordinator

- (a) My Cricket is the web-based database developed by Cricket Australia and is the ‘point of truth’ for all clubs and associations.
- (b) The My Cricket Coordinator shall:
 - (i) Manage the association’s management committee membership.
 - (ii) Ensure all affiliated clubs have listed the association as their parent organisation.
 - (iii) Assist said clubs and associations with their management of the My Cricket database.
- (c) if My Cricket is replaced with another database by another name, the coordinator will automatically become the coordinator of that database.

(8) Zone Delegates

- (a) The zone delegates shall be:
 - (i) Queensland Cricket (QC) – 2 delegates - The President of the association and the Vice-President (Female)
 - (ii) Queensland Country Cricket Association (QCCA) – 1 delegate - The President of the association.
 - (iii) Queensland Junior Cricket Association (QJCA) – 1 delegate - The Vice-President (Junior)
 - (iv) North Queensland Cricket Alliance (NQCA) – 2 delegates - The President of the Association and the Vice-President (Junior)
- (b) The zone delegates shall:
 - (i) Attend or provide a proxy delegate to act on their behalf at the relevant meetings as delegated.
 - (ii) Support and report recommendations made by the management committee.
 - (iii) Report back to the management committee on developments and provide minutes to the association’s secretary (or if appointed the Administration Officer) for communication and safe keeping.
 - (iv) Provide any extra expenses in travel and accommodation not previously funded by the association through the provision of appropriate tax invoices.

(9) Representatives of Member Clubs of the Association

- (a) Each Member Club must appoint a Representative to represent the Member Club at general and special meetings of the Association.
- (b) On a show of hands each Representative will have one (1) vote.
- (c) On any ballot, the Representative will have total votes as follows
 - (i) The total votes will be one vote per representative.
 - (ii) A representative may not vote on an item in which their Member Club is not represented.

10 Other By-Laws pertaining to representation of the Association.

(1) Representative Teams

- (a) All players selected in representative teams shall travel together as a team or with their parents. If travelling as a whole group together, their appointed coach and manager will also travel with them. Any exception to this rule shall be only at the discretion of the Management Committee and shall be requested in writing 30 days prior to the proposed travel date. Travel for distances greater than 800 kilometres shall be by air.

(2) Coaches, Managers and Selectors

- (a) Selectors are to select balanced teams without fear or favour. The selected teams are to be presented by the relevant coach to the Coaching and Development sub-committee for ratification before publication of appointments. The Coaching and Development sub-committee has the power to request the coach to review his selections if required.
- (b) No coach shall coach or select his or her son or daughter's age group or team except in exceptional circumstances as decided by the Management Committee. However, in no circumstance is a person permitted to select in an age group where an immediate family member is involved.

(3) Annual Trials

- (a) Member Clubs are expected to nominate only those players that they consider are capable of playing at the higher standard to participate at the zone trials. Nominations shall be in the hands of the Secretary/Administrator 7 days prior to the commencement of the trials.
- (b) Member Clubs will be requested to provide a list off all of their players who would like to trial for their respective age groups from U12 through to Opens, stating their email contact, mobile and date of birth. These lists will be provided to the appropriate coaches.
- (c) Any exemption sought from attending trials shall be in writing and be in the hands of the Secretary/Administrator 7 days prior to the advertised trials commencing.
 - (i) The Coaching and Development sub-committee shall be the final arbiter on any exemption.
 - (ii) An exemption to trial shall only be granted in exceptional circumstances.
 - (iii) The trials format will be decided in conjunction with the Director(s) of Coaching and approved by the relevant Vice-President.

(4) Association Clothing

- (a) It is mandatory for all selected players, coaches, managers and scorers to have a full set of the official Association representative team clothing. The cost of clothing will be incorporated into the player costs which will include the cost of the coach, manager and scorer's clothing.

(5) Registration of Players

- (a) All Member Clubs shall ensure that all registered players of their association are on My Cricket (or its replacement) website.
- (b) This registration along with the appropriate fee shall be in the hands of the Secretary/Administrator prior to the player attending a trial or being selected in a representative team. Failure to adhere to this requirement may deem the player ineligible to trial or be selected in a representative team.
- (c) Member Clubs that do not register players in accordance with this rule, leave themselves liable to possible litigation should players be injured, as insurance cover is only provided by the Association applying the player's name to the database maintained by Queensland Cricket.

(6) Cricketer of the Year

- (a) Cricketer of the Year shall be nominated, by any of the Vice-Presidents and/or President of the association, to the Management Committee for endorsement.
- (b) The award need not be bestowed every year and shall only be awarded in years where a player is considered to have achieved a significantly high standard.

- (c) The announcement shall be made at the Presentation Night of the Association.

11 Representative Teams

(1) Selection

- (a) Teams representing the Association shall be selected from the players representing their respective clubs and associations who play within the association's fixtures.
- (b) Players may be selected either through recommendations by the relevant Chairman of Selectors or via annual trials of this zone.
- (c) If a trial process is advertised by the association, clubs and associations may advise the availability for selection of their nominated players and their nominations should be in the hands of the Secretary, seven (7) days prior to the advertised time and date for the commencement of the trials.
- (d) The coach will work with the relevant Chair of Selectors in selecting their teams. Once a team has been chosen, it must be presented to the Coaching and Development Sub-Committee for approval. See 5.(5)(a).

(2) Number of Players Selected

- (a) All teams shall consist of twelve (12) players, unless otherwise decided from time to time by the Management Committee, or by the group or association administering a tournament.

(3) Twelfth (12th) Man

- (a) With the exception of injury, illness or disciplinary reasons, no player shall be twelfth man on more than one occasion, wherever a series of matches is played.

(4) Age Groups

- (a) Teams shall be selected in the appropriate age groups or skill structures as specified by the Management Committee.

(5) Team Officials

(a) *Number of Officials*

- (i) One Coach and one Manager shall be appointed to each team selected. Where scorers and umpires travel with representative teams the association's financial commitment shall be limited to providing lunch only, each day the team plays.

(b) *Qualifications of Officials*

- (i) Appointed Coaches shall hold the appropriate accreditation as outlined in the association's nomination form.
- (ii) Nominees not holding accreditation will only be considered when accredited coaches are not available.
- (iii) Higher levels of accreditation will not automatically decide coach's appointments.
- (iv) Team Coach appointments will be made by special general meeting following the annual general meeting, from nominations received and from recommendations made by the Coaching Director(s). The Coaching and Development Sub-committee in consultation with the CATS can approve any nomination outside of the general meetings.
- (v) Team Coaches are appointed from year to year and no coach has ownership over a particular team and are subject to appointment each year.

(c) *Officials Expenses*

- (i) All accommodation and travel expenses for all team officials see 5.(A)(i), shall be included in the levy paid by the players.
- (ii) Coaches and managers must stay at the appointed team accommodation premises. Every effort will be made to accommodate team officials who wish to travel with their families at these venues, however any extra cost due to the housing of family members will be invoiced to the team official.
- (iii) The association will provide each team official with a daily expenses payment as approved by the Management Committee each year. The funds will be deposited into the official's personal account and may be used as desired. There is not accountability required on this expenditure, however it is expected to be used for the purposes of their roles and to assist in player comfort and wellbeing whilst at the tournament.
- (iv) If the team is not travelling together, and the team officials are driving, the association will pay for the fuel costs upon delivery of a receipt of payment no later than 2 weeks following the tournament.

(d) *Duties of Team Coach*

- (i) The coach shall be responsible for all on field activities and decisions associated with the matches played including selection of the 12th man (if required), when a series of matches are played.
 - (a) At the end of the tournament the coach is required to provide a player development plan for each of his/her players compiled over the course of the training and tournament period. This plan will be given to the player, the Directors of Coaching and to the association for their records. These will be distributed to their coach (if the player is selected) the following year, and to the CATS.

(e) *Duties of Team Manager*

- (i) The Team Manager shall be responsible for the welfare and well-being of each and every member of the team at all times. The team is not under the direct responsibility of the Team Coach.
- (ii) Accommodation, provision of meals, laundry and associated matters will also fall within the duties of the Team Manager.
- (iii) The Team Manager is also responsible for providing game day statistics to the Management Committee or media outlets as required.

(f) *Joint Duties of the Team Coach and Manager*

- (i) The Coach and Manager are an integral part of the team and are required to work in concert and in support of each other to uphold the "Code of Behaviour", to ensure that all players adhere to the "Code of Behaviour", and create an environment whereby players can produce their best and be proud to represent their zone or district and enjoy the match/tour.
- (ii) Both officials are required to provide the Coaching and Development sub-committee with the CFN Post Championship Coach and Manager's Report on the tournament in general together with the scoresheets no later than 30 days following the completion of the tour. Failure to do so may jeopardise further selection.

Appendix A: The CFN Code of Behaviour and Spirit of Cricket

THE LAWS OF CRICKET (2017 Code 3rd Edition – 2022)

Preamble (The Laws of Cricket, page 8):

Cricket owes much of its appeal and enjoyment to the fact that it should be played not only according to the Laws, but also within the Spirit of Cricket. The major responsibility for ensuring fair play rests with the captains, but extends to all players, match officials and, especially in junior cricket, teachers, coaches, and parents.

- *Respect is central to the Spirit of Cricket.*
- *Respect your captain, team-mates, opponents, and the authority of the umpires.*
- *Play hard and play fair.*
- *Accept the umpire's decision.*
- *Create a positive atmosphere by your own conduct and encourage others to do likewise.*
- *Show self-discipline, even when things go against you.*
- *Congratulate the opposition on their successes and enjoy those of your own team.*
- *Thank the officials and your opposition at the end of the match, whatever the result.*

Cricket is an exciting game that encourages leadership, friendship, and teamwork, which brings together people from different nationalities, cultures and religions, especially when played within the Spirit of Cricket.

In the Far North

While always a competitive sport, its continued strength and its image relies on the acceptance of the umpire's decision and a preparedness to play within the "spirit of the game" (see item 2 below for detail).

It is the responsibility of everyone associated with Cricket Far North - club officials, team captains and especially the players - to ensure the level of conduct and sportsmanship traditionally inherent in the Game is observed.

The CFN Code of Behaviour

- This policy applies to all competitions.
- This Code applies to any player or official representing Cricket Far North, including participating in any competition, tour, or training camp, from the time of departure from the player's or official's usual private residence prior to the tour or camp until return to that residence after the tour or camp.

- “Official” means the manager or a member of the coaching, medical or fitness staff of a team; the selectors of a team; any other person acting in an official capacity for Cricket Far North or a Cricket Club or Association affiliated within Queensland Cricket in relation to a team; or an umpire of a match.

1. The Players and officials CFN Code of Behaviour.

- 1.1. The captains are responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the laws of cricket.
- 1.2. This code applies to all registered players and officials.
Sections 1.3.5, 1.3.7, 1.3.8 of this code apply at any time.
Sections 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.6 apply whether participating or spectating at any match or event under the auspices of Cricket Australia, Queensland Cricket, including matches sanctioned by Queensland Cricket Affiliates.
- 1.3. Players and officials must not:
 - 1.3.1. Abuse cricket equipment or clothing, ground equipment or fixtures and fittings.
 - 1.3.2. Assault or attempt to assault an umpire, a player, an official or a spectator.
 - 1.3.3. React with dissension, displeasure or disapproval either towards an umpire, his/her decision, or generally, following an umpire decision.
 - 1.3.4. Use crude or abusive language, or otherwise engage in conduct detrimental to the spirit of the game. An umpire would be expected to caution the player and advise the captain of his concern before reporting any player for this type of behaviour.
 - 1.3.5. Indulge in conduct detrimental to the game.
 - 1.3.6. Use crude or abusive hand signals.
 - 1.3.7. Engage in any form of racial or religious abuse or harassment as defined in the Queensland Cricket *Radical and Religious Vilification Code*, the Cricket Australia *Racial and Religious Vilification Code* or *Anti-Harassment Policy*.
 - 1.3.8. Make private comment which through the nature of social media becomes public, public or media comment which is detrimental to the interests of the game.
NOTE: Public or private comment includes comment on Club Websites, Social Media platforms, and any other electronic media which may be viewed or shared by the public.
 - 1.3.9. In the event of any person failing to comply with the above code of behaviour, when involved in or spectating, the umpire concerned shall in the first place report the matter to the other umpire and to the player’s captain and instruct the latter to act.

2. The Spirit of the Game

- 2.1. The Spirit of the Game involves RESPECT for:

- 2.1.1. Your opponents
- 2.1.2. Your own captain and team
- 2.1.3. The role of the umpires
- 2.1.4. The game and its traditional values
- 2.2. It is against the Spirit of the Game
 - 2.2.1. To dispute an umpire's decision by word, action, or gesture
 - 2.2.2. To direct abusive language towards an opponent or umpire
 - 2.2.3. To indulge in cheating or any sharp practice, for instance:
 - 2.2.3.1. To appeal knowing that the batsman is not out
 - 2.2.3.2. To advance towards an umpire in an aggressive manner when appealing
 - 2.2.3.3. To seek to distract an opponent either verbally or by harassment with persistent clapping or unnecessary noise under the guise of enthusiasm and motivation of one's own side.

3. Violence

There is no place for violence on the field of play.

4. Players

Captains and umpires together set the tone for the conduct of the cricket match. Every player is expected to make an important contribution to this.

The Commissioner

Cricket Far North shall appoint a person or persons to the position of Cricket Far North Commissioner (the Commissioner) who will be responsible for advising, receiving, investigating, and dealing with any alleged breach of the Cricket Far North Code of Behaviour & Spirit of Cricket.

The Commissioner will advise and assist the Fixtures and Grounds Sub-Committee in their deliberations as outlined below.

The Commissioner will be the chair of any Conducts Committee formed. He/she may chair an Appeals Committee established to appeal a section 1 (see below) appeal.

If an Appeals Committee is formed following a Conducts Committee established to hear a section 2 (see below) breach, the commissioner can provide advice and support for the Appeals Committee members but will not be a member of the Appeals Committee. The chair position will be taken by a member of the Management Committee – preference would be for the Senior Vice-President – who will be available for process determination and overseeing purposes only. The chair cannot vote nor provide input into the appeal process.

If the Commissioner is unavailable/unable to deal with a charge, the executive may appoint a temporary replacement.

These replacements may come from the Presidents of any club who have no attachments to the alleged transgressors or club, from the Management Committee, or from another source.

Levels of Offences

There are 4 levels of offences outlined in the Laws of Cricket – Law 42 (See below for full detail of this law).

In the Far North, these levels are split into two sections:

Section 1 – Low Level of Offence:

This section incorporates breaches of Law 42 – Level 1 and Level 2 offences.

Section 2 – Higher Level of Offence:

This section incorporates repeat breaches in the same season as section 1 offences and any breach of Level 3 or 4 offences.

Method of Handling Breaches of the CFN Code of Behaviour

5. Reporting a breach of the Code of Behaviour:

5.1. Either or both Umpires;

5.1.1. When an umpire is considering or wishes to report an alleged breach of the Code of Behaviour, the umpire(s) must inform captains of the lodgement or pending lodgement of a report of his/her player as soon as practical at the close of the day's play.

5.1.2. Umpire(s) must nominate the level of the offence on the report.

5.1.3. The Umpire(s) must complete the prescribed CFN Incident Report Form and forward a copy of the report, together with any further written submission to the secretary

(sec.umpires@cricketfarnorth.com.au) and president

(pres.umpires@cricketfarnorth.com.au) of the CFN Umpires' Association.

5.1.4. The CFN Umpires' Association will check on the details of the report and if necessary, will request the reporting umpire to rephrase his/her comments to reflect it is accurate, without emotive language, and is clearly related to the breach of the Laws of Cricket, the Spirit of Cricket, and the CFN Code of Behaviour levels. Once the reporting umpire(s) have adjusted their report to reflect the above, it will be forwarded to the CFN Administrator (admin@cricketfarnorth.com.au) by **9:00 p.m. on the Tuesday after the completion of the match.**

5.1.5. Failure to provide the incident report to the administration officer before the required time stated in 1.1.4 may result in the report being declared null and void.

5.2. A player or official participating in the particular match in which an alleged breach occurred;

5.2.1. Where a player or official wishes to report an alleged breach of the Code of Behaviour, the Secretary of their club shall forward a copy of the CFN Incident Report to the CFN Administrator (admin@cricketfarnorth.com.au) by **9:00 p.m. on the Tuesday after the completion of the match.**

- 5.2.2. Item 1.1.5 is also enacted.
- 5.3. The Secretaries of the Clubs participating in the match in which the alleged breach occurred;
 - 5.3.1. Should a spectator, parent or any other person feel a report on player behaviour should be made, they must do this through the associated club's secretary, who, if they feel the allegation warrants a report, will follow the process outlined in clause 1.2 above.
- 5.4. Any official of Cricket Far North or Cricket Far North Umpires Association.
 - 5.4.1. These officials will follow the same procedure as outlined in item 1.2 above.
- 5.5. The Fixtures and Grounds Sub-Committee (hereafter referred to as "The Committee") may lodge a report or instigate an investigation within 48 hours of receiving the CFN Incident Report should they believe; the allegations can substantiate a breach under this code.
- 5.6. The Committee will determine whether the breach is a Section 1 or Section 2 breach and will follow the procedures as outlined under each section below.

Section 1 Procedures

Procedure for adjudication on a Section 1 report

Should the Committee determine under item 1.6 that the breach fits a Section 1 report, it will be dealt with by the Committee and the club associated with the reported person(s) (hereafter termed the "alleged transgressor(s)").

The Commissioner will only be available to the Committee should they require any advice or point of order on the Code of Behaviour.

6. The Administration Officer.

Upon receipt of the Incident Report, the Administration Officer shall:

- 6.1. Record and electronically store the incident report in the CFN secured online storage facility. All other relevant documents which are created during the procedural process will also be added to this location.
 - The security access of this location will comprise:
 - 6.1.1. Read only access - All parties responsible for creating the reports and findings, along with the executive of the Management Committee.
 - 6.1.2. Full access (Read/write) – Administration Officer and the CFN President.
- 6.2. Forward a copy of the report to the secretary of the alleged transgressor(s) club(s).
- 6.3. Forward a link to the "Club Response to Incident FORM" with directions outlining when and how they are to respond to the allegations as detailed in 4.2 below.
- 6.4. Refer the report to the Committee and the Commissioner with a copy of the incident report.

7. The Committee

- 7.1. Upon receipt of the Incident Report, the committee will request the Administration Officer to provide for any previous code of behaviour breaches levelled at the alleged transgressor within the current and/or prior 5 seasons, and a copy of the Findings Report on each incident. The Committee

will use this additional information when they receive the Club’s response to the incident as outlined in item 4 below.

7.2. If the Committee cannot make a determination on the offence prior to the commencement of the next fixture in which the alleged transgressor’s team is involved, the alleged transgressor will automatically be on a suspended charge of 1 match.

7.2.1. The suspended charge shall apply until such time as a ruling has been made on the allegation, and the Committee has informed their club of such finding.

7.2.2. Should the alleged transgressor be reported on a further breach of the Code of Behaviour prior to a determination being made on their first breach, the 1 match suspension will be enforced automatically.

7.2.3. Once a determination is made by the Committee, the suspended charge will be removed, and the determination will be final.

7.3. The club will be required to ensure the determinations are fully complied with.

8. The Club and the Alleged Transgressor

The alleged transgressor and his/her captain will have received notification of an impending incident report if it is instigated by the official umpires of the match in which the transgression occurred. This may not be case if it reported by other parties as per 1.2 to 1.4 above.

Upon receipt of the incident report, the Club executive are to:

8.1. Discuss the charges outlined in the report with the alleged transgressor.

8.2. Following this consultation, the club will then consider the action they would like to take with regards to the incident. They may:

8.2.1. Provide no challenge to the allegations (see item 5 below) or

8.2.2. Challenge the report (see item 6 below) or

8.2.3. Take no action and request for the Committee to investigate and deliberate upon the incident (see item 7 below).

9. No Challenge to the Level of Charge – Action Required

No challenge to the level of the charge as outlined in clause 4.2.1 above, will automatically attract the minimum penalty for that level of offence.

If the alleged transgressor agrees to clause 4.2.1 above, he/she has two options:

Option A – No Input to Penalty.

If the alleged transgressor does not wish to contest the level of the charge, and does not want to make statements about the penalty, The club will take the following actions:

9.1. Provide a suitable penalty to the alleged transgressor which will be enacted by the club following approval by the Committee.
This penalty must align with the level of the offence outlined in the report. See Levels of Offences and Umpire Actions below.

9.2. The action may differ from the recommended actions and may align with the club’s own behaviour management procedures.

9.3. The club will outline their proposed penalties for the offender by completing the “Club Response to Incident FORM” which, when completed, will be automatically forwarded to the administration officer

and the Chair of the Committee (vpsenior@cricketfarnorth.com.au). This form must be submitted by **9:00 p.m. on the Thursday evening immediately following receipt of the Incident Report.**

- 9.4. The Committee will forward this report to the administration officer who will record this documentation along with the Incident Report Form as prescribed in 3.1 above.
- 9.5. The Committee will review the club's proposal.
- 9.6. The Committee will determine that the alleged transgressor has accepted the level of the charge as set out in the report, and will:
 - 9.6.1. Consider the Club's penalty(s) outlined in their Club Response to Incident Form and accept these penalties as being fair and reasonable to match the level of the offence OR
 - 9.6.2. Make further determination on any penalties the club has advised OR
 - 9.6.3. Make a determination outside of the club's penalties and advice all parties of this determination.
- 9.7. The Committee will then email their determination in a Findings Report to the Administration Officer who will store these as per clause 3.1 above.
- 9.8. The Administration Officer will distribute copies of the Findings Report to:
 - 9.8.1. The Chair of the Committee.
 - 9.8.2. The alleged transgressor
 - 9.8.3. The clubs involved; and
 - 9.8.4. The Umpire Association Secretary or
 - 9.8.5. any other relevant party

Option B – Input to Penalty.

If the alleged transgressor does not wish to contest the level of the charge, but wants to make statements about the penalty, the alleged transgressor must provide written statements on what issues should be taken into account regarding the penalty in the appropriate section of the Club Response to Incident Form.

- 9.9. The Administration Officer will record this documentation along with the Incident Report Form as prescribed in 2.1 above.
- 9.10. The Committee will determine that the alleged transgressor has accepted the charge as set out in the report but has added extra information to the original report. They will:
 - 9.10.1. Phone the alleged transgressor, if they feel the additional statements require further discussion.
 - 9.10.2. Consider the alleged transgressor's communication and the Club's penalty(s) outlined in their Club Response to Incident Form and accept these penalties as being fair and reasonable to match the level of the offence OR
 - 9.10.2.1. Amend the level of charge,
 - 9.10.2.2. Drop the charge all together,
 - 9.10.2.3. Issue a written reprimand,
 - 9.10.2.4. Make a determination outside of the club's penalties and advice all parties of this determination.

- 9.11. The Committee will consider this as an Early Plea and will apply concessions (see Item 18 below for more details on Early Plea Concessions).
- 9.12. The Committee will then email their determination in a Findings Report to the Administration Officer who will store these as per clause 3.1 above.
- 9.13. The Administration Officer will distribute copies of the Findings Report to:
 - 9.13.1. The Chair of the Committee.
 - 9.13.2. The alleged transgressor
 - 9.13.3. The clubs involved; and
 - 9.13.4. The Umpire Association Secretary or
 - 9.13.5. any other relevant party

10. Challenge to the Level of the Charge – Action Required

If the alleged transgressor and/or his/her club wish to contest the level of the charge contained in the Incident report (clause 4.2.2), his/her club secretary must notify the Administration Officer and Chair of the Committee via the Club Response to Incident Form no later than **9:00 p.m. on the Thursday following the receipt of the Incident Report.**

The Administration Officer will record this documentation along with the Incident Report Form as prescribed in 2.1 above.

- 10.1. The Committee will review the challenge statements against the incident report as soon as is possible.
- 10.2. The Committee may organise a non-formal meeting within 24 hours of receiving the Club Response to Incident Form using any agreed method outlined in clause 6.3 below for the alleged transgressor to discuss any aspect of the report which is not agreed upon. If either party is not available or the time is not suitable, another date and time may be arranged within 1 week.
- 10.3. The Committee may conduct the private hearing with the alleged transgressor in the form of:
 - 10.3.1. An online conference facility (using an application such as Microsoft Teams, Skype, WhatsApp, Messenger etc.)
 - 10.3.2. A phone conference, or
 - 10.3.3. A face-to-face meeting.
- 10.4. The Committee will then consider the points raised in the discussion with the alleged transgressor along with the allegations in the incident report and make a determination through a Findings Report which will be emailed to the Administration Officer, who will store this as per 2.1 above.
- 10.5. Item 3.2 (automatic suspended sentence) will come into effect
- 10.6. The Administration Officer will distribute copies of the Findings Sheet to:
 - 10.6.1. The Chair of the Committee.
 - 10.6.2. The alleged transgressor
 - 10.6.3. The clubs involved; and
 - 10.6.4. The Umpire Association Secretary or
 - 10.6.5. any other relevant party

- 10.7. Any person aggrieved by penalties imposed by the Findings Report may appeal the finding by giving notice to the Administration Officer within 24 hours of the receipt of the Findings Report. See clause 14 below.

11. The Club takes no action over the Incident Report.

If following the procedure outlined in item 4.1, the club and/or the alleged transgressor feel the allegations in the Incident Report require a full investigation and will take no further action over the report (4.2.3), the Committee will request the formation of a Conducts Committee to follow through on the investigation. See ‘The Conducts Committee and Appeals Committee Procedure’ below.

12. The initial Committee’s findings are rejected.

If an adverse finding is made against the alleged transgressor in the Findings Report (in items 5.6, 5.12 or 6.4), and the transgressor, the club or any other person involved in the allegations still feels aggrieved about the outcome; they may ask the Committee via the Administration Officer to conduct a hearing against the allegations and the findings. See item 9 - ‘The Conducts Hearing for Section 1 Offences’ below.

The Conducts Hearing for Section 1 Offences

13. Composition of the Conducts Hearing for Section 1 Offences

The Administration Officer will, upon advice from the Chair of the Committee:

- 13.1. Send invitations to all the persons the Chair believes will ensure a thorough Conducts Hearing. The attendance of these persons will be informed if they are mandatory or voluntary:

Mandatory attendees are:

- 13.1.1. The alleged transgressor. Non-attendance will automatically evoke clause 19 – Non-Attendance. The suspended match order as outlined in item 3.2 above will be revoked at this point, and the hearing process will conclude.
- 13.1.2. The alleged transgressor’s club President or his/her representative.
- 13.1.3. A panel of 3 members of the Fixtures and Grounds Sub-Committee who are not members of any club involved in the incident, or if not all available, a member of the CFN Management Committee. These will be appointed by the Chair.
- 13.1.4. The umpire(s) who stood in the match in which the incident occurred, or their representative from the CFN Umpires’ Association Executive.
- 13.1.5. Any other person the Chair believes is essential to the Conducts Hearing.

Volunteer attendees are:

- 13.1.6. Any other person the Chair requests to be present
- 13.1.7. Any member of the CFN Management Committee who will attend solely as observers and have no contributing role in the proceedings.

13.1.8. Any other person the alleged transgressor and/or his club feels will assist in his/her defence.

13.1.9. A support person as requested by the alleged transgressor. See clause 16 - Representation below.

14. Timing and Procedures

The **Conducts Committee** on Section 1 Offences will conduct hearings, when possible, **within 1 week of the receipt of the request to hold a Conducts hearing** outlined in clause 8 above.

If this is not possible, the hearing **must be within 2 weeks** of that date.

- 14.1. In the event that a Conducts Committee hearing cannot be completed before the start of a relevant match, item 3.2 will continue to be enforced.
- 14.2. The Conducts Committee's hearing will be preferably held as a virtual meeting (that is, using Microsoft Teams or similar) if circumstances require a face-to-face meeting, then that format can be used. The time and date will be organised by the Administration Officer in consultation with the Chair of the Committee, the alleged transgressor(s) and the club(s) involved in the incident.
- 14.3. The Conducts Hearing may allow further witnesses or support persons to attend and participate in cross-examination (see clause 17 – Cross-examination below) and discussions on the reported incidents. These persons may be:
 - 14.3.1.** Another identified person to assist with the hearing.
 - 14.3.2.** A member of the alleged transgressor's Club or association. See Clause 16 – Representation below for details.
- 14.4. All people attending a virtual Conducts Hearing must:
 - 14.4.1.** Have their camera and microphone in working order.
 - 14.4.2.** Behave with due decorum.
 - 14.4.3.** Make use of the chat features of asking a question informally
 - 14.4.4.** Use the 'hands up' feature when wanting to verbalise a question and wait for the chair to allow this.
 - 14.4.5.** comply with the directions of the Chair as to the manner in which the hearing will be conducted.
 - 14.4.6.** Any person who fails to comply may be ejected from the hearing and sanctioned under this Code.
- 14.5. The Chair of the Committee will chair the Conducts Hearing and has sole control over the proceedings.
 In order to provide a fair and through hearing, the Chair may:
 - 14.5.1.** Table the incidents report and invite the alleged transgressor and/or his club the witness and alleged transgressor's reports and any other material he has gathered in order to provide the hearing with full details of the incident.
 - 14.5.2.** Request further comments from the writers of the witness accounts and encourage and control debate and discussion through the chair.
 - 14.5.3.** Provide any other record or circumstance as he feels fit.
- 14.6. Once the Chair has concluded the Conducts Hearing, all parties except the 3 panel members and anyone the chair wants to remain will be excused.

They will be informed that the Chair **will provide a Findings Report within 1 week of the hearing.**

- 14.7. The remaining members will then confer with the Chair regarding his recommendation on the incident and deliberate on the proceedings.
- 14.8. The Chair shall insure that a completed Findings Sheet is lodged with the Administration Officer within 1 week of the Conducts Hearing.

The Finding Report will elaborate on:

- 14.9. Whether the charges have been upheld or rejected.
- 14.10. Amendments to the charges if appropriate.
- 14.11. Outlining the penalties, should the incident charges be upheld, which will be consistent with the Behaviour Breaches and Penalties document, available on cricketfarnorth.com.au website.
- 14.12. The suspended matches will be forfeited following the receipt of the Findings Report.
- 14.13. The Administration Officer will store this along with the other relevant documentation regarding the incident as outlined in clause 2.1. and will distribute copies of the Findings Report to:
 - 14.13.1. The Chair of the Fixtures and Grounds Sub-Committee.
 - 14.13.2. The alleged transgressor.
 - 14.13.3. The clubs involved.
 - 14.13.4. The Umpires' Association and
 - 14.13.5. The Management Committee or
 - 14.13.6. Any other relevant party.
- 14.14. Any person aggrieved by a finding, or the penalty imposed by the Commissioner through the Conducts Hearing process may appeal by giving notice to the Administration Officer within 24 hours of their receipt of the Findings Report. See item 14 below – the Appeals Process.
- 14.15. The suspended match as outlined in 3.2 will remain until the Appeals Hearing process is completed.

Section 2 Procedures

Procedure for adjudication on a Section 2 report

Section 2 reports will be dealt exclusively by the Commissioner through the Committee.

Section 2 procedures are activated when the level of offence is at level 3 or above. The Commissioner will make his determination through the following procedures.

15. Confirmation of a section 2 breach

If clause 1.6 is confirmed as a section 2 breach, the Committee shall inform the Commissioner that a section 2 incident report has been made. The Committee will provide to the commissioner the incident report along with the club and alleged transgressor's contact details (email and mobile), if not included in the report.

16. The Commissioner's Process

Upon the receipt of the incident report the commissioner will:

- 16.1. Request the Administration Officer to provide for any previous code of behaviour breaches levelled at the alleged transgressor in the current or past 5 seasons, and a copy of the Findings Report on each incident.
- 16.2. Provide the alleged transgressor's club(s) with a copy of the incident report.
- 16.3. Request the club(s) (both clubs involved in the incident, if required) to provide feedback in written form **within 1 week of receiving the commissioner's request**, on club letterhead or through the club secretary email address, of the charges outlined in the report.
The persons making a report must include their email and mobile contact details should the commissioner need to contact them.
- 16.4. Inform the alleged transgressor's club(s) that the alleged incident pertains to a section 2 offence and the alleged transgressor is on an automatic suspended 3 to 6-match exclusion (at the commissioner's discretion) which is effective from the date of the match in which the incident was reported.
 - 16.4.1. The suspended charge shall apply until such time as a ruling has been made on the allegation, and the commissioner has informed their club of their finding.
 - 16.4.2. Should the alleged transgressor be reported on a further breach of either section of the Code of Behaviour prior to a determination being made on their first breach, the 3-6 match suspension will be enforced automatically.
The alleged transgressor would then also automatically be on a further Section 2 procedure which will be added to his/her current charges.
 - 16.4.3. Once a determination is made by the commissioner, the suspended charge will be removed, and the Findings Report will apply.
 - 16.4.4. The club will be required to ensure the determinations are fully complied with.
- 16.5. Request the receipt of their feedback no later than a determined **date not more than 1 week after their receipt of his request**.

The alleged transgressor pleads guilty to the charge

- 16.6. If the alleged transgressor pleads guilty to the charge upon receipt of the incident report the Commissioner may take whatever action, he/she deems appropriate in the circumstances. He will compile a Findings Report which may include, but is not restricted to the following:
 - 16.6.1. Imposing a penalty in accordance with the provisions of the "Cricket Far North Code of Behaviour Breaches and Penalties" available on cricketfarnorth.com.au.
 - 16.6.2. Amending the level of charge,
 - 16.6.3. Dropping the charge all together,
 - 16.6.4. Issuing a written reprimand,
 - 16.6.5. Send the Findings Report to the Administration Officer.

- 16.7. The Administration Officer will store the Findings Report as outlined in 2.1 above and distribute copies to:
- 16.7.1. The Chair of the Committee.
 - 16.7.2. The alleged transgressor
 - 16.7.3. The clubs involved; and
 - 16.7.4. The Umpire Association Secretary or
 - 16.7.5. any other relevant party
- 16.8. Any person aggrieved by penalties imposed by the Findings Report may appeal the finding by giving notice to the Administration Officer within 24 hours of the receipt of the Findings Report. See clause 14 below.

The alleged transgressor wants to contest the charge

If the alleged transgressor wants to dispute the charge upon receipt of the incident report, the Commissioner will commence the following procedures:

- 16.9. Contact any persons who may have been involved in the match, or who were spectators or officials at the match in question who may be able to detail their views on the incident. This contact would initially be through the clubs involved in the incident.
- 16.10. The clubs involved in the incident will be asked to find suitable persons as outlined in 12.10 above.
- 16.11. The persons who want to contribute their views of the incident, must do so in written form and sent directly to the commissioner (commissioner@cricketfarnorth.com.au) via the club secretary.
- 16.12. The responses to the incident should:
- 16.12.1. Include the writer's contact details (Name, email address and mobile phone)
 - 16.12.2. Clearly state the facts in chronological order as viewed by that person
 - 16.12.3. Not contain any emotive language.
 - 16.12.4. Not contain any hearsay.
 - 16.12.5. Be returned to the Commissioner no later than the requested date and time, which **will be no greater than 1 week from the date the club received the request.**
- 16.13. Make any further enquiries he/she feels is required to ensure a fair and thorough representation of the facts for use in the Conducts Hearing.

When the commissioner feels he/she is confident of having received all that is required to call a Conducts Hearing, he/she will:

- 16.14. Send invitations to all the persons the Commissioner believes will ensure a thorough Conducts Hearing. The attendance of these persons will be informed if they are mandatory or voluntary:
- Mandatory** attendees are:
- 16.14.1. The alleged transgressor. Non-attendance will automatically evoke clause 19 – Non-Attendance. The suspended match order as outlined in item 12.4 above will be revoked at this point, and the hearing process will conclude.

- 16.14.2.** The alleged transgressor’s club President or his/her representative.
- 16.14.3.** The umpire(s) standing in the match in which the incident occurred, and/or their representative from the CFN Umpires’ Association Executive.
- 16.14.4.** A panel of 3 suitable persons in addition to the Commissioner who may be called to sit on a Conducts Committee. See 10.16 below.
- 16.14.5.** Any other person the Commissioner believes is essential to the Conducts Hearing.

Volunteer attendees are:

- 16.14.6.** Any other person the Commissioner requests to be present
- 16.14.7.** Any member of the CFN Management Committee who will attend solely as observers and have no contributing role in the proceedings.
- 16.14.8.** Any other person the alleged transgressor and/or his club feels will assist in his/her defence.
- 16.14.9.** A support person as requested by the alleged transgressor. See clause 16 – Representation below.

16.15. Approach the Chair of the Committee to:

- 16.15.1.** Appoint a Panel of 3 suitable persons in addition to the Commissioner who may be called to sit on a Conducts Committee.
- 16.15.2.** The Presidents of each club affiliated with Cricket Far North are automatic members of the Conducts and Appeals Panels.
- 16.15.3.** These Presidents can nominate a representative from their club should they be unavailable for a Panel.
- 16.15.4.** In the absence of the Commissioner, a suitable person, who may not be members of 12.16.2 above, may be appointed by the Chair of the committee in his/her absence and will be considered the Chair of said Committee.
- 16.15.5.** Members of the Committee shall not be representative of the club or clubs involved in the hearing.
- 16.15.6.** Should there not be suitable members available for a Conducts Committee as per 12.16.2 then the Chair can approach members of the CFN Management Committee.

16.16. All people attending a Conducts Hearing must:

- 16.16.1.** dress in a manner acceptable to the Commissioner.
- 16.16.2.** behave with due decorum.
- 16.16.3.** comply with the directions of the Commissioner as to the manner in which the hearing will be conducted.
- 16.16.4.** Any person who fails to comply may be ejected from the hearing room and sanctioned under this Code.

*The Conducts Hearing – for Section 2 offences.***17. Timing and Procedures**

The **Conducts Committee** will conduct hearings for Section 2 offences, when possible, **within 1 week of the date stated in 12.13.5**. If this is not possible, the hearing **must be within 2 weeks of the date stated in 12.13.5**.

- 17.1. In the event that a Conducts Committee hearing cannot be completed before the start of a relevant match, item 12.4 will continue to be enforced.
- 17.2. The Conducts Committee's hearing will be held as a face-to-face meeting at all times. The time and venue will be organised by the Commissioner who may consider assistance from the Administration Officer if required.
- 17.3. The Conducts Committee when holding a face-to-face meeting may allow further witnesses or support persons to attend and participate in cross-examination (see clause 17 – Cross-examination below) and discussions on the reported incidents. These persons may be:
 - 17.3.1. Another identified person to assist with the hearing.
 - 17.3.2. A member of the alleged transgressor's Club or association. See Clause 16 – Representation below for details.
- 17.4. The Commissioner will chair the Conducts Hearing and has sole control over the proceedings.

In order to provide a fair and through hearing, the Commissioner may:

 - 17.4.1. Table the incidents report, the witness and alleged transgressor's reports and any other material he has gathered in order to provide the hearing with full details of the incident.
 - 17.4.2. Request further comments from the writers of the witness accounts and encourage and control debate and discussion through the chair.
 - 17.4.3. Provide any other record or circumstance as he feels fit.
- 17.5. Once the Commissioner has concluded the Conducts Hearing, all parties except the Conducts Committee will be thanked for their attendance and asked to leave. **They will be informed that the Commissioner will provide a Findings Report within 1 week of the hearing.**
- 17.6. The Conducts Committee will then confer with the Commissioner regarding his recommendation on the incident and deliberate on the proceedings.
- 17.7. The Commissioner shall insure that a completed Findings Sheet is lodged with **the Administration Officer within 1 week of the Conducts Hearing.**

The Finding Report will elaborate on:

- 17.8. Whether the charges have been upheld or rejected.
- 17.9. Amendments to the charges if appropriate.
- 17.10. The penalties should the incident charges be upheld, which will be consistent with the Behaviour Breaches and Penalties document, available on cricketfarnorth.com.au website.
- 17.11. The suspended matches will be forfeited following the receipt of the Findings Report.

- 17.12. The Administration Officer will store this along with the other relevant documentation regarding the incident as outlined in clause 2.1. and will distribute copies of the Findings Report to:
- 17.12.1. The Chair of the Fixtures and Grounds Sub-Committee.
 - 17.12.2. The alleged transgressor.
 - 17.12.3. The clubs involved.
 - 17.12.4. The Umpires' Association and
 - 17.12.5. The Management Committee or
 - 17.12.6. Any other relevant party.
- 17.13. Any person aggrieved by a finding, or the penalty imposed by the Commissioner through the Conducts Hearing process may appeal by giving notice to the Administration Officer within 24 hours of their receipt of the Findings Report. See item 14 below – the Appeals Process.
- 17.14. The suspended match as outlined in 12.4 will remain until the Appeals Hearing process is completed.

The Appeals Committee Hearing Process

If the transgressor or their club (hereinafter termed ‘the complainant’) wishes to appeal any decision of the Conducts Committee, the Committee, or the Commissioner for either Section 1 or Section 2 breaches, the process below remains the same:

- 18. Forming the Appeals Committee and Timing**
- 18.1. **Upon receipt of an email (within 24 hours of the decision being handed down) from the complainant of their wish to appeal a decision to the Administration Officer and providing an accompanying fee of \$200.00, the Administration Officer will inform both the Commissioner and the Chair of the Committee to start an appeals process.**
- 18.2. The suspended match as outlined in 3.2 (Section 1 Breaches) or 12.4 (section 2 Breaches) will remain in place until the hearing delivers their Findings Report.
- 18.3. The complainant will then be asked to provide a written submission outlining why they believe the decision was being challenged and to address the Findings Report directly, highlighting where they believe an error has been made, and suggesting alternatives. **This written statement must be with the administrator no later than 1 week from the date of the email informing the complainant that an Appeals Process has commenced.**
Failure to provide this written statement by the due date, may forfeit the appeal, and the finding will stand. The fee outlined in 14.1 will also be forfeited.
- 18.4. The Chair of the Committee will appoint an **Appeals Committee.**
- 18.5. The Appeals Committee will be conducted along the same lines as a Conducts Committee outlined in clause 12.16 above in addition to:
- 18.5.1. The panel will be chosen from the club’s presidents who were not involved in a Conducts Committee which dealt with this incident and comply with clause 12.16.5.

18.5.2. Should there not be suitable members available for an Appeals Committee as per 14.5.1, then the Chair can approach members of the CFN Management Committee.

18.5.3. The membership of the Appeals Committee will not be made public until after the hearing.

18.6. The Commissioner will chair the Appeals Hearing, if the Appeal has been made against a Section 1 decision.

18.7. The Chair of the Committee (or his representative) will chair the Appeals Hearing if it stems from a Section 2 appeal. He/she will consult with the Commissioner if required, regarding process, and feedback on the submission for point of concern or clarification.

18.8. The role of the Chair of the Appeals Hearing will be:

18.8.1. If an appeal from a section 1 decision. The Chair can contribute to the process and provide discussion on the appeal.

18.8.2. If an appeal from a section 2 decision. The Chair has no role in the Appeals Process with regards to the appeal itself and is solely there to ensure the meeting follows the correct protocols and is consistent with the rules of the Association.

19. The Appeals Hearing

19.1. The complainant will be advised by the Chair of the Appeals Hearing of the date of the hearing and will inform them that the outcome will be presented within a week of the hearing.

19.2. The Appeals Hearing will be attended by the 3 panel members appointed in 14.4., the Chair of the Hearing, or his/her representative.

19.3. This is a closed hearing, which preferably will be heard face-to-face however it may be held virtually (That is via Microsoft Teams or similar) if circumstance requires.

19.4. The panel will have received all of the evidence provided for the original Finding Report under which the appeal is being made.

19.5. The report will be formally read by the Chair, copies of which have been forwarded to the panel members prior to the meeting.

19.6. Following the hearing, the Appeals Committee will confirm their decision to the Chair, they may:

19.6.1. Uphold the appeal

19.6.2. Concur with the outcomes of the original Findings Report; or

19.6.3. impose any extra penalty, downgrade the original finding, or add other charges they think fit in accordance with the level of offences.

19.7. The Chair shall insure that a completed Findings Sheet, consistent with the Cricket Far North Code of Behaviour Breaches and Penalties (available on cricketfarnorth.com.au) is lodged with the Administration Officer, who will store this along with the other relevant documentation regarding the incident as outlined in clause 2.1.

19.8. The Administration Officer will distribute copies of the findings sheet to:

19.8.1. The Chair of the Fixtures and Grounds Sub-Committee.

19.8.2. The complainant(s).

19.8.3. The clubs involved.

- 19.8.4. The Umpire Association and
- 19.8.5. The Commissioner or
- 19.8.6. Any other relevant party.

19.9. The results of the finding by the Appeals Committee are final.

20. *Representation*

- 20.1. The alleged transgressor shall be automatically entitled to representation by a member of the Executive of his Club or Association (provided that person is not a Solicitor or Barrister).
- 20.2. There will be no automatic entitlement to representation by a Solicitor or Barrister or paralegal person though, in appropriate circumstances, the Commissioner or Chair of the Conduct and Appeals Committee may permit such representation.
 - 20.2.1. A determination of "appropriate circumstances" shall be in the discretion of the Commissioner or Chair of the Conduct and Appeals Committee in consultation with other members of the Committee.
- 20.3. The Umpire involved in reporting the incident shall be entitled to be represented by an advocate appointed by the Executive of the Umpires' Association provided such advocate is not a Solicitor or Barrister or paralegal person.

21. *Cross Examination*

- 21.1. Limited cross-examination will be permitted at the complete discretion of the Commissioner or Chair of the Conduct and Appeals Committee.
- 21.2. Players should not expect an automatic entitlement to cross-examine.
- 21.3. Any cross-examination of witnesses or any party to the proceedings will be strictly monitored by the Commissioner or Chair of the Conduct and Appeals Committee according to the relevance of the question of the charge.
- 21.4. The alleged transgressor/complainant will be asked to comment as to whether he has any specific objection to the composition of the Committee.
- 21.5. The alleged transgressor/complainant will be advised of the procedure to be adopted:
- 21.6. The report will be formally read by the Commissioner.
- 21.7. The alleged transgressor/complainant will be asked by the Chairman of the Committee to plead to the charge.

22. *Early Guilty Plea Concession*

- 22.1. An early guilty plea will automatically attract the minimum penalty for that level of offence. This applies to Section 1 (Levels 1 and 2) offences only.
- 22.2. There is no early plea concession for Section 2 (Level 3 or 4) offences.

22.3. The guilty plea must be in writing and received by the Chair of the Committee (ypseneior@cricketfarnorth.com.au) by **9:00 p.m. on the Thursday evening** following the date of the report.

23. *Non-Attendance*

- 23.1. Where an alleged transgressor/complainant is summoned to appear at any hearing or a Conducts and Appeals Committee Hearing and he:
- 23.1.1.** fails to attend in person,
 - 23.1.2.** sends a representative,
 - 23.1.3.** pleads guilty in writing as above or otherwise tenders an apology,
 - 23.1.4.** the Chair of that hearing, shall assume a guilty plea and impose the maximum penalty for that level of offence.

Cricket Far North Code of Behaviour offences match exactly Law 42

The levels of offence are in line with the 2017 code (2022 version 3.0) Law 42 – Player Conduct. Law 42 is as follows:

42.1 Unacceptable conduct

42.1.1 The umpires shall act upon any unacceptable conduct. Four Levels of offence and the corresponding actions by the umpires are identified as Level 1, Level 2, Level 3 and Level 4 offences in 42.2 to 42.5.

42.1.2 If either umpire considers that the conduct of a player, at any time during the match, is unacceptable, the umpire concerned shall call and signal Dead ball. This call may be delayed until the umpire is satisfied that it will not disadvantage the non-offending side.

42.1.3 The umpire concerned shall report the matter to the other umpire and together they shall decide whether misconduct has occurred. If so, they shall determine into which of the Levels the conduct falls, as set out in 42.2 to 42.5 below, and then apply the related sanctions.

42.1.4 Any call of No Ball or Wide before the offence shall stand

42.1.5 For each Level 1 to 4, if the offence is by a batter, the umpires shall summon the offending player's captain to the field. Solely for the purpose of this Law, the batsmen at the wicket may not deputise for their captain.

42.1.6 For each level 1 to 4,

- Playing time shall be counted as lost from the call of Time to the call of Play, excluding intervals (law 11) and suspensions of play (Law 2.8)
- The time for close of play on that day will be extended by this length of time
- If applicable, no overs shall be deducted during the last hour of the match solely on account of this time.

42.2 Level 1 offences and action by umpires

42.2.1 Any of the following actions by a player shall constitute a Level 1 offence:

- wilfully mistreating any part of the cricket ground, equipment or implements used in the match
- showing dissent at an umpire's decision by word or action
- using language that, in the circumstances, is obscene, offensive or insulting
- making an obscene gesture
- appealing excessively
- advancing towards an umpire in an aggressive manner when appealing
- any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence.

42.2.2 If such an offence is committed, 42.2.2.1 to 42.2.2.6 shall be implemented as appropriate, according to whether or not it is the first offence at any Level.

42.2.2.1 The umpire shall call Time.

42.2.2.2 Together the umpires shall summon and inform the offending player's captain that an offence at this Level has occurred.

42.2.2.3 If the Level 1 offence is the first offence, at any Level, by that team, the umpire shall:

42.2.2.3.1 issue a first and final warning which shall apply to all members of the team for the remainder of the match.

42.2.2.3.2 warn the offending player's captain that any further Level 1 offence by any member of his/her team shall result in the award of 5 Penalty runs to the opposing team.

42.2.2.3.3 If the Level 1 offence follows an offence, at any Level, by that team, the umpire shall award 5 Penalty runs to the opposing team.

42.2.2.3.4 As soon as practicable the umpire shall call Play.

42.2.2.3.5 The umpires together shall report the occurrence as soon as possible after the match to the Chair of the Fixtures and Ground Sub-Committee, via the Match Report, and signed by the two captains. The Chair will inform the Executive of the offending player's team and, shall take such further action as is considered appropriate against the captain, any other individuals concerned and, if appropriate, the team.

42.3 Level 2 offences and action by umpires

42.3.1 Any of the following actions by a player shall constitute a Level 2 offence:

- showing serious dissent at an umpire's decision by word or action
- making inappropriate and deliberate physical contact with another player
- throwing the ball at a player, umpire or another person in an inappropriate and dangerous manner
- using language or gesture to another player, umpire, team official or spectator that, in the circumstances, is obscene or of a serious insulting nature
- or any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence.

42.3.2 If such an offence is committed, 42.3.2.1 to 42.3.2.6 shall be implemented.

42.3.2.1 The umpire shall call Time.

42.3.2.2 Together the umpires shall summon and inform the offending player's captain that an offence at this Level has occurred.

42.3.2.3 The umpire shall award 5 Penalty runs to the opposing team.

42.3.2.4 The umpire shall warn the offending player's captain that any future Level 1 offence by any member of his/her team shall result in the award of 5 Penalty runs to the opposing team.

42.3.2.5 As soon as practicable the Umpire shall call Play.

42.3.2.6 The umpires together shall report the occurrence as soon as possible after the match to the Chair of the Fixtures and Ground Committee, via the Match Report, and signed by the two captains. The Chair will inform the Executive of the offending player's team and, shall take such further action as is considered appropriate against the captain, any other individuals concerned and, if appropriate, the team.

42.4 Level 3 offences and action by umpires

42.4.1 Either of the following actions by a player shall constitute a Level 3 offence:

- intimidating an umpire by language or gesture
- threatening to assault a player or any other person except an umpire. See 42.5.1.

42.4.2 If such an offence is committed, 42.4.2.1 to 42.4.2.5 shall be implemented.

42.4.2.1 The umpire shall call Time, if necessary.

42.4.2.2 Together the umpires shall summon and inform the offending player's captain that an offence at this Level has occurred.

42.4.2.3 The umpires shall direct the captain to remove the offending player immediately from the field of play for a period in accordance with the following:

42.4.2.3.1 In a match where the innings are not limited to a number of overs, the player shall be suspended from the field of play for 10 overs. Any balls remaining in the over in progress at the time of the suspension shall not count towards the overs for which the player is suspended.

42.4.2.3.2 In a match where the innings are limited to a number of overs, the player shall be suspended for one fifth of the number of overs allocated to the current innings at its commencement. If, in calculating the length of the suspension, a part-over results, it shall be considered as a whole over. Any balls remaining in the over in progress at the time of suspension shall not count towards the overs for which the player is suspended.

42.4.2.3.3 If the offending player is a fielder, no substitute shall be allowed for him/her. The offending player may return to the field of play after serving the period of suspension and may bowl immediately.

42.4.2.3.4 If a bowler is suspended mid-over, then that over must be completed by a different bowler, who shall not have bowled the previous over nor shall he/she bowl the next over.

42.4.2.3.5 If the offending player is a member of the batting side, who has not been dismissed, he/she may bat or return to bat after having served the suspension, only at the fall of a wicket. If the offending player is suspended while batting, he/she shall be replaced by another member of his/her team. If no batter is available to bat during a batsman's suspension, the innings is completed. If the offending player was suspended while batting and does not continue his/her innings for whatever reason, he/she is to be recorded as Retired – not out.

42.4.2.3.6 If the offending player is a dismissed member of the batting side, the period of suspension will not commence until the start of the next innings. Furthermore, in these circumstances the offending player may not act as a runner during the innings when he/she has been suspended.

42.4.2.3.7 Warn the offending player's captain that any future Level 1 offence shall result in the award of 5 Penalty runs to the opposing team.

42.4.2.3.8 Any overs remaining to be served from a suspension shall be carried forward to the next and subsequent innings of the match. A part over at the end of the innings shall not count towards the overs for which the player is suspended.

42.4.2.4 As soon as practicable, the umpire shall:

- signal the Level 3 penalty to the scorers
- Award 5 penalty runs to the opposing team
- call Play.

42.4.2.5 The umpires together shall report the occurrence as soon as possible after the match to the Chair of the Fixtures and Ground Sub-Committee via the Match Report and signed by the two captains. The Chair will inform the Executive of the offending player's team and, shall take such further action as is considered appropriate against the captain, any other individuals concerned and, if appropriate, the team.

42.5 Level 4 offences and action by umpires

42.5.1 Any of the following actions by a player shall constitute a Level 4 offence:

- threatening to assault an umpire
- making inappropriate and deliberate physical contact with an umpire
- physically assaulting a player or any other person
- committing any other act of violence.

42.5.2 If such an offence is committed, 42.5.2.1 to 42.5.2.5 shall be implemented.

42.5.2.1 The umpire shall call Time.

42.5.2.2 Together the umpires shall summon and inform the offending player's captain that an offence at this Level has occurred.

42.5.2.3 The umpires shall direct the captain to remove the offending player immediately from the field of play for the remainder of the match and shall apply the following:

42.5.2.3.1 If the offending player is a fielder, no substitute shall be allowed for him/her. He/she is to be recorded as 'Retired – out' at the commencement of any subsequent innings in which his/her team is the batting side.

42.5.2.3.2 If a bowler is suspended mid-over, then that over must be completed by a different bowler, who shall not have bowled the previous over nor shall be permitted to bowl the next over.

42.5.2.3.3 If the offending player is a batter he/she is to be recorded as 'Retired – out' in the current innings, unless he/she has been dismissed under any of Laws 32 to 40, and at the commencement of any subsequent innings in which his/her team is the batting side. If no further batsman is available to bat, the innings is completed.

42.5.2.3.4 Warn the offending player's captain that any future Level 1 offence shall result in the award of 5 Penalty runs to the opposing team.

42.5.2.4 As soon as practicable, the umpire shall:

- signal the Level 4 penalty to the scorers
- award 5 Penalty runs to the opposing team
- call Play.

42.5.2.5 The umpires together shall report the occurrence as soon as possible after the match to the Chair of the Fixtures and Ground Sub-Committee, via the Match Report, and signed by the two captains. The Chair will inform the Executive of the offending player's team and, shall take such further action as is considered appropriate against the captain, any other individuals concerned and, if appropriate, the team.

42.6 Captain refusing to remove a player from the field

42.6.1 If a captain refuses to carry out an instruction under 42.4.2.3 or 42.5.2.3, the umpires shall invoke Law 16.3 (Umpires awarding a match).

42.6.2 If both captains refuse to carry out instructions under 42.4.2.3 or 42.5.2.3 in respect of the same incident, the umpires shall instruct the players to leave the field. The match is not concluded as in Law 12.9 (Conclusion of match) and there shall be no result under Law 16 (The result).

42.7 Additional points relating to Level 3 and Level 4 offences

42.7.1 If a player, while acting as wicketkeeper, commits a Level 3 or Level 4 offence, Law 24.1.2 (Substitute fielders) shall not apply, meaning that only a nominated player may act as wicketkeeper, even if another fielder becomes injured or ill and is replaced by a substitute.

42.7.2 A nominated player who has a substitute or has a runner will suffer the penalty for any Level 3 or Level 4 offence committed by that substitute or that runner.

42.7.2.1 When the offence is committed by a substitute, the nominated player and the substitute will each suffer the penalty defined in 42.4.2.3 or in 42.5.2.3 as appropriate. Only the substitute and captain will be reported as in 42.4.2.5 or 42.5.2.5.

42.7.2.2 When the offence is committed by the runner, the batter who has the runner and the runner will each suffer the penalty defined in in 42.4.2.3 or in 42.5.2.3 as appropriate. The penalty for a level 4 offence (see 42.5.2.3) will apply to the runner for the remainder of the match, but only in the current innings to the batter for whom the runner acted. Only the runner and the captain will be reported as in 42.4.2.5 or 42.5.2.5.

Application of Levels of Offences

The Umpire or Official as the case may be lodging the complaint, will indicate on their Incident Report the level of the offence.

The Chair of the Committee (section 1 breaches) or the Commissioner (section 2 breaches) may at their absolute discretion vary the level of the charge if he is of the opinion that the recommendation of the person laying the charge is either excessively lenient or harsh.