



Code of Conduct 2021/22

1 Code of Conduct ("The Code")

1.1 HKCA shall have the authority to take disciplinary action against any player, player umpire, HKCA official, team, club, or club member where written reports of complaints of unacceptable behaviour of persons coming within its jurisdiction have been received by the CCC (or CEO where applicable).

1.2 Such complaints of unacceptable behaviour shall be known as a breach of the Code of Conduct.

Any such complaint shall be referred to an independent Commissioner or a Hearing Committee comprised of such members as shall be appointed by the Board on each occasion.

1.3 Reporting a breach of the Code

An alleged breach of the Code may be notified by:

- a.) (i) Any player participating in a match provided the player has first notified the matter of the complaint to an umpire.
- (ii) Where a player participating in a match believes another player participating in the same match has breached the Code, he/she must notify the CCC of a complaint within 24 hours of completion of the day's play upon which the breach occurred. A written complaint must follow within 48 hours of the completion of the day's play upon which the breach occurred with the signature of an office bearer of the players club.
- b.) (i) Either or both umpires officiating in a match.
- (ii) If an umpire reports a player for a breach of the Code he/she shall notify the CCC within 24 hours of the completion of the day's play upon which the breach occurred and forward a written report within 48 hours of the completion of the days play.
- c.) Any duly elected Committee member of a club.
- d.) Any coach or manager of a Junior team
- e.) Any office bearer of any cricket association or member of the management committee of any association.
- f.) An HKCA team manager.
- g.) An HKCA selector.

Where any such other person eligible pursuant to clause 1.3 (c) to (g) believes a player has breached the Code, he/she shall notify the CCC within 24 hours of completion of the day's play upon which the breach occurred and forward a written report within 48 hours of the completion of the days play.

- h.) (i) Any Board Member or the CCC of HKCA may at any time and on such grounds and after such enquiry as that person sees fit, report a player or any other person under the jurisdiction of HKCA for an alleged breach of the Code, and such Board Member of HKCA or the CCC shall submit a written complaint to the CCC (or the Chairperson if the complaint is made by the CCC).
- (ii) No time limit shall apply in relation to a complaint made under this subsection.

i) Upon receipt of the complaint the CCC (or Chairperson if applicable and/or Board Director shall notify:

- (i) the player or person concerned against whom the complaint has been made,
- (ii) the Independent commissioner
- (iii) any other person or club or association as the CCC (or Chairperson if applicable) shall in his/her absolute discretion deem necessary.

On receiving the report the Independent Commissioner will arrange a hearing to be held as soon as reasonably possible (see 1.5 below).

1.4 Unacceptable behaviour - A complaint of unacceptable behaviour will allege an action of one or more of the following behaviours (but without limitation).

- a.) **Assaulting or threatening any umpire, player, official or spectator.**
- b.) **Abusing, disputing or questioning an umpire's decision, or reacting in an obviously provocative or disapproving manner after an umpire's decision.**
- c.) **Smoking or drinking alcohol on the field of play which is at all times prohibited.**
- d.) **The use of abusive, offensive language or making offensive hand signals.**
- e.) **Seeking to distract an opponent either verbally or by harassment with persistent clapping or unnecessary noise or words under the guise of enthusiasm and motivation of one's own side.**
- f.) **A captain of a team failing to exercise his/her responsibilities for a player's conduct. (A captain of a team is responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the laws).**
- g.) **Delays which are unreasonable in the opinion of the umpires.**
- h.) **Public acts of misconduct and/or behaviour detrimental to the best interests of HKCA cricket committed or occurring while under the control of or playing for a HKCA representative team or for a club cricket team either under the auspices of the HKCA or playing as a representative of Horowhenua Kapiti Cricket.**
- i.) **Making any public and/or media announcement prejudicial to the interests and spirit of cricket which may bring the game of cricket or any cricketer or group of cricketers into disrepute.**
- j.) **Wearing or use of non-approved clothing during matches conducted under the auspices of HKCA.**
- k.) **Playing cricket in contravention of any suspension made under these rules or, being a club, allowing a player to play for the club in contravention of any suspension made under these rules**
- l.) **Indulging in conduct prejudicial to the interests of cricket or the HKCA, or any other cricket association.**
- m.) **Any such act of misconduct shall be deemed contrary to the interests and spirit of cricket.**

1.5 Hearings procedure

- a.) **The CCC(and/or Chairperson as applicable) together with the Independent Commissioner may dismiss any complaint they deem frivolous and/or vexatious without conducting any hearing pursuant to the procedures set out below.**
- b.) **Upon receiving the report and determining that the matter requires a hearing:**
 - i. **The Independent Commissioner shall arrange a hearing to be held as soon as reasonably possible.**
 - ii. **The hearing shall be attended by the Complainant and the person or club against whom the complaint has been lodged.**
Either party may have up to 2 supporters present at the hearing.
A Club may be represented by its President (or his duly appointed nominee) and/or the Chairman and the Team Captain.
If the complaint is against the Captain then the Vice Captain or a representative of the team may also attend.
 - iii. **In the event that the person or club against whom a complaint has been made fails to attend the hearing the Independent Commissioner may still hear and decide the complaint.**
 - iv. **The Independent Commissioner shall hear the complaint in any manner and form as to procedure as he/she shall determine.**
 - v. **A member of the HKCA Board of Directors may attend and be heard at the hearing.**
 - vi. **The Independent Commissioner may require any person subject to the Code to attend the hearing where in the opinion of the Independent Commissioner that person might assist in any way.**
 - vii. **In determining what penalty, if any, is to be imposed the Independent Commissioner will take into account the guidelines set out in this Code but shall also comply with the principles of natural justice at all times.**
 - viii. **The Independent Commissioner shall advise his/her decision in writing to the player or club and to the Administrator and the complainant as soon as practicable after he/she has reached its decision. A decision may be given orally at the meeting and subsequently confirmed in writing.**
 - ix. **The Independent Commissioner shall also provide in writing a copy of his/her decision to the player's club.**

1.6 Penalties

A person or persons, team or club found guilty of a breach of the Code may be subject to a penalty as follows:

- a.) A Person:**
 - i. A reprimand and/or**
 - ii. A fine not exceeding \$500.00, and/or**
 - iii. A suspension from playing cricket**
 - iv. Cancellation of all or part of any competition points awarded to the player's team from the match which is the subject of a breach of the Code or from points already awarded to such teams.**
- b.) A Team or a Club:**
 - (i) A reprimand and/or**
 - (ii) A fine not exceeding \$500.00 and/or**
 - (iii) Cancellation of competition points.**
- c.) All fines must be paid in full to HKCA within 14 days of the fine being imposed. Failure to meet this deadline shall result in all that Club teams' points being forfeited until all outstanding fines have been paid.**
- d.) A player who is suspended from playing cricket under these rules must not play in any game of cricket which is arranged, organised or promoted by any club which is affiliated to HKCA or which is affiliated to any other District or Major Association within New Zealand or which otherwise comes under the auspices of NZ Cricket**
- e.) Withdrawal of team points shall be effective from the last day of the penalty due date.**
- f.) HKCA reserves the right to issue a media statement after any Code of Conduct hearing and any such media statement shall be made solely by HKCA.**

1.7 Appeals

- i. Any person or party heard by the Independent Commissioner may appeal the issued decision.**
- ii. i. An appeal must be lodged with the CCC within 3 working days of the date of the decision of the Independent Commissioner.**
 - ii. Each person and/or Club lodging an appeal shall pay a deposit of \$500 which shall accompany the notice of appeal.**
 - iii. In the event of the deposit not being paid within the time specified by clause b(ii), the Appeal shall be deemed to be abandoned.**
 - iv. Lodging an appeal shall not stay the penalty imposed and/or the obligations there under but the Independent Commissioner may, on application, and in any manner at his/her absolute discretion, grant a stay until the appeal is heard.**
- c.) HKCA or NZ Cricket has the right to lodge an appeal with no deposit required.**
- d.) An Appeal shall be heard by an Independent Commissioner or a Hearing Committee (the Appeal Tribunal) at the sole discretion of the Board.**
- e.) The Appeal Tribunal shall follow the procedures set out within this section of the Code of Conduct as to Reporting Procedures; Hearing Procedures; and Penalties.**
- f.) The Notice of Appeal lodged under 1.7 (b)(ii), shall specify:**
 - i. the decision appealed against, and**
 - ii. the date of the decision appealed against, and**
 - iii. the specific grounds for the appeal; and**
 - iv. shall include a copy of the written decision of the Independent Commissioner.**
- g.) i. The Appeal Tribunal shall have full discretionary power to hear and receive such evidence as it considers appropriate, notwithstanding that the evidence may not be legally admissible.**
 - ii. The Appeal Tribunal has the power to impose any penalties under the Penalties provisions of this Code.**
 - iii. The Appeal Tribunal may also at its sole discretion, order that the deposit paid on lodgement of the appeal, or any part thereof, be refunded.**
 - iv. Where evidence is given before the Appeal Tribunal there shall be no cross-examination or questioning of witnesses (if any) except to the extent that the Appeal Tribunal in its discretion permits.**
- h.) The Appeal Tribunal may give an oral decision at the conclusion of the hearing but the decision shall be confirmed in writing to all parties as soon as practicable.**
- i.) The decision of the Appeal Tribunal on Appeal shall be final.**

1.8 Entry Points (Penalties)

The entry point is the point at which any HKCA Code of Conduct penalties for a breach of the Code will first be considered by the Commissioners but shall not be binding. It is a guide against which

aggravating and/or mitigating factors will be brought to account, to the effect that the entry point penalty may be increased or reduced.

Examples of unacceptable behaviour (non exhaustive):

- a.) A player or team official assaulting or attempting to assault an umpire. Entry point 3 years.
- b.) A player or team official assaulting or attempting to assault another player, team official or spectator. Entry point 2 years.
- c.) A player or team official abusing an umpire. Entry point 5 playing days.
- d.) A player or team official disputing, or showing dissent with, an umpires decision, or reacting in an obviously provocative or disapproving manner either towards an umpire, his decision, or generally following an umpiring decision. Entry point 3 playing days.
- e.) A player or team official asking an umpire the reason for a decision. (Note: It is unacceptable for a player or team official to ask any question of an umpire, connected with a decision to dismiss or not dismiss a batsman, subject to a question by way of legitimate clarification for the reason for dismissal. Eg LBW, caught at the wicket, etc). Entry point 1 playing day.
- f.) A player or team official intimidating an umpire by excessive appealing, celebrating a dismissal before the umpire makes his decision or charging or advancing towards an umpire in an aggressive manner when appealing. Entry point 1 playing day.
- g.) A player or team official using any language or gestures that offend, insult, disparage or vilify another person on the basis of that person's race, religion, gender, colour, descent or origin. Entry point 5 playing days.
- h.) A player or team official abusing another player, team official or spectator. Entry point 3 playing days.
- i.) A player or team official throwing the ball at or near any other person in an inappropriate or dangerous manner. Entry point 2 playing days.
- j.) A player or team official using crude or abusive hand signals or pointing or gesturing towards the pavilion in an aggressive manner upon the dismissal of a batsman. Entry point 2 playing days.
- k.) A player or team official using crude and/or abusive language. Entry point 2 playing days.
- l.) A player or team official changing the condition of the ball in breach of Law 42.4. Entry point 7 playing days.
- m.) A player or team official engaging in public criticism of or inappropriate comment on a match related incident or match official. Entry point 5 playing days.

2. Suspension Rules (Sin binning)

All teams and players involved in matches controlled by HKCA shall be subject to the following suspension code:

Definitions:

- a.) Umpires' shall be officially appointed HKCA Umpires.
- b.) There must be at least one officially appointed HKCA Umpire standing in the match.
- c.) In all cases the HKCA Code of Conduct applies.
- d.) If two Umpires are standing, either umpire shall have the power of suspension.
- e.) The Suspension rules will apply to any game organised by HKCA

2.1 Suspension Criteria

- a.) Any player, or players, who use abusive or offensive language or makes abusive or offensive gestures to any player, umpire or spectator, or physically assaults any player, umpire or spectator during the course of a match or brings the game into disrepute, may be disciplined according to clause 15 of these rules.
- b.) Any act of misconduct that is deemed to be contrary to the interest and spirit of cricket.
- c.) These suspension criteria also apply to players that off the field of play.

2.2 Suspension Penalties

Any player who is suspended must:

- a.) Be reported to their Captain as soon as practicable, by the Umpire.
- b.) Be advised of the duration of their suspension which shall be for a period determined by the Umpire but not exceeding a period of two hours playing time.
- c.) Not be replaced during their absence from the field, unless suspended under clause 2.4

2.3 Suspended Bowler

Any bowler who is suspended:

- a.) Shall not bowl again in that match until he/she has been back on the field during play for the same length of time as his/her suspension. The Umpire shall record commencement and resumption times.
- b.) If a bowler is suspended during the course of an over, the remainder of that over shall be bowled by another player who has not bowled in the previous or any part of the previous over, and who will not be bowling the subsequent over.

2.4 Suspended (Not Out) Batsman

Any (not out) batsman who is suspended:

- a.) Must be replaced immediately but shall not be allowed to recommence their participation in the game until the batsman, or batsmen, have been off the field for the length of the suspension period.
- b.) Will only be able to recommence his/her innings at the fall of a wicket, which occurs after the suspension period ends.

2.5 Suspended (Dismissed) Batsmen

If a member of the batting team, having already been dismissed in the last innings of a match; is suspended; that suspended time will apply in their next fielding innings of the next match.

2.6 Suspension Time Not to Count

General curtailment of play due to bad light, weather conditions, interval between innings, lunch or tea intervals, or any other acceptable reason will not count as playing or match time, during the period of any individual player suspension.

2.7 Suspensions Carried Forward

- a.) All suspensions shall, if the suspension time has not expired, be carried forward into the next innings or the next day of the game or the next HKCA club match that the suspended player is available to play in.
- b.) Any suspension time carried forward to another match will only be used when the suspended person's team is fielding and is to be used as soon as possible.
- c.) Any suspended player must be present at the ground for all (or the remainder) of the suspension time.
- d.) Any suspension time carried forward will be used with or without Umpires appointed by HKCA.
- e.) Any suspended time carried over must be completed in the same grade in which the original sin binning occurred unless agreed by the Chairperson and/or CCC

2.8 Reporting a Suspension

All suspensions shall be reported to the CCC within 24 hours of the end of the day on which the suspension occurred by the match Umpire/s.

2.9 Second Suspension

- a.) Any player who is suspended from play under these rules and who behaves in such a manner as to warrant a second suspension shall be sent from the field for the remainder of the match by an official umpire.
- b.) Additional to 2.9(a) any player who is suspended a second time in the same match or at any other time during the season will not be allowed to return to the match from which they are suspended and shall stand down from the next scheduled HKCA Club match regardless of whether it is a one or two day game.

2.10 Notes for Scorers

A suspended batsman who does not recommence his/her innings shall be recorded, as "suspended" on the score sheet with his/her innings, for statistical purposes, shall be 'Not Out'.

2.11 Code of Conduct

Nothing in these rules shall prevent an Umpire or the Umpire's jointly from being able to lodge a report to the Association in accordance with the Associations Code of Conduct irrespective of any action that has/has not been taken against any player or players.