

Regulations Governing the Qualification and Registration of Cricketers

1 Definitions

- 1.1 Competitive County Cricket refers to matches played in the course of:
 - 1.1.1 the **First Class County Championship** and the **Minor Counties Championship**;
 - 1.1.2 the **Cheltenham and Gloucester Trophy**, the **45-Over League** and the **Twenty20 Cup**; and
 - 1.1.3 any other similar competition authorised by and designated as Competitive County Cricket by the ECB.
- 1.2 The **EEA** means the European Economic Area, namely the United Kingdom of Great Britain and Northern Ireland, the Republic of Ireland, Belgium, the Netherlands, Luxembourg, France, Italy, Germany, Denmark, Greece, Spain, Portugal, Austria, Finland, Sweden, Norway, Liechtenstein and Iceland, and includes each of its member states as from time to time applicable.
- 1.3 **Residing and resident** mean the occupation of a bona fide home (i.e. the only or main home of the Cricketer concerned) and the acquisition of temporary accommodation during the season may not fulfil this requirement.
- 1.4 The **ECB** means the England and Wales Cricket Board or a duly appointed Committee thereof, currently the Registration and Contracts Standing Committee.

- 1.5 **County**, except where the context may otherwise require, means one of the County Cricket Clubs from time to time playing in the County Championship or the Minor Counties Championship.
- 1.6 **First Class Cricket** for the purposes of The Regulations Governing The Qualification and Registration of Cricketers for Competitive County Cricket and The Regulations Governing The Qualification of Cricketers to Play For England below means First Class Cricket as recognised by the International Cricket Council and, at the discretion of the ECB, competitive cricket, not recognised as First Class by the International Cricket Council, played by teams which also play First Class Cricket as so recognised.
- 1.7 **Test Match** means any match recognised as such by the International Cricket Council and **One Day International Match** means a limited-overs international match (or a series of such matches) between Full Members, or between Associate Members, or between a Full Member or Members and an Associate Member or Members, of the International Cricket Council.
- 1.8 A **season** means the English cricket season running from 10th April to 30th September, both dates inclusive.
- 1.9 The **close season** means the period from 1st October in one year to 9th April in the next year, both dates inclusive.
- 1.10 **England and Wales** means England, Wales, the Channel Islands and the Isle of Man.

- 1.11 **Full Member Country** means a Country which is a full member of the International Cricket Council.
- 1.12 **Non England Tour** means the whole or part of an official tour, or participation in any competition under the auspices of the International Cricket Council, in each case by a country other than England, and for the purposes of these Regulations the relevant tour will be deemed to end on the last scheduled day's cricket of a tour or in the case of a competition when the relevant other country ceases to participate in that competition.

2 **Qualifications for Registration for Competitive County Cricket**

Subject to the overriding discretion of the ECB and subject as provided below, a Cricketer will only be qualified to play in a Competitive County Cricket match (a Qualified Cricketer) if:

- 2.1.1 he is an EEA national
- 2.1.2 he has not, within the 12 months leading up to April 1st immediately before the season in question, either played cricket for any Full Member Country outside the EEA at U17 level or above, or played First Class Cricket in any such Full Member Country except as an overseas cricketer under local rules similar to Regulation 3 below, or in any other circumstances approved by the ECB; and
- 2.1.3 he makes, whenever requested by the ECB, a declaration in the form set out in Annex A to these Regulations.

- 2.2 If at any time the cricketer becomes disqualified through the provisions of 2.1.2 above, he must notify both the ECB and the County Cricket Club.
- 2.3 A cricketer must be qualified for England under the provisions of Regulation 14 below to be eligible to represent a Minor County.

Annex A

Declaration referred to in Regulation 2.1.3 above

To the England and Wales Cricket Board

I declare that it is not my desire or intention to play cricket for any Full Member Country outside the European Economic Area and accordingly I will not play, and I am not seeking and will not seek to qualify to play, in a Test Match, a One Day International Match, any other First Class Match or any other Match at Under 17 level or above for any such Full Member Country.

3 Unqualified Cricketers

- 3.1 *Each County will be entitled to have registered for it in respect of any season two and, subject to the overriding discretion of the ECB, only two Unqualified Cricketers (i.e. Cricketers who do not fulfil the requirements of Regulation 2 above). A County shall not make a legally binding arrangement with an Unqualified Cricketer, whether in the form of a contract of employment or otherwise, to play him as a registered Cricketer for any period which would extend beyond the then current season or, during the close season, the next ensuing season and, in either case, the next season thereafter.*

3.2 *A County must nominate at least one of its registered Unqualified Cricketers for the season before the first Competitive County Cricket match of the season and, if it wishes to register a second such Unqualified Cricketer, he must be nominated prior to playing in a Competitive County Cricket match. Subject always to Regulation 3.5 below, a County will be entitled to change or temporarily substitute either or both of its registered Unqualified Cricketers after the commencement of the season only in the following circumstances:*

3.2.1 *if he is chosen to play for his country for a Non-England Tour, in which case Regulation 3.3 will apply; and*

3.2.2 *if the nominated Unqualified Cricketer has been injured and the injury is sufficiently serious to be of at least three weeks' duration, in which case Regulation 3.4 will apply.*

Any substitute must be registered before the first Competitive County Cricket Match in which he represents the relevant County.

(This regulation 3.2 applies also to Scotland in the National Cricket League and the four ICC Associate Member Countries and the Minor County and County Board teams participating in the Cheltenham and Gloucester Trophy).

3.3 *Where this Regulation 3.3 applies, the County will be able to register temporarily a 'substitute' Unqualified Cricketer for the time that the nominated Unqualified Cricketer is away on the Non-England Tour. Subject*

to the following, the nominated Unqualified Cricketer must return to the County for which he is registered, and replace the 'substitute' on the conclusion of the Non-England Tour, and therefore no 'substitute' can play in a Competitive County Cricket match that commences more than 96 hours after the last scheduled day's cricket of the Non-England Tour in question. However, where the Non-England Tour concludes within four weeks of the end of the season, provided that once the 'substitute' has played after the above 96 hour period, the nominated Unqualified Cricketer can then not return to represent the County during the remainder of that season under any circumstances. Having selected and temporarily registered the 'substitute' for the duration of a tour, a County may not change the 'substitute'. However, a County may select a different 'substitute' if their nominated Unqualified Cricketer is called away again on a Non-England Tour or is injured (see 3.2.2 above) and their original substitute is unavailable.

- 3.4** *Where this Regulation 3.4 applies, the County must provide sufficient evidence of the seriousness of the injury to satisfy an ECB appointed medical officer or panel. If the evidence is accepted by the ECB appointed medical officer or Panel, then the registration of the injured nominated Unqualified Cricketer must be cancelled in respect of the balance of the season before his replacement is registered. The injured nominated Unqualified Cricketer will not be permitted to be re-registered for the County or to play any further Competitive County Cricket in the same season. There is no provision for 'substitute'*

Unqualified Cricketers to be replaced on grounds of injury.

- 3.5 *A County shall not under any circumstances be entitled to register:*
- 3.5.1 *more than four Unqualified Cricketers in any one season; or*
- 3.5.2 *an Unqualified Cricketer who has already represented another County in a Competitive County Cricket match during the relevant season.*
- 3.6 *A County wishing to register an Unqualified Cricketer must obtain the written consent of the Governing Body for cricket of any country or countries for which he is qualified to play in a Test Match before applying to the ECB to register him.*
- 3.7 *If an Unqualified Cricketer, having been registered, accepts an invitation to play for a country (other than England) (the "other country") for the whole or part of a Non-England Tour, his County must release him and, except with the prior consent of the ECB, may not play the Cricketer during the currency of that tour.*
- 3.8 *If an Unqualified Cricketer, having been registered, declines an invitation to play for the other country (as defined in Regulation 3.7) for the whole or part of a Non-England Tour or indicates by whatever means to the Governing Body for cricket of the other country prior to the selection of the team for the Non-England Tour or competition that he is unavailable for selection, his County may not, except with the prior consent of the ECB, play the Cricketer in any Competitive County Cricket match during the currency of that tour.*

4 Ordinary and Extraordinary Registrations

- 4.1 Subject to the overriding discretion of the ECB and subject as provided in Regulation 5 below and in this Regulation 4, a County may register any Qualified Cricketer who is neither registered for nor contracted in writing by another County, but subject to any terms and conditions which the ECB may think fit to impose.
- 4.2 Except with the approval of the ECB, no First Class County may have registered for it more than 30 Cricketers at any one time. However, a First Class County may register one additional Cricketer above this limit for every player on its staff holding a 12 month or summer central contract as at the last date that these contracts were issued.
- 4.3 Subject to the overriding discretion of the ECB, no Cricketer may be registered:
- 4.3.1 for more than one County at any one time; or
- 4.3.2 for more than one County in the same season;
- but this shall not prevent a Qualified Cricketer who is already registered for a Minor County being registered for a First Class County, with the consent of the Minor County concerned, without the cancellation of the registration for the Minor County being required or vice versa, with the consent of the First Class County and without the cancellation of the registration for the First Class County being required.
- 4.4 Each First Class County shall, on or before 24th September in each year, send to the ECB and to every other County concerned in the County and Minor County Championships:

- 4.4.1 a list (List I) of all Cricketers, including Unqualified Cricketers, who either have a contract in writing to play for that County for the whole or part of the next season or, having had such a contract with that County for the season then about to end, have been offered in writing by that County a contract for the whole or part of the next season, and
- 4.4.2 a list (List II) of all other Cricketers who have had such a contract with that County for the season then about to end and/or are registered by that County.
- 4.5.1 For the purpose of clarification of 4.4.1 above, if the Cricketer has, in writing, turned down the first offered contract, he should not be placed on List I or shall be removed from List I on application to ECB unless a further offer in writing is made to him within 14 days of receipt of the rejection letter by the County.
- 4.5.2 In all cases where a Cricketer is placed on List I because he has been offered a contract in writing for all or part of the next season, which has not at that stage been accepted, a copy of that written offer shall accompany the copy of List I supplied to the ECB.
- 4.5.3 Once the County has distributed its Lists I and II, it may not alter them without the consent of the ECB, which may at any time, after investigation, transfer a Cricketer's name from one List to the other or delete it altogether. Furthermore no County may, without the prior consent of the ECB, enter into a contract with a Cricketer who is on another County's List I, which is conditional on that Cricketer being moved by the ECB from List I to List II or on that Cricketer's registration by

the County being treated by the ECB otherwise than as an Extraordinary Registration.

- 4.6 A First Class County wishing to apply for registration for the next season of a Cricketer whose name appears on another County's List I must give notice thereof in writing to the ECB and that other County.
- 4.7 The ECB will not register that Cricketer for the applicant County for at least 21 days after the receipt of such notice and, in any event, will not, except in the most exceptional circumstances, register the Cricketer for the applicant County if the ECB is satisfied that the Cricketer has entered into a contract in writing to play for that other County for the whole or part of the next season.
- 4.8 If the ECB shall decide to approve the application and register the Cricketer for the applicant County, the registration shall be treated and recorded as an Extraordinary Registration, unless the ECB in its absolute discretion, after investigation, shall decide that it will not be so treated.
- 4.9 Before the ECB takes a final decision to register such an application, any County concerned and the Cricketer shall be entitled to make representations to the ECB within such period as the ECB may allow, and any of them or the ECB may request the Investigating Tribunal referred to in Regulation 9 below to investigate and report on the application.
- 4.10 In deciding whether a registration should or should not be treated as an Extraordinary Registration, the ECB shall consider all matters which it considers to be relevant including any report of the Investigating

Tribunal and, where applicable, it shall consider whether the terms of any offer made to the Cricketer by the County on whose List I his name appears were, in all the circumstances, fair and reasonable.

4.11 Save in circumstances which, in the opinion of the ECB, are exceptional, no County shall be permitted to effect more than two Extraordinary Registrations in any period of twelve months or more than three Extraordinary Registrations in any period of five years. Within the limit of three Extraordinary Registrations in five years, a County will only be permitted to sign in any five year period one player under 25 on 1st April preceding the forthcoming or current season.

4.12 The ECB will give serious consideration on application by either a County or the Cricketer to moving Under 25 players from List I to List II if:

4.12.1 they have been registered and contracted with a First Class County for three full seasons or more; and

4.12.2 they are not, in the opinion of the ECB, getting reasonable first team opportunities; and

4.12.3 the ECB considers that they would have significantly improved opportunities of playing first team cricket at another County.

5 Further Provisions Relating to Registration

5.1 Subject to the overriding discretion of the ECB, no Cricketer may play in any Competitive County Cricket match unless he is registered for the County for which it is desired that he shall play, except as a Loan Player (see Regulation 8 below).

- 5.2 Every registration shall remain effective until cancelled in accordance with Regulation 6 below.
- 5.3 An application for registration shall be submitted in duplicate on the ECB's official Application Form which shall be signed by the Chief Executive/Secretary of the County (or another authorised official) and the Cricketer.
- 5.4 Not later than 10th April each County shall send to the ECB and to every other County concerned in the County and Minor Counties Championships lists, in a form prescribed by the ECB, of:
- 5.4.1 the Cricketers it has registered and it expects to be available to play for it during the coming season, showing whether or not the County has lodged with the ECB an undertaking by the Cricketer in respect of the relevant season in the form required by the Directives of the ECB as in force from time to time and any other certificate or undertaking required from time to time by the ECB; and
- 5.4.2 the Cricketers whose registration for that County has been cancelled since the circulation of the previous season's list.
- 5.5 Normally new registrations will take place during the close season, but in exceptional circumstances a County may apply to register a Cricketer in the course of a season. Any such registration must be notified to the other Counties as provided in 5.4 above within 14 days after such registration.
- 5.6 The list referred to in 5.4 above and any applications and further notifications under 5.5 above must state

clearly whether the Cricketer is, or is to be, a full time or substantially full time member of the County's staff (full time Cricketer) for all or part of the relevant season. No full time Cricketer may play in any Competitive County Cricket match unless the County has satisfied the ECB, if so required, that the contractual position between the County and the Cricketer has been settled and covers the relevant period, which may be for part of a season only.

- 5.7 If at any time after the season's list is lodged with the ECB a County lodges any such undertaking or certificate as is mentioned in 5.4 above, it will at the same time give notice of this to all other Counties.
- 5.8 Registration will not become effective until the ECB has issued a confirmation that registration has been effected, provided that in a case of emergency the Chief Executive of the ECB or his authorised deputy may confirm that registration has become effective before an Application Form completed in all respects has been received by the ECB.

6 Cancellation of Registration

- 6.1 Cancellation of a registration may only take place as follows:
- 6.1.1 by written notice to the ECB signed by the County and the Cricketer agreeing to such cancellation;
- 6.1.2 by written notice by either the County or the Cricketer to the ECB and the other
- (a) if the Cricketer is on List II circulated by the County, at any time after its circulation;

- (b) in any other case, during the close season but not before 31st October, so long as the Cricketer does not have a contract with the County covering all or part of the following season; and

6.1.3 by the ECB

- (a) if it considers that it would be in the best interests of Competitive County Cricket as a whole (including, without prejudice to the generality of the foregoing, as a result of any failure by the County or the Cricketer to comply with any terms and conditions imposed under Regulation 4.1 above) that such cancellation should take place. The cancellation under this paragraph shall not take place until the County and the Cricketer have been given a reasonable opportunity of making representations to the ECB. Moreover the ECB, the County or the Cricketer may request an investigation and report by the Investigating Tribunal referred to in Regulation 9 below and the ECB shall take into account all matters which it considers to be relevant including the Tribunal's report;
- (b) in circumstances falling within Regulation 3.2 above or if it grants an application to which Regulation 4.8 above applies;
- (c) on the relevant 10th April, in the case of a registered Cricketer who is not on the list supplied by his County pursuant to Regulation 4.4.1 above, unless, despite the absence of his name from such list, he has a contract of employment with his County covering all or part of the season commencing on that day; or

(d) if, within a reasonable period after he has been requested so to do by the ECB, the Cricketer has not made and delivered to the ECB a declaration in the form set out in Annex A to this Regulation, including, if so requested, a renewal of such declaration.

- 6.2 If the registration of a Cricketer is cancelled during the period of his contract with a County, whether pursuant to Regulation 3.2 above or otherwise, and the contract remains effective for all or part of the season following that for which the registration is cancelled, the County will so notify the ECB and the Cricketer will remain, until the contract terminates, subject to and bound by the Rules, Regulations, Directives and Resolutions of the ECB and in all respects subject to the ECB's jurisdiction as if he had remained a registered Cricketer.

7 Negotiations Between Counties and Cricketers

- 7.1 A County must not approach or be involved in discussions with any registered Cricketer or any agent or other person on his behalf during the currency of a season with a view to offering him a trial or registering him or employing him in any capacity without first obtaining the written consent of the County for which he is registered, but this shall not apply to approaches or discussions by a First Class County where the Cricketer's only registration is with a Minor County, so long as not less than 14 days' prior written notice has been given to the Minor County concerned. A First Class County that fails to provide such notice or

receive the consent of the Minor County Secretary, will be liable to a £500 fine.

7.2 A County must not approach or be involved in discussions with a registered Cricketer or any agent or other person on his behalf during the close season with a view to offering him a trial or registering him or employing him in any capacity without first obtaining the written consent of the County for which he is registered, but this will not apply:

7.2.1 to a Cricketer on List II of the County for which he is registered provided that prior written notice of the intention to make the approach or begin discussions is given to that County and to the ECB.

7.2.2 to any other Cricketer who has no contract in writing with the County for which he is registered for all or any part of the following season (including such a Cricketer on List I), in which case a County may make an approach or begin discussions on 15th October, provided that not less than 14 days' prior written notice to that effect is given to the County for which he is registered and to the ECB, but no such notice shall be given before 1st October.

To ensure that a player in the last year of his contract has a 15-day window of opportunity to consider other offers, Counties have agreed that all contract offers will remain on the table until the end of October at the earliest.

7.2.3 to a Cricketer whose only registration is with a Minor County in which event a First Class County may approach or have discussions with him so long as

prior written notice has been given to the Minor County concerned and to the ECB. A First Class County that fails to provide such notice or receive the consent of the Minor County Secretary, will be liable to a £500 fine.

- 7.3 A First Class County must not approach or be involved in discussions with any Cricketer (or any agent or other person on his behalf) who is under the age of 14 and who has close cricketing connections with another First Class County without that County's written consent. The ECB may issue guidelines from time to time as to what will be regarded as close cricketing connections for the purposes of this Regulation.

7.4 Notified List

- 7.4.1 Subject to the overriding discretion of the ECB and the provisions of this Regulation, a County may notify the ECB of the name of any cricketer over 14 and under 18 years of age who is not registered or contracted in writing by any other County and with whom the Notifying County has close cricketing connections.
- 7.4.2 The ECB shall keep a record of those cricketers so notified to it and shall draw up a list which shall be known as the Notified List and which shall be effective from 10th April or, as the case may be, from 30th September in each year, hereinafter known as the Notifying Dates. The County so notifying shall be known as the Notifying County and the cricketers on the list as Notified Cricketers.
- 7.4.3 No cricketer may be placed on the Notified List without his written consent.

- 7.4.4 No cricketer may be placed on the Notified List by more than one County at any one time.
- 7.4.5 A Cricketer may be placed on the Notified List for a particular Notifying Date notwithstanding that he is not yet 14 years old, if his 14th birthday falls between that Notifying Date and the next and he and his parent or guardian consents in writing
- 7.4.6 A cricketer placed on the Notified List shall remain a Notified Cricketer, whatever his age, until the next Notifying Date, unless he becomes a Registered Cricketer, or the Notified Cricketer, the Notifying County and the ECB consent to his removal from the Notified List.
- 7.4.7 Each County, on or before each Notifying Date each year, shall send to the ECB and to every other County concerned in the County and Minor County Championships, a list of names of those cricketers whom it requests the ECB to place on the Notified List or inform the ECB that it has no cricketer it wishes placed on the Notified List. The Notified List so compiled shall remain in force from the Notifying Date up to and including the day of the next Notifying Date.
- 7.4.8 No County may approach or be involved in discussions with any Notified Cricketer or any agent or other person on his behalf with a view to offering him a trial, or registering him or employing him or playing him for that County in any capacity and at any level without first:
- (a) giving notice in writing to the Notifying County of the intention to make an approach;
 - (b) sending a copy of such notice to the ECB; and

- (c) receiving written acknowledgement of such notice from the Notifying County and no such approach or discussions shall take place until after the expiration of 21 clear days from the date of such written acknowledgement.
- 7.5 Each registered Cricketer shall be deemed to have undertaken that:
- 7.5.1 neither he nor any agent or other person on his behalf will approach or be involved in discussions with any other County during the season with a view to employment in any capacity without the written consent of the County for which he is registered;
- 7.5.2 neither he nor any agent or other person on his behalf will approach or be involved in discussions with any other County during the close season with a view to employment in any capacity without first obtaining such written consent, but this will not apply:
- (a) to a Cricketer on his County's List II provided that prior written notice of the intention to make the approach or begin discussions is given to his County and to the ECB;
- (b) to any other Cricketer who has no contract in writing with the County for which he is registered for all or any part of the following season (including such a Cricketer on List I) in which case he may make such an approach or begin discussions after 31st October provided that he has given not less than 14 days' prior notice to that effect to the County for which he is registered and to the ECB but no such notice shall be given before 17th October.

7.6 In order to discourage informal approaches including approaches through a County's registered Cricketers, if an employee or agent (including another Cricketer) or official or member of the Governing Body of a County approaches or is involved in discussions with a Cricketer or any agent or other person on his behalf, such approach or discussions shall be regarded for the purposes of this Regulation as an approach or discussion on behalf of that County, except in circumstances where the County satisfies the ECB that this was contrary to a written instruction received by the employee or agent or official or member of the Governing Body concerned and that the employee or agent or official or member of the Governing Body concerned had not been authorised to make the approach or to be involved in the discussions. For this purpose a person shall be deemed to be an agent of a County at any time when he is engaged in an activity at the request or with the authority of that County or in respect of which he receives any remuneration or other benefit (including reimbursement of any part of his expenses) from that County or on the basis of past experience could reasonably expect to receive any such remuneration or other benefit as aforesaid.

7.7 The provisions of 7.1 and 7.2 above shall also apply to a Cricketer who is in the process of qualifying as a Qualified Cricketer under Regulation 2 above as if he was a registered Cricketer for a County where:

7.7.1 the County concerned has a bona fide intention to register that Cricketer on qualification;

7.7.2 the Cricketer is contracted by the County during the

season or seasons remaining before qualification, and

- 7.7.3 the County has notified the ECB and all other Counties in writing of the position relating to that Cricketer by reference to this paragraph.

8 Loan of Players

Loans of cricketers are to be permitted, subject to the following conditions:

- 8.1 The loan of a registered player (the loan player) from one County (the Home County) to another County (the Away County) will be permitted only with the prior approval of the ECB.
- 8.2 Only cricketers aged Under 25 on the 1st April immediately preceding the relevant season may be loaned. In exceptional circumstances, the loan of a player aged over 25 may be approved by the ECB.
- 8.3 A loan may only take place before the end of May in exceptional circumstances and with the prior approval of the ECB.
- 8.4 Loans may take place only with the agreement of the Home County, the Away County and the player, and, if applicable, the ECB.
- 8.5 Loans must be for a minimum period of 6 weeks in the first instance and the first loan period must commence on or before 31st July in the relevant season. Two subsequent extensions of at least four weeks, or, if a shorter period, until the end of the season, may be permitted with the approval of the ECB.
- 8.6 A player who has played in each of the NatWest Trophy and the Benson and Hedges Cup for one

County may not play for another County in the same competition in the same season. A player may play for more than one County in the First Class County Championship and in the National League. Where, at the date of the loan, the loan player has not yet represented the Home County in the NatWest Trophy and the Benson and Hedges Cup, the Home County must state whether they will permit the loan player to represent the Away County in each of those competitions, as the case may be.

- 8.7 A player may not play, on loan, for more than one County in any one season.
- 8.8 The Away County will pay to the Home County the basic salary and other contractual payments (except pensions) due to the player during the course of the loan period (and as set out in the player's contract with the Home County), plus VAT, if applicable. In addition, during the loan period, the loan player will receive from the Away County any appearance monies, win bonuses etc. to which other members of the Away County's team would be entitled. The player's pension contributions will continue to be paid by the Home County.
- 8.9 The registration (and the contract) of the loan player will remain with the Home County until the expiration of the player's contract or the cancellation of his registration by the ECB.
- 8.10 Only in exceptional circumstances and with the prior approval of the ECB will a loan player be permitted to return to play for his Home County during the loan period originally agreed. Exceptional circumstances

would include, for example and without limitation, an unexpected international call-up or injury to a key player for whom the loan player provides cover.

- 8.11 At the end of a loan period (including any extensions) the loan player will return to his Home County and will be entitled to the normal benefits of his contract (until its expiry).

9 Investigating Tribunal

The Investigating Tribunal shall consist of a Chairman, nominated by the ECB and approved by the Professional Cricketers' Association or, in the absence of such nomination and approval, appointed by the Chairman of Sport England, together with one member nominated by the ECB and one member nominated by the Professional Cricketers' Association.

10 Disputes Between Counties and Between Counties and Cricketers

Any unresolved dispute between Counties or between Counties and Cricketers as to the interpretation or implementation of these Regulations shall be referred to the ECB for a decision, and such decision, subject to the provisions for appeal contained in Regulation 13 below, shall be binding on the parties to the dispute.

11 Notices

Any notice to be given to a County under these Regulations shall be deemed to be properly given if sent by First Class post addressed to the Secretary of the County at the address for that County registered with the ECB and any notice to be given to a Cricketer

under these Regulations shall be deemed to be properly given if sent by First Class post to him at his last known address in the United Kingdom. Any such notice shall be deemed to be served on the second day following that on which it is put in the post.

12 Registration and Contracts Standing Committee

Unless otherwise determined by the ECB, all the powers and discretions of the ECB under this shall be delegated to and exercised by the Registration and Contracts Standing Committee of the ECB on the ECB's behalf.

13 Appeals Procedure

- 13.1 Appeals from parties directly involved in decisions of the ECB under these Regulations, including decisions by the Registration and Contracts Standing Committee shall be made to the Registration and Contracts Appeal Panel. Written notice of appeal must be lodged in a prescribed form with ECB's Administration Manager within 14 days of notification of the decision.
- 13.2 To be in prescribed form, the notice must record the decision or part of the decision against which the Appeal is made and the grounds and basis of the Appeal. The notice must be accompanied by a deposit of £150 which may be used as part of any costs awarded against the Appellant or returned to him in whole or in part after the Appeal hearing at the discretion of the Registration and Contracts Appeal Panel.

- 13.3 As and when required, the Chairman of the Discipline Standing Committee shall appoint three persons to constitute a Registration and Contracts Appeal Panel. The Panel will be chaired by the Chairman of the Discipline Standing Committee or nominee from within his Committee and include one person nominated by the Professional Cricketers' Association.
- 13.4 The Chairman of the Registration and Contracts Appeal Panel shall fix a date for the Appeal hearing which shall be within 28 days of the lodging of the notice.
- 13.5 The Registration and Contracts Appeal shall determine its own procedure but the Registration and Contracts Standing Committee will normally be represented as a party to the Appeal.
- 13.6 Decisions of the Registration and Contracts Appeal Panel shall be by majority vote; where necessary the Chairman of the Panel having a casting vote.
- 13.7 Decisions of the Registration and Contracts Appeal Panel shall be communicated in writing to the parties and the Registration and Contracts Standing Committee as soon as possible after the hearing.
- 13.8 The power of the Registration and Contracts Appeal Panel to award costs against the Appellant shall be unlimited.
- 13.9 Any decision of the Registration and Contracts Standing Committee shall stand pending determination of any appeal.

14 Qualification for England

- 14.1 Subject to the overriding discretion of the ECB, acting with the consent of the International Cricket Council, a Cricketer will only be qualified to play for England in a Test Match or in a One Day International Match if:
- 14.1.1 he is either a British citizen or an Irish citizen; and
 - 14.1.2.1 he was born within England and Wales; or
 - 14.1.2.2 he has been resident in England and Wales for the immediately preceding four consecutive years; and
 - 14.1.3 he has not during the immediately preceding four consecutive years either played cricket for any Full Member Country except England at Under 17 level or above, or played First Class Cricket in any Full Member Country outside England and Wales, except as an overseas cricketer under local rules similar to Regulation 3 above or in any other circumstances approved by the ECB; and
 - 14.1.4 he makes, whenever requested by the ECB, a declaration in the form set out in Annex B to these Regulations.
- 14.2 In the case of a Cricketer seeking to become qualified under 14.1.2.2 above he will (until he has become qualified to play for England) only be treated as having been resident within England and Wales for the relevant consecutive period if he has spent a minimum of 210 days in each year within England and Wales (for which purpose year shall mean a year ending 1st April).
- 14.3 For the purpose of 14.1.3 above, a Cricketer qualified

for an ICC Associate or Affiliate Member Country can continue to represent that Country without adversely affecting his eligibility or interrupting his qualification period unless and until the Cricketer has played at Under 19 level or above for a Full Member Country. If the player represents an ICC Associate or Affiliate Member Country after having represented England at U19 level or above, he will not be eligible for selection for a period of 4 years after his last appearance for the ICC Associate or Affiliate Member Country.

- 14.4 The ECB may from time to time in its absolute discretion decide that a Cricketer qualified to play for England under these Regulations shall be ineligible for selection for England for a specified period or generally and may vary or cancel that decision at any time. This discretion may be exercised when a cricketer has acted in a manner which is fundamentally inconsistent with the ECB's requirements, including, without limitation, by playing for an England representative side which is not approved by the ECB or otherwise acting in willful default of any of the ECB's Regulations or decisions taken by it.

Annex B

Declaration referred to in Regulation 14.1.4 above.

To the England and Wales Cricket Board

I declare that it is my desire and intention to play for England if selected and accordingly I will not play, and I am not seeking and will not seek to qualify to play, in a Test Match, a One Day International Match, any other First Class Match, or any other Match at Under

17 level or above for any other country.

15 The Cheltenham and Gloucester Trophy

- 15.1 The Regulations Governing the Qualification and Registration of Cricketers for Competitive County Cricket shall apply to the 18 First Class Counties and 20 Minor Counties.
- 15.2 A Cricketer shall be qualified to play in the competition for Scotland, Ireland, Denmark or Holland as the case may be (notwithstanding that he may also be qualified to play for another team and without in any way affecting his qualification to play for England pursuant to the Regulations Governing the Qualification of Cricketers to Play for England) if he fulfils the ICC eligibility criteria for Associate Member Countries.
- 15.3 A Cricketer qualified to play for more than one team in the competition shall be entitled to choose which team he plays for, but he shall not, save with the consent of the ECB, play in the Cheltenham and Gloucester Trophy and the Twenty20 Cup for more than one team in the same season.

Ireland, Scotland, Denmark and Holland may each play in any season in this Competition two Cricketers who are not qualified under 15.2 above. These countries will be entitled to change or temporarily substitute a Cricketer who is not qualified under 15.2 after the commencement of the season only in the circumstances outlined in Regulation 3.2 above.

Players registered and contracted with First Class Counties will be eligible to play for their First Class

County despite having played for a County Board or Minor County in the Cheltenham and Gloucester Trophy (once that side has been knocked out of the Competition) if they meet all of the following criteria:

- 1 They are uncapped.
- 2 They have not reached the age of 23 on 30th September of the previous year.
- 3 At the time of their last appearance of the season in the Cheltenham and Gloucester Trophy for the Minor County or County Board they have not played in the First Class County Championship, Benson and Hedges Cup or the Norwich Union League in the current season.

Cricketers will not be eligible to play for a side in Round 1 of the 2004 competition (matches to be played in 2003) if they have already represented a First Class County in the County Championship, Twenty20 Cup, 45-Over League or Cheltenham and Gloucester Trophy in the 2003 season or another Minor County in the Cheltenham and Gloucester Trophy during the 2003 season.

The fact that a cricketer represented a team in Rounds 1 and/or 2 of the 2003 competition (matches played in 2002) is not relevant to the player's eligibility to represent any team in the 2003 Cheltenham and Gloucester Trophy from Round 3 onwards. Eligibility is for the duration of the season as opposed to the duration of the Competition.

- 15.4 *Players may only play for one Minor County team in this competition and in the Minor Counties' Championship in any one season.*

A County Board player does not need to be registered but may only play in the competition if he qualifies for registration as a Qualified Cricketer for Competitive County Cricket in accordance with Regulation 2 above (County Boards may each play in any season in this Competition two Cricketers who are not qualified under 15.2 above. County Boards will be entitled to change or temporarily substitute a Cricketer who is not qualified under 15.2 after the commencement of the season only in the circumstances outlined in Regulation 3.2 above).

A maximum of two players contracted and registered for a First Class County may play for a County Board side in any match. These players must be uncapped.

16 Players' Agent Registration Regulations

- 16.1 (a) A Register will be established (to be administered and maintained on behalf of the Board by the PCA) of individuals who wish to act as agents for Cricketers. There shall be entered on the Register the individual's name, address, telephone and fax numbers and e-mail address (if available), the company or companies which he claims to represent, the dates when he was first registered and when the registration was last renewed, and such other details as the Board may from time to time determine.
- (b) All information entered on the Register will be made available, in such form as the Board may from time to time determine, to any person upon

request and payment of such fee as the Board may from time to time determine.

- 16.2 (a) Any individual may apply at any time to have his name entered on the Register. The application must be in writing, signed by the applicant and accompanied by the following:-
- (i) Payment of the initial registration fee, in such amount as shall be determined by the Board from time to time;
 - (ii) the Application Form and undertakings set out in Appendix A duly completed; and
 - (iii) such other information as the Board may require.
- (b) The Board shall have a full and unfettered discretion whether to accept an application for registration or not and will not (and shall not be obliged to) give any reason for a refusal to do so.
- 16.3 Once registered, an individual's name shall remain on the Register until:-
- (i) he applies in writing for it to be removed; or
 - (ii) the next 31st December, when he will be entitled to apply for renewal of his registration for the following calendar year in accordance with paragraph 16.4; or
 - (iii) the Panel decides to remove his name from the Register in accordance with the procedures set out below.
- 16.4 On or before 31st December in each year, a registered agent may apply for his registration to be renewed for

the following calendar year by completing and submitting a renewal application form and paying a renewal fee, in such form and amount respectively as the Board may from time to time determine. Failure to do so on or before 31st December in any year shall result in the automatic removal of the individual's name from the Register at the close of business on that 31st December, but if he does so his registration will continue, subject to paragraph 16.3, until the next 31st December and so on.

- 16.5 An individual whose name has been and remains entered on the Register shall be entitled to describe himself as a "registered agent" or "registered with ECB", but shall not refer to his registration in any other way or otherwise use the same in any way to promote his business or otherwise to claim or imply that he is or has been vetted or approved or regulated by the Board or by the PCA or by any other body or person or in any other way.
- 16.6 The Board shall establish a Panel to supervise the administration of the Register and the operation of these Regulations and to determine whether or not to cancel the Agent's registration. The Panel shall comprise four persons, two to be appointed by the Board and two by the PCA. The Panel shall (subject to these Regulations) determine its own procedures. A quorum for the Panel shall be 3 members present in person and any decision by the Panel shall be taken by majority vote of those members present.
- 16.7 (a) An individual's registration may be cancelled at any time by the Panel if it determines that there has been a breach by him at any time of any of the

Board's Regulations or of any undertaking given to the Board or of any duty or obligation of any kind owed to a Cricketer.

- (b) If such a breach is alleged and the Panel determines to investigate it, the Panel shall carry out such investigation (if any) as it shall consider appropriate and shall then notify the individual in question of the nature of the alleged breach and the evidence on which it is based and invite the individual to attend before it to offer his explanation. The individual may be accompanied to such hearing by a legal or other representative if he wishes.
- (c) If the Panel after such hearing finds the allegation proved, the Panel may warn the individual as to his future conduct and impose such conditions in relation thereto as it considers appropriate or suspend or cancel the individual's registration with immediate effect. In any such case, the Panel's decision will be publicly announced.
- (d) If the individual does not accept the Panel's decision, he may:-

Either

- (i) apply for his registration to be cancelled, in which case any conditions shall cease to be applicable.

Or

- (ii) appeal against the Panel's decision to the Board's Discipline Committee, in which case the Board's Discipline Standing Committee Regulations shall apply to any such appeal;

but in either case he must do so within 14 days of being notified of the Panel's decision, failing which such decision shall be final, conclusive and binding on him.

- (e) A complaint about a registered agent's conduct may be made to the Panel by or on behalf of any Cricketer, any First Class County, any member, officer or employee of the Board or the PCA. The Panel shall have a full and unfettered discretion as to how (if at all) it investigates any such complaint.

16.8 A First-Class County shall not make any payment of any nature whatsoever in respect of a Cricketer to any person other than the Cricketer himself or a Registered Agent. Any First-Class County alleged to be in breach of this Regulation will be subject to disciplinary proceedings under the Board's Discipline Standing Committee Regulations.

16.9 A Registered Agent must:-

- (a) comply (and use his best efforts to procure that any Cricketer he represents complies) meticulously in every respect with the Board's Rules and Regulations for the time being in force, the undertakings set out in Appendix A and any other rules, regulations or undertakings for the time being brought into effect by the Board and made applicable to him;
- (b) enter into the PCA's standard form of agency contract (in the form set out in Appendix B or in such other form as may from time to time be issued by the PCA) with each Cricketer he

represents, unless he notifies the Cricketer in writing before entering into any such contract that it is not in the PCA's standard form and simultaneously supplies a copy of that notification to the ~ PCA; and

- (c) not charge any Cricketer he represents a fee on any basis which could result in the Cricketer's net income before tax being (as a result of his obligation to pay a fee on that basis) less than his net income before entering into the contract with the agent, unless he notifies the Cricketer in writing before entering into any such arrangement that this could be the result of the arrangement and simultaneously supplies a copy of that notification to the PCA.

16.10 In these Regulations, the masculine includes the feminine, references to paragraphs and Appendices are to paragraphs and Appendices of these Regulations and the following expressions have the following meanings:-

- (a) **"the PCA"** means the Professional Cricketers' Association
- (b) **"the Board"** means England and Wales Cricket Board Limited
- (c) **"the Register"** means the Register established pursuant to paragraph 1
- (d) **"registered agent"** means an agent whose name is on the Register
- (e) **"Cricketer"** means any person registered or intending or hoping to be registered as such with

the Board by a First-Class County

- (f) **"First-Class County"** means one of the County Cricket Clubs from time to time playing in the First Class County Championship.
- (g) **"the Panel"** means the Panel established pursuant to paragraph 16.6

Guidelines

The PCA, in consultation with the Board, have produced Guidelines to these Regulations which are available to any person from either the PCA or the Board. The Guidelines are issued to help in explaining the Regulations but do not form part of the Regulations and are not binding upon the PCA or the Board. However, they may be taken into account in any disciplinary proceedings arising out of the Regulations and in any dispute between a player and his agent in arbitration proceedings or otherwise. The Guidelines may be updated from time to time.

The Guidelines will make clear (inter alia) that:-

- (a) These Regulations do not (and are not intended to) compel any Cricketer to employ a registered agent or prevent any Cricketer from using an unregistered agent: Cricketers are free to enter into agency agreements with whomever they choose; and
- (b) Entry of an agent's name on the Register does not in any way constitute an endorsement or any form of approval by the Board or the PCA of that agent . or any kind of guarantee that he is or is likely to be of better quality than an unregistered agent or of

any quality at all: it merely gives comfort that the agent has given to the Board and the PCA the undertakings contained in the application form and agreed to be bound by the Board's Regulations.