

## **Code of Practice of the ECB – The Regulation of Cricket Events**

### **Matches covered by the Code of Practice**

This Code of Practice will apply to any proposal for an unauthorised cricketing event which is intended to take place in any one or more of England, Wales or the Isle of Man (together the Territory). An unauthorised cricket event is one involving one or more matches which will not be promoted, organised or administered by the ECB and which:

EITHER

- (a) is proposed to be staged at a ground which is already used for First Class Cricket or One Day County Cricket in the Territory; and
- (b) involves [10 or more] cricketers who, in the season during which the event is first scheduled to take place, are registered with the ECB as professional players; and
- (c) where an entry charge will be made for admission to spectators.

OR requires approval from the International Cricket Council (the ICC) under its Protocol on Unofficial Cricket Events.

OR is scheduled to be televised, whether in whole or in part.

### **The ECB's objectives**

The ECB encourages the First Class Counties (FCCs), MCC, Beneficiaries and approved good causes in their attempts to maximise their income. Staging unofficial cricket events is one way of doing so.

Such events must not compromise either the reputation of the game or the existing fixture list and the ability to ensure that the best players are available to play in those fixtures. Players must have adequate time to practice and recover. Health and safety issues must be addressed.

The ECB's Strategic Plan for Cricket for 2005-2009 (Strategic Plan) has as its key objectives effective leadership and governance, a vibrant domestic game, enthusing participation and following and developing successful England teams. The ECB does not wish the Strategic Plan to be compromised as to do so would harm the future of the game in the Territory.

Funds derived from the ECB's commercial activities and disbursed to FCCs underpin the fulfilment of the Strategic Plan. In particular, these funds through payments to FCCs ensure a vibrant domestic game. The ECB enters into its commercial contracts in accordance with arrangements previously agreed with the FCCs and cannot sanction any proposal whereby the actions of any FCC would put the ECB in breach of such contracts. Furthermore, the ECB wishes to maintain the principle of solidarity reflected in its payments to FCCs.

The ECB in entering into staging agreements with FCCs does so on the principle that the scope and duration of any exclusivity granted by the ECB is the minimum necessary to secure a first class venue for international events. The ECB wishes to maintain this principle to ensure the lawfulness and enforceability of such agreements.

### **Criteria to be applied by the ECB**

When considering an unauthorised cricket event, the ECB will take into account all relevant factors, including the following criteria (which is not intended to be exhaustive or in any order of priority):

- (1) the extent to which the event can/could be accommodated within the existing fixture list, without having an adverse effect on existing events;
- (2) the extent to which the event compromises the ECB's ability to ensure that the best players are available to play for the England teams and, if the event is likely to involve any centrally contracted England player, the views of the England coaching and management team;
- (3) whether the event would affect the ability of any FCC to play a full strength team in any match which forms part of existing events in accordance with their obligations under Directive 2 of the ECB's Directives;
- (4) the safety and suitability of the proposed venue(s);
- (5) the impact of the event on the integrity and reputation of the game of cricket;
- (6) whether the event will have any meaningful role in the promotion and development of the game of cricket in the Territory, or have any other charitable or benevolent purpose;
- (7) the impact of an ECB member's actions on any of the ECB's obligations under existing commercial arrangements;
- (8) the likely impact of the event on the integrity of the ECB's solidarity mechanism, in particular as reflected in the payments made by the ECB to the FCCs to ensure a vibrant domestic game; and
- (9) the impact on any existing staging agreement with the ECB.

## **Procedure**

Requests for approval will be considered by the Unauthorised Matches Committee (UMC) whose members will be independent.

All proposals should be made in writing to the UMC at least 8 weeks before the scheduled start of the event. In particular, the proposal should set out full and detailed information relating to the following:

- (i) date and timing;
- (ii) format;
- (iii) names of participating teams/players;
- (iv) proposed venue(s) and confirmation that all health & safety requirements will be met;
- (v) projected income of any ECB member involved in the event;
- (vi) details of how the integrity of the event will be controlled; and
- (viii) details as to how the event will contribute to the development of cricket in the Territory (including grass roots cricket). Such information may include any financial proposals that would assist the implementation of the Strategic Plan.

Confidentiality of any commercially sensitive information will be maintained by the UMC.

The approval of UMC may be subject to conditions necessitating:

- an abatement of all or part of the ECB's annual fixed fee payment to a Member of the ECB to maintain the solidarity principle; and/or
- a renegotiation of any staging agreement with the ECB so as to ensure its continuing lawfulness; and/or

- warranties that any actions on the part of any FCC will not give rise to a claim against the ECB under any of its commercial contracts.

UMC will endeavour to complete its assessment of a proposal promptly, provided that it has all the necessary information.

If required, UMC will set out the reasons for its final decision in writing.