

Regulations Governing the Qualification and Registration of Cricketers

1 Definitions

In these Regulations:

- 1.1 **“Appeal Panel”** means the Appeal Panel, appointed pursuant to Regulation 11.
- 1.2 **“Arbitration Panel”** means the Arbitration Panel, appointed pursuant to Regulation 8.
- 1.3 **“Competitive County Cricket”** means:
 - (a) **the LV County Championship and the Minor Counties Championship;**
 - (b) **the Friends Provident Trophy, the NatWest Pro40 and the Twenty20 Cup;** and
 - (c) any other similar competition authorised by and designated as Competitive County Cricket by the ECB.
- 1.4 **“County”**, except where the context may otherwise require, means any one of the County Cricket Clubs from time to time playing in the LV County Championship or the Minor Counties Championship and, in relation to the Friends Provident Trophy includes Scotland and Ireland.
- 1.5 **“ECB”** means the England and Wales Cricket Board, or a duly appointed committee thereof.
- 1.6 **“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, Iceland, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland,

Slovakia, Slovenia, Bulgaria and Romania and includes each of its member states as from time to time applicable.

- 1.7 **“First Class Cricket”** 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 Cricket by the International Cricket Council, played by teams which also play First Class Cricket as so recognised (and for the purposes of this definition, teams playing First Class Cricket shall include, without limitation and until further notice to the contrary, the teams which participate in the IPL, the teams which have participated in the Stanford Domestic Twenty20 competition in the Caribbean and the Stanford Superstars).
- 1.8 **“Full Member Country”** means a country which is a full member of the International Cricket Council and **“Associate Member Country”** means a country which is an associate member of the International Cricket Council and **“Affiliate Member Country”** means a country which is an affiliate member of the International Cricket Council.
- 1.9 **“Governing Body”** means, in relation to an Unqualified Cricketer (as defined in Regulation 3.1), the Governing Body or Bodies (if any) for cricket of any ICC Full Member country or countries for which he is qualified to play in a Test Match.
- 1.10 **“Official Cricket”** means cricket which is recognised as official cricket by the International Cricket Council.
- 1.11 **“Professional Cricket”** means all competitive cricket played by teams of a professional standard or in which the Cricketer is being paid to participate as a professional player, in each case whether or not

recognised by the International Cricket Council and includes First Class Cricket.

- 1.12 **“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.
- 1.13 A **“season”** means the English cricket season running from the first day of the first match of the first class season to the last day of the last match of the first class season, both dates inclusive, and the **“close season”** means the period from the day after the last day of the last match of the first class season to the day before the first day of the first match of the first class season in the next year, both dates inclusive.
- 1.14 **“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 Member Countries, or between Associate Member Countries, or between a Full Member Country and an Associate Member Country. **“International Twenty20 Match”** means a 20 over international match (or a series of such matches) between Full Member Countries, or between Associate Member Countries, or between a Full Member Country and an Associate Member Country.

2 Qualifications for Registration for Competitive County Cricket

- 2.1 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:

- (a) he is an EEA national (other than a Bulgarian and Romanian national), a national of Bulgaria and Romania who is able to exercise a treaty right as a worker in the United Kingdom without restriction, or a national of a state which is a party to an agreement with the EU and its member states providing that their nationals lawfully employed within the EEA shall have employment rights equal to those of EEA nationals; and
- (b) he has not, within the 12 months leading up to April 1st immediately before the season in question, or at any time subsequently before applying for and being granted his registration with his county either (i) played cricket for any Full Member Country outside the EEA at U17 level or above, or (ii) played Professional Cricket in any country outside the EEA except for First Class Cricket or other Official Cricket as an overseas cricketer under local rules promulgated by the relevant governing body of the Full or Associate or Affiliate Member Country similar to Regulation 3, or in any other circumstances approved by the ECB or (iii) played Professional Cricket in a country within the EEA which is not recognised as Official Cricket; and
- (c) he does not, during the currency of his contract with his County or his registration with his County either (i) play cricket for any Full Member Country outside the EEA at U17 level or above, or (ii) play Professional Cricket in any country outside the EEA except for First Class Cricket or other Official Cricket as an overseas cricketer under local rules promulgated by the relevant governing body of the Full or Associate Member Country similar to Regulation 3, or in any other circumstances approved by the ECB or (iii) play Professional Cricket in a country within the EEA which is not recognised as Official Cricket; and

- (d) 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 Regulation 2.1(c), he must notify both the ECB and his County. In this circumstance, subject to the overriding discretion of the ECB, the ECB will immediately revoke the Cricketer's registration as a Qualified Cricketer and he may not apply again for registration as a Qualified Cricketer during the term of the contract between the Cricketer and the County for which he was originally registered as a Qualified Cricketer.
- 2.3 A Cricketer must be qualified for England to be eligible to represent a Minor County in a Competitive County Cricket match.
- 2.4 Where a Cricketer does not fulfil or at any time ceases to fulfil all of the conditions in Regulation 2.1 the ECB may for the purposes of exercising its overriding discretion pursuant to Regulation 2.1 or 2.2 above require him to attend a hearing at the ECB's offices in London to advance any case that he might have that the discretion should be exercised in his favour, answer any questions the ECB may have and provide any documents or other materials that the ECB considers may be relevant.

3 Unqualified Cricketers

ECB Discretion

Note that the ECB retains ultimate discretion over the provisions of Regulation 3.

- 3.1 Each County will be entitled to have registered for it in respect of the 2009 season one and, subject as provided in Regulation 3.2 and subject to the overriding

discretion of the ECB, only one Unqualified Cricketer (i.e. Cricketers who do not fulfil the requirements of Regulation 2 above). A County shall not make a legally binding arrangement with more than one 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 will be entitled to change or temporarily substitute its registered Unqualified Cricketer after the commencement of the season. Any Unqualified Cricketer must be registered for a minimum period of 21 days. The only exception to this is in the final 21 day period of the season (7th-27th September 2009) during which an Unqualified Cricketer may be registered but only if that cricketer had previously been nominated to ECB a minimum of 10 days prior to the commencement of the final 21 day period of the season (latest nomination date 28th August 2009).

For the avoidance of doubt, the minimum period of registration for an Unqualified Cricketer is 21 consecutive days. It is possible to cancel one player and register another on the same day with that day counting in respect of each player's period of registration.

- 3.3 Any substitute must be registered before the first Competitive County Cricket Match in which he represents the relevant County.
- 3.4 A County will not under any circumstances be entitled to register:
- 3.4.1 more than four Unqualified Cricketers in any one season; or

- 3.4.2 an Unqualified Cricketer who has already represented another First Class County, Ireland or Scotland in a Competitive County Cricket match during the relevant season; or
- 3.4.3 an Unqualified Cricketer who has within the 12 months leading up to April 1st immediately before the season in question or at any time subsequently before applying for and being granted his registration with his county played Professional Cricket in any country which is not recognised as Official Cricket.
- 3.5 A County wishing to register an Unqualified Cricketer must first obtain the written consent of his Governing Body or Bodies (if any).
- 3.6 If an Unqualified Cricketer, having been registered:
 - 3.6.1 indicates by whatever means that he is unavailable for or declines selection by his Governing Body for an official tour or other competition, 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 or while his country's team is involved in the competition in question; or
 - 3.6.2 during the currency of his contract with the County plays Professional Cricket in any country which is not recognised as Official Cricket then, subject to the overriding discretion of the ECB, the Cricketer's registration as an Unqualified Cricketer will be revoked and he must not apply again for registration during the term of the contract between the Cricketer and the County for which he was originally registered as an Unqualified Cricketer.

4 Ordinary Registrations

- 4.1 Subject to the overriding discretion of the ECB and subject to the provisions of Regulations 4.2, 4.3 and 5, a County may register any Qualified Cricketer 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 an additional Cricketer above this limit for every Cricketer on its staff who has a contract to play for England for all or a substantial part of the current season (for the avoidance of doubt this does not include England incremental contracts).
- 4.3 Subject to the overriding discretion of the ECB, no Cricketer may be registered:
- (a) for more than one County at any one time; or
 - (b) for more than one County in the same season; or
 - (c) for one County when he is contracted in writing by another County unless such contract only relates to a period beyond the end of the current season and if applicable relates to a period beyond the expiry of his existing County contract

IN EACH CASE PROVIDED THAT

- (i) a Qualified Cricketer already registered for a Minor County may be registered for a First Class County, or vice versa, with the consent of the County with whom he is already registered and without cancellation of the registration for that County being required; and
- (ii) a Qualified Cricketer may be loaned to another First Class County in accordance with Regulation 12; and

- (iii) a Qualified Cricketer whose employment, by agreement between two First Class Counties, is transferred from one to the other during a season may be registered for his new employer PROVIDED that (i) he has a contract to play for his new employer in the next season, and (ii) he shall not be eligible to play in the current season for his new employer in the Twenty20 Cup if he has already played in that competition in that season for his previous employer.

In the case of a dispute, if the Cricketer's contract with the first County is terminated, it shall be at the discretion of the ECB to determine whether the registration may be transferred.

5 Further Provisions Relating to Registration

- 5.1 Subject to the overriding discretion of the ECB, no Cricketer may play for a County in any Competitive County Cricket match unless he is registered for that County.
- 5.2 Every registration shall remain effective until cancelled in accordance with Regulation 6.
- 5.3 An application for registration must be submitted by a County in duplicate on the ECB's official Application Form signed by the Chief Executive/Secretary of the County (or another authorised official) and the Cricketer.
- 5.4 Not later than the last working day prior to the first day of the season in each year each County shall send to the ECB and to every other County, in a form prescribed by the ECB, lists of:
 - (a) its registered Cricketers showing (i) whether the Cricketer is, or is to be, a full time or substantially full time member of the County's playing staff for all or part

of the relevant season, and (ii) in the case of any Cricketer whose contract of employment does not oblige him to play for his employer during the ensuing season and all or a substantial part of the next season thereafter, the date when such contract is due to come to an end, and (iii) whether or not the County has lodged with the ECB an undertaking by the Cricketer in respect of the relevant season in the forms required from time to time by the ECB

(b) the Cricketers whose registration for that County have been cancelled since the circulation of the previous season's list.

5.5 In circumstances where a County applies to register a Cricketer at any time any such registration must be notified to the other Counties as provided in Regulation 5.4 within 14 days after such registration.

5.6 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 agrees with a Cricketer a new date referred to in Regulation 5.4 (a)(ii) when his contract of employment will come to an end, or lodges any new such undertaking or certificate as is mentioned in Regulation 5.4, it will promptly notify both the ECB and all other Counties.

- 5.8 A registration will not become effective until the ECB has issued a confirmation of that registration, provided that in a case of emergency the Chief Executive of the ECB or his authorised deputy may grant a temporary registration which shall have the full effects of registration before an Application Form and supporting paperwork completed and satisfactory in all respects have been received and considered by the ECB, subject to such an Application Form being subsequently lodged within such a period as the Chief Executive of ECB shall require.

6 Cancellation of Registration

- 6.1 Cancellation of a registration may only take place as follows:
- (a) by written notice to the ECB signed by the County and the Cricketer agreeing to such cancellation; or
 - (b) by written notice by either the County or the Cricketer to the ECB and to the other in any case where the Cricketer has ceased to be employed by the County in question and the ECB is satisfied that no infringement of Regulation 7.1 or 7.2 has occurred; or
 - (c) by the ECB
 - (i) In the case of a temporary registration which is not followed by an Application Form completed and satisfactory in all respects within such period as may be required pursuant to Regulation 5.8; or
 - (ii) to give effect to a decision of the Cricket Discipline Commission; or
 - (iii) 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) 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;

- (iv) in circumstances falling within Regulation 3.2; or
- (v) on the relevant day referred to in Regulation 5.4, in the case of a registered Cricketer who is not on the list supplied by his County pursuant to Regulation 5.4, 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
- (vi) if, within a reasonable period after he has been requested to do so by ECB, the Cricketer has not made and delivered to the ECB a declaration in the form set out in Annex A to these Regulations, including, if so requested, a renewal of such declaration and such other undertaking or declaration as the ECB may from time to time require.

6.2 If the registration of a Cricketer is cancelled but his contract with a County remains effective for any period thereafter 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.

6.3 If the registration of a Cricketer is validly cancelled at any time (for any reason), the County with whom the Cricketer was previously registered must notify, in the written form prescribed by the ECB at Regulation 5.4,

all the other Counties within 14 days of such cancellation being notified to or by the ECB (as applicable).

7 Negotiations Between Counties and Cricketers

- 7.1 A County must not approach or be involved in discussions with any Cricketer registered by another County or any agent or other person on his behalf with a view to offering him a trial or registering him or employing him in any capacity unless Regulation 7.3 or 7.4 or 7.5 applies. A County which fails to comply with this Regulation 7.1 shall be liable to a fine of not less than £20,000 and not more than £50,000.
- 7.2 Each registered Cricketer shall be deemed to have undertaken that neither he nor any agent or other person on his behalf will approach or be involved in discussions with any other County with a view to employment in any capacity unless Regulation 7.3 or 7.4 or 7.5 applies. A Cricketer who breaches this undertaking shall be liable to suspension and/or an unlimited fine.
- 7.3 Regulations 7.1 and 7.2 shall not apply to approaches or discussions by a First Class County to or with a Cricketer whose only registration is with a Minor County, if that Minor County consents or at least 14 days' prior written notice has been given to that Minor County. A First Class County that fails to provide such notice or to receive the consent of the Minor County will be liable to a £500 fine.

- 7.4 Regulations 7.1 and 7.2 shall not apply to approaches or discussions to which the County with whom the Cricketer is registered has given its prior written consent, such consent not to be unreasonably withheld or delayed. A County shall be deemed to have given such consent in any case where it has informed the Cricketer in question in writing that he will not be offered a new contract of employment when his present contract expires, or, if he has no contract, that he will not be offered a contract for the next season. For the purposes of this Regulation 7.4, the ECB shall have an overriding discretion to disapply Regulations 7.1 and 7.2 in circumstances where it believes that a County is acting or has acted unreasonably in withholding or delaying its consent.
- 7.5 Regulations 7.1 and 7.2 shall not apply to approaches or discussions which
- (a) are not commenced until at least 28 days after prior written notice of intention to commence them has been given to the County with whom the Cricketer is registered (such notice to be copied to the ECB), and
 - (b) either (i) take place to or with a Cricketer whose contract of employment with that County has come to an end or who never had a contract; or (ii) are first initiated after 10th April in any season to or with a Cricketer whose contract of employment expires prior to the start of the season in the following year.
- 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 Regulations 7.1 and 7.2 shall also apply to a Cricketer who is in the process of qualifying as a Qualified Cricketer under Regulation 2 as if he was a registered Cricketer for a County where:
- (a) the County concerned has a bona fide intention to register that Cricketer on qualification;
 - (b) the Cricketer is contracted by the County during the season or seasons remaining before qualification, and
 - (c) the County has notified the ECB and all other Counties in writing of the position relating to that Cricketer by reference to this Regulation.

8 Transfers of Cricketers between Counties

- 8.1 If any payment or other valuable consideration is received by a County in connection with the transfer of a Cricketer from employment by one County to employment by another, all Counties having knowledge thereof shall promptly report full details thereof to the ECB. There is no objection to any such payment if (but only if) Regulation 7.3 or 7.4 or 7.5 has been complied with.
- 8.2 Every County shall have an obligation to notify the ECB promptly of any fact or circumstance coming to its attention which might give rise to a suspicion that a breach of Regulation 7.1 or 7.2 may have occurred, and to supply full details thereof. Upon receipt of any such notification, the ECB shall report the same to each County involved, together with such details as may be relevant to identify the circumstance, and each such County shall promptly supply to the ECB copies of all documents in its possession or under its control, together with all other information available to it, which may be of assistance in establishing whether or not a breach of Regulation 7.1 or 7.2 has occurred and, if so, by whom. If the ECB considers, after examining the documents and other information supplied to it, that a breach of Regulation 7.1 or 7.2 or of this Regulation may have occurred, the matter shall be referred to the Cricket Discipline Commission and dealt with in accordance with these Regulations and the Cricket Discipline Commission Regulations.
- 8.3 A Cricketer (with the prior written consent of the Professional Cricketers' Association ("PCA")) who believes that his relationship with his employer has irretrievably broken down (whether or not in

consequence of a breach of contract by either party) may apply in writing to ECB for the appointment of a mediator. If the matter is not satisfactorily resolved (whether by mediation or otherwise) within 28 days after such application (or such shorter period as ECB shall determine), the Cricketer may at any time thereafter apply in writing to ECB for the appointment of an Arbitration Panel ("the Arbitration Panel") to determine whether or not it would be in the interests of cricket for the Cricketer's employment to come to an end before the date fixed by his contract and, if so, what payment (if any) should be made to the County (either by the Cricketer or by another County) by way of compensation for the loss of his services during the unexpired term of his contract. Any such application must be accompanied by a non-refundable deposit of £1,000 which shall be used to defray the costs of the arbitration.

- 8.4 Upon receipt of any such application, the ECB shall appoint the Arbitration Panel which shall consist of three members, one to be nominated by the PCA, one to be nominated by the Chairman of the ECB and the Chairman of the Arbitration Panel to be nominated by Sport Resolutions (UK).
- 8.5 The Chairman shall fix a date or dates for the hearing, the first of which shall be within 28 days of the lodging of the application. Any such hearing may (if the Chairman thinks fit) be in two parts, the first to determine whether or not it would be in the interests of cricket for the employment to come to an end, the second (to determine the level of compensation (if any) to take place only if and when the Arbitration Panel's decision on the first issue has been notified to the parties. In determining either issue the Arbitration Panel may take into consideration all or any of the following:

- (a) all information made available to the ECB;
 - (b) the behaviour of the County and the Cricketer respectively;
 - (c) the Cricketer's remuneration, the unexpired term of his contract of employment, his level of experience and expertise and his future potential;
 - (d) the likely cost to the County of employing an adequate replacement;
 - (e) the length of the Cricketer's employment by the County prior to the hearing and the extent and estimated cost of the contribution (if any) which the County has made to his development as a Cricketer;
 - (f) such other matters as the Arbitration Panel may in its sole discretion consider relevant.
- 8.6 Subject only to the provisions of these Regulations, the Arbitration Panel or its Chairman shall determine its own procedure. A decision of the Panel shall be by majority vote; where necessary its Chairman shall have a casting vote. Its decision shall be communicated in writing to the parties as soon as practicable after the hearing.
- 8.7 The Panel shall have unlimited power to award costs against either party, taking account of the non-refundable deposit already paid under Regulation 8.3.
- 8.8 Any decision of the Panel shall be final and binding and shall not be subject to appeal.

9 Disputes

Any unresolved dispute as to the interpretation or implementation of these Regulations shall be referred to the ECB for a decision. Such decision, subject to the provisions for appeal contained in Regulation 11 below, shall be final and binding on the parties to the dispute.

10 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 Chief Executive of the County at the address for that County registered with the ECB. 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.

11 Appeals Procedure

- 11.1 Appeals from parties directly involved in decisions of the ECB under these Regulations, (but not including any decisions of the Arbitration Panel established pursuant to Regulation 8.3), shall be made to the Appeal Panel (the "Appeal Panel"). A written notice of appeal must be lodged pursuant to Regulation 11.2 with the ECB within 14 days of notification of the relevant decision.
- 11.2 The notice of appeal 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 £1,000 which may be used to defray 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 Appeal Panel.
- 11.3 As and when required, the Chairman of the Cricket Discipline Commission shall appoint the Appeal Panel comprising three members, one to be nominated by the PCA, one to be nominated by the Chairman of the ECB and the Chairman of the Appeal Panel to be nominated by Sport Resolutions (UK).

- 11.4 The Chairman of the Appeal Panel shall fix a date for the appeal hearing which shall normally be within 28 days of the lodging of the notice of appeal.
- 11.5 The Appeal Panel shall determine its own procedure but the ECB will normally be represented as a party to any appeal against a decision of the ECB.
- 11.6 Decisions of the Appeal Panel shall be by majority vote; where necessary the Chairman of the Panel having a casting vote.
- 11.7 Decisions of the Appeal Panel shall be communicated in writing to the parties as soon as possible after the hearing.
- 11.8 The Appeal Panel shall have unlimited power to award costs against either party.
- 11.9 Any decisions made pursuant to these Regulations shall stand pending determination of any appeal.

12 Loan System

Subject to the overriding discretion of the ECB, loans of cricketers between Counties are to be permitted subject to the following conditions:

- 12.1 The loan of a registered player (the loan player) from one County (the Home County) to another County (the Away County) will be permitted so long as the ECB are informed of the loan prior to the commencement of the loan period.
- 12.2 Loans may only take place with the agreement of the Home County, the Away County and the player. A County wishing to borrow a player who has not been advertised for loan must direct its approach to the Chief Executive of the County employing that player and in no circumstances should any approach be made

to the player by any representative of the County wishing to borrow him until approval has been given.

A player interested in being offered out on loan must address this with his County Chief Executive and in no circumstances approach another County with a view to a loan until his availability has been agreed with his County.

- 12.3 Loans must be for a minimum period of 4 weeks in the first instance. Subsequent extensions of a minimum of 2 weeks per extension are permitted by agreement between the Home and Away Counties and the player, save that where less than 2 weeks remains in the relevant season, extensions to the end of the season are permitted. A loan may not be for more than one season and may not be commenced in a close season or between 31st August 2009 and the end of the 2009 season.
- 12.4 A player may play on loan for more than one Away County in any single season.
- 12.5 The agreement between the Home County and the Away County regarding the loan of the player will be recorded on a standard loan agreement available from the ECB and which must be signed by the Counties and the player and a copy lodged with the ECB.
- 12.6 Any restrictions on the player's ability to play for the Away County regarding the loan of the player will be recorded on a standard loan agreement available from the ECB and which must be signed by the Counties and the player and a copy lodged with the ECB.
- 12.7 During the loan period, the player may not return to play for the Home County except in exceptional circumstances and with the prior approval of the Head of Operations (First Class Cricket) of ECB. Exceptional

circumstances may include unexpected international call up or injury to a key player for whom the loan player would be a direct replacement.

- 12.8 The Away County will pay to the Home County the basic salary, National Insurance 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 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.
- 12.9 The registration (and the contract of employment) of the player will remain with the Home County throughout the loan period.
- 12.10 At the end of the loan period (including any extensions) the player will return to the Home County and will be entitled to the normal benefits of his contract (until its expiry).

Annex A

Declaration referred to in Regulation 2.1(d)

To the England and Wales Cricket Board

I, []

of []

DO SOLEMNLY AND SINCERELY DECLARE as follows:

1. This declaration is made for the purposes of the 2009 Regulations Governing the Qualification and Registration of Cricketers of the England and Wales Cricket Board ("the Regulations") and the terms used in it have the meaning given to them in the Regulations.
2. That it is not my desire or intention to play cricket for any Full Member Country outside the EEA at any time in the future and accordingly from the date of this declaration I will not play, and I am not seeking to and will not seek to qualify to play, in a Test Match, a One Day International Match, an International Twenty20 Match, any other First Class Match, or any other Match at Under 17 level or above for any such Full Member Country. Nor is it my desire or intention to play Professional Cricket in any country outside the EEA except for First Class Cricket or other Official Cricket as an overseas cricketer under local rules similar to regulation 3 of the Regulations, or in any other circumstances approved by the ECB and accordingly from the date of this declaration I will not so play and I am not seeking to and will not seek to so play.
3. I undertake and agree to abide by all ECB Rules and Regulations and further, I undertake to abide by the policies of the ECB always acting in the best interests of cricket in England and Wales.

4. I acknowledge that this declaration shall not prevent me from representing an ICC Associate or Affiliate Country unless and until I have represented an ICC Full Member Country at Under 19 level or above.
5. I have sought and been given legal advice as to the consequences of giving a false statement in this statutory declaration.

AND I MAKE this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

DECLARED by the said)
)
)
)
)
 at)

this day of

Before me,

.....
 Justice of the Peace or Notary Public or
 other officer authorised by law to administer
 an oath

Regulation defining Qualification for England

In this Regulation words and expressions defined in the Regulations Governing Qualification and Registration of Cricketers for Competitive County Cricket have the same meanings in this Regulation and “England and Wales” means England and Wales

- 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 or International Twenty20 Match if:
- (a) he is either a British citizen or an Irish citizen; and
 - either (i) he was born within England and Wales;
 - or (ii) he has been resident in England and Wales for the immediately preceding four consecutive years; and
 - (b) he has not during the immediately preceding four consecutive years either
 - (i) played cricket for any ICC Full Member Country except England at under 17 level or above,
 - or (ii) 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
 - (c) he makes, whenever requested by the ECB, a declaration in the form set out in Annex B to this Regulation; and
 - (d) he is also qualified for England pursuant to the provisions laid down from time to time by ICC governing qualification for Test Matches, One Day International Matches and International Twenty20 Matches.

2 In the case of a Cricketer seeking to become qualified under 1(a)(ii) 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 31st March).

3 For the purpose of 1(b)(i) 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 under the auspices of the ICC 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.

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 wilful default of any of the ECB's Regulations or decisions taken by it.

Annex B

Declaration referred to in Regulation 1(c) 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.

I acknowledge that this declaration shall not prevent me from representing an ICC Associate or Affiliate Member Country unless and until I have represented an ICC Full Member Country, including England, at Under 19 level or above and provided that if at any time I should be selected to play on the same day for both England and such ICC Associate or Affiliate Country, I declare that it is my desired intention to play for England.

Further Regulations governing the Qualification of Cricketers to play in the Friends Provident Trophy

In these Regulations words and expressions defined in the Regulations Governing Qualification and Registration of Cricketers for Competitive County Cricket have the same meanings.

- 1** The Regulations Governing the Qualification and Registration of Cricketers for Competitive County Cricket (“the Competitive County Cricket Regulations”) shall apply to the 18 First Class Counties.
- 2** A Cricketer shall be qualified to play in the competition for Scotland or Ireland, 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.
- 3** A Cricketer registered with a County who is also qualified to play in the competition for Scotland or Ireland as the case may be may play for that country with the permission of his County, without affecting his eligibility to play for his County at a later stage in the competition. The cricketer will not be eligible to play for his country if he has represented his County at any stage in the competition.
- 4** Ireland and Scotland may each play in any season in this Competition one Cricketer who is not qualified under 2 above. These countries will be entitled to change or temporarily substitute the Cricketer who is not qualified under 2 after the commencement of the season only in the circumstances outlined in Regulation 3.2 of the Competitive County Cricket Regulations.

Players' Agent Registration Regulations

- 1** 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.
- 2** 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.
- 3** 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:-
 - (a) payment of the initial registration fee, in such amount as shall be determined by the Board from time to time;
 - (b) the Application Form and undertakings set out in Appendix A duly completed; and
 - (c) such other information as the Board may require.
- 4** 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.

- 5** Once registered, an individual's name shall remain on the Register until:-
- (a) he applies in writing for it to be removed; or
 - (b) 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 6; or
 - (c) the Panel decides to remove his name from the Register in accordance with the procedures set out below.
- 6** 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 5, until the next 31st December and so on.
- 7** 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.

- 8** 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.
- 9** 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 part of paragraph 15 or of any duty or obligation of any kind owed to a Cricketer.
- 10** 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.
- 11** 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.

12 If the individual does not accept the Panel's decision, he may:

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

Or (b) appeal against the Panel's decision to the Board's Discipline Committee, in which case the Board's Cricket Discipline Commission 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.

13 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.

14 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 Cricket Discipline Commission Regulations.

15 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 Annex A to the Regulations Governing the Qualification and Registration of Cricketers for Competitive County Cricket

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) ensure that the Cricketer's net income before tax is not (as a result of his obligation to pay a fee to the agent) less than his net income before tax 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 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 8.

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.

