

The Reporting/Notification Procedure

1. General

1.1 An alleged breach of the FCA Offences and Penalties guidelines can be reported by:

- (a) the umpires,
- (b) League sub-committee (LSC) members
- (c) National Team Coach/Manager/Captain
- (d) a Disciplinary Committee (DC) member
- (e) The FCA Chairperson.

1.2 A report must be made in writing, signed and dated by the person(s) making the report. The same report can be either mailed to the co-ordinator FCA DC, or e-mailed to **fca.discipline@gmail.com**

2. *Reports relating to alleged breaches of the FCA Offences and Penalties guidelines committed on the field of play during a Match:*

2.1 If any person eligible to lodge a report decides to lodge a report relating to an alleged breach of the FCA Offences and Penalties guidelines committed on the field of play during a Match that person must lodge the report with the DC within 2 days of the match played, save in the case of the DC Co-ordinator/FCA Chairperson, who must lodge any such report with the DC within 5 days of the close of the day's play.

2.2 A DC who has received a report lodged under Section 2.1 shall give notification of receipt of the report, as soon as reasonably practicable, in the event of the:

- (a) person named in the report being a Player, to that Player's Captain or Club Chairperson;
- (b) person named in the report being the Captain, to the Vice-Captain or Club Chairperson;
- (c) person named in the report being the Club Chairperson, to the Captain;
- (d) person named in the report being a Team Official (other than the Club Chairperson), to the Club Chairperson;
- (e) persons named in the report being both the Club Chairperson and the Captain, to such person as the DC shall in its absolute discretion think appropriate.

3. *Reports relating to breaches of the FCA Offences and Penalties guidelines committed otherwise than on the field of play but within the precincts of the ground the day of the match.*

3.1 If any person eligible to lodge a report decides to lodge a report relating to an alleged breach of the FCA Offences and Penalties guidelines committed off the field of play but within the precincts of the ground, on any day of any match, that person must give the report to the DC as soon as reasonably practicable.

3.2 A DC who receives a report under Section 3.1 shall give notification of receipt of the report, as soon as reasonably practicable, in the same manner as specified in Section 2.2.

4. *A Breach of Rules 2.3 of the FCA Offences and Penalties guidelines.*

4.1 If any person eligible to lodge a report decides to lodge a report relating to an alleged breach of Rules 2.3 of the FCA Offences and Penalties guidelines wheresoever committed but where the alleged breach occurred, that person must give the report to the DC as soon as reasonably practicable.

4.2 A DC who receives a report under Section 4.1 shall give notification of receipt of the report, as soon as reasonably practicable, in the same manner as specified in Section 2.2.

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5. Once the notification procedures set out above have been complied with, the Player and/or Team Official in respect of whom notification has been given shall be deemed to have been charged with a breach of the FCA Offences and Penalties guidelines.
6. In the event of an alleged breach where it is not possible to identify the particular Player(s) who has breached the FCA Offences and Penalties guidelines, the Captain may be the person charged and, if appropriate, sanctioned.
7. It shall be the DC's responsibility, as the case may be, to keep a written record of all reports lodged, as well as a written record of the action taken by them pursuant to receipt of the reports.
8. Copies of the written records kept by the DC shall be forwarded as soon as reasonably practicable to the DC Co-ordinator & FCA Chairperson.

The Disciplinary Procedure

1. As soon as reasonably practicable (and in any event, where the hearing falls under the jurisdiction of the DC, within 15 hours) after notification, the DC shall provide written particulars of the FCA Offences and Penalties guidelines it is alleged have been breached (based on the particulars notified). The particulars, in addition to identifying which of the FCA Offences and Penalties guidelines it is alleged have been breached, shall give a brief statement of how it is alleged they have been breached (also based on the particulars notified). If more than one breach is alleged, whether of the same or separate FCA Offences and Penalties guidelines, each alleged breach must be individually identified.
2. The DC shall hold a hearing as soon as reasonably practicable and where the hearing falls under the jurisdiction of the DC, unless exceptional circumstances apply, it shall be heard no later than 4 days after notification.
3. In fixing the time for the hearing the DC shall have regard to the seriousness of the alleged breaches of the FCA Offences and Penalties guidelines and the requirement for both themselves and the person charged to be able to consider such evidence they may wish to be brought before the hearing and the time it will take to obtain such evidence, whilst taking into consideration the requirement to have a hearing, in the absence of exceptional circumstances, within 4 days after notification.
4. Prior to the hearing, the person lodging the report leading to the charge and the person charged shall have provided certain information to each other and the DC, namely:
 - (a) If the person lodging the report or any person charged, wishes to call any witness evidence at the hearing, that person shall let each of the others know the identity of such witnesses. Such witnesses do not include the person charged who shall be at liberty to give evidence in any event, or of whom the DC may ask questions in any event.
5. If any person charged wishes to have a hearing earlier than would otherwise be permitted, they may, at any time, ask the DC to waive the requirements, which application the DC shall determine as a matter of its absolute discretion.
6. The DC shall be entitled, on behalf of the person lodging the report or on behalf of the person charged, to require the attendance at the hearing of any person to whom this Code of Conduct applies, or any umpire, for the purposes of giving evidence. Failure on the part of any Player or Team Official to attend a hearing to give evidence when requested by the DC to do so shall itself be liable, in the absence of exceptional circumstances, to be considered as a breach of Rule of the FCA Offences and Penalties guidelines.

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7. Subject to any express provision in this Code of Conduct, the conduct of the hearing shall be a matter to be determined by the DC in its absolute discretion, provided that at all times the hearing is conducted in accordance within the FCA Offences and Penalties guidelines.
8. In addition to the DC, the persons present at the hearing shall be:
 - (a) the person charged;
 - (b) the person who lodged the report with the DC (the person themselves or their nominee);
 - (c) if the person charged is a Player, his Captain and Club Chairperson (or, if the player charged is the Captain, his Vice-Captain and Club Chairperson);
 - (d) if the person charged is a Team Official, the relevant Captain and Club Chairperson (or, if the person charged is the Club Chairperson, his Captain and one other person nominated by the Team Official's Home Board).
9. None of the persons mentioned in Section 8 shall be denied the right to be at the hearing or make representations to the DC. However, if such a person fails to attend the hearing and the DC has complied with the requirements of Sections 1 to 3, the hearing may, at the DC's absolute discretion, proceed in the absence of any or all such persons.
10. Any other person may be allowed to be present at the hearing if given permission by the DC, such permission to be a matter for the DC's absolute discretion. Any such person may also, at the DC's absolute discretion, be allowed to make representations on behalf of the person charged.
11. If the provisions of Section 4 have not been complied with (save where waived in accordance with Section 5) by any person other than the DC, it shall be a matter in the DC's discretion whether or not to allow any further evidence (namely evidence not identified in accordance with Section 4) to be brought before the hearing.
12. The DC shall be entitled to adjourn the hearing if they consider, in its absolute discretion, whether pursuant to an application by or on behalf of the person charged, that further evidence ought to be obtained, that further time is needed to consider the evidence in advance of the hearing or for any other reason they think it appropriate. The person charged and the person lodging the report should be informed of the reason for the adjournment.
13. At the hearing of the alleged breach of the FCA Offences and Penalties guidelines, the person charged and the person lodging the report shall be entitled to cross-examine any witnesses called.
14. The DC is entitled, if, in its absolute discretion, it is required, to seek legal advice prior to or during any hearing (for which purpose the DC is entitled to adjourn the hearing) and/or prior to giving its decision.

The Disciplinary Committee's Decision

1. At the end of the hearing and prior to the announcement of the DC's decision, there shall be an adjournment. The adjournment, during which the DC shall consider its decision, shall be:
 - (a) for a minimum period of 10 minutes; and
 - (b) for a maximum period of 24 hours.
2. Following the adjournment in 1, the hearing shall re-convene and the DC shall announce its decision and the reason(s) for that decision.

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3. After the DC has given its decision and the reason(s) for that decision, the person charged shall be given the opportunity to make a statement prior to the pronouncement of any sanction/penalty.
4. If the person charged requests an adjournment prior to the pronouncement of any sanction/penalty, for the purposes of preparing such a statement, then an adjournment for a maximum of 30 minutes shall be granted.
5. After listening to the statement (if any) from the person charged, the DC shall pronounce any sanction they have imposed as a consequence of that decision.
6. The DC is entitled to give its decision and announce the sanction (if any) orally. However, in such a case, the DC must as soon as reasonably practicable, but within 48 hours, provide a written statement of its decision and the reason(s) for that decision and sanction (if any).
7. In the event of a DC determining that a Player or Team Official is in breach of the FCA Offences and Penalties guidelines, the DC shall inform the Chairperson of the relevant Team and the FCA Chairperson of its finding, and the sanction (if any) they have imposed.
8. The DC's decision in respect of Level 1 and 2 offences are final and binding. Appeals in respect of Level 3 and 4 offences are permissible.
9. For SM45 and T20 league matches, the following appeals system applies:
 - a) A Player or Team Official charged or the FCA Chairperson shall be permitted to appeal against a DC's finding and/or penalty in respect of a Level 3 or Level 4 Offence.
 - b) The relevant Player or Team Official or the FCA Chairperson seeking to appeal against a decision (the Appellant) is to lodge with the DC written notice of appeal setting out the grounds of the appeal within 3 days of notification to the Player or Team Official of the DC's decision.
 - c) Within 2 days of receiving the Appellant's notice of appeal, the DC shall appoint a member from a club/team, other than those playing in the match in which the incident giving rise to the appeal occurred, to hear and determine the appeal.
 - d) The DC shall provide a written statement to the FCA Committee setting out all relevant circumstances within 48 hours of a notice of appeal being lodged. A copy of this statement shall be forwarded to the Appellant within 24 hours of its receipt by FCA Committee.
 - e) The person appointed by FCA Committee shall hear and determine the appeal within 7 days of their appointment by the FCA Committee.
 - f) The process for conducting the hearing shall be left to the discretion of the person appointed by FCA Committee. Oral representations (either in person or by telephone conference as determined in the discretion of the person appointed by FCA Committee) should be permitted unless there are good reasons for relying on written submissions only. Where it is available, they shall view video tape of the incident which is the subject matter of the appeal.
 - g) Provided that notice has been given to the Appellant of the time and place for any hearing, the hearing shall not be delayed or adjourned by reason of the fact that the Appellant does not attend.
 - h) The Person appointed by FCA Committee shall provide a written decision to FCA & DC which shall be forwarded to the Appellant and the FCA Chairperson.
 - i) The Person appointed by FCA Committee shall have the power to increase, decrease, amend or otherwise substitute their own decision from that of the DC if they believe it is appropriate to do so.
 - j) If in the opinion of the Person appointed by FCA Committee, the appeal lodged by the Appellant was Spurious or Frivolous, the Person appointed by FCA Committee shall be entitled to determine that the costs of the appeal shall be paid by the Appellant.
 - k) Pending resolution of an appeal, a Player shall be permitted to play in a match that is scheduled to commence prior to the announcement of the Person appointed by FCA Committee's decision.
 - l) The decision of the Person appointed by FCA Committee shall be final and binding.