

ICC Approved List of International Players

Terms of Reference

1. Definitions and Interpretation

1.1 The following words and expressions shall have the following meanings:

- (A) Approved List shall mean the ICC Approved List of International Players as updated and amended from time to time.
- (B) Executive Board shall mean the directors of the ICC or any of them acting as the Executive Board of the ICC and holding office by virtue of Article 4 of the Articles of Association of the ICC.
- (C) ICC Disputes Committee shall mean a Disputes Committee established in accordance with the ICC Disputes Resolution Committee Terms of Reference as amended from time to time.
- (D) International Player shall mean any cricket player who is selected or has been selected to play cricket for a Member Country.
- (E) Ineligible International Player shall mean a player who has been removed from the ICC Approved List of International Players in accordance with these Terms of Reference.
- (F) Member shall mean a Full, Associate or Affiliate Member and "Member Country" shall be construed accordingly.
- (G) Official Enquiry shall mean a body established in accordance with the ICC Code of Conduct Commission Terms of Reference.
- (H) Re-instatement shall mean re-instatement on the ICC Approved List of International Players which will render the International Player eligible to play Representative Cricket.
- (I) Removal shall mean removal from the ICC Approved List of International Players which will render the International Player ineligible to play Representative Cricket.
- (J) Representative Cricket shall mean any cricket match or matches in which a team represents a Member Country in a Test Match, an ODI Match, an ICC Event match, a Tour Match or an U19 match.

1.2 Unless the context otherwise requires, words or expressions contained in these Terms of Reference shall bear the same meaning as in the Memorandum and Articles of Association of the Council or in the Code of Conduct or in any Regulation of the Council in force as at the date hereof.

1.3 These Terms of Reference shall be deemed to come into effect on 1st July 2004.

1.4 These Terms of Reference shall be governed by and construed in accordance with English law

1.5 If any dispute shall arise concerning the interpretation of these Terms of Reference, then, the dispute shall be determined by an ICC Disputes Committee in accordance with ICC Disputes Resolution Committee Terms of Reference

2. Relationship with the ICC Members

2.1 The ICC has been established with the object of administering, developing, co-ordinating, regulating and promoting the game of cricket worldwide in co-operation with its Members and to do all such things as are incidental to, or as the ICC may think conducive to, the attainment of all or any of the above objects.

2.2 In pursuance of the objects set out in 2.1 the ICC has taken serious measures to combat corruption and conduct which is prejudicial to the interests of the international game of cricket and the establishment of an Approved List is in furtherance of such measures.

2.3 In recognition of the purpose of the Approved List all Members have agreed to submit to the jurisdiction of, and co-operate with, the ICC in the establishment and maintenance of an Approved List and to do all such things as are reasonably within their power to facilitate the daily operation of an Approved List.

2.4 All Members agree that no International Player shall be eligible to play Representative Cricket unless they are on the Approved List.

3. The Establishment and Maintenance of the Approved List

3.1 Subject to Clause 3.2 every International Player who is currently actively playing cricket (i.e not retired) or who is newly selected to play Representative Cricket shall automatically be placed on the Approved List.

3.2 Clauses 3.1. shall not apply to those International Players who are or have been the subject of a ban which falls into the categories described below in Clause 4.1. (A) and Clause 4.1 (B). In those circumstances where the International Player is subject to such a ban/conviction then he shall be required to make an application for re-instatement in accordance with Clause 5 of these Terms of Reference.

4. Removal from the Approved List

4.1 An International Player shall be automatically removed from the Approved List if he is:-

(A) Banned from International Cricket following an Official Enquiry constituted by the ICC Code of Conduct Commission and/or

(B) Banned from International Cricket by his Home Board following an Official Enquiry.

4.2 The International Player shall be removed from the Approved List for the period of time that the relevant ban is imposed.

5. Application for Re-instatement on the Approved List

5.1 An Ineligible International Player who wishes to play Representative Cricket, before the expiry of the period of time for which the relevant ban was imposed, shall be required to apply for re-instatement on the Approved List before he shall be eligible to play Representative Cricket.

5.2 The Ineligible International Player shall write to the ICC Chief Executive making a formal request that he be re-instated on the Approved List.

- 5.3 The ICC Chief Executive shall consider the formal request and shall have the absolute discretion to re-instate an Ineligible International Player without an Official Enquiry if he is satisfied that it is appropriate to do so.
- 5.4 Where the ICC Chief Executive is not satisfied that he should exercise his discretion as in Clause 5.3 above he shall request that the Chairman of the Code of Conduct Commission establishes an Official Enquiry in accordance with the Terms of Reference of the Code of Conduct Commission.
- 5.5 The Official Enquiry established shall consider the application and shall make a recommendation to the Executive Board accordingly as to whether or not the Ineligible International Player should be re-instated on the Approved List. The Official Enquiry shall have the full power and authority of the Executive Board, the President and the Chief Executive, or any of them, necessary or incidental to the proper performance of its duties subject to such restrictions or requirements as the Executive Board may deem necessary or appropriate.
- 5.6 The process for conducting the Official Enquiry shall be left in the discretion of the Chairman of the Official Enquiry. If they decide to hold a hearing then the Ineligible International Player shall be given the opportunity to be present at or listen to all of the evidence and to question any witnesses and the process shall be conducted in accordance with the Principles of Natural Justice as set out in the ICC Playing Handbook as amended from time to time.
6. **The Decision**
- 6.1 The Official Enquiry shall carry out its duties expeditiously and should be in a position to present a formal report with recommendations to the Executive Board three months from the date of its establishment.
- 6.2 The Executive Board shall consider the report and recommendations of the Official Enquiry and shall make a decision on whether or not the Ineligible International Player should be re-instated on the Approved List. The Executive Board decision shall be finding and binding and there shall be no right of appeal.
- 6.3 At the conclusion of the Executive Board meeting the ICC Company Secretary shall notify the relevant International Player of the decision.

Approved at ICC Annual Conference 1st July 2004