

ECB Yorkshire South Premier League



Disciplinary regulations

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1 Aims and jurisdiction

- 1.1 The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct in the game of cricket. The Yorkshire South Premier League (the League) shares this commitment and take it very seriously.
- 1.2 The ECB Premier Leagues disciplinary regulations, incorporating the Code of Conduct and Spirit of Cricket (as set out below), have been adapted by the League and are intended to provide guidance and ensure uniformity in dealing with any alleged breach of the Code of Conduct.
- 1.3 These disciplinary regulations must be complied with by all those who participate in the League, including players, clubs, club officials, club members, representatives of the League and any other person or body who is from time-to-time engaged in cricket-related activities under the auspices of the League (participants).
- 1.4 Subject to the mutual recognition provisions (at paragraph 13 below), the League will be responsible for the enforcement and administration of the disciplinary regulations in relation to participants registered to the League and/or participating in cricket-related activities under its auspices. All participants, by virtue of their registration with the League (whether directly or via a club) and/or participation in cricket-related activities under the auspices of the League, agree to be bound by the League disciplinary regulations.
- 1.5 All participants are required to co-operate with the League in regard to discipline. All clubs must take all reasonable steps to ensure the proper conduct of its participants in accordance with these disciplinary regulations and must not act in any way which is prejudicial or detrimental to the interests or reputation of the League(s) or the game of cricket.
- 1.6 There is nothing to prevent or discourage clubs from applying additional or stronger penalties in regard to breaches of the Code of Conduct beyond those set out in these regulations.
- 1.7 The core aim of these disciplinary regulations is to maintain the highest standard of behaviour and conduct in the League. They are intended to be fair, straightforward and proportionate to the needs of the League and its' participants; respecting the fundamental principles of natural justice and fairness, but recognising that those involved with the procedures will not typically be, and do not need to be, legally qualified. Therefore, as long as the principles of natural justice and fairness are not infringed, minor practical or technical points will not serve to invalidate the procedure or any decisions or findings under these regulations.
- 1.8 In the event that any incident or other matter occurs which is not provided for by these regulations (whether it relates to conduct, jurisdiction, procedure or penalty), then the League ~~disciplinary committee~~ may take such action as they consider appropriate in the circumstances, taking into account the specific circumstances and the principles of natural justice and fairness.
- 1.9 In the event that any alleged breach of the Code of Conduct falls under other relevant ECB regulations, such as the ECB Safeguarding Complaints and Disciplinary Procedure, or is subject to investigation by the police or other public authority (or analogous body), or is subject to any other legal/regulatory process, the League may stay the procedure under the Disciplinary Regulations.
- 1.10 The League Disciplinary Manager (DM) and two other people approved by the League management committee will form a Disciplinary Review Committee (DRC) that will oversee action on all disciplinary issues in accordance with these regulations.

2 Code of Conduct

- Captains are responsible at all times for ensuring that play is conducted within the Spirit of Cricket (as set out in paragraph 3) as well as within the Laws of the Game.
- Players must at all times accept the umpire's decision. Players must not show dissent at the umpire's decision or react in a provocative or disapproving manner towards another player or a spectator.
- Players must not intimidate, assault, or attempt to intimidate or assault, an umpire, other participant or spectator.
- Players must not use crude and/or abusive language (known as 'sledging'), nor make offensive gestures or hand signals, nor deliberately distract an opponent.

- Players must not use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's (or that person's perceived) age, race, religion, sexual orientation, colour, descent or national or ethnic origin.
- Players must not use or in any way be concerned in the use or distribution of illegal drugs; or in any other criminal activity.
- Participants must not make any public or media comment which is prejudicial or detrimental to the interests or reputation of other participants or the game in general. In this instance, media will include (but not be limited to) press, radio, television, external websites, club websites, social networking sites and club match programmes. Nothing in this provision will prevent any comment which constitutes honest opinion in regard to cricketing matters and which is made in a fair and respectful manner.
- Participants must not gamble or bet, either directly or indirectly or by using agents, on any competition or match in which they or their club are involved.
- Participants must not publicly disclose or comment upon any alleged breach of this Code of Conduct.
- Participants must not act in any manner which is against the Spirit of Cricket, otherwise improper, or prejudicial or detrimental to the interests or reputation of the League or the game of cricket.

3 Spirit of Cricket

- Cricket is a game that owes much of its unique appeal to the fact that it should be played not only within its laws, but also within the Spirit of the Game. Any action which is seen to abuse this spirit causes injury to the game itself. The major responsibility for ensuring the spirit of fair play rests with the captains.
- There are two laws which place the responsibility for the team's conduct firmly on the captain:
 - Responsibility of captains. The captains are responsible at all times for ensuring that play is conducted within the Spirit of the Game as well as within the Laws.
 - Player's conduct. In the event of any player failing to comply with the instructions of an umpire, criticising his decision by word or action, showing dissent, or generally behaving in a manner which might bring the game into disrepute, the umpire concerned will in the first place report the matter to the other umpire and to the player's captain, requesting the latter to take action.
- Fair and unfair Play. The umpires are the sole judges of fair and unfair play. The umpires may intervene at any time, and it is the responsibility of the captain to take action where required to do so.
- The umpires are authorised to intervene in cases of:
 - time wasting
 - damaging the pitch
 - dangerous or unfair bowling
 - tampering with the ball
 - any other action that they consider to be unfair
- The Spirit of the Game involves **respect** for:
 - your opponents
 - your own captain and team
 - the role of the umpires
 - the game's traditional values
- It is against the Spirit of the Game:
 - to dispute an umpire's decision by word, action or gesture
 - to direct abusive language towards an opponent or umpire
 - to indulge in cheating or any sharp practice, for instance to:
 - appeal knowing the batsman is not out
 - advance towards an umpire in an aggressive manner when appealing
 - seek to distract an opponent either verbally or by harassment with persistent clapping or unnecessary noise under the guise of enthusiasm and motivation of one's own side

- Violence. There is no place for any act of violence on the field of play.
- Players. Captains and umpires together set the tone for the conduct of a cricket match. Every player is expected to make an important contribution to this.
- Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action, irrespective of an alleged breach being related to a match not under the jurisdiction of the League.

4 Categories of breaches

4.1 A breach of the Code of Conduct will normally be categorised as Levels One, Two, Three or Four. The specific offences that constitute Levels One to Four breaches are set out sections 16-19. The conduct listed cannot be considered to be exhaustive – see section 20.

5 Reporting procedures

- 5.1 In all instances of any perceived breaches, the umpire(s) should complete a formal disciplinary report that must be forwarded to the DM within 48 hours of the conclusion of the match.
- 5.2 The report must be made on behalf of both umpires, and must contain full details of the breach, specifying, as appropriate, the words used or action taken by the player or players concerned. Failure to follow this reporting procedure may result in no action being taken.
- 5.3 If, in the opinion of the umpires, an offence constitutes a Level Three or Four breach, the umpires will take action to suspend the player from the game in accordance with law 42, advising the captain accordingly. This action should be detailed within the formal report.
- 5.4 Any allegation of a breach of the Code of Conduct by a participant made against another participant which arises from an incident during the course of a match or on the field of play should, initially, be reported by a team's captain to the umpire(s).
- 5.5 Any allegation of a breach of the Code of Conduct by a participant made against another participant which does not arise from an incident during the course of a match or on the field of play must be notified by email to the DM within 48 hours of the incident coming to light.
- 5.6 Subject to any direction from the DM, a written report should then be provided, which should allow the DRC to understand:
- the background to the alleged incident
 - why a breach of the Code of Conduct is alleged
 - the level of breach alleged
- 5.7 The DRC will have an overriding discretion to decline any disciplinary reports submitted, where they consider, for example, that no breach has occurred, insufficient information has been provided, or that the report is vexatious.
- 5.8 Any complaints submitted under paragraph 5.4 must be made in good faith. The submission of a report which is trivial, vexatious, made for tactical reasons or otherwise improper may itself be treated as a breach of the Code of Conduct.
- 5.9 Other than in exceptional circumstances, reports from participants will not be accepted if they relate to any alleged breaches of the Code of Conduct which have been, or could have been, reported by an umpire. The DM may contact an umpire for his observations/views on allegations/the content of any report or where there has been undue delay in making a notification or report.

6 Procedure for dealing with reported Level One breaches

- 6.1 The DM will, as soon as reasonably practicable following receipt of a report, inform the secretary of the concerned club (or other participant as appropriate in the circumstances) that a report has been made.
- 6.2 If the DRC is satisfied that a Level One breach has been committed, the DM will record the caution and notify the player's club that the caution has been so recorded. Cautions will result in a suspended two-week ban that will apply for a twelve-month period.

- 6.3 Clubs can either accept the caution or alternatively request a formal hearing. Any request for a hearing must be submitted in writing and must state clearly the reasons for requesting a hearing. Any such request must reach the DM within seven days of issue of the official notification of a caution.
- 6.4 If a player receives a second caution within twelve-month period, then they will be subject to an automatic two-week suspension. If a player commits a Level Two breach within the twelve-month period, an additional two-week ban will be added to any sanction determined for the second offence.
- 6.5 If, exceptionally, the DRC decide that a breach for which a caution has been issued is of a more serious nature, they may decide to upgrade caution to a Level Two breach and instigate formal disciplinary action accordingly.

7 Procedure for dealing with other reported breaches

- 7.1 The DM will, as soon as reasonably practicable following receipt of a report, inform the secretary of the concerned club (or other participant as appropriate in the circumstances) that a report has been made.
- 7.2 Upon receipt of a disciplinary report the DM will, in consultation with the DRC, determine the level of the offence alleged and categorise it as either Level One, Two, Three or Four.
- 7.3 Any reports involving offences classified as Level One will be dealt with as in section six above.
- 7.4 Any reports involving offences classified as Level Two should be dealt with in the first instance by the participant's club. In such cases, the club will be requested by the DM to conduct their own internal disciplinary process and advise the League of the outcome in writing within 10 days.
- 7.5 Within 48 hours of receipt of the written report from the club, the DRC will consider the matter and resolve whether:
- to endorse any action taken by the club and confirm that no further action is required; *or*
 - to refer the matter for a full disciplinary hearing.
- 7.6 Any alleged reports involving offences that are categorised as Level Three or Level Four will be dealt with by means of a League disciplinary hearing.

8 League disciplinary hearings

- 8.1 At least seven days' notice in writing of the disciplinary hearing will be given to the participant, either directly or via the secretary of his club as appropriate. The notice will specify the alleged breach(es) of the Code of Conduct and the Level(s) of the alleged breach(es).
- 8.2 Where a charge against a player is referred to a disciplinary hearing, his captain and club may be charged separately under their responsibilities as set out in the Code of Conduct above.
- 8.3 In any case which is referred for a disciplinary hearing, the DM will convene the disciplinary hearing within 14 days of the decision to refer. Any delay may only be granted at the discretion of the chairman of the disciplinary panel (appointed in accordance with paragraph 8.6).
- 8.4 The accused participant will be entitled:
- to submit written statements ahead of the disciplinary hearing
 - to attend the disciplinary hearing
 - to state their case (in the case of a club, by its secretary or other official)
 - to be legally represented or supported by a colleague
 - to call witnesses
- 8.5 If the participant is to have representation present at the disciplinary hearing then the details of that representation must be given to the DM not less than 48 hours before the date of the hearing.
- 8.6 The disciplinary hearing will be conducted by a panel appointed by the DM and will consist of not less than three persons drawn from a list approved by the League's Management Committee, or nominated by another Premier or partner league. The DM will appoint one of the panel members to act as chairman. None of the disciplinary panel should be connected with the participant or any relevant opponent at the time of the alleged breach, or any participant who might directly benefit from any disciplinary action.

8.7 A participant involved in disciplinary proceedings will be solely responsible for meeting such costs or expenses as the hearing or they may incur, including the cost of any legal or other representation.

8.8 The standard of proof will be on the balance of probabilities.

9 Penalties

9.1 If at a disciplinary hearing a breach of the Code of Conduct is proved, the panel will have the power to impose one or more of the following penalties, together with such order as to costs as it deems appropriate (see also 22 *Tariff of penalties for players*).

9.2 In the case of a player:

- to require the player to submit appropriate letter(s) of apology within specified time
- to record a reprimand and to give a warning as to future conduct
- to impose a fine, not to exceed £500
- to suspend the player for a stated period of time
- to deduct League points from the player's team
- to expel the player from the League

9.3 In the case of a club:

- to require the club to submit appropriate letter(s) of apology within a specified time
- to record a reprimand and to give a warning as to future conduct
- to impose a fine
- to deduct League points from the club's team
- to expel the club from any competitions of the League
- to relegate to a partner league

9.4 In the case of any other participant:

- to require the participant to submit appropriate letter(s) of apology within a specified time
- to record a reprimand and to give a warning as to future conduct
- to impose a fine, not to exceed £500
- to suspend the participant for one or more specified matches and/or for a stated period of time
- to deduct league points from the participant's team
- to expel the participant from the League

9.5 Panels may take the following factors into account when determining the penalties to be imposed:

- if the accused participant has pleaded guilty
- the participant's previous disciplinary record
- the position of the participant (for example, if a player is a captain)
- the conduct of the participant subsequent to him/it being warned and told that he will be reported
- in any case involving a player, the regularity with which the player plays cricket and at what level(s) of cricket he plays (for example, a fixed period suspension of two weeks is likely to have a more serious impact upon an ECB registered cricketer who plays regularly when compared to a purely recreational player who plays infrequently)
- whether conduct occurred on or off the field of play (as a guideline only, conduct occurring off the field of play will normally, other than where there are significant aggravating factors, be more appropriately dealt with by the imposition of a fine)
- any other mitigating or aggravating factors relevant to the circumstances of the breach

9.6 Decisions of the Disciplinary Panel (a finding that a complaint is proved or not proved or a decision on penalty) will be by majority vote; where necessary, the chairman of the Disciplinary Panel will have a casting vote.

9.7 In accordance with the Cricket Discipline Commission (CDC) Regulations, it is envisaged that in any case where a suspension is lawfully imposed upon an ECB-registered cricketer by the Disciplinary Panel such a suspension will be recognised by the CDC.

- 9.8 ECB-registered cricketers have a right of appeal to an Appeal Panel of the CDC and, in the event of suspension being imposed upon an ECB -egistered cricketer by the Disciplinary Panel, the DM will, as soon as practicable, report the matter in writing to the ECB Head of Cricket Operations (First Class) and the ECB Head of Non-First Class Cricket.

10 Automatic team penalties

- 10.1 Where any member club of the League has cautions or bans imposed on its participants, whether these are the same or different participants, a 'totting up' procedure will apply as follows:
- for any breach resulting in a caution – two points
 - for any breach resulting in a ban (excepting a ban for cumulative cautions) – four points
- 10.2 When any team reaches 12 points under this procedure in any 12-month period, an automatic 12-league point deduction will be applied to that team. For any further breach(es) resulting in a caution or ban in the season in which that 12-month period expires, a further six-league point deduction will be applied.
- 10.3 Where the immediate imposition of the 12-month deduction would not affect the position of the team in the league table, the deduction will be imposed at the end of the relevant 12-month period.

11 Appeals

- 11.1 Where a breach of the Code of Conduct has been proved at a disciplinary hearing, a participant will have the right of appeal. This right should only be exercised in good faith upon reasonable grounds. Where more than one participant, e.g. a player and his club, appeal in relation to the same incident, they must do so separately.
- 11.2 A notice of appeal setting out the grounds must be given in writing to the Disciplinary Manager within seven days of the decision of the disciplinary panel being communicated to the participant, together with a non-refundable deposit. The amount of the deposit will be £250 for a club or £100 for a participant exercising a right of appeal.
- 11.3 If a notice of appeal is given, the penalty will not take effect pending the hearing of the appeal, which will take place as soon as is practicable and in any event within 14 days of receipt of notice of the appeal.
- 11.4 The appeal will be heard at an appeal hearing. The panel to hear the appeal will be appointed by the Yorkshire Premier Leagues Management Board or by another Premier or partner League. One of the panel members will be appointed to act as chairman of the appeal panel. None of the panel should have been part of the original disciplinary panel, be connected with the participant or any relevant opponent at the time of the alleged breach, or any participant who might directly benefit from any disciplinary action.
- 11.5 The participant will be entitled to a minimum of seven days' notice of the appeal hearing, and will have the same rights of attendance and representation, and to call witnesses, as they had at the disciplinary panel.
- 11.6 If the participant is to have representation present at the hearing then the details of that representation must be given to the DM not less than 48 hours before the date of the hearing.
- 11.7 Non-attendance at the appeal hearing by a participant without good and valid reason for such non-attendance will automatically result in forfeiture of their right of appeal. The appeals panel may confirm, vary or reverse the decision of the disciplinary panel and it will have the power to increase the penalty and award costs of the appeal hearing and forfeit the whole or part of the deposit (in reaching its decision, the appeal panel may have regard to whether the right of appeal was exercised in good faith and upon reasonable grounds).
- 11.8 Decisions of the appeal panel will be by majority vote; where necessary, the chairman will have a casting vote. The decision of the appeals panel will be final and binding.

12 Non-payment of fines or costs

- 12.1 Disciplinary fines imposed on a club under the League's disciplinary regulations will be paid, within four weeks of the date of imposition, to the League treasurer. In default of payment at the end of four weeks the fine will be doubled and thereafter doubled for every further period of four weeks it remains unpaid.
- 12.2 In the case of disciplinary fines and/or costs levied on a player such player will not be allowed to play in any match until such fines and/or costs have been paid in full.

13 Mutual recognition of penalties

- 13.1 Penalties imposed by the League and its clubs will be recognised, and given full effect to, in all ECB/YCB-affiliated competitions.
- 13.2 The League will recognise, and give full effect to, any penalty imposed by the disciplinary or appeal panel of any other ECB/YCB-affiliated league.

14 Data protection consent

- 14.1 Each Participant will be deemed to have agreed, for the purposes of the Data Protection Act 1998 and otherwise, that their personal data may be processed and disclosed in accordance with, and for the purposes of the implementation of, the Disciplinary Regulations.

15 Confidentiality

- 15.1 All disciplinary proceedings which take place under the disciplinary regulations will be confidential and will take place in private.
- 15.2 After all disciplinary action is completed, the DM will notify the umpire(s) or participant who reported the alleged breach that either:
 - the participant was found not guilty
 - there was insufficient evidence to proceed
 - disciplinary action has been taken
- 15.3 The DM will report back in writing to the League management committee on reports of disciplinary breaches and consequential action taken.
- 15.4 The DM will notify the YCB and SYSL disciplinary officers of any penalties imposed by League disciplinary panels.

16 Level One breaches

- abuse of the cricket ground, equipment, fixtures or clothing
- using language or a gesture that is obscene, offensive or insulting
- excessive appealing
- aggressive pointing towards the pavilion by a member of the fielding side upon the dismissal of a batsman
- a captain failing his responsibilities under the 'Spirit of Cricket'
- time wasting by either the fielding side or the batting side
- showing dissent at an umpire's decision by word or action
- appealing to the umpire to take action against an opponent

17 Level Two breaches

- a second level 1 breach of any kind within 12 months
- showing serious dissent at an umpire's decision by word or action
- public criticism of a match-related incident or match official
- making public statements or actions detrimental to the League, or its officials, or which may bring the League into disrepute
- inappropriate and deliberate physical contact between players in the course of play
- aggressively charging or advancing towards an umpire while appealing
- deliberate and malicious distraction or obstruction on the field that results in the award of 5 penalty runs under law 42.5
- throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner
- using language or a gesture that is obscene, offensive or of a seriously insulting nature to another player, umpire, team official or spectator
- changing the condition of the ball other than as permitted by Law 42.3

- the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in the innings
- causing avoidable damage to the pitch contrary to laws 42.13 and/or Law 42.14 that results in a five run penalty being awarded
- any attempt to manipulate a match in regard to the result, net run rate, bonus points or otherwise
- making public or media comment which is prejudicial or detrimental to the interests or reputation of the League, its' officers and committee members, its' umpires, and its' clubs and/or their members (in this instance, media will include (but not necessarily be limited to) press, radio, television, external websites, club websites, social networking sites and club match programmes)

18 Level Three breaches

- repeat of any Level Two breach within 12 months
- intimidating an umpire
- threatening to assault another player, team official, or spectator
- using language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's (or that person's perceived) age, race, religion, sexual orientation, colour, descent or national or ethnic origin
- making public or media comment which is prejudicial or detrimental to the interests or reputation of the League, its' officers and committee members, its' umpires, and its' clubs and/or their members (in this instance, media will include (but not necessarily be limited to) press, radio, television, external websites, club websites, social networking sites and club match programmes)

19 Level Four breaches

- repeat of any Level Three breach within 12 months
- threatening an umpire
- physical assault of another player, umpire, official or spectator
- any act of violence on the field of play
- making offensive public or media comment about the League, its' officers and committee members, its' umpires, and its' clubs and/or their members (in this instance, media will include (but not necessarily be limited to) press, radio, television, external websites, club websites, social networking sites and club match programmes)

20 Other offences

20.1 Where any alleged breach falls outside the conduct above, whether on or off the field, the disciplinary committee will determine the appropriate level with reference to the following factors:

- the level of harm caused (or potentially caused) to the interests or reputation of the League(s) or the game of cricket in general
- whether any alleged language used or gesture made may offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's (or that person's perceived) age, race, religion, sexual orientation, colour, descent or national or ethnic origin
- whether it is alleged that any conduct was intended to cause physical harm to another person, or such harm was reasonably foreseeable
- whether it is alleged that any conduct was intended to cause distress to another person, or such distress was reasonably foreseeable
- whether it is alleged that any behaviour caused harm to a child, or such harm was reasonably foreseeable
- the level of harm/distress the alleged conduct caused (or may have caused) to another person
- whether it is alleged that any conduct was criminal or otherwise unlawful
- any other factor relevant to the particular circumstances of the alleged conduct

20.2 In determining the appropriate level, it is again to be remembered that the core aim of the disciplinary regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The level determined for an alleged breach of the Code of Conduct should be proportionate to achieve that core aim.

21 Social media

21.1 For the avoidance of doubt, any postings online and/or on social media (Twitter, Facebook or similar platforms) also fall to be determined in accordance with the factors above. In relation to such cases, it should be noted that:

- participants are to be considered responsible for any posting(s) on their social media account(s) which are caught by the factors detailed above (the fact that a posting may have been made by someone else in the participant's name will not necessarily prevent disciplinary action being taken)
- disciplinary action may result from repeating comments made on social media by others (e.g. 'retweeting') which are caught by the factors detailed above
- the deleting of any inappropriate content, whilst advisable, does not of itself prevent disciplinary action being taken

22 Tariff of penalties for players

22.1 The following is the standard tariff of penalties which will be used by disciplinary panels and will hopefully help clubs to determine appropriate outcomes if they take any internal disciplinary measures. Clubs are encouraged to invoke their own disciplinary action where felt appropriate and in those cases advise the League of any actions taken. Club action will be taken into account by the League disciplinary panel.

22.2 Whilst the League disciplinary panel is not bound by the following tariffs it nevertheless will take due account of them in any disciplinary process as the overall aim is to achieve a degree of uniformity in any disciplinary matters and a process that is transparent to all.

22.3 The penalties applicable to each offence, based on the level of the offence, are as follows:

- Level One offences – the offending player will receive a written warning
- Level Two offences – the offending player will be suspended for a period of 14 days from the date of the decision of the disciplinary panel
- Level Three offences – the offending player will be suspended for a period of 28 days from the date of the decision of the disciplinary panel
- Level Four offences – offending player will be suspended for a period of from 90 days to life at the discretion of the disciplinary panel, depending on the gravity of the offence

22.4 Where a decision is made to suspend a player in the latter stages of a season, the ban will, if necessary for its full term to be served, be carried over into the following season.

22.5 The disciplinary panel may, at its sole discretion:

- vary a suspension to take into account circumstances as in 9.5 above
- suspend any part of a penalty for a stated period of time against the future behaviour of a player; any such suspended penalty to be activated in the event of a further penalty being applied as a result of a subsequent breach within the suspension period