

This guidance is to be used for all Tier 2 and Tier 5 governing body endorsement requests made on or after the 1 September 2018.

## **Section 1: overview of governing body endorsements for Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system**

This page provides a brief explanation of what endorsement requirements apply in respect of the Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system.

**The Tier 2 (Sportsperson) category** is for elite sportspeople and coaches who are internationally established at the highest level and whose employment will make a significant contribution to the development of their sport at the highest level in the UK, and who will base themselves in the UK; and the post cannot be filled by a suitable settled worker.

**The Tier 5 (Temporary Worker) Creative and Sporting category** is for sportspeople (and their entourage where appropriate) and coaches (who must be suitably qualified to fulfill the role in question) who are internationally established at the highest level in their sport, and/or will make a significant contribution to the development of their sport in the UK; and the post cannot be filled by a suitable settled worker.

**The application process explained:** migrants applying to come to the UK under either of the sporting categories above need to be sponsored by an organisation that has a sponsor licence under Tier 2 (Sportsperson) or Tier 5 (Temporary Worker) Creative and Sporting.

If you wish to sponsor such migrants, you must have a sponsor licence. Before you apply to the Home Office for a licence you must be endorsed by the **approved governing body** for your sport. This endorsement confirms to the Home Office that the application for a licence is from a genuine sports club (or equivalent) that has a legitimate requirement to bring migrants to the UK as sportspeople. Once licensed, you can assign certificates of sponsorship to a sportsperson or coach with a job offer that allows them to apply for leave to enter or remain in the UK. Each individual must also have a personal endorsement from the **approved governing body** for their sport before you assign the certificate of sponsorship.

An **approved governing body** is one specified in [Appendix M](#) of the Immigration Rules. Such a governing body must be recognised by one of the home country sports councils such as, Sport England, and will have been approved by the Home Office before being included in [Appendix M](#) of the Immigration Rules.

Approved governing bodies will work within the Home Office [‘Code of practice for sports governing bodies’](#) and must comply with any immigration regulations, UK legislation and the principles of the points-based system as detailed on the [GOV.UK](#) website.

## Length of endorsement

Governing body endorsements should be issued for a period appropriate to the period of approval for sponsorship or the tier under which the migrant’s application is being made, that is:

Type of application	Tier	Length of endorsement
Sponsor	Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting	4 years from date of issue
Migrant	Tier 2 (Sportsperson)	For an initial maximum period of 3 years, with a further extension of a maximum period of 3 years. If the contract is for fewer than 3 years, it will be issued for the length of the contract.
Sponsor	Tier 5 (Temporary Worker) Creative and Sporting	For the length of the contract or up to a maximum of 12 months, <b>whichever is the shorter period.</b>

## Change of employment

If a migrant is intending to change employer, their new employer must request a new governing body endorsement. The endorsement can be issued for the length of the contract or to the maximum period permitted within the category, whichever is the shorter. The new employer must assign a new certificate of sponsorship to the migrant to allow them to apply to the Home Office for new leave to remain. Leave to remain must be granted before the migrant can start work with the new employer.

## Supplementary Employment

Tier 2 and Tier 5 migrants are eligible to undertake supplementary employment under the Home Office supplementary employment regulations. The ‘Supplementary employment’ section of the [Tiers 2 and 5: guidance for sponsors](#) has more information on this.

## Section 2: requirements

This page explains the England and Wales Cricket Board (ECB) requirements under the Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories. The requirements are effective from 1 September 2018.

These requirements are only applicable to England and Wales.

### Consultation and Review

The Governing Body Endorsement criteria within this document apply only to the 2019 season and will be reviewed on an annual basis. Details of the process for review and the method by which clubs may propose changes in these criteria are set out below.

The 2019 season criteria were determined by a process of consultation based upon the 2018 criteria for governing body endorsements for cricket. The criteria for Tier 2 and Tier 5 (First Class Cricket Player Only, Coach Only) were reviewed through public consultation and the ECB Cricket Committee, as well as the ECB Board which has representatives from First-Class and non-First-Class clubs and MCC. The Professional Cricketers` Association and other interested parties were also involved in the consultation. The criteria for Tier 5 (Non First Class Player Coach and Coach Only) were reviewed through public consultation as well as the *National Cricket Conference which represents over 70 leagues across England and Wales*, before being presented to the ECB Board for review.

The criteria for Tier 2 Coach Only, Tier 5 Player Only and Tier 5 Coach Only (FCC) will be reviewed on an annual basis through appropriate ECB committees and Board which has representatives from the professional clubs, the Professional Cricketers` Association, Women`s Cricket and other interested parties such as the MCC. Clubs who wish to propose changes for the review process to consider must submit those proposals to the ECB Cricket Department at the ECB from 31 January 2019 and by no later than 31 May 2019. The ECB Cricket Committee will submit the criteria to be formally ratified by the ECB Board for submission to the Home Office for approval in July 2019.

The criteria for Tier 5 Player Coach & Tier 5 Coach Only (Non FCC) will be reviewed through public consultation as well as the Participation and Growth Committee and the National Cricket Conference which represents over 70 leagues across England and Wales.

Clubs who wish to propose changes for the review process to consider must submit those proposals to the Non-First Class Cricket Department at the ECB from 31 January 2018 and by no later than 31 May 2019. The Participation and Growth Committee will submit the criteria to be formally ratified by the ECB Board for submission to the Home Office for approval in July 2019.

## Length of season

The season for cricket in general runs from April to the end of September.

## Requirements

The tables below shows the endorsement requirements for sponsors and migrants.

Category	Requirement
<p><b>Sponsor</b></p> <p>Tier 2 (Sportsperson)</p>	<p>Governing body endorsements for a sponsor license will only be issued for the following bodies:</p> <ul style="list-style-type: none"> <li>• First Class County Cricket Clubs – as recognised by ECB</li> <li>• Women’s Cricket Super League Teams – as recognised by ECB</li> <li>• Marylebone Cricket Club (MCC)</li> <li>• England and Wales Cricket Board</li> <li>• County Cricket Boards – as recognised by ECB</li> </ul>
<p><b>Sponsor</b></p> <p>Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>Governing body endorsements for a sponsor license will only be issued for the following bodies:</p> <ul style="list-style-type: none"> <li>• any of the First-Class Counties</li> <li>• any of the Women’s Cricket Super League teams</li> <li>• the Marylebone Cricket Club (MCC)</li> <li>• the England and Wales Cricket Board</li> <li>• County Cricket Boards – as recognised by ECB</li> <li>• Non-First Class Cricket Clubs – affiliated to ECB and meet at least one of the following criteria:                             <ul style="list-style-type: none"> <li>○ they are Clubmark accredited</li> <li>○ they are a Chance to Shine club</li> <li>○ in the 2019 season they will be participating in one of the top 2 divisions of a league recognised by the ECB as a Premier League</li> <li>○ in the 2019 season they will be participating in a league recognised by the ECB as a designated professional league which demonstrates commitment to the ECB player pathway for progression of talented players (please note it is currently intended that this criteria will cease at a future date)</li> </ul> </li> </ul>

<b>Category</b>		<b>Requirement</b>
Migrant  Tier 2 (Sportsperson)	Full Time Coach Only	<p><b>Initial Application</b></p> <p>If a sponsor licence holder wishes to apply for governing body endorsement to employ a full-time coach, they will have to satisfy the following requirements:</p> <ul style="list-style-type: none"> <li>• demonstrate that the individual is either qualified to UK Coaching Certificate (UKCC) 3 or ECB Level III standard or holds a non-UK qualification that is at least equivalent to the ECB Coach (UKCC 3) standard coaching qualification as confirmed by the ECB. Notwithstanding this qualification requirement, the individual will also be required to provide evidence, in writing by a course provider recognised by the ECB, to undertake (or have undertaken) the Safeguarding &amp; Protecting Children module of the ECB (UKCC) 2 and the ECB Health &amp; Safety Assessment within 6 weeks of arrival; and</li> <li>• demonstrate that the individual has satisfied the ECB vetting process for coaches; and</li> <li>• demonstrate that there are no suitable resident workers who are qualified to UKCC 3 level available to do the job. The sponsor will need to provide evidence that the job has been advertised in the most appropriate national medium, such as Wisden Cricketer Magazine, County Club/Board Website or ECB Website which provides the best way of reaching suitably qualified resident workers</li> </ul> <p>The individual must not be subject to a provisional suspension or any unexpired period of ineligibility</p>

		<p>from cricket playing and/or coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence pursuant to (or recognised under) the applicable Codes, Rules and Regulations of the ECB</p> <p>or the ICC.</p> <p>For the avoidance of doubt the coach may not register for, nor participate in, matches played by a First Class County, a Women`s Cricket Super League team, Minor County Cricket Club, Non First Class Cricket Club or County Cricket Board as applicable. It is expected that full-time coaches will be employed by the First Class cricket counties who are unlikely to appoint someone with no, or limited, coaching experience. Under these circumstances governing body endorsements would normally be issued to coaches for the length of the contract period up to 3 years</p> <p><b>Extensions</b></p> <p>Applications for extensions of governing body endorsements in respect of future seasons after 2019 should be made in the same way as an initial application would be made. It will be assessed against the criteria for the relevant season to which the extension applies.</p> <p>Tier 2 migrants will need to wait for a 12 month “cooling-off” period from the expiry of their previous visa before they may apply for a further Tier 2 visa. Coaches who therefore wish to extend their Tier 2 Governing Body Endorsement who are or become subject to this “cooling-off” period, are able to apply for a governing body endorsement under Tier 5 First Class Coach Only.</p>
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<p>Migrant  Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>First Class Player Only</p>	<p><b>Initial Applications</b></p> <p>In order to obtain a governing body endorsement the individual must not be subject to a provisional suspension or an unexpired period of ineligibility from cricket playing and/or coaching activities as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence pursuant to the applicable Codes, Rules and Regulations of the ECB or the ICC and must meet one of the following criteria:</p> <ul style="list-style-type: none"> <li>• the cricketer must have played a minimum of one Test Match during the 24 months immediately prior to the date of the Governing Body Endorsement application or 5 Test Matches during the 60 months immediately prior to the date of the Governing Body Endorsement application provided that the country represented by the cricketer was on each occasion a Full Member of the ICC (Full Members are Afghanistan, Australia, Bangladesh, India, Ireland, New Zealand, Pakistan, South Africa, Sri Lanka, West Indies and Zimbabwe as well as the ECB); and which were approved and recorded by the ICC as authorised Test Matches or</li> <li>• during the 24 months immediately prior to the date of the governing body endorsement application the cricketer must have played in at least fifteen One Day Internationals and/or International Twenty20 matches for his/her country or, in the case of a cricketer seeking endorsement to participate in a Women's Cricket Super League team, twelve One Day Internationals and/or International Twenty20 matches (provided that the country represented by the cricketer was on each occasion a Full Member of the</li> </ul>
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		<p>ICC) which were approved and recorded as authorised matches by the ICC; or</p> <ul style="list-style-type: none"><li>• the cricketer must be currently centrally contracted to the Cricket Board of the cricketer's home country and in the current or most recent Test Match or One Day International or International Twenty20 team squad provided that the home country represented by the cricketer was a Full Member of the ICC or</li><li>• the cricketer was granted a Tier 5 Player Only governing body endorsement in 2017 and 2018</li></ul> <p>A certificate of sponsorship with a governing body endorsement under Tier 5 First Class Player Only does not permit the player under any circumstances to:</p> <ul style="list-style-type: none"><li>• be taken on, engaged or employed by a Minor County or Non First Class Cricket Club</li><li>• register for, or participate in, matches played by Non First Class Cricket Clubs or Minor Counties.</li></ul> <p>Persons who have a work permit or permission to play under the points-based system for previous seasons will need to reapply and satisfy the criteria for the 2019 season. If the player has a contract for other subsequent seasons then they will need to reapply for each new season and satisfy the relevant criteria for that season in question.</p>
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<p>Migrant Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>First Class Full Time Coach Only</p>	<p>In order to obtain a governing body endorsement the individual must not be subject to a provisional suspension or any unexpired period of ineligibility from cricket playing and/or coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence pursuant to (or recognised under) the applicable Codes, Rules and Regulations of the ECB or the ICC and must meet all of the following requirements:</p> <ul style="list-style-type: none"> <li>• demonstrate that the individual is either qualified to UK Coaching Certificate (UKCC) 3 or ECB Level III standard or holds a non-UK qualification that is at least equivalent to the ECB Coach (UKCC 3) standard coaching qualification as confirmed by the ECB and</li> <li>• the individual will also be required to provide evidence, in writing by a course provider recognised by the ECB, to undertake (or have undertaken) the Safeguarding &amp; Protecting Children module of the ECB (UKCC) 2 and the ECB Health &amp; Safety Assessment within 6 weeks of arrival (failure to complete these will result in future endorsements not being granted) and</li> <li>• demonstrate that the individual has satisfied the ECB vetting process for coaches and demonstrate that there are no suitable resident workers who are qualified to UKCC 3 level available to do the job. The sponsor will need to provide evidence that the job has been advertised in the most appropriate national medium, such as Wisden Cricketer Magazine, County Club/Board Website or ECB Website which provides the best way of reaching suitably</li> </ul>
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England and Wales Cricket Board Governing Body Endorsement requirements

		<p>qualified resident workers</p> <p>It is expected that full-time coaches will be employed by the First Class Counties and the Women`s Cricket Super League teams, who are unlikely to appoint someone with no, or limited, coaching experience. Under these circumstances governing body endorsements would normally be issued to coaches for the length of the contract period.</p> <p>A certificate of sponsorship with a governing body endorsement under Tier 5 First Class Coach only does not permit the First Class Coach or Women`s Cricket Super League Coach under any circumstances to:</p> <ul style="list-style-type: none"> <li>• be taken on, engaged or employed in any playing or coaching activity by the MCC, the ECB, a Minor County Cricket Club, County Cricket Board or Non First Class Cricket Club</li> <li>• register for, or participate in any cricket matches played by a First Class County</li> </ul>
<p>Migrant Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>Non First Class Cricket –Player/Coach Only</p>	<p>In order to obtain the governing body endorsement the individual must not be subject to a provisional suspension or any unexpired period of ineligibility from cricket playing and/or coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence pursuant to (or recognised under) the applicable Codes, Rules and Regulations of the ECB or the ICC and must meet all of the following requirements:</p> <ul style="list-style-type: none"> <li>• the individual must have played a minimum of 5:</li> </ul>

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		<ul style="list-style-type: none"> <li>• First Class and/or</li> <li>• ODI and/or</li> <li>• International T20 and/or</li> <li>• Test and/or</li> <li>• U19 World Cup cricket matches</li> </ul> <p>in the previous 24 months</p> <p>Note: the definition of First Class cricket matches will be that set down by the International Cricket Council in its regulations. However, only matches of 3 or more days' duration will be considered as First Class for the purpose of determining whether the 5 First Class matches criterion is satisfied) and</p> <ul style="list-style-type: none"> <li>• the individual must have attained the relevant coaching qualification standard - notwithstanding this qualification requirement, the individual will also be required to undertake (or have undertaken) the Safeguarding &amp; Protecting Children module of the ECB (UKCC) 2 and the ECB Health &amp; Safety Assessment within 6 weeks of arrival (failure to complete these will result in future endorsements not being granted) and</li> <li>• the individual must have satisfied the ECB vetting process for coaches</li> </ul> <p>Once the UKCC 2 standard or equivalent has been achieved coaching duties can be undertaken but not before.</p> <p>In order to meet the relevant coaching qualification standard the individual must show they have:</p> <p>Once the UKCC 2 standard or equivalent has been achieved coaching duties can be undertaken but not before.</p> <p>In order to meet the relevant coaching</p>
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		<p>qualification standard the individual must show they have:</p> <ul style="list-style-type: none"> <li>• attained a qualification of at least ECB Coach (UKCC 2) standard under the structured ECB National Coaching Scheme before undertaking any coaching duties for a club based in the UK or</li> <li>• evidenced in writing by confirmation from a course provider recognised by the ECB that a place on a course has been booked and a fee collected to undertake, complete and pass an ECB coaching course to at least UKCC 2 level by the end of the relevant season. If the individual fails to complete and pass the course before leaving the UK future Tier 5 endorsements will not be granted until it is proven that a UKCC 2 level or overseas equivalent coaching course has been completed and passed or</li> <li>• obtained a non UK coaching qualification that is of an equivalent or higher standard to the ECB Coach (UKCC 2) standard</li> </ul> <p>It will not be necessary for player-coaches already awarded the previous ECB Level II qualification to be re-accredited as this qualification is of an appropriate level. However, player-coaches who have only attained the previous ECB Level I qualification will need to complete the new ECB Coach (UKCC 2) course to attain the appropriate level before undertaking any coaching duties. In order to gain the maximum benefit from migrant player-coaches, the Home Office will allow player-coaches with the appropriate coaching qualifications to undertake coaching duties on a wider scale e.g. under the auspices of the local county cricket board.</p> <p>The ECB also offers an ECB Coaching Assistant course – UKCC 1. This only qualifies an individual to assist a qualified coach and is therefore an</p>
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## England and Wales Cricket Board Governing Body Endorsement requirements

		<p>insufficient level to meet the governing body endorsement requirements for player-coaches under Tier 5.</p> <p>A certificate of sponsorship with a governing body endorsement under Tier 5 Player-Coach Only does not permit the player-coach under any circumstances to:</p> <ul style="list-style-type: none"><li>• be taken on, engaged or employed by a First Class County, a Women's Cricket Super League team or</li><li>• Minor County Cricket Club</li><li>• register for, or participate in, any matches or training sessions at a First Class County, Women's Cricket Super League team or Minor County Cricket Club at any level</li></ul>
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## England and Wales Cricket Board Governing Body Endorsement requirements

<p>Migrant Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>Non First Class Cricket – Coach Only</p>	<p>In order to obtain a governing body endorsement the individual must not be subject to a provisional suspension or any unexpired period of ineligibility from cricket playing and/or coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence pursuant to (or recognised under) the applicable Codes, Rules and Regulations of the ECB or the ICC and must meet all of the following requirements:</p> <ul style="list-style-type: none"> <li>• demonstrate that the individual is either qualified to UKCC 2 or ECB Level II standard or holds a non UK qualification that is at least equivalent to the ECB Coach (UKCC 2) standard coaching qualification as confirmed by the ECB - notwithstanding this qualification requirement the individual will also be required to undertake (or have undertaken) the Safeguarding &amp; Protecting Children module of the ECB (UKCC) 2 and the ECB Health &amp; Safety Assessment within 6 weeks of arrival (failure to complete these will result in future endorsements not being granted) and</li> <li>• demonstrate that there are no suitable resident workers who are qualified to UKCC 2 level available to do the job. The club will need to provide evidence that the job has been advertised in the most appropriate national medium, such as Wisden Cricketer Magazine, County Club/Board Website or ECB Website which provides the best way of reaching suitably qualified resident workers; and</li> <li>• demonstrate that the individual has satisfied the ECB vetting process for coaches.</li> </ul>
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		<p>A certificate of sponsorship with a governing body endorsement under Tier 5 Non First Class Coach Only does not permit the Non First Class Coach under any circumstances to:</p> <ul style="list-style-type: none"> <li>• be engaged in any playing or coaching activity for the MCC, the ECB, First Class Counties, any Women`s Cricket Super League teams, Minor County Cricket Clubs or County Cricket Boards</li> <li>• register for, or participate in any cricket matches played by Non First Class Cricket Clubs.</li> </ul> <p><b>Out of season coaching</b></p> <p>If a cricket club wish to employ a coach or player-coach outside the cricket season, where coaching is part of a nationally recognised initiative, they will have to satisfy all of the following criteria:</p> <ul style="list-style-type: none"> <li>• demonstrate that there are no suitable resident workers who are qualified to UKCC 2 level available to do the job - the club will need to provide evidence that the job has been advertised in the most appropriate national medium, such as Wisden Cricketer Magazine, County Club/Board Website or ECB Website which provides the best way of reaching suitably qualified resident workers</li> <li>• provide proof that the individual has attained the relevant coaching qualification standard. Notwithstanding this qualification requirement, the individual will also be required to undertake (or have undertaken) the Safeguarding &amp; Protecting Children module of the ECB (UKCC) 2 and the ECB Health &amp; Safety Assessment within 6 weeks of arrival (failure to complete these will result in future endorsements not being</li> </ul>
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		<p>granted)</p> <ul style="list-style-type: none"> <li>• prove that the individual has satisfied the ECB vetting process for coaches</li> </ul> <p>The individual must not be subject to a provisional suspension or an unexpired period of ineligibility from cricket playing and/or coaching activities as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence pursuant to the applicable Codes, Rules and Regulations of the ECB or the ICC.</p> <p>Once the UKCC 2 standard or equivalent has been achieved coaching duties can be undertaken but not before.</p> <p>In order to meet the relevant coaching qualification standard the individual must show they have either:</p> <ul style="list-style-type: none"> <li>• attained a qualification of at least ECB Coach (UKCC 2) standard under the structured ECB National Coaching Scheme before undertaking any coaching duties for a club based in the UK</li> <li>• obtained a non UK coaching qualification that is of an equivalent or higher standard to the ECB Coach (UKCC 2) standard.</li> </ul> <p><b>Extensions</b></p> <p>For the avoidance of doubt, governing body endorsements in Tier 5 for player only, player coaches and coaches are issued by the ECB for a maximum of 12 months only. Applications for extensions of governing body endorsements in future seasons after 2019 should be made in the same way as an initial application would be made. It will be assessed against the criteria for the relevant season to which the extension applies.</p>
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## **Further information**

This information is available on the ECB website at:

[www.ecb.co.uk/governance/regulations/governing-body-endorsement](http://www.ecb.co.uk/governance/regulations/governing-body-endorsement)

For any queries relating to the requirements or the endorsement process please contact:

ECB Governing Body Endorsements

England and Wales Cricket Board

Lord's Cricket Ground

London

NW8 8QZ

Email: [managedmigration@ecb.co.uk](mailto:managedmigration@ecb.co.uk)

Information on visas and immigration is available on the GOV.UK website

## **Governing Body Endorsement Appeals Procedure**

### **Scope of appeal procedure**

1.1 This document sets out the ECB's procedure for appeals by a cricket club or other applicable employer (each a Club) against the decision of the ECB not to provide a Governing Body Endorsement (GBE) for a sponsor licence in respect of the Club or any given individual migrant (the Migrant).

1.2 All such GBE decisions by the ECB (each a GBE Decision) are made pursuant to the ECB's published GBE procedure (as amended by the ECB from time to time and agreed by the Home Office and specifically through the ECB's application of the relevant criteria which forms the substantive element of that procedure and which must be satisfied for the ECB to be able to grant a GBE (the Criteria).

1.3 This Appeal Procedure has been adopted as of midnight 1 September 2010, supersedes any other appeal procedure published by the ECB, forms the entire agreement between the ECB, each Club and each relevant Migrant (together the Parties) as to how the ECB's GBE Decisions may be challenged and shall remain in place until superseded or amended by the ECB from time to time.

1.4 The Parties agree to submit any dispute concerning any matter connected with or arising out of a GBE Decision for resolution pursuant to this Appeal Procedure.

1.5 The Parties shall treat all decisions made pursuant to this Appeal Procedure as final and binding upon them.

### **Sole of ground appeal**

2.1 The sole ground of appeal shall be that there has been a failure by the ECB to correctly apply the relevant Criteria in making a GBE Decision.

2.2 No other grounds of appeal or other challenges in relation to a GBE Decision, including but not limited to any challenge to the form or

substance of any or all of the Criteria, can legitimately be made pursuant to this Appeal Procedure.

### **Notice of appeal**

**3.1** This Appeal Procedure is commenced when a Club affected by a GBE decision (the Appellant) submits a written appeal (the Notice of Appeal) to the ECB's Head of Integrity, England & Wales Cricket Board, Lord's Cricket Ground, London, NW8 8QZ within 14 days of the contested GBE Decision being issued by the ECB to the Club, together with a non-refundable appeal fee of £125.

**3.2** The Notice of Appeal must include full details of the basis of the appeal including the precise manner in which the Appellant alleges that the Criteria have not been correctly applied, together with any supporting documentary evidence.

### **Initial evaluation**

**4.1** Upon receiving a Notice of Appeal, the ECB's Head of Integrity shall within 7 days acknowledge receipt to the Appellant and then arrange for an initial judgment on the validity of the appeal to be made by a panel consisting of himself/herself and two members of the ECB Cricket Discipline Commission (the Evaluation Committee). The Evaluation Committee shall not include any person who was involved in any way in making the original GBE Decision.

**4.2** The Evaluation Committee shall determine whether the Notice of Appeal is valid and whether the Appellant's complaint should be referred to and considered by a sole arbitrator in accordance with section 5 below, having regard to the following three issues:

- a) whether the Notice of Appeal has been served in time;
- b) whether the Notice of Appeal is based on the sole applicable ground of appeal set out at section 2 above; and
- c) whether the Notice of Appeal discloses a prima facie case that the appeal is, on the balance of probabilities, likely to succeed

(each a Condition).

4.3 If all three Conditions are satisfied in the majority opinion of the Evaluation Committee, it shall confirm that the Appellant's appeal should be referred to a sole arbitrator in accordance with section 5.

4.4 If any one or more of the three Conditions are not satisfied in the majority opinion of the Evaluation Committee, the Notice of Appeal shall be dismissed and no further action shall be taken by any Party. The Appellant and the Migrant shall accept this decision as final and binding on them.

4.5 The decision of the Evaluation Committee, and where the Evaluation Committee does not remit the matter to the sole arbitrator the reasons for their decision, shall be provided in writing to the Appellant as soon as reasonably practicable and in any case normally within 28 days after the receipt by the ECB's Head of Integrity of the Notice of Appeal.

## **Arbitration**

5.1 In the event that the Evaluation Committee decides to refer an Appellant's appeal for a decision by a sole arbitrator in accordance with paragraph 4.3, it shall be referred to Sport Resolutions (UK) for final and binding arbitration by a sole arbitrator in accordance with the Appeal Arbitration Procedure set out in Sport Resolutions (UK)'s Arbitration Rules, save as amended by the provisions of this Appeal Procedure (the Arbitration).

5.2 The sole arbitrator shall be appointed by the Executive Director of Sport Resolutions (UK), unless otherwise agreed in writing by all the Parties.

5.3 The Parties agree that the Arbitration shall be conducted without any hearing, on the basis of written submissions only, unless otherwise agreed in writing by all the Parties.

5.4 The sole arbitrator shall be entitled to order one Party to pay another Party's legal and other costs, subject to a cap of £2,000 (including VAT).

5.5 The Parties agree that the reasons for the sole arbitrator's decision shall remain confidential.

## **Remedies**

6.1 The sole arbitrator shall have the power, in making his/her written decision, either to affirm or to reverse the ECB's GBE Decision. In the event that the sole arbitrator reverses the ECB's GBE Decision, he/she shall also direct the ECB to grant a GBE to the Appellant in its own capacity as a sponsor and/or in respect of the relevant Migrant (as applicable) and the ECB shall comply with such direction.

## **Section 3: process for applying for an endorsement**

How to apply for Governing Body Endorsements for Tier 2 and Tier 5 Sponsor Licences for Clubs

First Class Counties, the Marylebone Cricket Club, the Women's Cricket Super League teams and the England & Wales Cricket Board should use:

Annex 1: Tier 2/ Tier 5 Sponsor Licence Governing Body Endorsement Application Form

County Cricket Boards should use:

Annex 2: Tier 2/ Tier 5 Sponsor Licence Governing Body Endorsement Application Form

Non First-Class Cricket Clubs should use:

Annex 3: Tier 5 Sponsor Licence Governing Body Endorsement Application Form

All potential sponsors should note that the purpose of an endorsement for a prospective sponsor is to confirm to the Home Office officials

processing sponsor applications that the application is from a bona fide sports club or equivalent that has a legitimate requirement to bring migrants to the UK as sportspeople. The Home Office has additional criteria for sponsors that must be met in order for a cricket club to be granted a Sponsor Licence. It is not the England and Wales Cricket Board that will grant a Sponsor Licence to a club.

There is an administration fee of £24 for each Governing Body Endorsement for Sponsor Licences. Cheques must be included with applications, made payable to England and Wales Cricket Board.

How to apply for Governing Body Endorsements for Tier 2 and Tier 5 migrant applications

Once a cricket club has obtained their Sponsor Licence from the Home Office, the sponsor will be able to apply for Certificates of Sponsorship, which it will allocate to migrants coming here to work for it. Each migrant that a club wish to employ needs to be offered a Certificate of Sponsorship by the club. However, before a club can issue a Certificate of Sponsorship to a sportsperson, they will also have to obtain an endorsement from the England and Wales Cricket Board for all applications made for individual sports people and coaches.

The purpose of a endorsement for a migrant is to confirm that he/she is an internationally established sportsperson at the highest level, will make a significant contribution to the development of his/her sport at the highest level in the UK and that it is appropriate to fill the post from outside the European Economic Area. The issue of a Certificate of Sponsorship authorises the migrant to apply for entry clearance but does not mean that his or her application will succeed. The Home Office will make the final decision about who is allowed to come here. The migrant will need to obtain sufficient points and their personal or immigration history will be considered as part of the entry clearance application.

First Class Counties, the Women's Cricket Super League teams, the Marylebone Cricket Club and the England & Wales Cricket Board should use:

## England and Wales Cricket Board Governing Body Endorsement requirements

- Annex 4: Tier 5 Migrant Governing Body Endorsement Application Form (Player Only); or
- Annex 5: Tier 2 Migrant Governing Body Endorsement Application Form (Coach); or
- Annex 6: Tier 5 Migrant Governing Body Endorsement Application Form (Coach).

County Cricket Boards should use:

- Annex 5: Tier 2 Migrant Governing Body Endorsement Application Form (Coach)
- Annex 6: Tier 5 Migrant Governing Body Endorsement Application Form (Coach)

Non First-Class Cricket Clubs should use:

- Annex 7: Tier 5 Migrant Governing Body Endorsement Application Form (Player-Coach)
- Annex 8: Tier 5 Migrant Governing Body Endorsement Application Form (Coach)

There is an administration fee of £35 for each Governing Body Endorsement for Migrant applications. Cheques must be included with applications, made payable to England and Wales Cricket Board.

Annex 9 should be used to assist with evidence submissions in all applications.