



# CA INCLUSION OF TRANSGENDER & GENDER DIVERSE PLAYERS IN ELITE CRICKET

## POLICY

<b>Department</b>	Integrity		
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<b>Approved by</b>	Cricket Australia Board		
<b>Next Review Date</b>	August 2020		

### 1. Purpose

- 1.1. This Policy establishes the eligibility framework for the inclusion of Transgender and Gender Diverse players in Elite Cricket to ensure that all players continue to participate in fair and meaningful Elite Cricket competitions.
- 1.2. This Policy recognises the ICC's 'Eligibility on the Basis of Gender Recognition' as it applies to Transgender players participating in International Matches and that as a National Cricket Federation, CA is bound by such eligibility rules to the extent they apply to any Transgender player participating in an International Match.
- 1.3. The ICC's Eligibility on the Basis of Gender Recognition recommends that CA adopt regulations to determine the eligibility of Transgender players to compete in events falling within CA's jurisdiction and that at the level of national championships (or similar), the ICC's Eligibility on the Basis of Gender Recognition be followed.
- 1.4. This Policy facilitates and supports Transgender and Gender Diverse individuals participating in Elite Cricket. This Policy is not intended to apply to individuals of Intersex Status, where an individual is participating in the category consistent with their Sex as assigned at birth.
- 1.5. This Policy further recognises the role that Elite Cricket plays in establishing a pathway through to Australian team representation, and in turn, participation in International Matches and that these eligibility requirements should, as far as reasonably practicable, be applied consistently across International Matches and Elite Cricket.
- 1.6. For the avoidance of doubt, nothing in this Policy is intended to limit or effect the participation of any female or Transgender female in the male category of Elite Cricket.

## 2. Background and introduction

- 2.1. This Policy recognises that at an Elite Cricket level, strength, stamina and physique are relevant to the competitive sporting activity. Players are supported in their election to participate in Elite Cricket in accordance with their Gender Identity, subject to clause 3 of this Policy.
- 2.2. Cricket Australia recognises that a person's Gender Identity may be a very personal issue and that a person's transition or affirmation of Gender Identity may be challenging, with a number of complexities and considerations.
- 2.3. Cricket Australia will provide all necessary support to ensure that this Policy is administered in a respectful manner, with an individual's wellbeing and right to privacy central to the administration of the Policy at all times.
- 2.4. For this reason, any Player who wishes to participate in the category consistent with their Gender Identity, whether or not this accords with the Sex they were assigned at birth in line with clause 3 will, at the cost of CA, have access to:
  - 2.4.1. Support services whilst any process outlined in this Policy is being undertaken, or as requested by an individual to the Head of Integrity;
  - 2.4.2. the CA SSSM Manager to provide guidance as to any process outlined in this Policy, including without limitation any of the requirements detailed in clause 6;
  - 2.4.3. the CA Anti-Doping Officer to provide guidance as to compliance with the ICC Anti-Doping Code and/or the CA Anti-Doping Code as applicable; and
  - 2.4.4. the Head of Integrity.

## 3. Eligibility

- 3.1. A Player will be eligible to participate in the category of Elite Cricket consistent with their Gender Identity, whether or not this accords with the Sex they were assigned at birth in line with this clause.
- 3.2. The Player must nominate their Gender Identity, if not the same as the Sex they were assigned at birth (or where no Sex is assigned at birth), by notifying the Head of Integrity at the time of being approached by a State or W/BBL Club with an offer to enter into a Player Contract. For the avoidance of doubt, this requirement does not prevent a Player from nominating their Gender Identity prior to being approached by a State or W/BBL Club (for example, a Player participating in underage National Championships where this Policy does not apply). Any nomination to the Head of Integrity will remain confidential, and this information will only be disclosed in accordance with this Policy.

- 3.3. The Player must demonstrate a commitment to their Gender Identity, as nominated for the purpose of this Policy, being consistent with their Gender Identity in other aspects of everyday life.
- 3.4. In order to consider the relevant aspects of strength, stamina or physique, having regard to the competitive sporting activity of Elite Cricket, in addition to the requirements set out in clause 3.2, any Player:
  - 3.4.1. who has nominated their Gender Identity as female or non-binary; and
  - 3.4.2. whose Gender Identity is different to their Sex as assigned at birth; and
  - 3.4.3. who is participating in the female category of Elite Cricket,must be able to establish that the Player's concentration of testosterone in serum has been less than 10 nmol/L<sup>1</sup> continuously for a period of no less than 12 months prior to nominating their Gender Identity (the **Eligibility Requirement**). By way of guidance, the Player should consider providing to the Expert Panel, medical history of their concentration of testosterone in serum levels for the 12 month period at regular intervals.
- 3.5. Clause 3.4 does not apply to any Player who, at the time of nomination, is under 16 years of age. Upon attaining the age of 16 years, the Player will be required to comply with the Eligibility Requirement.
- 3.6. The Player must provide to the Head of Integrity at the time of nominating their Gender Identity in accordance with clause 3.2:
  - 3.6.1. statutory declaration from the Player confirming that they are committed to their Gender Identity, as nominated for the purpose of this Policy, being consistent with their Gender Identity in other aspects of everyday life;
  - 3.6.2. medical records and such other supporting documentation as to establish and verify that the Eligibility Requirement has been satisfied (if applicable); and
  - 3.6.3. an acknowledgement that the Player is ready, willing and able to continue to satisfy the Eligibility Requirement (if applicable) until such time as they no longer compete in the female category of Elite Cricket.
- 3.7. The Player agrees to provide all necessary consents and waivers (in a form satisfactory to the Head of Integrity) to enable the documentation outlined in clause 3.6 to be disclosed to the Expert Panel and the Player shall be responsible for their own costs associated with nomination.
- 3.8. For the avoidance of doubt, no Player will be required to:
  - 3.8.1. undergo any medical assessment, surgery and/or treatment, or demonstrate that they have undergone any medical assessment surgery and/or treatment. It is the Player's responsibility, in consultation with their

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<sup>1</sup> For the purposes of this Policy, all measurements of serum testosterone levels must be conducted by means of tandem mass spectrometry.

medical team, to decide on the advisability of undertaking any medical assessment, surgery and/or treatment; or

3.8.2. provide legal recognition of the Player's Gender Identity as the Player's Sex.

3.9. These eligibility requirements operate without limiting all other eligibility requirements of CA, including without limitation those requirements set out in the State Player Contracting & Remuneration Rules and the W/BBL Player Contracting & Remuneration Rules. Nothing in this Policy is intended to undermine or affect in any way the requirements of the ICC Anti-Doping Code or the CA Anti-Doping Code and, to the extent of any inconsistency, these anti-doping codes will prevail. Nothing in this Policy will be deemed to permit, excuse or justify any non-compliance with anti-doping requirements including, without limitation, any requirement for a Player to obtain a Therapeutic Use Exemption for the use of a prohibited substance, such as testosterone. A Player may consult with the CA Anti-Doping Officer to provide support and guidance as to the ICC Anti-Doping Code or the CA Anti-Doping Code.

#### 4. Expert Panel

4.1. Upon receipt of a Player's notification (clause 3.2) and the documentation outlined at clause 3.6, the Head of Integrity will use best endeavours to convene an Expert Panel within two (2) Business Days but in any event no more than five (5) Business Days to determine whether the requirements as outlined in clauses 3.3 (demonstrated to the Gender Identity being consistent with other aspects of everyday life), 3.4 (Eligibility Requirement) and 3.6 (documentation) have been satisfied.

4.2. In making its determination, the Expert Panel will take into account all relevant facts and circumstances including, without limitation:

4.2.1. supporting documentation that demonstrates a commitment by the Player that their Gender Identity, as nominated for the purpose of this Policy, is consistent with their Gender Identity in other aspects of everyday life;

4.2.2. the frequency of testing and levels of testosterone in the Player's serum during the relevant 12 month period and any monitored period, as well as the current level of testosterone in the Player's serum (as applicable);

4.2.3. the results of any pre- or post- transition monitoring; and

4.2.4. any other supporting documentation or information produced to the Expert Panel by the Player for consideration.

4.3. The Expert Panel may make such enquiries or investigations as it considers necessary to make the required determination effectively, including, without limitation, requesting further information from the Player or the Player's medical team and/or obtaining additional expert opinion(s).

- 4.4. In the event the Expert Panel has any concerns about the adequacy of the supporting documentation provided by the Player on any particular point, it must give the Player a fair opportunity to address those concerns before making its determination.
- 4.5. The Expert Panel will complete its assessment as soon as is reasonably practicable in all circumstances.
- 4.6. Upon making its determination, the Head of Integrity, on behalf of the Expert Panel will notify the Player in writing of that determination:
  - 4.6.1. If the Expert Panel determines that the Player's nomination has not demonstrated a commitment that their Gender Identity, as nominated for the purpose of this Policy, is not consistent with their Gender Identity in other aspects of everyday life or that the Eligibility Requirement has not (yet) been met (where applicable), such that the Player is ineligible under this Policy to compete in the relevant category of Elite Cricket, it must explain in writing the reasons for its decision. Where applicable, it should also specify what further supporting documentation the Player may provide in order to satisfy the Eligibility Requirement and/or clause 3.3 as the case may be. Any Player whose nomination has not (yet) been met may reapply at any time to the Expert Panel, through the Head of Integrity.
  - 4.6.2. If the Expert Panel determines the Player's nomination has demonstrated a commitment that their Gender Identity, as nominated for the purpose of this Policy, is consistent with their Gender Identity in other aspects of everyday life and that the Eligibility Requirement has been met (where applicable), such that the Player is eligible under this Policy to compete in the relevant category of Elite Cricket, the Head of Integrity will issue a written certification of that Player's eligibility to compete in that category of Elite Cricket. Such eligibility will be subject to the Player's ongoing satisfaction of the Eligibility Requirement (where applicable) and/or that the Player's nomination reflects their Gender Identity in other aspects of everyday life.
- 4.7. Once a Player has nominated to participate in Elite Cricket in accordance with their Gender Identity, that Player may not nominate to participate in any Elite Cricket competition other than competitions in respect of that Gender Identity, unless and until:
  - 4.7.1. an application has been made by the Player to the Expert Panel;
  - 4.7.2. the Player meets the Eligibility Requirement (where applicable); and
  - 4.7.3. the Expert Panel is satisfied, acting reasonably, that the Player demonstrates a commitment that their Gender Identity is consistent with other aspects of that individual's everyday life.

For the avoidance of doubt, the Expert Panel will not consider any nomination by a Player that is made in the same Contract Year as its original determination to allow the Player to participate in the relevant category of Elite Cricket.

- 4.8. Any application made by a Player, pursuant to clause 4.7 will be considered by the Expert Panel. The Expert Panel will make its determination in writing in accordance with clause 4.6.
- 4.9. The Expert Panel's decision will be final and binding on all parties. It may only be considered further by way of Referral to the Expert Panel in accordance with clause 6 or Appeal in accordance with clause 7.
- 4.10. The Player shall be responsible for their own costs in respect of the Expert Panel's determination.

## 5. Ongoing enquiries

- 5.1. Once a determination has been made by the Expert Panel to allow the Player to participate in the female category of Elite Cricket pursuant to clause 4, the Head of Integrity may reasonably review a Player's ongoing satisfaction of the Eligibility Requirement (unless clause 3.5 applies):
  - 5.1.1. at any time, with forty-eight (48) hours' notice;
  - 5.1.2. at CA's cost;
  - 5.1.3. whether by random or target testing of the Player's serum testosterone levels; and
  - 5.1.4. for the avoidance of doubt, at least once per Contract Year as reasonably determined by the CA Anti-Doping Officer.
- 5.2. The Player agrees:
  - 5.2.1. to provide serum samples for the purpose of assessing ongoing satisfaction of the Eligibility Requirement under clause 5.1; and
  - 5.2.2. that any samples provided for anti-doping purposes and/or any anti-doping data relating to the Player may also be used for this purpose.
- 5.3. A Player will not be regarded as non-compliant with the Eligibility Requirement if occasional spikes in total testosterone levels arise during the Player's participation in Elite Cricket where that Player is able to demonstrate:
  - 5.3.1. regular medical monitoring and assessment by their medical team; and
  - 5.3.2. the spike is not consistent with a deliberate and wilful act or omission by the Player to increase their total testosterone levels.
- 5.4. In addition to the scope of any review as detailed in clause 5.1, the Head of Integrity may, acting reasonably and in good faith, make enquires at any time as to:
  - 5.4.1. whether (because of a subsequent change in circumstances, learning or experience or otherwise), it is necessary to require the Player to undergo further review by the Expert Panel to determine whether they satisfy the Eligibility Requirement; and/or

- 5.4.2. any circumstance indicating potential non-compliance with this Policy by the Player.
- 5.5. Pending resolution of any enquiries conducted pursuant to clause 5.4 above, the Head of Integrity may, acting reasonably, provisionally suspend the Player from competing in Elite Cricket competitions, provided that reasonable endeavours be used to complete the enquiries as expeditiously as possible in the circumstances.
- 5.6. The Player must cooperate fully and in good faith with any enquiries commenced pursuant to clause 5.4 and any direction of the Head of Integrity to provisionally suspend the Player. Such determination of the Head of Integrity to provisionally suspend the Player will have no effect on the Player's participation in any Community Cricket competition.
- 5.7. Any provisional suspension may be appealed in accordance with clause 7.
- 5.8. If the Head of Integrity determines that a Player is non-compliant with this clause 5, the Head of Integrity may, in their absolute discretion refer the Player to the Expert Panel to determine the Player's ongoing eligibility for Elite Cricket by way of a Referral pursuant to clause 6.
- 5.9. CA will be responsible for any costs associated with this clause 5.

## 6. Referral to the Expert Panel

- 6.1. An Authorised Representative may make an application to refer a Player to the Expert Panel in respect of a Player pursuant to this clause (the **Referral**).
- 6.2. Without limiting any other provision of this Policy, the following principles will apply to the Referral process:
- 6.2.1. the Player will have access to support services at all times;
- 6.2.2. any Referral will be dealt with expeditiously by the Head of Integrity and the Expert Panel, without unnecessary delay. Unless extended by application to a Conduct Commissioner, the Expert Panel must determine any matter brought under this provision within 20 business days, commencing the date the Referral is received by the Head of Integrity;
- 6.2.3. the Referral process will be conducted in a respectful and appropriate manner, recognising that the enquiries of the Expert Panel may be of a sensitive nature; and
- 6.2.4. the Referral process will respect the right to privacy of the Player, any Authorised Representative that has lodged a Referral pursuant to this provision and any other persons involved in the Referral (whether that be by way of providing supporting documentation) and will maintain the confidentiality of those involved in the process.
- 6.3. A Referral under this clause must:

- 6.3.1. only be made on the grounds of 'strength, stamina or physique' having regard to the competitive sporting activity of Elite Cricket; and
  - 6.3.2. be made in writing to the Head of Integrity by email at integrity@cricket.com.au.
- 6.4. Further to clause 6.1 above, the Head of Integrity may instigate a Referral at any time on behalf of CA, on the grounds of:
  - 6.4.1. 'strength, stamina or physique' having regard to the competitive sporting activity of Elite Cricket; or
  - 6.4.2. non-compliance by a Player with clause 5.
- 6.5. A Referral may only be made by an Authorised Representative up to 24 months from the date the Player commences participating in the relevant Elite Cricket competition.
- 6.6. The Referral must detail:
  - 6.6.1. the Player subject to the Referral; and
  - 6.6.2. grounds upon which the Player's participation in the relevant category of Elite Cricket is alleged to be inappropriate having regard to the 'strength, stamina or physique' relevant to the competitive sporting activity of the Elite Cricket competition.
- 6.7. Upon receipt of the Referral, the Head of Integrity will convene the Expert Panel to consider whether there is any basis for the Referral including:
  - 6.7.1. if there is a Relevant Disparity between the Player and other players in the Elite Cricket competition; and
  - 6.7.2. whether umpire adjudication and/or use of protective equipment are able to address the Relevant Disparity.
- 6.8. Where the Expert Panel determines that either:
  - 6.8.1. there is no Relevant Disparity between the Player and other players in the Elite Cricket competition; and/or
  - 6.8.2. that umpire adjudication and/or use of protective equipment are addressing the Relevant Disparity appropriately,no further action will be taken in respect of the Player.
- 6.9. The Expert Panel may also dismiss a Referral on the basis that the Referral is frivolous or vexatious and not take any further action in respect of the Player.
- 6.10. Further, the Head of Integrity will not refer to the Expert Panel any second or subsequent Referral lodged in respect of the same Player within the 24 month period referred to in clause 6.5, unless there is new relevant evidence provided as part of the Referral pursuant to clause 6.6. Where there is no new relevant evidence, the Head of Integrity will acknowledge the Authorised Representative's Referral and inform the Authorised Representative that no further action will be taken.

- 6.11. Having considered the matters set out in clause 6.7, in the event that the Expert Panel has determined that:
  - 6.11.1. there is a Relevant Disparity between the Player and other players in the Elite Cricket competition; and
  - 6.11.2. that umpire adjudication and use of protective equipment are not able to address the Relevant Disparity,  
the Head of Integrity will notify the Player, providing them with a copy of the Referral, and may:
    - 6.11.3. request that the Player participate in biomechanical and physical profiling to assess the relevant aspects of their strength, stamina or physique having regard to the competitive sporting activity of Elite Cricket and the Player's specific role(s) in a team in accordance with clause 6.12; or
    - 6.11.4. monitor the Player's participation in the relevant category of Elite Cricket and take any action as contemplated in clause 5; or
    - 6.11.5. take any further action as deemed necessary.
- 6.12. Where the Expert Panel requests that the Player participate in biomechanical and physical profiling in accordance with clause 6.11.3, the Expert Panel will:
  - 6.12.1. consider any further supporting documentation of the Player as to their participation in the relevant category of Elite Cricket;
  - 6.12.2. refer the Player to the CA SSSM Manager to undertake biomechanical and/or physical assessments determined relevant by the CA SSSM Manager based on the cricket speciality of the Player (for example, bowling kinetic (force output) and bowling speed or spin rate analysis), including through the use of wearable technology;
  - 6.12.3. review in match footage and data of the Player during an Elite Cricket competition or Community Cricket competition as the case may be;
  - 6.12.4. request a confidential report of the CA SSSM Manager as to the profile of the Player compared with other players in the relevant category of Elite Cricket; and
  - 6.12.5. consider any evidence of competitive advantage arising from the Player's participation in the relevant category of Elite Cricket.
- 6.13. In its absolute discretion, the Expert Panel may also have regard to independent legal, medical or other expert advice in order to understand and assess the Player's participation in the relevant category of Elite Cricket.
- 6.14. The Expert Panel may only support the Referral and overturn the original determination made pursuant to clause 4.6.2 if it is reasonably satisfied that there is a Relevant Disparity which may reasonably be regarded to give rise to an unreasonable competitive advantage to the Player having regard to:
  - 6.14.1. the Player's ongoing satisfaction of the Eligibility Requirement;

- 6.14.2. profile of the Player compared with other players in the relevant category of Elite Cricket;
  - 6.14.3. evidence of any significant difference or competitive advantage following review of in match footage pursuant to clause 6.12.3; and
  - 6.14.4. umpire adjudication and use of protective equipment being inadequate to address the Relevant Disparity.
- 6.15. The Player will be notified in writing by the Head of Integrity, the findings of the Expert Panel, together with:
- 6.15.1. any resolution of the Expert Panel to overturn the original determination in accordance with clause 6.14; or
  - 6.15.2. any resolution of the Expert Panel to uphold its original determination; and
  - 6.15.3. any other matters determined relevant by the Expert Panel in the circumstances.
- 6.16. The Expert Panel's decision will be final and binding on all parties. It may only be disputed by way of Appeal in accordance with clause 7.
- 6.17. All parties shall be responsible for their own costs associated with the Referral.

## 7. Appeals by a Player

- 7.1. The following decisions under this Policy may only be appealed to an Appeal Panel in accord with this clause by a Player, in which case CA will be respondent to the appeal.
- 7.1.1. the Expert Panel's determination in accordance with clause 4.6.1 (that the Eligibility Requirement has not (yet) been met) in respect of that Player;
  - 7.1.2. a decision of the Head of Integrity to provisionally suspend that Player pursuant to clause 5.5; and
  - 7.1.3. the Expert Panel's determination of a Referral pursuant to clause 6.16.1 in respect of that Player.
- 7.2. Any notice to appeal under this clause must be lodged with CA's General Counsel within five (5) Business Days of the relevant decision. Following receipt of the appeal, the CA General Counsel will, as soon as practicable, appoint an Appeal Panel. The appeal will be governed by Victorian law and the procedure for conducting the appeal will be left to the discretion of the Appeal Panel, whose decision will be the full, final and complete disposition of the matter and will be binding on all parties.
- 7.3. The Appeal Panel shall have the power to order some or all of the costs of the appeal proceedings (including the costs of holding the hearing, the legal and/or travel/accommodation costs of the Appeal Panel and/or any other relevant parties, including CA) to be paid by the appealing party if it considers that such party has acted, spuriously, frivolously, without reasonable cause or otherwise in bad faith.

Otherwise, each party to the appeal shall be responsible for their own costs associated with the appeal.

## **8. Harassment, discrimination or bullying**

- 8.1. Cricket Australia does not tolerate any form of harassment, discrimination or bullying in Elite Cricket.
- 8.2. Australian Cricket has in place policies and codes, in particular the CA Anti-Harassment Code, that address instances of harassment, discrimination or bullying. Any concerns of harassment, discrimination or bullying should be referred to the Head of Integrity or through the CA Integrity Hotline, 1300 FAIR GAME.
- 8.3. Without limiting any provision of the CA Anti-Harassment Code, vexatious or frivolous referrals brought under clause 6 of this Policy may amount to harassment.

## **9. Victimisation**

- 9.1. Victimisation is an offence under Federal and State and Territory legislation. Further, Cricket Australia does not tolerate any form of victimisation.
- 9.2. A person will be taken to have victimised another person if they threaten to, or do, subject that person to a detriment because they have either made a complaint under Federal and/or State and Territory legislation or a Cricket Australia code or policy.

## **10. Safety considerations**

- 10.1. Umpire adjudication (such as the application of dangerous and unfair bowling laws) and the use of protective equipment are long standing and effective means of ensuring the health, safety and wellbeing of players.
- 10.2. This Policy does not in any way limit the ability of CA to apply appropriate risk management procedures to ensure the safety of all Elite Cricket Players.

## **11. Other matters**

Australian Cricket will implement and adopt the Guidelines for the Inclusion of Transgender and Gender Diverse Players in Community Cricket together with the Australian Human Rights Commission's Guidelines for the Inclusion of Transgender and Gender Diverse People in Sport to support the participation of any Transgender or Gender Diverse Players in Elite Cricket.

## 12. Amendment and interpretation of this Policy

- 12.1. This Policy may be amended from time to time by CA, with such amendments coming into effect on the date specified by CA. In particular, the Policy may be amended to recognise any amendments to the ICC's 'Eligibility on the Basis of Gender Recognition'. As a minimum, this Policy will be reviewed annually, prior to the anniversary of the Effective Date.
- 12.2. The headings used for the various Clauses of this Policy are for the purpose of guidance only and shall not be deemed to be part of the substance of this Policy or to inform or affect in any way the language of the provisions to which they refer.
- 12.3. This Policy shall come into full force and effect on 8 August 2019 (the "**Effective Date**").
- 12.4. If any Clause or provision of this Policy is held invalid, unenforceable or illegal for any reason, the Policy shall remain otherwise in full force apart from such Clause or provision that shall be deemed deleted insofar as it is invalid, unenforceable or illegal.
- 12.5. The Policy is governed by and shall be construed in accordance with the laws of the State of Victoria, Australia.

## 13. Related documents

- 13.1. This Policy must be read and implemented in conjunction with:
  - Discrimination Legislation
  - Occupational Health and Safety and WHS Legislation
  - ICC Player Eligibility Regulations
  - State Player Contracting & Remuneration Rules
  - W/BBL Player Contracting & Remuneration Rules
  - CA Anti-Doping Code
  - ICC Anti-Doping Code
  - CA Anti-Harassment Code
  - CA Code of Conduct
  - Guidelines for the Inclusion of Transgender and Gender Diverse Players in Community Cricket

## 14. Definitions

For the purpose of this Policy and unless the context otherwise requires:

<b>Affiliated Associations and Clubs</b>	Any cricket association or club that is formally affiliated with Australian Cricket
<b>Appeal Panel</b>	A panel of three Commissioners, one of which must be the Senior Conduct Commissioner, appointed by the CA General Counsel to perform the function(s) assigned to the Appeal Panel in this Policy.
<b>Australian Cricket</b>	CA and each of the State and Territory Associations.
<b>Authorised Representative</b>	Any: a) Match Referee; b) Umpire; c) CEO of a State and Territory Association (or their designee); or d) General Manager of a W/BBL Team (or their designee).
<b>CA</b>	Cricket Australia.
<b>CA Code of Conduct</b>	The CA Code of Conduct effective as at 27 February 2019, as updated from time to time by CA.
<b>CA General Counsel</b>	The person holding that position at CA from time to time (including any person acting in that position).
<b>Conduct Commission</b>	The CA Conduct Commission established under the CA Conduct Commission Terms of Reference.
<b>Commissioners</b>	The independent person(s) appointed by CA from the Conduct Commission, to perform the functions assigned to the Commissioner under the CA Conduct Commission Terms of Reference.
<b>Community Cricket</b>	Any cricket competition conducted by an Affiliated Association, Club or Indoor Cricket other than Elite Cricket competitions, which for the avoidance of doubt, includes Premier Cricket and Indoor Cricket competitions.
<b>Discrimination Legislation</b>	a) Sex Discrimination Act 1984 (Cth); b) Discrimination Act 1991 (ACT); c) Anti-Discrimination Act 1977 (NSW); d) Anti-Discrimination Act 1996 (NT); e) Anti-Discrimination Act 1991 (Qld); f) Equal Opportunity Act 1984 (SA); g) Anti-Discrimination Act 1998 (Tas); h) Equal Opportunity Act 2010 (Vic); i) Equal Opportunity Act 1984 (WA).

<b>Eligibility on the Basis of Gender Recognition</b>	The ICC's eligibility regulations on the basis of gender recognition as set out at Article 3 of The International Cricket Council Player Eligibility regulations effective as from 7 May 2018.
<b>Elite Cricket</b>	Any cricket match that is: <ul style="list-style-type: none"> <li>a) played as part of the Australian domestic male first class competition;</li> <li>b) played as part of the Australian domestic male and female one day competition;</li> <li>c) played as part of the BBL competition (including any practice matches);</li> <li>d) played between a State Association or invitational representative Australian team;</li> <li>e) played by a W/BBL Team against a touring international team or invitational team;</li> <li>f) played as part of the WBBL competition (including any practice matches);</li> <li>g) played as part of the Futures League (second XI) competition and practice matches (male and female);</li> <li>h) played as part of the National Under 19 Male Championships; and</li> <li>i) played as part of the National Under 18 Female Championships.</li> </ul>
<b>Expert Panel</b>	The panel convened by the Head of Integrity to perform the functions assigned to the Expert Panel in this Policy, including: <ul style="list-style-type: none"> <li>a) Head of Integrity;</li> <li>b) CA Legal Counsel, Integrity</li> <li>c) CA Head of Cricket Operations;</li> <li>d) CA Anti-Doping Medical Officer; and</li> <li>e) any relevant expert (including player advocate) as determined by Head of Integrity.</li> </ul>
<b>Gender Diverse<sup>2</sup></b>	Umbrella term that includes all the different ways gender can be experienced and perceived. It can include people questioning their gender, those who identify as trans/transgender, genderqueer, non-binary, gender non-conforming etc.
<b>Gender Identity<sup>3</sup></b>	The Sex Discrimination Act 1984 (Cth) defines Gender Identity as the gender related identity, appearance or mannerisms or other gender related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated Sex at birth.

<sup>2</sup> **Source:** Australian Human Rights Commission's Guidelines for the inclusion of transgender and gender diverse people in sport dated 13 June 2019.

<sup>3</sup> *Sex Discrimination Act 1984 (Cth) s 4(1)* (definition of Gender Identity).

<b>Head of Integrity</b>	The person holding the position of Head of the Integrity Unit at CA from time to time (including any person acting in that position).
<b>ICC</b>	International Cricket Council.
<b>International Match</b>	Has the meaning as set out in The International Cricket Council Player Eligibility regulations effective as from 7 May 2018.
<b>Intersex Status<sup>4</sup></b>	A protected attribute under Discrimination Legislation. Under the Sex Discrimination Act 1984 (Cth) Intersex status means the status of having physical, hormonal or genetic features that are: <ul style="list-style-type: none"> <li>a) neither wholly female nor wholly male;</li> <li>b) a combination of female and male; or</li> <li>c) neither female or male.</li> </ul>
<b>LGBTQI (or variations)<sup>2</sup></b>	Acronym for lesbian, gay, bisexual, transgender, queer, questioning and intersex. It is used to refer collectively to these communities.
<b>Match Referee</b>	Any individual who is appointed as a match referee in the relevant competition of Elite Cricket to which the Player is participating.
<b>Non-binary</b>	A person who identifies as either having a gender which is in-between or beyond the two categories 'man' and 'woman', as fluctuating between 'man' and 'woman', or as having no gender, either permanently or some of the time.
<b>Player</b>	Any cricketer who has, pursuant to clause 3 elected to participate in the Elite Cricket category consistent with their Gender Identity, whether or not this accords with the Sex they were assigned at birth.
<b>Premier Cricket</b>	The highest non-professional level of cricket in each State or Territory Association involving Premier Cricket Clubs.
<b>Pronouns<sup>2</sup></b>	Grammatical means of referring to a person or persons. Conventional pronouns are 'she/her/hers' and 'he/him/his'. Some people prefer to use gender neutral pronouns, such as 'they/them/their'. The pronoun a person uses to describe themselves generally reflects their Gender Identity.
<b>Relevant Disparity</b>	Relevant and significant disparity in the Player's strength, stamina or physique when compared to other cricket players in the relevant category of Elite Cricket which has an appreciable effect on the ability to compete.
<b>Sex<sup>2</sup></b>	Refers to a person's biological sex or sex characteristics. These may be genetic, hormonal or anatomical.

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<sup>4</sup> Sex Discrimination Act 1984 (Cth) s 4(1) (definition of Intersex Status).

<b>SSSM</b>	Sports Science & Sports Medicine.
<b>State and Territory Associations</b>	<ul style="list-style-type: none"> <li>a) ACT Cricket Association (ABN 61 741 344 332);</li> <li>b) Northern Territory Cricket Association (ABN 21 938 643 056);</li> <li>c) New South Wales Cricket Association (ABN 27 000 011 987);</li> <li>d) Queensland Cricket Association (ABN55 612 695 676);</li> <li>e) South Australian Cricket Association Limited (ABN 44 623 135 393);</li> <li>f) Tasmanian Cricket Association (ABN 34 009 476 993);</li> <li>g) Victorian Cricket Association (ABN 53 004 128 812);</li> <li>h) Western Australian Cricket Association (ABN 44 026 744 769);</li> <li>i) Melbourne Stars Ltd (ABN 48 152 852 278); and</li> <li>j) Melbourne Renegades Pty Ltd (ABN 84 153 209 628).</li> </ul>
<b>Transgender or Trans <sup>2</sup></b>	General term used to describe a person whose Gender Identity is different from the Sex they were assigned at birth. Being transgender is about how an individual describes their own gender. It is not necessarily about their biological characteristics.
<b>Transition<sup>2</sup></b>	<p>Transition or affirmation refers to the social, medical or legal steps that a Transgender person takes to affirm their Gender Identity. A transition or affirmation may or may not involve medical treatment, including surgeries or hormone therapy. People can transition as children or as adults. Each transition is different.</p> <ul style="list-style-type: none"> <li>a) Social transition – process by which a person changes their gender expression to better match their Gender Identity. This may include changing their name, pronouns or appearance.</li> <li>b) Medical transition – process by which a person changes their physical Sex characteristics to align with their Gender Identity. This may include hormone therapy, surgery or both.</li> <li>c) Legal transition – process by which a person changes their identity documents, name or both, to reflect their Gender Identity. This may include changing their gender marker on a passport or birth certificate, or changing their name on a driver’s licence or bank card</li> </ul>
<b>Umpire</b>	Any individual who is appointed as an umpire in the relevant competition of Elite Cricket to which the Player is participating.
<b>W/BBL Team</b>	<p>Any State Association that has been granted rights to operate a team that is entitled to participate in the W/BBL under the terms of a Team Participation Agreement entered into with CA, which as at 1 August 2017 includes the following:</p> <ul style="list-style-type: none"> <li>a) Adelaide Strikers;</li> <li>b) Brisbane Heat;</li> <li>c) Hobart Hurricanes;</li> <li>d) Melbourne Renegades;</li> <li>e) Melbourne Stars;</li> <li>f) Perth Scorchers;</li> </ul>

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|  | g) Sydney Sixers; and<br>h) Sydney Thunder. |
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