PLAYER GENDER ELIGIBILITY REGULATIONS



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INTRODUCTION

The England and Wales Cricket Board (ECB) is the national governing body of cricket in England and Wales. Its mission is to inspire a generation to say that 'cricket is a game for me' and is striving to become the most inclusive team sport in England & Wales.

Formerly known as the Transgender Playing Policy, this document has been renamed the Player Gender Eligibility Regulations to better align with the language used by the International Cricket Council (ICC) in their comparable regulations, as part of our commitment to ensure consistent naming conventions across our regulations and policies and to be clear that it creates mandatory obligations. Throughout these Regulations, when referring to the professional game, we largely mirror the language and approach adopted by the ICC in their regulations (amended as appropriate) to ensure consistency between our professional domestic game and the international game. We have endeavoured to use inclusive language throughout, whilst ensuring that the Regulations provide procedural clarity through the use of consistent terminology and defined terms. As such several words and phrases will appear capitalised throughout when they would ordinarily not be, to indicate that they are defined terms (e.g., Cisgender Woman, Transgender Woman).

The ECB recognises that transgender participation is a complex area, with many strongly held views, and it is impossible to balance all the considerations. As recommended in the Sports Councils' Equality Group Guidance in 2021, the interaction between fairness, safety and inclusion has been considered, all of which are considered important, with safety as the priority. The ECB believes that everyone should feel included and welcome in our sport. These Regulations seek to strike an appropriate balance by ensuring fairness in the elite game while ensuring inclusivity at a recreational level, with specific safeguards in place to manage disparities when they occur and ensure safety. The Regulations in this document should be read in conjunction with the Disparity Regulations found on the ECB website, which explain how safety concerns due to disparities in strength, skill and/or physique can be managed before and during a match or competition.

In preparing these Regulations, the ECB has undertaken a legal review, conducted a thorough review of relevant scientific literature, and consulted with key stakeholders including women's cricket administrators, professional players, NGBs across cricket and other sports, and advocacy organisations representing a wide range of perspectives. It has reviewed the regulations of other sports as well as the International Olympic Committee and the ICC so far as they relate to transgender people.

These Regulations separately address eligibility criteria for the professional game and eligibility criteria for Tier 3 and the recreational game including talent pathways (county age group programmes, emerging player programmes, and academies).

Cricket does not tolerate discrimination, harassment or bullying within the game, and this is codified within the Anti-Discrimination Regulations. Any breaches of the Anti-Discrimination Regulations should be reported to the Cricket Regulator.

Further information on these Regulations and their implementation can be found in the FAQs on the <u>ECB website</u>, as well as contact details if you require clarification on any parts of the Regulations.

1 DEFINITIONS

For the purposes of these Regulations:

Appeal Panel means the panel appointed to hear appeals under Appendix 1.

Appeal Panel Chair means the chair of the Appeal Panel.

Anti-Doping Regulations means the ECB's Anti-Doping Rules as amended and in force from time to time.

Application means an application made in accordance with Regulation 5.

Application Form means the form which appears at Appendix 2 which is required to submit an Application.

Cisgender Man means an individual who was assigned male at birth and identifies as a man.

Cisgender Woman means an individual who was assigned female at birth and identifies as a woman.

Club means any cricket club which participates in Recreational Cricket.

Competitive County Cricket means:

- (a) the County Championship;
- (b) the One-Day Cup Men's Competition;
- (c) the T20 Blast Men's Competition; and
- (d) any other similar competition authorised by and designated as Competitive County Cricket by the ECB, which for the avoidance of doubt will include matches between a Professional County Club and a representative side of a Full Member County or Associate Member Country (as assigned as such by the ICC).

Designated Officer means the person who is appointed from time to time by the ECB to act on its behalf in relation to matters arising under Appendix 1.

Disciplinary Procedure Regulations means the regulations governing the disciplinary procedure for regulatory cases brought before the Cricket Discipline Panel as in force and amended from time to time.

Disparity Regulations means the ECB's Disparity Regulations as in force and amended from time to time.

ECB means the England and Wales Cricket Board Limited.

ECB Regulations means any ECB's rules, regulations, playing conditions and codes as published and in force and amended from time to time.

Effective Date means 1 April 2025.

England Women's Pathway means matches played by the England Women U19 and/or England Women A teams.

Exemptions Panel means the panel convened to consider Applications under Regulation 5.

Female Only Cricket means any cricket competition, league or match which takes place in England and Wales which only female players are permitted to compete in.

ICC means the International Cricket Council.

Match means any cricket match in an organised cricket competition or league or any friendly.

Medical Panel means a panel convened to consider whether Transgender Women may participate in Women's Professional Domestic Cricket in accordance with Regulation 3.2 and Appendix 1.

National County Club means any National County Cricket Club which plays in the competitions organised by the NCCA.

NCCA means the National Counties Cricket Association.

Non-Binary Person means an individual whose gender identity is not, or is not exclusively, man or woman, regardless of their sex assigned at birth.

Open Cricket means any cricket competition, league or match which takes place in England and Wales which any individual is eligible to compete in without any restriction relating to sex or gender identity.

Professional County Club means any of the clubs and/or companies from time to time listed in Schedule A to the ECB's articles of association and/or any county cricket club from time to time playing in the County Championship and/or the Tier 1 Competitions and/or the Tier 2 Competitions.

Professional Cricket means Competitive County Cricket and Women's Professional Domestic Cricket.

Recreational Cricket means all competitive domestic cricket which takes place in England and Wales which is not Professional Cricket or a Tier 3 Competition. This includes the talent pathway (County Age Group Programmes, Emerging Player Programmes and Academies).

Recreational Cricket Board means a body designated as a Recreational Cricket Board by the ECB which is responsible for the organisation of recreational cricketing activity and the development of cricket generally within a county and such other areas (if any) as may be agreed by the ECB.

Tanner Stage 2 means the second of five stages of puberty during which individuals develop secondary sex characteristics.

Tier 1 Competitions means any women's domestic cricket competitions designated by the ECB as being a "Tier 1" competition, which, as at the Effective Date, includes the T20 Blast Women's Competition and the One Day Cup Women's Competition.

Tier 1 County means a Professional County Club that participates in Tier 1 Competitions.

Tier 2 Competitions means any women's domestic cricket competitions designated by the ECB as being a "Tier 2" competition, which, as at the Effective Date, includes the T20 Blast Women's League 2 and the One Day Cup Women's League 2.

Tier 2 County means a Professional County Club that participates in Tier 2 Competitions.

Tier 3 Competitions means any women's domestic cricket competitions designated by the ECB as being a "Tier 3" competition, which, as at the Effective Date, includes the T20 Blast Women's League 3 and One Day Cup Women's League 3.

Tier 3 County means a Recreational Cricket Board which (i) operates in a county without a Professional County Club and (ii) runs a team which participates in the Tier 3 Competitions.

The Hundred means the ECB's domestic cricket competition in a "100-ball" format and Men's Hundred and Women's Hundred mean The Hundred games played by the Men's Hundred Team and Women's Hundred Team, respectively.

Transgender Person means a Transgender Man, a Transgender Woman or a Non-Binary Person and the plural of this term shall be "**Transgender People**".

Transgender Man means an individual who is assigned female at birth and identifies as a man.

Transgender Woman means an individual who is assigned male at birth and identifies as a woman.

Women's Professional Domestic Cricket means the Tier 1 Competitions, Tier 2 Competitions, the Women's T20 County Cup and the Women's Hundred.

Women's T20 County Cup means the T20 knockout cup competition which Tier 1 Counties, Tier 2 Counties and Tier 3 Counties participate in.

2 SCOPE

- 2.1 These Regulations govern eligibility to participate in Matches at any level of cricket in England and Wales. Professional County Clubs, National County Clubs and Clubs may adopt the eligibility criteria which are set out in these Regulations in relation to participation in training but are not obliged to do so.
- 2.2 These Regulations do not apply to international competitions sanctioned and run by the ICC, including those participated in by the England Women's Pathway, which are governed by the ICC's Player Eligibility Regulations.
- 2.3 These Regulations establish eligibility rules for Professional Cricket, Tier 3 Competitions and Recreational Cricket. Individual participation remains subject to compliance with other ECB Regulations (including the Anti-Doping Regulations and the Disparity Regulations).
- 2.4 If the ECB and/or Cricket Regulator receives information (whether from third parties or otherwise) which calls into question whether somebody is eligible to participate in Professional Cricket in the format of cricket they are participating in, including in relation to whether the individual's gender identity is genuinely held, appropriate investigations may be undertaken to determine their eligibility and/or whether there has been a breach of these Regulations.
- 2.5 Where a Transgender Person is under the age of 18, Applications or requests for information under these Regulations should be made by or to their parent or guardian unless the ECB is satisfied that the individual is mature enough and has sufficient understanding to make the Application or respond to the request on their own behalf.
- 2.6 These Regulations will come into full force and effect on the Effective Date.

3 ELIGIBILITY TO PLAY IN PROFESSIONAL CRICKET

- 3.1 Eligibility to participate in Professional Cricket is determined as follows:
 - 3.1.1 a Cisgender Woman may participate in:
 - a) Competitive County Cricket;
 - b) Women's Professional Domestic Cricket; and
 - c) the Men's Hundred;
 - 3.1.2 a Transgender Woman may participate in:
 - a) Competitive County Cricket;
 - b) Women's Professional Domestic Cricket, provided she complies with Regulation 3.2; and
 - c) the Men's Hundred;
 - 3.1.3 a Cisgender Man may participate in:
 - a) Competitive County Cricket; and
 - b) the Men's Hundred;
 - 3.1.4 a Transgender Man may participate in:

- a) Competitive County Cricket; and
- b) the Men's Hundred; and
- 3.1.5 a Non-Binary Person may participate in:
 - a) Competitive County Cricket;
 - b) Women's Professional Domestic Cricket, provided they comply with Regulation 3.2; and
 - c) the Men's Hundred.
- 3.2 A Transgender Woman may participate in Women's Professional Domestic Cricket if:
 - 3.2.1 she has provided a written and signed declaration, in a form satisfactory to the Designated Officer, that her gender identity is female;
 - 3.2.2 she has not experienced any part of male puberty beyond Tanner Stage 2, or after age 12, whichever is later;
 - 3.2.3 since puberty she has continuously maintained a concentration of testosterone in her serum below 2.5 nmol/L; and
 - 3.2.4 she has demonstrated to the satisfaction of the Medical Panel (on the balance of probabilities), in accordance with the process set out in Appendix 1, that she will continue to maintain a concentration of testosterone in her serum below 2.5 nmol/L at all times (whether in competition or out of competition) for so long as she continues to compete in Women's Professional Domestic Cricket.
- 3.3 A Non-Binary Person may participate in Women's Professional Domestic Cricket if:
 - 3.3.1 they were assigned female at birth; and
 - 3.3.2 they comply, at all times, with the Anti-Doping Regulations.

4 ELIGIBILITY TO PLAY IN TIER 3 COMPETITIONS AND RECREATIONAL CRICKET

- 4.1 Subject to Regulation 5, eligibility to participate in any Tier 3 Competition or Recreational Cricket is determined as follows:
 - 4.1.1 a Cisgender Woman may participate in:
 - a) Tier 3 Competitions;
 - b) Open Cricket; and
 - c) Female Only Cricket.
 - 4.1.2 a Transgender Woman may participate in:
 - a) Tier 3 Competitions;
 - b) Open Cricket; and
 - c) Female Only Cricket.
 - 4.1.3 a Cisgender Man may participate in Open Cricket;
 - 4.1.4 a Transgender Man may participate in Open Cricket; and

- 4.1.5 a Non-Binary Person may participate in:
 - a) Tier 3 Competitions, provided that they were assigned female at birth;
 - b) Open Cricket; and
 - c) Female Only Cricket, provided that they were assigned female at birth.
- 4.2 The Disparity Regulations, which can be found on the <u>ECB website</u>, apply to all cricketers playing in Tier 3 Competitions or Recreational Cricket.

5 EXEMPTIONS PROCESS FOR RECREATIONAL CRICKET

- 5.1 Regulation 4.1 sets out eligibility to participate in Recreational Cricket, which is to be applied across Recreational Cricket. However, if a Transgender Person (i) wishes to participate in a cricket competition, league or match in Recreational Cricket in which they are not eligible to play and (ii) considers that their inability to participate will have a significantly detrimental impact upon them, they (or their Club on their behalf) may apply to the ECB for an exemption in accordance with Regulation 5.2.
- 5.2 Where an exemption from the eligibility provisions in Regulation 4.1 is sought, the following process applies:
 - 5.2.1 A completed Application Form must be sent to diversity.matters@ecb.co.uk.
 - 5.2.2 The ECB will convene an Exemptions Panel to consider the Application. The Exemptions Panel will usually consider the Application within 10 days of receipt. Where it is not possible for the Exemptions Panel to do so, it will provide reasons to the Applicant.
 - 5.2.3 The Exemptions Panel has the power to request any further information from the Applicant or other relevant party as it deems necessary to consider the Application.
 - 5.2.4 The Exemptions Panel will consider the application on a case-by-case basis and decide whether the Applicant should be permitted to play in the relevant competition(s), league(s) and match(es).
 - 5.2.5 The Applicant is not permitted to participate in the relevant competition(s), league(s) and match(es) unless they have received confirmation from the Exemptions Panel that they may do so.
 - 5.2.6 The Exemptions Panel will produce a written decision within five days.
 - 5.2.7 The decision of the Exemptions Panel is final and binding and there is no right of appeal by the applicant.
 - 5.2.8 Where the applicant or any third-party supplies evidence that was not available to the Exemptions Panel when making its decision which the Exemptions Panel considers could have had a material impact on its decision, the Exemptions Panel will reconsider the Application in accordance with the procedure in Regulation 5.2.

6 DATA PROTECTION

6.1 The UK GDPR and the Data Protection Act 2018 make up the primary data protection legislation in the United Kingdom. Details of how the ECB uses and protects personal data obtained in connection with these Regulations and their rights in respect of their personal data can be found in the ECB's privacy notice for the relevant category of player. 6.2 For information about how Professional County Clubs, National County Clubs and Clubs use personal data, Transgender People and/or their parent(s) / guardian(s) should refer to the privacy notice(s) issued by the relevant Professional County Club, National County Club or Club.

APPENDIX 1

PROCESS UNDER REGULATION 3.2.4

- 1. A Transgender Woman must comply with the process set out in this Appendix in order to satisfy the Medical Panel that she will continue to maintain a concentration of testosterone in her serum below 2.5 nmol/L in accordance with Regulation 3.2.4.
- 2. The Designated Officer may seek advice from the ECB's Chief Medical Officer, or their authorised deputy, in relation to any aspect of this process that they consider appropriate.
- 3. The Transgender Woman must file a declaration made in accordance with Regulation 3.2.1 with the Designated Officer.
- 4. The Transgender Woman must provide the Designated Officer with a comprehensive medical history and such other evidence as is required to demonstrate that she complies with Regulation 3.2, including in relation to:
 - (a) any sex reassignment procedure she has undertaken, including the date(s) of any such procedures and whether they took place before or after puberty;
 - (b) any other relevant treatment she has received (including any pre or post reassignment treatment), including the dosage and frequency of such treatment; and
 - (c) the results of any pre or post reassignment monitoring.
- 5. Unless the Transgender Woman proves to the satisfaction of the Designated Officer that she has had a gonadectomy or other procedure that will have continuously supressed her testosterone below 2.5 nmol/L, she must:
 - (a) give the Designated Officer advance notice of her whereabouts, in the manner and by the means specified by the ECB, so that the Designated Officer is able to locate her for the purposes of sample collection without advance notice at any time;
 - (b) provide samples on demand to a service provider engaged by the ECB, in accordance with sample collection procedures prescribed by the ECB to safeguard the identify and integrity of the samples;
 - (c) acknowledge that the ECB will have those samples analysed to assess her compliance with Regulation 3.2; and
 - (d) agree to advise the Designated Officer of the results of analysis of samples collected from her under any applicable anti-doping rules (or, if they do not have that information, agree to do everything in their power to ensure that the person holding that information provides it to the Designated Officer).
- 6. The Transgender Woman is responsible for ensuring that the information provided is accurate and complete, and that nothing relevant to the Medical Panel's assessment of the case has been withheld. She must also provide the appropriate consents and waivers (in a form satisfactory to the Designated Officer) to enable her physician(s) to disclose to the Designated Officer and the Medical Panel any relevant information that the Medical Panel deems necessary to its assessment.

- 7. The Designated Officer will review the submission and, after communicating with the Transgender Woman and/or her physician to remedy any obvious deficiencies, will refer the file to the Medical Panel for assessment in accordance with the following provisions of this Appendix 1.
- 8. The Medical Panel will assess cases referred to it by the Designated Officer to determine whether the requirements in Regulation 3.2 have been met (or, if not, then what else the Transgender Woman must do to satisfy those conditions). It may make such enquiries or investigations as it considers necessary to carry out the required assessment accurately and effectively, including (without limitation) requesting further information from her or her physician and/or obtaining additional expert opinion(s).
- 9. If the Medical Panel has any concerns about the adequacy of the evidence provided by the Transgender Woman on any particular point, it must give her a fair opportunity to try to address those concerns before it comes to its final decision.
- 10. The Medical Panel will complete its assessment as soon as is reasonably practicable in all of the circumstances of the case. However, in no circumstances will the ECB or any member of the Medical Panel be liable for any detriment allegedly suffered by the Transgender Woman or anyone else as a result of the length of time taken by the Medical Panel to complete its assessment.
- 11. Once it has completed its assessment, the Medical Panel will send its decision in writing to the Designated Officer and to the Transgender Woman (with a copy to her physician).
- 12. If the Medical Panel decides that the requirements of Regulation 3.2 have not (yet) been met, it must explain in writing the reasons for its decision. Where applicable, it should also specify what else the Transgender Woman may do in order to satisfy those conditions (including, for example, monitoring; reporting; and further reviews).
- 13. If the Medical Panel decides that the requirements of Regulation 3.2 have been met, the Designated Officer will confirm that the Transgender Woman is eligible to compete in Women's Professional Domestic Cricket. That eligibility will be subject in every case to her continuing satisfaction of the requirements of Regulation 3.2. The Medical Panel may specify particular means (e.g., further treatment, monitoring and/or reporting) of achieving and/or demonstrating such continuing compliance. In any event, she must produce, on request, evidence satisfactory to the Designated Officer of such continuing compliance.
- 14. A Transgender Woman may challenge a determination by the Medical Panel that she is not eligible to compete in Women's Professional Domestic Cricket in accordance with the following procedure:
 - (a) A Transgender Woman may appeal a decision of the Medical Panel to the Appeal Panel submitting a Notice of Appeal to the Medical Panel.
 - (b) The Notice of Appeal must be accompanied by a deposit of £1,000 which may be used to defray part of any costs awarded against the appellant or returned to him/her in whole or in part after the Appeal Hearing at the discretion of the Appeal Panel.
 - (c) The Transgender Woman has the right to a hearing to reconsider the merits of the case afresh.

- (d) As soon as reasonably practicable following receipt of the Notice of Appeal, the Chair of the Cricket Discipline Panel will appoint the Appeal Panel which will comprise three members of the Cricket Discipline Panel.
- (e) The Appeal Panel Chair will fix a date for the appeal hearing which will normally be within 28 days of the lodging of the Notice of Appeal.
- (f) The Appeal Panel will determine its own procedure, provided that this will include the opportunity for each party to present their case. The ECB will normally be represented as a party to any appeal against a decision of the Medical Panel.
- (g) Decisions of the Appeal Panel will be by majority vote and where necessary the Appeal Panel Chair will have a casting vote.
- (h) Decisions of the Appeal Panel will be communicated in writing to the parties as soon as possible after the hearing.
- (i) The Appeal Panel has unlimited power to award costs against either party. For the avoidance of any doubt, the payment of the £1,000 deposit should in no way be construed as a cap on the costs liability of any party which submits an Appeal.
- (j) Any decisions made pursuant to these Regulations will stand and be enforceable by the ECB pending determination of any appeal pursuant to this Regulation.
- (k) The decision of the Appeal Panel is final and binding on all parties to the appeal and there will be no right of appeal of any kind by any party to any body whatsoever on any ground whatsoever, and/or the parties will be deemed to have waived irrevocably any right to appeal, review or recourse to a court of law, arbitral body or any other body of any nature.

Appendix 2 – Application Form

The information requested in the Application Form is intended to assist the Exemptions Panel in understanding the background to the Application. Details of how the ECB uses and protects personal data obtained in connection with the Player Gender Eligibility Regulations and their rights in respect of their personal data can be found in the ECB's privacy notice for the relevant category of player.

	Player's information			
Player's name				
Contact details for Player/Club				
Age				
Gender identity				
Sex assigned at birth				
Has the Player gone through male				
puberty?				
(Optional) Has the Player				
undergone/or are they currently				
undergoing hormonal or medical				
treatment in relation to their gender				
identity?				
What level of cricket does the Player				
currently play? Please specify the				
name of the				
competition(s)/league(s)/match(es).				
What level of cricket has the Player				
played in the past 5 years? Please				
specify the name of the				
competition(s)/league(s)/match(es).				
What level of cricket is the Player				
seeking to play? Please specify the				
name of the				
competition(s)/league(s)/match(es).				
What format of the game is the				
Player seeking to play? (e.g., softball				
league, hardball league)				
Have any safety concerns been				
identified in respect of the player's				
participation in the applicable				
competition(s), league(s) and/or				
match(es)?				
If you please provide datails				
If yes, please provide details.	formation (if different to the above)			
	formation (if different to the above)			
Who is making the Application and what is their relation to the player?				
	etails of the Application			
Please provide reasons in support of the Application.				
	Additional information			

Are there other available cricket	
leagues, matches or competitions in	
which the Player could participate?	
Please provide any additional	
information about the impact of the	
decision on the Player. This may	
include the impact on their mental	
health and/or their long-term	
playing ambitions.	