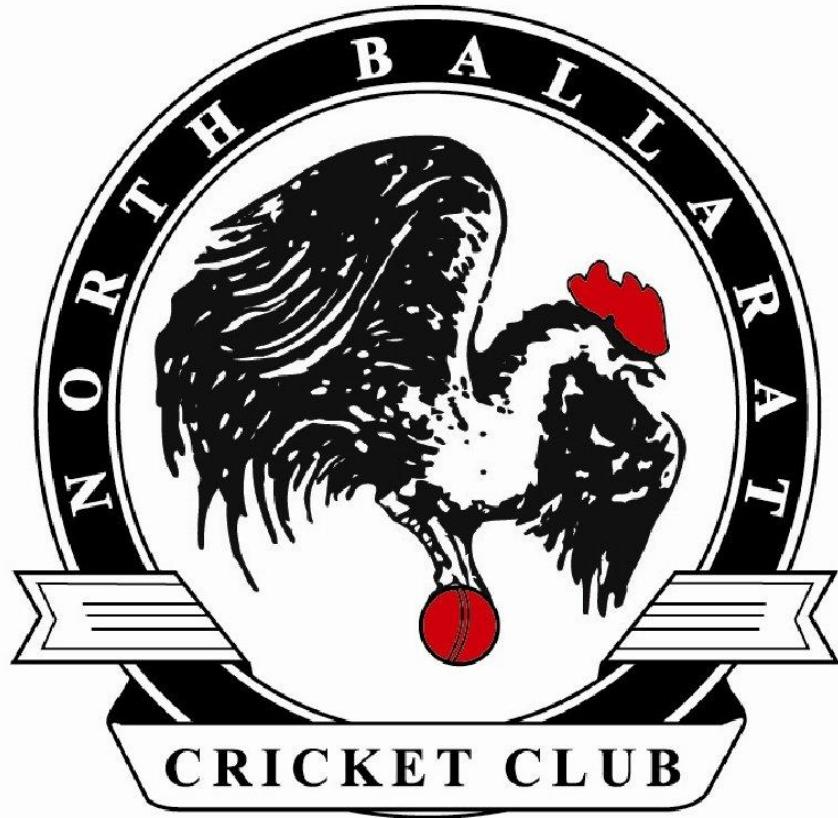


North Ballarat Cricket Club



**Officials, Players,
Parents and Supporters
Code of Conduct**

Coach & Manager Codes of Behaviour

As a coach, manager or other team official associated with North Ballarat Cricket Club, in your own conduct and in regard to how you coach and encourage your players to conduct themselves, you must meet the requirements of North Ballarat Cricket Club's:

- General Code of Behaviour;
- Appropriate Behaviour With Children Code of Behaviour (if working with children under 18 years); and
- Social Media Code of Conduct; and
- Coach Code of Behaviour,

In addition, you must meet the following further requirements for team officials and players:

1. Team officials must not engage in behaviour unbecoming to an official and must take all reasonable steps to ensure a player does not engage in behaviour unbecoming to a player, which behaviour could bring the game of cricket into disrepute or be harmful to the interests of cricket. This may include on or off-field behaviour such as serious or repeated criminal conduct, public acts of misconduct, unruly public behaviour or cheating during play, whether during training, pre-competition, competition or post-competition phases.
2. Team officials must not, and must take all reasonable steps to ensure players do not, intimidate an umpire or show dissent from an umpire's decision. Team officials must, and must take all reasonable steps to ensure players, accept the umpire's decision.
3. Team officials shall encourage tolerance and must not, and must take all reasonable steps to ensure that players do not, use crude or abusive language or make crude or abusive gestures or otherwise behave in any manner which offends, insults, humiliates, intimidates, threatens, disparages or vilifies any other participant on the basis of that person's race, religion, colour, gender, sexuality, descent or national or ethnic origin.

In addition to any penalties available for breach of the codes outlined above, penalties and consequences applicable may include any or all of the following:

1. Suspension from team duties at some or all remaining matches.
2. Immediate dismissal from the team official's role.
3. Full responsibility for any applicable cost or damage caused, including but not limited to emergency services charges.
4. Exclusion from all future Club programs.
5. Suspension from any Ballarat Cricket Association or Melbourne All Abilities Cricket Association official duties for a period deemed appropriate by the NBCC Committee of Management, BCA Tribunal and/or MAACA Tribunal.

Player Codes of Behaviour

As a player associated with North Ballarat Cricket Club, you must meet the requirements of North Ballarat Cricket Club's:

- General Code of Behaviour;
- Social Media Code of Conduct; and
- General Junior or Senior Player Code of Behaviour

You must also meet the following additional requirements for players:

1. Players must not intimidate, dispute or argue with, an umpire and must accept all decisions.
2. Players must treat all other participants with respect at all times and display good sportsmanship.
3. All facilities and equipment must be used in a careful manner. Deliberate or negligent damage will be seen as an act of vandalism.
4. Swearing, sledging and intimidating behaviour are not acceptable.
5. Vilification of any type (including racial and religious) which offends, insults, intimidates, threatens or disparages another person will not be accepted and is subject to immediate expulsion.

In addition to any penalties available for breach of the codes outlined above, penalties and consequences applicable may include any or all of the following:

1. Suspension from some or all remaining matches
2. Immediate collection of player/s by parent/guardian or transportation home at the parent's/guardian's expense.
3. Full responsibility of the player's parent/guardian for any applicable cost or damage caused by their child including but not limited to emergency services charges.
4. Exclusion from all future Club programs.
5. Suspension from any Ballarat Cricket Association or Melbourne All Abilities Cricket Association matches and/or official duties for a period deemed appropriate by the NBCC Committee of Management, BCA Tribunal and/or MAACA Tribunal.

Parent/Guardian Codes of Behaviour

As a parent/guardian associated with North Ballarat Cricket Club and its programs, you must meet the requirements of North Ballarat Cricket Club's:

- General Code of Behaviour;
- Social Media Code of Conduct; and
- General Parent/Guardian Code of Behaviour

You must also meet the following additional requirements for parents/guardians:

1. In the event of your child being involved in any suspected or alleged breach of the Codes of Behaviour applicable to players, you agree to immediately collect your child or agree to transportation home at your expense.
2. You accept full responsibility for any applicable cost or damage caused by your child, including but not limited to emergency services charges.
3. You acknowledge and accept that your child's behaviour while involved in or associated with the program may have longer term impacts on future cricketing opportunities that may be offered to your child.

In addition to any penalties available for breach of the codes outlined above, penalties and consequences applicable to parents/guardians may include any or all of the following:

1. Suspension from attendance at some or all remaining training sessions and/or program matches.
2. Removal from any relevant venue.
3. Suspension from attendance at any Ballarat Cricket Association or Melbourne All Abilities Cricket Association matches for a period deemed appropriate by the NBCC Committee of Management, BCA Tribunal and/or MAACA Tribunal.

General Code of Behaviour

You must meet the following requirements in regard to your conduct during or in any way associated with North Ballarat Cricket Club:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealings with others.
3. Be professional in, and accept responsibility for, your actions.
4. Make a commitment to providing quality service.
5. Operate within the rules of the sport including the relevant Association, Cricket Victoria and/or Cricket Australia guidelines.
6. Do not use your involvement with North Ballarat Cricket Club to promote your own beliefs, behaviours or practices where these are inconsistent with those of the North Ballarat Cricket Club.
7. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
8. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
9. Refrain from any behaviour that may bring the sport of cricket or North Ballarat Cricket Club into disrepute.
10. Provide a safe environment for the conduct of the activity.
11. Show concern and caution towards others who may be sick or injured.
12. Be a positive role model.
13. Where required or appropriate, ensure proper recording and documentation procedures are undertaken and completed.
14. Understand the repercussions if you breach, or are aware of any breaches of, this Code of Behaviour.
15. Act at all times to protect and promote the sport of cricket in accordance with the Spirit of Cricket.

General Junior or Senior Code of Behaviour

JUNIOR PLAYER CODE OF BEHAVIOUR

As a player associated with North Ballarat Cricket Club, you must meet the following requirements in regard to your conduct during or in any way associated with North Ballarat Cricket Club:

- Play by the rules and within the Spirit of Cricket.
- Never argue with an umpire. If you disagree, have your captain, coach or manager approach the umpire during a break or after the game.
- Control your temper. Verbal abuse of officials and sledging other players, deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in Cricket.
- Work equally hard for yourself and your teammates. Your team's performance will benefit and so will you.
- Be a good sport. Applaud all good plays whether they are made by your team or the opposition.
- Treat all participants in cricket as you like to be treated. Do not bully or take unfair advantage of another competitor.
- Cooperate with your coach, teammates and opponents. Without them there would be no competition.
- Participate for your own enjoyment and benefit, not just to please parents and coaches.
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
- Participate fairly and safely.
- Do not engage in practises that affect sporting performance (alcohol, tobacco and drug use.)
- Respect and acknowledge the contribution of those who create the opportunity for you to play.
- Respect your coach and train and play to the best of your ability and develop your participation in accordance with the Spirit of Cricket.

SENIOR PLAYER CODE OF BEHAVIOUR

As a player associated with North Ballarat Cricket Club, you must meet the following requirements in regard to your conduct during or in any way associated with North Ballarat Cricket Club:

- Play by the rules and abide by the Spirit of Cricket.
- Never argue with an umpire. If you disagree, have your captain, coach or manager approach the umpire during a break or after the game.
- Control your temper. Verbal abuse of officials and sledging other players, deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in Cricket.
- Work equally hard for yourself and your teammates. Your team's performance will benefit and so will you.
- Be a good sport. Applaud all good plays whether they are made by your team or the opposition.
- Treat all participants in cricket as you like to be treated. Do not bully or take unfair advantage of another competitor.
- Cooperate with your coach, teammates and opponents. Without them there would be no competition.
- Respect the rights, dignity and worth of fellow players, coaches, officials and spectators.
- Refrain from conduct which could be regarded as sexual or other harassment.
- Respect the talent, potential and development of fellow players and competitors.
- Care and respect the uniform and equipment provided to you.
- Be frank and honest with your coach concerning illness and injury and your ability to train and play fully.
- Conduct yourself in a responsible manner relating to language, temper and punctuality.
- Maintain a high standard of personal behaviour at all times.
- Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
- Cooperate with coaches and staff in relation to programs that adequately prepare you for competition.
- Do not excessively engage in practices that can adversely affect sporting performance (alcohol, tobacco and/or drug use).

General Parent/Guardian Code of Behaviour

As a parent/guardian of a player in any activity held by, sanctioned by or under the auspices of North Ballarat Cricket Club you must meet the following requirements in regard to your conduct during any such activity or event:

- Do not force an unwilling Child to participate in Cricket.
- Remember, Children are involved in Cricket for their enjoyment, not yours.
- Encourage your Child to play by the rules at all times.
- Focus on the Child's efforts and performance rather than winning or losing.
- Never ridicule or yell at a Child for making a mistake or losing a game. Positive comments are motivational.
- Remember that Children learn best by example. Appreciate good performances and skilful plays by all participants.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Respect officials' decisions and teach Children to do likewise. If you disagree with an umpire or coach raise the issue through the appropriate channels rather than question their judgement and honesty in public.
- Show appreciation for volunteer coaches, officials and administrators. Without them, your Child could not participate.
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
- Teach your Child that an honest effort is as important as victory, so that the result of each game is accepted without undue disappointment.
- Support all efforts to remove verbal and physical abuse.
- Be a model of good sports behaviour for Children to copy.
- Be courteous in communication with administrators, coaches, players and umpires. Teach Children to do likewise.
- Support the use of age appropriate development activities and modified rules.
- Do not undermine the efforts of coaches.
- Encourage junior players to participate in the sport of cricket in a safe manner.

Appropriate Behaviour with Children Code of Behaviour

As a coach, manager or other team official, umpire or other adult associated with North Ballarat Cricket Club, you must meet certain further requirements when you are interacting with Children (being individuals under 18 years of age), as follows:

1. When disciplining or guiding Children, ensure that appropriate techniques are used to do so. At no stage should physical punishment or overly threatening or intimidating behaviour occur.
2. Understand the scope and limit of your authority. It is not appropriate for adults involved in cricket to take certain actions in relation to Children that aren't their own, without the express consent of the relevant Child's parents. For example, an adult should not provide unauthorised transportation to Children, contact Children outside of that required by virtue of the adult's role in cricket nor attend private functions with Children.
3. Use appropriate language and communication techniques.
4. Avoid discriminatory, derogatory, sexual or otherwise harmful language.
5. Avoid one-on-one unsupervised contact with Children.
6. Avoid use of electronic communications (text, email, social media, etc) to a Child without copying in their parent/guardian to the communication.
7. Do not give gifts to Children without the parent having previously approved of the gift being given.
8. Avoid taking photos, videos or other recordings of Children without the prior consent of their parent/guardian.
9. Ensure all physical contact is appropriate and necessary. Contact should not occur if it is rough, intended to cause pain, sexual or unnecessary.
10. Sexual behaviour in the presence of Children is not tolerated in any circumstances.
11. Ensure change room arrangements are appropriately considered. This means that you should avoid being in change rooms unsupervised with Children. Ensure that genders are adequately separated into different change rooms. Adults should not use the same facility as Children to get changed – to avoid exposing Children to adult nudity.
12. In no circumstances should you supply alcohol or drugs to Children. Nor should you be under the influence of either when in the presence of Children.

Coach Code of Behaviour

You must meet the following requirements in regard to your conduct during any activity held by or under the auspices of North Ballarat Cricket Club and in your role as a coach of a program:

1. Operate within the rules and Spirit of Cricket and teach your players to do the same.
2. Remember that young people participate for pleasure and winning is only part of the fun.
3. Never ridicule or yell at a young player for making a mistake or not coming first.
4. Be reasonable in your demands on players' time, energy and enthusiasm.
5. Avoid overplaying the most talented players; all young players need and deserve equal time, attention and opportunities.
6. Ensure that equipment and facilities meet safety standards and are appropriate to the age and ability of all players.
7. Display control and respect to all those involved in Cricket. This includes opponents, coaches, umpires, administrators, parents and spectators. Encourage your players to do the same.
8. Show concern and caution toward sick and injured players. Follow the advice of a physician when determining whether an injured player is ready to recommence training or competition.
9. Obtain appropriate qualifications and keep up to date with the latest Cricket coaching practices and principles of growth and development of young people. Be honest and ensure that qualifications are not misrepresented.
10. Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
11. Promote a climate of mutual support among your players. Encourage players to respect one another and to expect respect for their worth as individuals regardless of their level of play.
12. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
13. Determine, in consultation with the players, what information is confidential and respect that confidentiality.
14. Provide feedback to players in a caring sensitive manner to their needs. Avoid overly negative feedback.
15. Refrain from any form of personal abuse towards your players. This includes verbal, physical and emotional abuse. Be alert to any forms of abuse directed toward your players from other sources while they are in your care. (Abide by Member Protection By-law).
16. Refrain from any form of harassment towards your players. Treat all players fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status, and other condition. (Abide by Member Protection By-law).
17. Be acutely aware of the power that you as a coach develop with your players in the coaching relationship and avoid any sexual intimacy with players that could develop as a result.

18. Avoid situations with your players that could be construed as compromising. Any physical contact with a young person should be appropriate to the situation and necessary for the player's skill development.
19. At all times use appropriate training methods which will benefit the players and avoid those which could be harmful. Ensure that the tasks, trainings, equipment and facilities are safe and suitable for age, experience, ability and physical and psychological conditions of the players.
20. Ensure the players time spent with you is a positive experience. All players are deserving of equal attention and opportunities. Provide training and game opportunities that ensure everyone has a reasonable chance to succeed and to improve/acquire skills and develop confidence.
21. Actively discourage any use of performance enhancing drugs, excessive use of alcohol and tobacco for Players that are 18+ and nil for Junior players, and any use of illegal substances.
22. Recognise individual differences in players and always think of the player's long-term best interests.
23. Set challenges for each player which are both achievable and motivating.
24. Respect the fact that your goal as a coach for the player may not always be the same as that of the player. Aim for excellence based upon realistic goals and due consideration for the participant's growth and development.
25. At all times act as a role model that promotes the positive aspects of sport and of Cricket by maintaining the highest standards of personal conduct and projecting a favourable image of Cricket and of coaching at all times.
26. Recognise your player's rights to consult with other coaches and advisers. Cooperate fully with other specialists (e.g. sports scientists, doctors, physiotherapists etc.).
27. Do not exploit any coaching relationship or information gained through North Ballarat Cricket Club programs, to further personal, political, or business interests.
28. Encourage players and coaches to develop and maintain integrity in their relationship with others.

Umpire Code of Behaviour

As an umpire appointed by North Ballarat Cricket Club to officiate in relation to any of its programs, you must meet the following requirements in regard to your conduct during or in any way associated with any program, activity or event held or sanctioned by or under the auspices of North Ballarat Cricket Club:

- Compliment and encourage all participants.
- Be consistent, objective and courteous when making decisions.
- Condemn unsporting behaviour and promote respect for all opponents.
- **Emphasise the spirit of the game rather than the errors.**
- Be a good sport yourself- actions speak louder than words.
- Keep up to date with the latest available resources for umpiring and the principles of growth and development of young people.
- Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Place the safety and welfare of participants above all else.
- Treat all players with respect at all times.
- Accept responsibility for all actions taken. Exercise reasonable care to prevent injury by ensuring players play within the rules. Reasonable care consists of advising the players of illegal body movements, showing due diligence in detecting infringements and penalising rule breakers.
- Umpires must be impartial and maintain integrity in their relationship with other umpires, players and coaches.
- Avoid situations which may lead to a conflict of interest.
- Value the individual in sport. Ensure the players have the opportunity for discussion with you after the match.
- Encourage inclusivity and access to all areas of officiating. Aim for excellence based upon realistic goals and due consideration for growth and development.
- Be a positive role model in behaviour and personal appearance by maintaining the highest standards of personal conduct and projecting a favourable image of Cricket and umpiring at all times.
- Refrain from any form of personal abuse towards players. This includes verbal, physical and emotional abuse. Be alert to any forms of abuse directed towards the players from other sources while they are playing. (Abide by Member Protection By-law).
- Refrain from any form of harassment towards players. Treat all players fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status, and other conditions. (Abide by Member Protection By-law).

- Show concern and caution towards ill and injured players. You should enforce the blood rule and apply procedures regarding ill or injured players according to the rule book. Common sense must be applied in all cases.
- In accordance with the relevant Association, Cricket Victoria and/or Cricket Australia guidelines, modify rules and regulations to match the skill levels and needs of young people.
- Encourage and promote rule changes which will make **participation** more enjoyable.
- Give all young people a 'fair go' regardless of their gender, ability, cultural background or religion.
- Institute disciplinary procedures when necessary without fear or favour in accordance with the rules of the competition and the Spirit of Cricket.
- Participate in ongoing training, be aware of rule changes, be a member of an Umpires Association wherever possible and promote the Spirit of Cricket.

Social Media Code of Conduct

North Ballarat Cricket Club recognises that social media is an important part of the way players, parents/guardians, coaches, officials, administrators and other persons (together, **participants**) associated with North Ballarat Cricket Club communicate.

North Ballarat Cricket Club actively encourages our community members to participate in social media and share their experiences in cricket. North Ballarat Cricket Club recognises the importance of the internet to improve and increase the flow of information, shaping public thinking about the organisation and its members, sponsors and key stakeholders.

However, North Ballarat Cricket Club's public reputation is valuable and so are the reputations of North Ballarat Cricket Club's members, sponsors and key stakeholders.

To this end, North Ballarat Cricket Club imposes the following obligations in relation to all social media, as this concept may change over time, including but not limited to interactive electronic forums or online media where people are communicating, posting, participating, sharing, networking or bookmarking. For the purposes of this code of conduct, social media extends to:

1. electronically communicated material, whether written, photographic, video, audio or otherwise, which is accessible by more than one participant;
2. Facebook, YouTube, Twitter, Snapchat, LinkedIn, Instagram and related or similar domains;
3. blogs, social networking sites, instant messaging, social bookmarking, media sharing and collaborative editing websites;
4. any other forum which might reasonably be classified as social media as that term is generally understood; and
5. any other forum for public comment.

Prohibited behaviour

When using social media, participants must not:

1. send, display or expose others to content that is obscene, offensive, inappropriate or for an illegal purpose;
2. impersonate or falsely represent any other person, including North Ballarat Cricket Club;
3. abuse, harass or threaten any other person, including North Ballarat Cricket Club;
4. make defamatory or libellous comments;
5. use obscene, offensive, insulting, provocative, violent or hateful language or images or language or images which incite discrimination, hate or violence towards one person or group because of their race, religion, gender, sexuality or nationality;
6. post material that infringes the intellectual property rights of others, including moral rights;
7. intrude upon the privacy of any representative of North Ballarat Cricket Club without the consent of that individual;
8. misuse North Ballarat Cricket Club's or any other person's confidential information;

9. interfere with the conduct of any event run by North Ballarat Cricket Club or with the roles and responsibilities of North Ballarat Cricket Club;
10. violate security measures instituted at or within any North Ballarat Cricket Club facility, service or program;
11. comment in a way that may be construed as harming their own reputation or the reputation of another participant, North Ballarat Cricket Club or its members, sponsors, key stakeholders or programs; or
12. engage in any conduct that, in North Ballarat Cricket Club's opinion, restricts or inhibits any other user from using or enjoying North Ballarat Cricket Club's programs or social media platforms; and

in relation to North Ballarat Cricket Club's social media platforms only:

13. make excessive postings on a particular issue or post multiple versions of the same opinion or information on social media platforms operated by North Ballarat Cricket Club;
14. promote commercial interests in social media platforms operated by North Ballarat Cricket Club, including any unsolicited or unauthorised advertising, promotional materials, surveys, contests, pyramid schemes, unlawful gambling or gaming activities;
15. without authority, post internet addresses, links to websites, email addresses or other personal information on social media platforms operated by North Ballarat Cricket Club; or
16. Use social media in any way which results in the participant breaching, or being involved in a breach of a law, order or regulation (including a foreign law, order or regulation), a mandatory code of conduct or an applicable voluntary code of conduct.

Consequences

North Ballarat Cricket Club continually monitors online activity in relation to its social media. North Ballarat Cricket Club encourages any participant to report alleged or suspected breaches of this code of conduct to North Ballarat Cricket Club, and any alleged or suspected use of social media which is likely to harm the reputation of North Ballarat Cricket Club, its members, sponsors or key stakeholders.

In circumstances of an alleged or suspected breach of this code of conduct, North Ballarat Cricket Club may:

1. investigate the relevant circumstances, including requiring any relevant participant to provide statements or other evidence;
2. make any necessary or appropriate public comment including a correction, clarification, contradiction or apology;
3. issue a formal warning to any participant, members or other party;
4. report any breach of any law to any relevant authority or wronged party;
5. take any disciplinary action available to it under the North Ballarat Cricket Club constitution, by-laws, rules or other applicable policy or code of conduct; and/or

6. exercise any of its available rights at law.

North Ballarat Cricket Club expressly reserves the right to take any action, including dealing directly with social media providers, to remove or otherwise moderate any posted material that it considers is or may be in breach of this code of conduct.

Terms and conditions of participation

Coach/Manager/Senior Player/Umpire declaration and consent

I authorise and consent to undertaking the relevant North Ballarat Cricket Club program. In consideration of North Ballarat Cricket Club accepting my participation in the program, I expressly agree to be responsible for my behaviour and agree to accept the terms and conditions set out in this declaration, including the provision by me of a release and indemnity in the terms set out below.

Parent/Guardian declaration and consent

I am the parent/guardian of the player. I authorise and consent to the player undertaking the relevant North Ballarat Cricket Club program. In consideration of North Ballarat Cricket Club accepting the player's participation in the program, I expressly agree to be responsible for the player's behaviour and agree to accept, in my capacity as parent/guardian, the terms and conditions set out in this declaration, including the provision by me of a release and indemnity in the terms set out below.

- 1. North Ballarat Cricket Club as supplier:** "NBCC" and "North Ballarat Cricket Club" for the purposes of this declaration means North Ballarat Cricket Club Inc ABN 51 393 073 733.
- 2. Compliance:** While participating in or associated with the program I agree to be bound by and to comply with and procure the player's compliance with all applicable North Ballarat Cricket Club codes of conduct, rules, by-laws, directions or other authorised instructions and these terms and conditions and accept all consequences of the player's participation including fees and costs. I make this declaration on my own behalf (as parent/guardian of the player) and on behalf of the player.
- 3. Acceptance:** If accepted, the player will be permitted to participate in the program subject to the player and me complying with the terms and conditions of participation in the program contained in this declaration and any reasonable direction issued by North Ballarat Cricket Club or its representatives.
- 4. No amendment:** These terms and conditions of participation cannot be amended. If amended, the player's application to participate in the program will be null and void and cannot be accepted by North Ballarat Cricket Club.
- 5. Insurance:** Insurance is in place that may provide limited cover to the player while participating in the program. I understand that this insurance may not cover the player for all injury, loss or damage sustained and I acknowledge that North Ballarat Cricket Club does not make any representations about the suitability of any insurance. I also understand I can (or the player can), in my own interests (and those of the player) and at my own expense, seek and obtain personal insurances over and above the cover provided by North Ballarat Cricket Club.
- 6. Effect of consent:** This declaration comprises a contract between myself and North Ballarat Cricket Club which is necessary and reasonable in order to provide the program. Further, this contract binds the player to North Ballarat Cricket Club as a "contracted player" for the entirety of the season in which the player has registered with North Ballarat Cricket Club.
- 7. Exclusion of Implied Terms:** I acknowledge that where I am (or the player is) a consumer of recreational services, as defined by any relevant law, certain terms and rights usually implied into a contract for the supply of goods or services may be excluded. I acknowledge that these

implied terms and rights and any liability of North Ballarat Cricket Club flowing from them are expressly excluded to the extent possible by law. To the extent of any liability arising, the liability of North Ballarat Cricket Club will, at its discretion, be limited in the case of goods, to the replacement, repair or payment of the cost of replacing the goods, and in the case of services, the resupply of the services or payment of the cost of having the services supplied again.

8. **WARNING UNDER THE FAIR TRADING ACT 1999:** Under the *Fair Trading Act 1999* (Vic) several statutory guarantees apply to the supply of certain goods and services. These guarantees mean that the supplier named on this form is required to ensure that the recreational services it supplies to you are: rendered with due care and skill; are reasonably fit for any purpose which you, either expressly or by implication, make known to the supplier; and might reasonably be expected to achieve any result you have made known to the supplier.

Under section 32N of the *Fair Trading Act 1999* the supplier is entitled to ask you to agree that these statutory guarantees do not apply to you. If you sign this form, you will be agreeing that your rights to sue the supplier under the *Fair Trading Act 1999* if you are killed or injured because the services provided were not in accordance with these guarantees, are excluded, restricted or modified in the way set out in this form.

NOTE: The change to your rights, as set out in this form, does not apply if the death or injury is due to gross negligence on the supplier's part. "Gross negligence" is defined in the *Fair Trading (Recreational Services) Regulations 2004* (Vic).

9. **Release and Indemnity:** In consideration of North Ballarat Cricket Club accepting this application to participate in the program, I, to the extent permitted by law, (a) release and will release North Ballarat Cricket Club from all Claims that I or the player may have or may have had but for this release arising from or in connection with the player's participation in the program; and (b) indemnify and will keep indemnified North Ballarat Cricket Club in respect of any Claim by any person including another person participating in the Program arising as a result of or in connection with the Player's participation in the Program. In this clause 9 "**Claim**" means and includes any action, suit, proceeding, claim, demand, damage, penalty, cost or expense however arising including but not limited to negligence but does not include a claim in respect of any action, suit, etc. made by any person entitled to make a claim under a relevant insurance policy.

10. **Fitness to Participate:** I declare that the player is medically and physically fit and able to participate in the program. The player is not and must not be a danger to themselves or to the health and safety of others. I or the player will immediately notify North Ballarat Cricket Club in writing of any change to the player's medical condition, fitness and ability to participate. I understand and accept that North Ballarat Cricket Club may continue to rely upon this declaration as evidence of the player's fitness and ability to participate in the program. I also agree that the player may be prevented from participating in the program where North Ballarat Cricket Club, upon any grounds, deems that the player is not fit to participate in the program.

11. **Medical Treatment:** I consent to the player receiving any medical treatment that North Ballarat Cricket Club reasonably considers necessary or desirable for the player during their participation in the program. I also agree to reimburse North Ballarat Cricket Club for any costs or expenses incurred in providing the player with medical treatment.

12. **Right to Use Image:** I acknowledge and consent to the recording of my and the player's likeness and/or voice (together, **images**) during or associated with the player's participation in the program. I acknowledge and agree that such images are owned by North Ballarat Cricket Club and that North Ballarat Cricket Club, its commercial partners and authorised third parties may use my and the player's names and images for commercial, promotional or other purposes throughout the world by any means (including broadcast, telecast or print) in perpetuity without my further consent being necessary and without compensation.

13. **Severance:** If any provision of these terms and conditions is invalid or unenforceable in any jurisdiction, the phrase or clause is to be read down for the purpose of that jurisdiction, if possible, so as to be valid and enforceable. If the phrase or clause cannot be so read down it will be severed to the extent of the invalidity or unenforceability. Such severance does not affect the remaining provisions of these terms and conditions or affect their validity or enforceability in any other jurisdiction.

14. **Warranty:** I warrant that all information provided by me is true and correct.

15. **Use of email address/mobile phone number:** I consent to receiving electronic material from North Ballarat Cricket Club or its authorised representatives.

16. **Responsibility for property:** I am fully responsible for the security of the player's personal property while participating in the program. North Ballarat Cricket Club will not be liable for replacement of any personal property.

17. **Liability for fees:** I am fully responsible for payment of relevant fees to participate in the program, including (but not limited to) membership fees, ball money and supply of uniform.

18. **Privacy:** North Ballarat Cricket Club has a Privacy Policy and the information provided with this application is necessary for participation in the program (refer Collection Statement). I acknowledge and agree that the information provided in this form will be used by North Ballarat Cricket Club to facilitate participation in the program. I acknowledge and agree that the information provided may be used for marketing purposes by a third party unless I nominate not to be included in any such activity. I understand that I will be able to access my information through North Ballarat Cricket Club. If the information is not provided, the player's application to participate in the program may be rejected.

18. **Live Streaming consent:** By accepting these terms and conditions, I acknowledge that North Ballarat Cricket Club may be live streaming matches and consent to North Ballarat Cricket Club capturing and using images/footage of me and/or my child for these purposes.