

Cornwall Cricket League Statement regarding Overseas Players. February 2017

After further information from ECB, we are now ready to attempt a reasonably definitive statement.

The key is the Home Office intent to tighten up on non-UK resident 'professional' cricketers plying what is seen to be their trade in English Club Cricket.

The Home Office definitions of 'professional' and 'amateur' may be found on their website, and are necessarily in legalese as the Home Office is taking applications on a case by case basis.

To be fair the rules have always been in place – amateur overseas cricketers should not receive from clubs any income that can be seen to be deriving an income. The Home Office (and HMRC) is questioning why clubs need to bring over a non-UK resident player, and both bodies believe that clubs have been paying much more than the reasonable expenses allowable. The Home Office is, therefore, viewing, via ECB and as absolute, any non-UK resident player who has played first class or List A cricket anywhere in the world at any time as 'professional' (whether or not they received payment) and, unless they qualify for a Tier 5 visa, are not allowed to play club cricket. The same applies to anyone who has at any time received money for coaching or playing club cricket.

These players are deemed professional and it is irrefutably down to the individual club to take all reasonable precautions and checks to ensure that the player they wish to join their club does not fall into the above category as it has been made abundantly clear the penalties for breaking migrant employment law are severe and that club chairmen are viewed as being legally responsible for the club.

There is a grey area regarding the clause in the Home Office definition of 'Professional' stating that players who have intended to or intend to derive a living from cricket will be classified as professional. This has vast implications on players who have played representative cricket from U19 inclusive and upwards. It is reasonable to assume that the Home Office will be viewing the same pages online as clubs and it is reasonable to assume that any hint from club statements or on social media that a player is (or has been) on a pathway or wants (or has wanted) to play cricket whence he may derive an income may be defined as a 'professional'. The Home Office has the final say.

It is now clear that unless a club has a proper licence to employ legally a properly qualified professional cricketer, engaging the services of a suitable amateur non-UK resident cricketer of the standard hitherto taken for granted represents a major gamble.

The League will be issuing a form for club use and to work as a check list to make sure that due diligence has been followed and we will accept applications to register non-UK resident amateur players from clubs, based on declarations that the players cannot be classified as professional. We will refuse to register if our own checks show that the player has played first class or List A cricket.

We are not official Home Office migration consultants and any guidance we give is simply an overview as we understand it. If there are any questions, there is an Immigration Enquiry Bureau Helpline telephone number - 0300 123 4699. Their advice is verbal, is based on questions that the club asks and is not binding which leaves the gamble open until either the visa is granted or the players turn up at Heathrow with their coffin.

If a 'professional' player is found to be playing in the CCL, that player will be deemed an illegal migrant worker. The league will apply its own rules regarding faulty registration which in the light of what else might happen is paltry fare: it is unequivocally the club that will take the brunt of any sanction.

Our advice is - and this is not an overview - is quite simple: If there is any doubt at all, don't.

This information is current to February 6th 2017 and is liable to change without notice. We will keep you as up to date as we can, and please be mindful that any subsequent issues will supersede this notification and information pack and rules published in the Yearbook.