

FIRST PRINT

BOXING AUTHORITY BILL 1986

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Theatres and Public Halls (Boxing and Wrestling Contests) Amendment Bill 1986 is cognate with this Bill.

The principal object of this Bill is to establish the Boxing Authority of New South Wales which will control and regulate the conduct of professional boxing (including kick-boxing) by means of a scheme of registration for boxers and industry participants and by means of rules made by the Authority. The Bill also makes provision with respect to the health and safety of boxers, the holding of boxing contests and the prohibition of boxing contests at certain places.

PART 1—PRELIMINARY

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the provisions of the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 defines certain expressions for the purposes of the proposed Act. Where used in the Act, the word "boxing" means not only ordinary boxing but also kick-boxing and any other style of fighting prescribed by regulations for the purposes of the registration provisions of the proposed Act. The expression "boxing contest" primarily means a boxing contest for a prize, but includes a fight that is not a prize fight but in which at least one of the contestants is a prize fighter.

PART 2—THE BOXING AUTHORITY OF NEW SOUTH WALES

Clause 4 constitutes and provides for the procedure of the Authority. The Authority is to consist of between 5 and 7 part-time members, of whom 1 is to be a member of the police force representing the Commissioner of Police and 1 is to be a medical practitioner representing the Australian Sports Medicine Federation.

Clause 5 enables the Authority to employ staff and to seek the co-operation of other government authorities in the performance of its functions.

PART 3—REGISTRATION OF BOXERS

Clause 6 enables classes of boxers to be prescribed by the regulations for registration purposes.

Clause 7 requires the Authority to keep a register of boxers.

Clause 8 enables an adult male person to apply to the Authority for registration as a boxer.

Clause 9 provides for the determination of an application for registration as a boxer.

Clause 10 specifies the duration of the period of registration as a boxer.

Clause 11 empowers the Authority to cancel or suspend a person's registration as a boxer or to reduce the period of a person's registration as a boxer.

Clause 12 enables a boxer to apply to the Authority for the renewal of his registration as a boxer.

Clause 13 provides for the determination of an application for renewal of registration as a boxer.

Clause 14 specifies the duration of the period of renewal of registration as a boxer.

Clauses 15 and 16 prohibit a person from taking part in a boxing contest, or sparring, unless the person is appropriately registered and the registration is in force.

PART 4—REGISTRATION OF INDUSTRY PARTICIPANTS

Clause 17 enables classes of industry participants to be prescribed by the regulations for registration purposes.

Clause 18 requires the Authority to keep a register of industry participants.

Clause 19 enables a person to apply to the Authority for registration as an industry participant.

Clause 20 provides for the determination of an application for registration as an industry participant.

Clause 21 provides for the prescription of conditions with which an applicant for registration, or renewal of registration, as an industry participant must comply before the registration or renewal may be effected.

Clause 22 specifies the duration of the period of registration as an industry participant.

Clause 23 empowers the Authority to cancel or suspend a person's registration as an industry participant.

Clause 24 enables a person to apply to the Authority for the renewal of the person's registration as an industry participant.

Clause 25 provides for the determination of an application for renewal of registration as an industry participant.

Clause 26 specifies the duration of the period of renewal of registration as an industry participant.

Clause 27 prohibits a person from carrying on business or being employed as an industry participant unless the person is appropriately registered.

PART 5—APPEALS

Clause 28 provides for the continuation, as an appellate body under the proposed Act, of the Boxing Appeals Tribunal established under the Professional Boxing Control Act 1980.

Clause 29 specifies the grounds of appeal to the Tribunal.

Clause 30 provides that the jurisdiction of the Tribunal is exclusive and its decisions are final.

Clauses 31 and 32 provide for the procedure to be followed in matters within the jurisdiction of the Tribunal and other incidental matters.

PART 6—MEDICAL RECORD BOOKS

Clause 33 requires the Authority to issue a medical record book to a boxer on registration.

Clause 34 prohibits an unauthorised person from endorsing or altering a medical record book or medical record card.

Clause 35 prohibits the endorsement on a medical record card of false or misleading information.

Clause 36 prohibits the wilful damaging or defacing of a medical record book or medical record card and prohibits the removal of a card from a book.

Clause 37 specifies the occasions when a boxer is required to surrender his medical record book to the Authority.

Clause 38 specifies the occasions, where a medical record book has been surrendered by a boxer to the Authority, when the Authority is required to reissue the medical record book to the boxer.

Clause 39 provides for the issue of additional medical record cards to a boxer on the completion of all medical record cards in the boxer's medical record book.

Clause 40 enables the Authority to issue a duplicate medical record book or medical record card where the book or card is spoilt, lost or destroyed.

PART 7—BOXING CONTESTS

DIVISION 1—*Permit to promote or arrange a boxing contest*

Clause 41 is an interpretation provision in relation to the meaning of “boxing contest” wherever that expression is used in the Division.

Clause 42 enables the making of an application to the Authority for a permit to promote or arrange a boxing contest.

Clause 43 enables the Authority to grant or refuse to grant a permit for a boxing contest.

Clause 44 provides for notification to be given by the Authority to the Commissioner of Police of the time and venue of a boxing contest for which a permit is issued.

Clause 45 prohibits a person from promoting or arranging a boxing contest without a permit.

DIVISION 2—*Attendance of certain persons at a boxing contest*

Clause 46 prohibits a person from promoting or arranging a boxing contest unless a member of the police force is present at the weigh-in for the contest and a member of the police force and a medical practitioner are present at the contest.

DIVISION 3—*Physical examination of boxers*

Clause 47 requires a boxer to submit himself for a weigh-in for a boxing contest within a prescribed period before the contest.

Clause 48 requires a boxer to produce his medical record book at the weigh-in for a boxing contest to the member of the police force present at that weigh-in, and provides for the recording in that medical record book of certain particulars.

Clause 49 requires a boxer to submit himself for a medical examination by a medical practitioner not earlier than 24 hours before a boxing contest.

Clause 50 empowers the Authority to direct a boxer, at any time, to submit himself for a medical examination by a medical practitioner, and prohibits the boxer, in certain cases, from taking part in a boxing contest unless he has complied with that direction.

Clause 51 specifies the functions of an examining medical practitioner to be exercised at the medical examination conducted before a boxing contest.

Clause 52 prohibits a boxer from taking part in a boxing contest or any sparring contrary to the certificate of a medical practitioner under clause 51.

Clause 53 requires a boxing promoter to ensure that a boxer has undergone a medical examination under clause 49 before the boxer takes part in a boxing contest.

Clause 54 requires a boxing promoter to examine a boxer's medical record book before the boxer takes part in a boxing contest.

Clause 55 provides that a boxing promoter, subject to any direction given by the Authority, shall not permit a boxer to take part in a boxing contest where a medical practitioner has confirmed that the boxer is not fit to take part in it.

Clause 56 requires a boxer to submit himself for a medical examination by a medical practitioner immediately after taking part in a boxing contest.

Clause 57 requires a boxing promoter to arrange the medical examination of a boxer who is unable to comply with clause 56.

Clause 58 specifies the functions of an examining medical practitioner to be exercised at the medical examination conducted after a boxing contest.

Clause 59 prohibits a boxer, subject to any direction given by the Authority, from taking part in a boxing contest or any sparring contrary to the certificate of a medical practitioner under clause 58.

Clause 60 requires the member of the police force and the medical practitioner present at a boxing contest to write up a boxing result sheet in relation to the contest.

Clause 61 requires copies of each boxing result sheet to be sent to and filed by the Authority and the Commissioner of Police.

PART 8—PROHIBITION OF BOXING CONTESTS AT CERTAIN PLACES

Clause 62 prohibits a person from promoting or arranging, or taking part in, a boxing contest at a prescribed place or a place of a prescribed class or description.

PART 9—MISCELLANEOUS

Clause 63 empowers the Authority, by notification published in the Gazette, to exempt persons named or described in the notification from the operation of the proposed Act or any specified provisions of it.

Clause 64 enables the Authority to delegate its functions.

Clause 65 provides that references in any writing to the "Boxing Authority" are to be read as references to the Boxing Authority of New South Wales.

Clause 66 provides for the manner of service of documents for the purposes of the proposed Act.

Clause 67 enables certain documents to be authenticated by the signature of the Chairperson of the Authority or an authorised member of staff instead of by the seal of the Authority.

Clause 68 enables the Authority to recover any money due to it in a court of competent jurisdiction.

Clause 69 provides that in legal proceedings it is not necessary to prove certain matters relating to the constitution and procedure of the Authority unless evidence is given to the contrary.

Clause 70 provides that, where an offence is committed by a corporation, the directors of the corporation may be proceeded against in respect of the offence.

Clause 71 provides for summary proceedings before a Local Court for offences against the proposed Act or regulations.

Clause 72 empowers the Governor-in-Council to make regulations for the purposes of the proposed Act. In particular, regulations may be made in connection with any matter for which rules may be made by the Authority and any such regulations are to prevail over the rules.

Clause 73 empowers the Authority to make rules in relation to professional boxing in New South Wales.

Clause 74 repeals the Professional Boxing Control Act 1980.

Clause 75 gives effect to Schedule 3 which contains savings and transitional provisions.

Schedule 1 makes provision with respect to the members of the Authority and in particular—

- (a) excludes persons over 70 years of age from membership or acting membership (clause 1);
- (b) authorises the appointment of acting members and an acting Chairperson (clause 2);
- (c) specifies that the term of office of a member is not to exceed 4 years (clause 3);
- (d) provides for the remuneration of members (clause 4);
- (e) provides for the filling of a casual vacancy in the office of a member (clause 5);
- (f) specifies the circumstances in which a member vacates office (clause 6);
- (g) requires members to disclose any pecuniary interest in a matter before the Authority or a thing done or to be done by the Authority (clause 7);
- (h) provides that the office of a member is not an office in the Public Service or an office of profit under the Crown (clause 8); and
- (i) exonerates members and other persons associated with the Authority from personal liability in respect of anything done in good faith for the purposes of the proposed Act (clause 9).

Schedule 2 makes provision with respect to the procedure of the Authority.

Schedule 3 contains savings and transitional provisions and, in particular—

- (a) enables registers kept for the purposes of the 1980 Act (that is, the Professional Boxing Control Act 1980) to be used for the purposes of the proposed Act (clause 2);

- (b) continues the registration of persons registered under the 1980 Act as boxers or as industry participants and matters incidental to or affecting any such registration (clause 3);
 - (c) enables medical record books issued under the 1980 Act to be used for the purposes of the proposed Act (clause 4);
 - (d) provides that a weigh-in duly conducted under the 1980 Act for a contest to be held on or after the commencement of the proposed Act shall be counted as sufficient compliance with the weigh-in requirements of the proposed Act (clause 5);
 - (e) provides that certain medical certificates issued under the 1980 Act in relation to the fitness of a boxer shall have force and effect as if issued under the proposed Act (clause 6);
 - (f) obliges a boxer to undergo a medical examination which he was required under the 1980 Act to undergo (clause 7); and
 - (g) enables certain regulations of a savings or transitional nature to be made under the proposed Act (clause 8).
-



BOXING AUTHORITY BILL 1986

NEW SOUTH WALES



TABLE OF PROVISIONS

PART 1—PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

PART 2—THE BOXING AUTHORITY OF NEW SOUTH WALES

4. The Authority
5. Staff of Authority

PART 3—REGISTRATION OF BOXERS

6. Prescribed classes of boxers
7. Register
8. Application for registration
9. Determination of application
10. Duration of registration
11. Cancellation, suspension, etc., of registration
12. Application for renewal of registration
13. Determination of application
14. Duration of renewal of registration
15. Offence to engage in boxing contest
16. Offence to engage in sparring

PART 4—REGISTRATION OF INDUSTRY PARTICIPANTS

17. Prescribed classes of industry participants
18. Register
19. Application for registration
20. Determination of application
21. Conditions of registration
22. Duration of registration
23. Cancellation or suspension of registration
24. Application for renewal of registration
25. Determination of application
26. Duration of renewal of registration
27. Offence

PART 5—APPEALS

28. The Tribunal
29. Grounds of appeal
30. Tribunal to be sole arbiter
31. Proceedings
32. Regulations respecting appeals

PART 6—MEDICAL RECORD BOOKS

33. Issue
34. Alterations
35. Offence of false information
36. Offence of damaging medical record book, etc.
37. Surrender of medical record book
38. Reissue
39. Issue of additional cards
40. Replacement of book or card lost, etc.

PART 7—BOXING CONTESTS

DIVISION 1—*Permit to promote or arrange a boxing contest*

41. Interpretation
42. Application
43. Issue
44. Notification of Commissioner of Police
45. Offence

DIVISION 2—*Attendance of certain persons at a boxing contest*

46. Attendance of certain persons at weigh-in and contest

DIVISION 3—*Physical examination of boxers*

47. Weigh-in before contest
48. Recording of boxer's weight, etc., at weigh-in
49. Medical examination before contest
50. Authority may direct medical examination of boxer
51. Functions of examining medical practitioner
52. Unfit boxer not to engage in contests, etc.
53. Obligation of promoter—examination under s. 49
54. Obligation of promoter—examination of medical record book
55. Obligation of promoter—unfit boxer
56. Boxer to submit to medical examination after contest
57. Obligation of promoter—boxer rendered unconscious, etc.
58. Obligations of medical practitioner after contest
59. Boxer not to engage in further contests, etc.

DIVISION 4—*Record of boxing contest*

60. Boxing result sheet
61. Forwarding of information

PART 8—PROHIBITION OF BOXING CONTESTS AT CERTAIN PLACES

62. Boxing contests prohibited at certain places

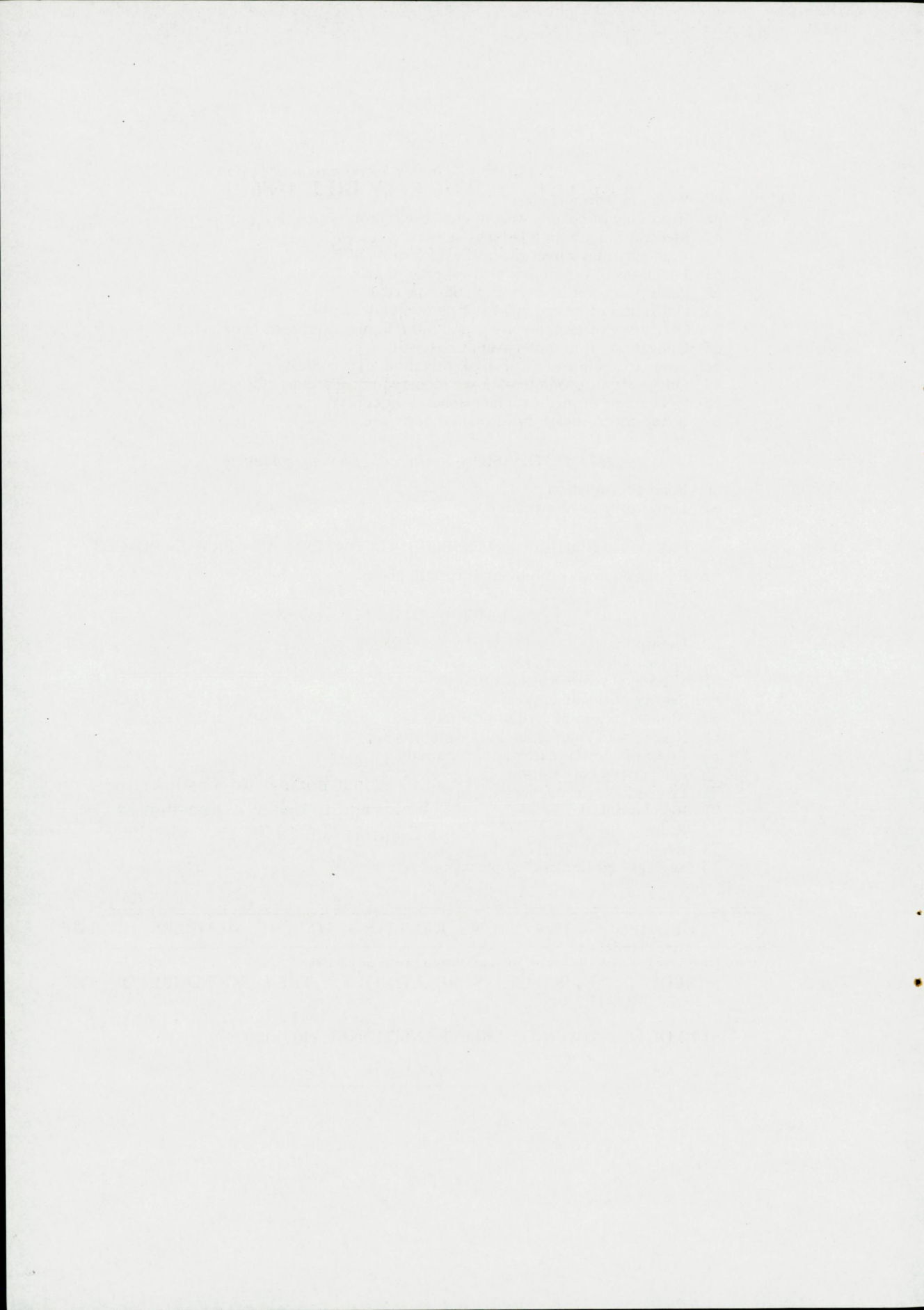
PART 9—MISCELLANEOUS

63. Exemptions
64. Delegation by Authority
65. Shortened references to Authority
66. Service of documents
67. Authentication of certain documents
68. Recovery of charges, etc., by Authority
69. Proof of certain matters not required
70. Offences by corporations
71. Proceedings for offences
72. Regulations
73. Rules
74. Repeal of Act No. 129, 1980
75. Savings and transitional provisions

SCHEDULE 1—PROVISIONS RELATING TO THE MEMBERS OF THE
AUTHORITY

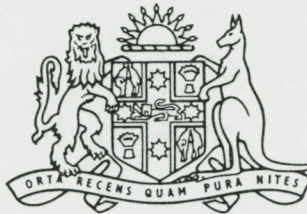
SCHEDULE 2—PROVISIONS RELATING TO THE PROCEDURE OF THE
AUTHORITY

SCHEDULE 3—SAVINGS AND TRANSITIONAL PROVISIONS



BOXING AUTHORITY BILL 1986

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to regulate the conduct of professional boxing; to constitute the Boxing Authority of New South Wales and to define its functions; to repeal the Professional Boxing Control Act 1980; and for other purposes.

See also Theatres and Public Halls (Boxing and Wrestling Contests) Amendment Bill 1986.

Boxing Authority 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

5

PART 1

PRELIMINARY

Short title

1. This Act may be cited as the "Boxing Authority Act 1986".

Commencement

- 10 2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

15 **Interpretation**

3. (1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

"Authority" means the Boxing Authority of New South Wales constituted by this Act;

- 20 "boxing" means fist fighting, kick boxing or any other style of fighting in relation to which a class of boxers is prescribed under section 6, and includes sparring in any such style;

"boxing contest" means—

- 25 (a) a contest, display or exhibition of boxing between contestants for a monetary prize or other reward in money or money's worth; or
- (b) a contest, display or exhibition of boxing between persons, at least one of whom is a person prescribed by subsection (2),

Boxing Authority 1986

but does not include—

- (c) sparring otherwise than for public entertainment;
 - (d) a contest, display or exhibition—
 - (i) excepted by the regulations; or
 - 5 (ii) of a kind so excepted; or
 - (e) a contest, display or exhibition of boxing between contestants (none of whom is a person prescribed by subsection (2)) for a prize or reward—
 - (i) excepted by the regulations; or
 - 10 (ii) of a kind so excepted;
- “boxing official” means a person appointed by the Authority to officiate at boxing contests;
- “Chairperson” means the Chairperson of the Authority;
- “Department” means the Department of Sport and Recreation;
- 15 “industry participant” means a person who, otherwise than as a boxer, engages in or is employed in any profession, occupation or business, whether on a full-time, part-time or casual basis, in relation to boxing;
- “member” means a member of the Authority;
- 20 “registered” means—
 - (a) in relation to a boxer, registered under section 9 or 13; and
 - (b) in relation to an industry participant, registered under section 20 or 25;
- “regulations” means regulations made under this Act;
- 25 “rules” means rules made under this Act;
- “Tribunal” means the Boxing Appeals Tribunal continued by this Act.
- (2) For the purposes of the definition of “boxing contest” in subsection (1), a person who has at any time been a contestant in a contest, display or exhibition of boxing for a monetary prize or other reward in money or
 30 money’s worth (other than a prize or reward referred to in paragraph (e) of that definition) is a prescribed person.

Boxing Authority 1986

(3) In this Act—

- (a) a reference to a function includes a reference to a power, authority and duty; and
- 5 (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(4) The Chairperson may be referred to as the chairman or chairwoman, as the case requires.

PART 2

THE BOXING AUTHORITY OF NEW SOUTH WALES

10 **The Authority**

4. (1) There is constituted by this Act a corporation under the corporate name of the "Boxing Authority of New South Wales".

(2) The Authority—

- 15 (a) shall have and may exercise the functions conferred or imposed on it by or under this or any other Act;
- (b) shall, for the purposes of any Act, be deemed to be a statutory body representing the Crown; and
- 20 (c) shall, in the exercise of its functions (except in relation to the contents of a report or recommendation made by it to the Minister), be subject to the control and direction of the Minister.

(3) The Authority shall consist of not fewer than 5 and not more than 7 part-time members, who shall be appointed by the Governor.

(4) Of the members—

- 25 (a) one shall, in and by the instrument by which the member is appointed, be appointed as the Chairperson of the Authority;
- (b) one shall be a member of the New South Wales Police Force, of or above the rank of inspector, nominated by the Commissioner of Police; and

Boxing Authority 1986

(c) one shall be a medical practitioner nominated by the Australian Sports Medicine Federation, New South Wales Branch.

(5) The Minister may make such arrangements as the Minister considers appropriate for the receipt of nominations for the purposes of subsection 5 (4) (b) and (c).

(6) Schedule 1 has effect with respect to the members.

(7) Schedule 2 has effect with respect to the procedure of the Authority.

Staff of Authority

5. (1) Such staff as may be necessary to enable the Authority to exercise 10 its functions shall be employed under the Public Service Act 1979.

(2) The Authority may—

(a) with the approval of the Minister; and

(b) on such terms and conditions as may be approved by the Public Service Board,

15 arrange for the use of the services of any staff or facilities of a government department, administrative office or public authority.

(3) The Authority may—

(a) for any purpose approved by the Minister; and

20 (b) on such terms and conditions as may be approved by the Public Service Board,

employ such casual staff as may be required by the Authority in exercising its functions.

(4) The Public Service Act 1979 does not apply to or in respect of the employment of casual staff under subsection (3) and a person is not, as a 25 member of that casual staff, subject to that Act.

PART 3
REGISTRATION OF BOXERS

Prescribed classes of boxers

6. For the purpose of registering boxers, classes of boxers may be
5 prescribed according to the style of fighting practised by them.

Register

7. (1) The Authority shall cause to be kept a register in respect of each
prescribed class of boxers in which shall be recorded—

- 10 (a) the names and addresses of persons who are registered as boxers
of that class; and
- (b) such other particulars as may be prescribed.

(2) A certificate purporting to have been signed by the Authority, or by
a delegate under section 64, and stating—

- 15 (a) that on a specified day or during a specified period, a specified
person was, or was not, registered as a boxer of a specified class;
- (b) that on a specified day the registration of a specified person as a
boxer of a specified class had been cancelled under a specified
provision of this Act;
- 20 (c) that the registration of a specified person as a boxer of a specified
class had been suspended under a specified provision of this Act
for a period commencing on a specified day and ending on another
specified day;
- 25 (d) that the period of registration of a specified person as a boxer of
a specified class had been reduced under a specified provision of
this Act and would end on a specified day; or
- (e) that the registration of a person as a boxer of a specified class is
due to expire, or expired, on a specified day,

is admissible in evidence in any proceedings and is evidence of the truth of
the statement.

30 Application for registration

8. (1) A male person of or above the age of 18 years may make an
application to the Authority to be registered as a boxer of a prescribed class.

Boxing Authority 1986

(2) An application under subsection (1) shall be—

(a) in or to the effect of the prescribed form; and

(b) accompanied by—

5 (i) a certificate of fitness for boxing of the class in respect of which registration is sought, being a certificate in or to the effect of the prescribed form which has been given by a medical practitioner not more than 7 days before the date on which the application is made; and

(ii) the prescribed fee.

10 Determination of application

9. (1) On receipt of an application under section 8 (1), the Authority—

15 (a) where it is satisfied that the application complies with the requirements of section 8 (2), that the applicant is a fit and proper person to be registered as a boxer of the prescribed class in respect of which the registration is sought and that, in the case of a subsequent application referred to in section 11 (2), the applicant has complied with any conditions imposed under that subsection in relation to the applicant's registration as a boxer—

20 (i) shall register the applicant as a boxer of the relevant class; or

(ii) if, in the opinion of the Authority, it is in the interests of the health or safety of the applicant to be registered as a boxer of that class for a period of less than 12 months, shall so register the applicant for some such period; or

25 (b) where it is not so satisfied, shall refuse to register the applicant as such a boxer.

(2) The Authority shall give notice to an applicant, in writing, of his registration as a boxer of a prescribed class or of the refusal of the Authority so to register the applicant, as the case may be, within 7 days after the date
30 of registration or refusal of registration.

(3) Where the Authority refuses to register an applicant as a boxer on the ground that the applicant is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Duration of registration

10. The registration of a boxer shall remain in force for—

- 5 (a) except as provided by paragraph (b)—the calendar year specified in a certificate issued by the Authority certifying the fact of that registration; or
- (b) where the boxer was registered for a period of less than 12 months in accordance with section 9 (1) (a) (ii)—the period for which the boxer was so registered,

unless—

- 10 (c) the registration is sooner cancelled or suspended under section 11 (2) or (4); or
- (d) the period of his registration is reduced under section 11 (2).

Cancellation, suspension, etc., of registration

15 11. (1) The Authority may, by notice in writing served on a boxer, require him to show cause, by a date and time specified in the notice (being a date not less than 14 days after the date of service of the notice), why his registration as a boxer of a prescribed class should not be cancelled or suspended, or why the period of his registration as a boxer should not be reduced, as the case may be.

20 (2) Where, by the date and time referred to in the notice under subsection (1), the boxer has not shown sufficient cause why his registration as a boxer of a prescribed class should not be cancelled or suspended, or why the period of his registration as such a boxer should not be reduced, the Authority may—

- 25 (a) cancel the registration;
- (b) suspend the registration for such period as the Authority thinks fit; or
- (c) reduce the period of registration to or by such period as the Authority thinks fit,

30 and may impose such conditions as the Authority thinks fit with which the boxer must comply before any subsequent application by the boxer for registration, or renewal of registration, as a boxer may be dealt with under this Act.

Boxing Authority 1986

(3) Where the Authority has, under subsection (2), cancelled or suspended a person's registration as a boxer or reduced the period of his registration as a boxer, the Authority shall give notice to the person, in writing, of the cancellation, suspension or reduction, as the case may be, and of any
5 conditions referred to in subsection (2), within 7 days.

(4) The Authority may, where it is of the opinion that it is in the interests of the health or safety of a boxer to do so otherwise than in accordance with subsections (1), (2) and (3), by notice in writing served on the boxer, cancel or suspend his registration as a boxer of any prescribed class.

10 (5) A notice under subsection (4) shall take effect from a date specified in the notice, being the date of, or a date after, service of the notice on the boxer.

(6) The Authority shall cause to be recorded in the register kept under section 7 particulars of any cancellation, suspension or reduction of a period
15 of registration and of any conditions imposed under subsection (2).

Application for renewal of registration

12. (1) A person registered as a boxer of a prescribed class may, not earlier than 56 days and not later than 21 days before the date of expiration of his registration as a boxer of that class, make an application to the
20 Authority for the renewal of his registration as such a boxer.

(2) An application under subsection (1) shall be—

(a) in or to the effect of the prescribed form; and

(b) accompanied by the certificate and fee referred to in section 8 (2) (b).

*Boxing Authority 1986***Determination of application**

13. (1) On receipt of an application under section 12 (1), the Authority—

- 5 (a) where it is satisfied that the application complies with the requirements of section 11 (2), that the applicant is a fit and proper person to be registered as a boxer of the class in respect of which the renewal of registration is sought and that the applicant has complied with any conditions imposed under section 11 (2) in relation to the renewal of his registration as such a boxer—
- 10 (i) shall renew the registration of the applicant as a boxer of the relevant class; or
- 15 (ii) if, in the opinion of the Authority, it is in the interests of the health or safety of the applicant to be registered as a boxer of that class for a period of less than 12 months, shall renew the registration of the applicant as a boxer of that class for some such period; or
- (b) where it is not so satisfied, shall refuse to renew the registration of the applicant as such a boxer.

20 (2) The Authority shall give notice to an applicant, in writing, of the renewal of his registration as a boxer or of the refusal of the Authority to renew his registration as a boxer, as the case may be, within 7 days after the date of renewal of registration or refusal of renewal of registration.

25 (3) Where the Authority refuses to renew the registration of an applicant as a boxer on the ground that the applicant is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Duration of renewal of registration

14. The renewal of registration of a boxer shall remain in force for—

- 30 (a) except as provided by paragraph (b)—a further period of 12 months from the date on which the registration of the boxer would, but for the renewal, have expired; or
- (b) where the registration of the boxer was renewed in accordance with section 13 (1) (a) (ii)—the period for which the registration was so renewed,

Boxing Authority 1986

unless—

- (c) sooner cancelled or suspended under section 11 (2) or (4); or
- (d) the period of renewal of his registration is reduced under section 11 (2).

5 Offence to engage in boxing contest

15. A person shall not engage in a boxing contest involving a particular style of fighting—

- (a) if the person is not registered as a boxer of the prescribed class that is appropriate to that style of fighting; or
- 10 (b) while the person's registration as a boxer of that class is suspended under section 11 (2) or (4).

Penalty: \$1,000 or imprisonment for 6 months, or both.

Offence to engage in sparring

16. A person shall not engage in sparring in a particular style of fighting
15 at any time during which the person's registration as a boxer of the prescribed class that is appropriate to that style of fighting—

- (a) is cancelled under section 11 (4); or
- (b) is suspended under section 11 (4).

Penalty: \$1,000 or imprisonment for 6 months, or both.

20

PART 4

REGISTRATION OF INDUSTRY PARTICIPANTS

Prescribed classes of industry participants

17. For the purpose of registering industry participants, classes of
25 industry participants may be prescribed according to the nature of their participation in the industry.

*Boxing Authority 1986***Register**

18. (1) The Authority shall cause to be kept a register in respect of each prescribed class of industry participants in which shall be recorded—

- 5 (a) the names and addresses of such persons as are registered as industry participants of that class; and
 (b) such other particulars as may be prescribed.

(2) A certificate purporting to have been signed by the Authority, or by a delegate under section 64, and stating—

- 10 (a) that on a specified day or during a specified period, a specified person was, or was not, registered as an industry participant of a specified class;
 (b) that on a specified day the registration of a specified person as an industry participant of a specified class had been cancelled under a specified provision of this Act;
 15 (c) that the registration of a specified person as an industry participant of a specified class had been suspended under a specified provision of this Act for a period commencing on a specified day and ending on another specified day;
 20 (d) that the period of registration of a specified person as an industry participant of a specified class had been reduced under a specified provision of this Act and would end on a specified day; or
 (e) that the registration of a person as an industry participant of a specified class is due to expire, or expired, on a specified day,

is admissible in evidence in any proceedings and is evidence of the truth of
 25 the statement.

Application for registration

19. (1) Any person may make an application to the Authority to be registered as an industry participant of a prescribed class.

(2) An application under subsection (1) shall be—

- 30 (a) in or to the effect of the prescribed form; and
 (b) accompanied by the prescribed fee.

Determination of application

20. (1) On receipt of an application under section 19 (1), the Authority—

(a) where it is satisfied that—

- 5 (i) the application complies with the requirements of section 19 (2);
- (ii) the applicant has complied with any conditions imposed under section 21 in relation to the applicant's registration; and
- 10 (iii) the applicant is a fit and proper person to be registered as an industry participant of the prescribed class in respect of which the registration is sought,

shall register the applicant as such an industry participant; or

- 15 (b) where it is not so satisfied, shall refuse to register the applicant as such an industry participant.

(2) The Authority shall give notice to an applicant, in writing, of the applicant's registration as an industry participant of a prescribed class or of the refusal of the Authority so to register the applicant, as the case may be, within 7 days after the date of registration or refusal of registration.

- 20 (3) Where the Authority refuses to register an applicant as an industry participant on the ground that the person is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Conditions of registration

- 25 21. The regulations may prescribe, in relation to a prescribed class of industry participants, conditions (including the passing of any courses of training) with which an applicant for registration, or renewal of registration, as an industry participant of that class must comply before the applicant may be so registered or, as the case may be, before the applicant's
- 30 registration may be renewed.

Duration of registration

22. The registration of an industry participant shall, unless sooner cancelled or suspended under section 23 (2), remain in force for the calendar year specified in a certificate issued by the Authority certifying the fact of
- 35 that registration.

Cancellation or suspension of registration

23. (1) The Authority may, by notice in writing served on a person who is an industry participant of a prescribed class, require the person to show cause, by a date and time specified in the notice (being a date not less than
5 14 days after the date of service of the notice), why the person's registration as such an industry participant should not be cancelled or suspended, as the case may be.

(2) Where, by the date and time referred to in the notice under subsection (1), a person has not shown sufficient cause why the person's registration as
10 an industry participant of a prescribed class should not be cancelled or suspended, the Authority may—

(a) cancel the registration; or

(b) suspend the registration for such period as the Authority thinks fit.

15 (3) Where the Authority has, under subsection (2), cancelled or suspended a person's registration as an industry participant, the Authority shall give notice to the person, in writing, of the cancellation or suspension, as the case may be, within 7 days.

(4) The Authority shall cause to be recorded in the register kept under
20 section 18 particulars of any cancellation or suspension of registration.

Application for renewal of registration

24. (1) A person registered as an industry participant of a prescribed class may, not earlier than 1 November and not later than 30 November in any year of current registration as an industry participant of that class, make
25 an application to the Authority for the renewal of the person's registration as such an industry participant.

(2) An application under subsection (1) shall be—

(a) in or to the effect of the prescribed form; and

(b) accompanied by the fee referred to in section 19 (2) (b).

Determination of application

25. (1) On receipt of an application under section 24 (1), the Authority—

(a) where it is satisfied that—

- 5 (i) the application complies with the requirements of section 24 (2);
- (ii) the applicant has complied with any conditions imposed under section 21 in relation to the applicant's registration; and
- 10 (iii) the applicant is a fit and proper person to be registered as an industry participant of the prescribed class in respect of which the renewal of registration is sought,

shall renew the registration of the applicant as such an industry participant; or

- 15 (b) where it is not so satisfied, shall refuse to renew the registration of the applicant as such an industry participant.

(2) The Authority shall give notice to an applicant, in writing, of the renewal of the applicant's registration as an industry participant of a prescribed class or of the refusal of the Authority to renew the applicant's
20 registration as such an industry participant, as the case may be, within 7 days after the date of renewal of registration or refusal of renewal of registration.

(3) Where the Authority refuses to renew a person's registration as an industry participant on the ground that the person is not a fit and proper
25 person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Duration of renewal of registration

26. The renewal of registration of an industry participant shall, unless
30 sooner cancelled or suspended under section 23 (2), remain in force for the year succeeding the calendar year in which application was made for it.

Offence

27. (1) A person shall not carry on the business of, or be employed as, an industry participant of a prescribed class—

- 5 (a) if the person is not registered as an industry participant of that class; or
- (b) while the person's registration as an industry participant of that class is suspended under section 23 (2).

(2) The regulations may, in respect of a prescribed class of industry participants, prescribe a penalty for a contravention of subsection (1) in
10 respect of that class.

PART 5
APPEALS

The Tribunal

28. The Boxing Appeals Tribunal established under the Professional
15 Boxing Control Act 1980 and consisting of a District Court Judge appointed by the Minister upon the recommendation of the Attorney General is continued by this Act.

Grounds of appeal

29. (1) Any person—

- 20 (a) who has been registered as a boxer for a period of less than 12 months upon a determination under section 9 (1) (a) (ii) or 13 (1) (a) (ii);
- (b) in respect of whom conditions are imposed under section 11 (2);
- 25 (c) whose registration has been cancelled or suspended under section 11 (2) or (4) or section 23 (2) or the period of whose registration is reduced under section 11 (2); or
- (d) whose application for registration or renewal of registration as a boxer or an industry participant has been refused on the ground that the person is not a fit and proper person to be so registered,

Boxing Authority 1986

and who is thereby aggrieved may, within 21 days after the registration, renewal of registration, imposition of conditions, cancellation, suspension, reduction or refusal, as the case may be, appeal, in accordance with the regulations, to the Tribunal.

- 5 **(2)** A decision appealed against under subsection (1) continues to have effect pending determination of the appeal.

Tribunal to be sole arbiter

- 10 **30. (1)** The Tribunal shall be the only body to which an appeal against the registration, renewal of registration or imposition of conditions or a cancellation, suspension, reduction or refusal referred to in section 29 (1) shall lie.

(2) The decision of the Tribunal in respect of an appeal under section 29 (1) shall be final and shall be deemed to be the decision of the Authority.

Proceedings

- 15 **31.** Proceedings on an appeal under section 29 (1) shall be held before the Tribunal as in open court.

Regulations respecting appeals

- 20 **32.** The regulations may make provision for or with respect to—
- (a) the procedure to be followed at or in connection with appeals under section 29 (1);
 - (b) the payment of fees and costs in respect of appeals under section 29 (1); and
 - (c) any matters incidental to or connected with appeals under section 29 (1).
-

PART 6
MEDICAL RECORD BOOKS

Issue

33. (1) The Authority shall issue each person on first registration as a
5 boxer with a medical record book containing—

(a) a medical record card bearing the name and address of the boxer;
and

(b) other medical record cards which are—

(i) consecutively numbered; and

10 (ii) in or to the effect of the prescribed form.

(2) Where a person—

(a) who has been registered as a boxer; and

(b) who has ceased, for any period, to be so registered,

is, after the date on which he so ceased to be so registered, registered as a
15 boxer, the Authority shall issue the person with a medical record book—

(c) which contains medical record cards complying with subsection
(1) (a) and (b); and

20 (d) which contains the same information as was contained in any
medical record book previously issued under this Act to that
person.

Alterations

34. (1) A person shall not endorse or alter a medical record book or
medical record card unless the person is authorised under this Act to
endorse such a book or card.

25 Penalty: \$2,000 or imprisonment for 12 months, or both.

(2) Where a person makes an alteration under subsection (1) to a medical
record card, the person shall initial the alteration immediately adjacent to
the alteration.

Boxing Authority 1986

Offence of false information

35. A person shall not endorse on a medical record card any information that is false or misleading in a material particular or alter any information on a medical record card so that it is false or misleading in a material
5 particular.

Penalty: \$1,000.

Offence of damaging medical record book, etc.

36. A person shall not wilfully damage or deface a medical record book or medical record card or, without lawful excuse, remove a medical record
10 card from a medical record book.

Penalty: \$1,000 or imprisonment for 6 months, or both.

Surrender of medical record book

37. A boxer shall surrender his medical record book to the Authority—

- 15 (a) where the boxer has not at the date and time of expiration of his registration applied for his registration to be renewed—immediately upon that expiration;
- (b) where his registration has been cancelled or suspended under section 11 (2)—immediately upon receipt of the notice under section 11 (3); or
- 20 (c) where his registration has been cancelled or suspended under section 11 (4)—immediately upon receipt of the notice under that subsection.

Penalty: \$500.

Reissue

25 38. The Authority shall reissue a medical record book to a boxer—

- (a) where the book is surrendered under section 37 (b) or (c) as a consequence of the suspension of the boxer's registration and no appeal is made by the boxer against the suspension—as soon as practicable after the expiration of the period of the suspension; or
- 30 (b) where the book is surrendered under section 37 (b) or (c) and an appeal made by the boxer against the Authority's decision to cancel or suspend his registration as a boxer is upheld—as soon as practicable after the upholding of the appeal.

Boxing Authority 1986

Issue of additional cards

39. (1) Immediately upon the completion of all medical record cards in the medical record book of a boxer, the boxer may make an application to the Authority for the issue of additional medical record cards.

- 5 (2) On receipt of an application under subsection (1), the Authority shall issue to the boxer additional medical record cards complying with section 33 (1) (b).

Replacement of book or card lost, etc.

- 10 40. (1) Where a boxer satisfies the Authority by statutory declaration that his medical record book or medical record card has been spoilt, lost or destroyed, the Authority shall, on payment by the boxer of a prescribed fee, issue the boxer with a duplicate medical record book or medical record card, as the case requires.

- 15 (2) A medical record book or medical record card issued under subsection (1) shall be clearly marked or printed with the words "Duplicate Copy".

PART 7**BOXING CONTESTS****DIVISION 1—Permit to promote or arrange a boxing contest****Interpretation**

- 20 41. In this Division, this section excepted, a reference to a boxing contest is a reference to—

- (a) a single boxing contest; or
- (b) 2 or more boxing contests, where the contests are conducted on the one occasion and at the same venue.

25 Application

42. (1) A person seeking to promote or arrange a boxing contest may make an application to the Authority, not less than 21 days before the date of the proposed contest, for permission to promote or arrange the contest.

Boxing Authority 1986

- (2) An application under subsection (1) shall be—
- (a) in or to the effect of the prescribed form; and
 - (b) accompanied by the fee, if any, prescribed.

Issue

- 5 **43.** On receipt of an application under section 42 (1) in respect of a boxing contest, the Authority may—
- (a) issue a permit to the applicant in respect of the contest, subject to such conditions as the Authority thinks fit; or
 - (b) refuse to issue a permit in respect of the contest.

10 Notification of Commissioner of Police

44. Where the Authority issues a permit under section 43, it shall, as soon as practicable thereafter, cause the Commissioner of Police to be notified of the date, time and place of the boxing contest in respect of which the permit is issued.

15 Offence

45. A person shall not promote or arrange a boxing contest unless a permit has been issued under section 43 in respect of the contest.

Penalty: \$2,000 or imprisonment for 12 months, or both.

*DIVISION 2—Attendance of certain persons at a boxing contest***20 Attendance of certain persons at weigh-in and contest**

46. A person who promotes or arranges a boxing contest is guilty of an offence against this Act and liable to a penalty not exceeding \$1,000 unless—

- 25 (a) within the prescribed period before the commencement of the contest, a weigh-in of the contestants is carried out;
- (b) there is present at the weigh-in for the contest, where that weigh-in is carried out otherwise than immediately before the contest—
 a member of the police force authorised by the Commissioner of Police to attend the weigh-in; and

Boxing Authority 1986

(c) there is present at the contest (including any weigh-in carried out immediately before the contest)—

5 (i) a member of the police force authorised by the Commissioner of Police to attend the contest (which authorisation shall be deemed to include an authorisation to attend any such weigh-in); and

10 (ii) a medical practitioner engaged by the person promoting or arranging the contest to exercise the functions of a medical practitioner under sections 58 and 60 in relation to a boxer who engages in the contest and the contest in which he is engaged.

DIVISION 3—*Physical examination of boxers*

Weigh-in before contest

15 47. A boxer shall not engage in a boxing contest unless he has, within the prescribed period before the commencement of the contest, submitted himself for the weigh-in for the contest.

Penalty: \$500.

Recording of boxer's weight, etc., at weigh-in

20 48. (1) A boxer shall, at the weigh-in for a boxing contest in which he is a contestant, produce his medical record book to the member of the police force present at that weigh-in.

Penalty: \$500.

25 (2) The member of the police force referred to in subsection (1) shall, on the production to the member of a medical record book in accordance with that subsection, record in the book—

(a) the boxer's weight at the weigh-in; and

(b) such other particulars as may be prescribed for completion by the member of the police force so referred to.

Medical examination before contest

49. A boxer shall not engage in a boxing contest unless he has, within the period of 24 hours immediately preceding the contest, requested a medical practitioner to exercise, in relation to him, the functions of an
5 examining medical practitioner under section 51 and has submitted himself for examination by the medical practitioner so as to enable the medical practitioner to exercise those functions.

Penalty: \$1,000.

Authority may direct medical examination of boxer

10 50. (1) The Authority may, by notice in writing served on a boxer, direct the boxer to submit himself on or before a date specified in the notice to a medical examination by a medical practitioner so specified.

(2) The Authority, on the recommendation of a medical practitioner, may, by notice in writing served on a boxer, direct the boxer to submit
15 himself on or before a date specified in the notice to an examination or investigation by a person suitably qualified, in the opinion of the Authority, to determine any particular matter or thing concerning the boxer's health and safety.

(3) A notice under this section may give directions in relation to one or
20 more examinations or investigations by one or more medical practitioners or other persons.

(4) Where a notice under this section is served on a boxer, the boxer shall not (except as may be permitted by the notice) engage in a boxing contest unless he has complied with the direction or directions given by the notice.

25 Penalty: \$1,000.

(5) The Authority may request a medical practitioner to whom a boxer is directed to submit himself in accordance with this section to exercise, in relation to the boxer, the functions of an examining medical practitioner under section 51 or such other functions relating to the health or, safety of
30 the boxer as the Authority may specify in its request.

(6) The Authority may request a person qualified as referred to in subsection (2) to conduct such examination or investigation as the Authority may specify and to report to the Authority concerning any such examination or investigation.

Functions of examining medical practitioner

51. The functions of an examining medical practitioner under this section in relation to a boxer who proposes to engage in a boxing contest are—

- 5 (a) to conduct such examination of the boxer as is prescribed;
- (b) to record the prescribed particulars in the boxer's medical record book;
- 10 (c) to certify in the boxer's medical record book whether or not, in the opinion of the medical practitioner, the boxer is medically fit to engage in the proposed contest;
- (d) if the medical practitioner has certified under paragraph (c) that the boxer is not medically fit to engage in the proposed contest and considers it to be in the interests of the health or safety of the boxer to do so—to certify in the boxer's medical record book that, in the opinion of the medical practitioner, the boxer should not engage in—
- 15 (i) any boxing contest; or
- (ii) any boxing contest or any sparring, before a specified date; and
- 20 (e) where the medical practitioner has given a certificate under paragraph (c) or (d), forthwith—
- (i) to notify the boxer and, where the examination was carried out immediately before the proposed contest, the member of the police force present, pursuant to section 46 (c), at the contest of the matters as to which the medical practitioner has certified; and
- 25 (ii) to prepare and forward to the Authority a report of the examination.

Unfit boxer not to engage in contests, etc.

30 **52. (1)** Except to the extent that the Authority, on the advice or recommendation of a medical practitioner or after considering the report of a medical practitioner, otherwise directs—

- (a) where a medical practitioner certifies under section 51 (c) that, in the opinion of the medical practitioner, a boxer is not medically fit to engage in a proposed boxing contest—the boxer shall not engage in that contest;
- 35

Boxing Authority 1986

- 5 (b) where, following a medical examination under section 50, a medical practitioner gives, in relation to a boxer and a proposed contest, a certificate that, in the opinion of the medical practitioner, a boxer is not medically fit to engage in that contest—the boxer shall not engage in that contest;
- (c) where a medical practitioner gives, in relation to a boxer, a certificate under section 51 (d)—the boxer shall not, before the date specified in the certificate, engage in any boxing contest or any sparring, or both, as may be specified in the certificate;
- 10 (d) where, following a medical examination under section 51, a medical practitioner gives, in relation to a boxer, a certificate to the same effect as a certificate under section 51 (d)—the boxer shall not, before the date specified in the certificate, engage in any boxing contest or any sparring, or both, as may be specified in the certificate.
- 15

(2) Notwithstanding any direction given by the Authority under subsection (1) or the opinion of any other medical practitioner, where the medical practitioner present at a boxing contest is of the opinion, immediately before the contest, that the boxer is not medically fit to engage in the contest, and so informs the boxer, the boxer shall not engage in the contest.

20

Penalty: \$2,000.

Obligation of promoter—examination under s. 49

25 **53.** A person who promotes or arranges a boxing contest shall not permit a boxer to engage in the contest if the boxer has not complied with section 49 in relation to the contest.

Penalty: \$2,000 or imprisonment for 12 months, or both.

Obligation of promoter—examination of medical record book

30 **54.** A person who promotes or arranges a boxing contest shall examine the medical record book of a boxer who proposes to engage in that contest after the time when the boxer has complied with section 49 in relation to that contest and before the time when the boxer is due to be engaged in that contest.

Penalty: \$500.

Boxing Authority 1986

Obligation of promoter—unfit boxer

55. Unless the Authority, on the advice or recommendation of a medical practitioner or after considering the report of a medical practitioner, otherwise directs, where a medical practitioner certifies under section 51 (c) that, in the opinion of the medical practitioner, a boxer is not medically fit to engage in a proposed boxing contest, the person promoting or arranging the proposed contest shall not permit the boxer to engage in that contest.

Penalty: \$2,000 or imprisonment for 12 months, or both.

Boxer to submit to medical examination after contest

56. A boxer shall, immediately upon the conclusion of a boxing contest in which he has been a contestant, except where he is medically examined under section 57, submit himself for a medical examination by a medical practitioner engaged by the person who promoted or arranged the contest to exercise, in relation to the boxer, the functions of an examining medical practitioner under sections 58 and 60.

Penalty: \$500.

Obligation of promoter—boxer rendered unconscious, etc.

57. Where a boxer who engages in a boxing contest is rendered unconscious or otherwise appears to the person who promoted or arranged the contest to be unable to comply with section 56, that person shall forthwith arrange for a medical practitioner engaged by that person to exercise, in relation to the boxer, the functions of an examining medical practitioner under section 58 and 60 and such other functions as may be necessary in the circumstances of the case.

Penalty: \$2,000 or imprisonment for 12 months, or both.

*Boxing Authority 1986***Obligations of medical practitioner after contest**

58. The functions of an examining medical practitioner under this section in relation to a boxer who has engaged in a boxing contest are—

- (a) to conduct such examination of the boxer as is prescribed;
- 5 (b) to record the prescribed particulars in the boxer's medical record book;
- (c) where the medical practitioner considers it to be in the interests of the health or safety of the boxer to do so—to certify in the boxer's medical record book that, in the opinion of the medical
10 practitioner, the boxer should not engage in—
 - (i) any boxing contest; or
 - (ii) any boxing contest or any sparring,
before a specified date; and
- 15 (d) where the medical practitioner has given a certificate under paragraph (c), forthwith—
 - (i) to notify the boxer and the member of the police force present, pursuant to section 46 (c), at the contest in which the boxer was engaged of the matters as to which the medical practitioner has certified; and
 - 20 (ii) to prepare and forward to the Authority a report of the examination.

Boxer not to engage in further contests, etc.

59. Except to the extent that the Authority, on the advice or recommendation of a medical practitioner or after considering the report
25 of a medical practitioner, otherwise directs, where a medical practitioner gives, in relation to a boxer, a certificate under section 58 (c), the boxer shall not, before the date specified in the certificate, engage in any boxing contest or any sparring, or both, as may be specified in the certificate.

Penalty: \$2,000.

Boxing Authority 1986

DIVISION 4—*Record of boxing contest***Boxing result sheet**

5 60. (1) For the purpose of instituting a record of a boxing contest, it is the duty of the member of the police force present, pursuant to section 46 (c), at the contest, and a function of the medical practitioner so present, to write up in duplicate, and, by an original signature, to sign each copy of, a boxing result sheet in relation to the contest.

(2) The boxing result sheet referred to in subsection (1) shall be—

(a) in or to the effect of the prescribed form; and

10 (b) written up in accordance with the directions on that sheet.

Forwarding of information

61. (1) The member of the police force present, pursuant to section 46 (c), at a boxing contest shall forward—

15 (a) the original of the boxing result sheet written up in relation to that contest, when completed, to the Authority; and

(b) the copy of that boxing result sheet to the Commissioner of Police.

(2) The Authority shall cause the information contained in a boxing result sheet forwarded to it under subsection (1) (a) to be filed in the office of the Authority for such time as it thinks fit.

20 (3) The Commissioner of Police shall cause the information contained in a copy of a boxing result sheet forwarded under subsection (1) (b) to be filed in the records of the Police Department for such time as the Commissioner thinks fit.

PART 8

PROHIBITION OF BOXING CONTESTS AT CERTAIN PLACES

Boxing contests prohibited at certain places

62. A person shall not—

- 5 (a) promote or arrange; or
(b) engage in,

a boxing contest at—

- (c) a prescribed place; or
(d) a place of a prescribed class or description.

10 Penalty: \$2,000 or imprisonment for 12 months, or both.

PART 9

MISCELLANEOUS

Exemptions

15 63. (1) The Authority may, by notification published in the Gazette, exempt any person named in the notification or any class or description of persons specified in the notification from the operation of this Act or such of the provisions of this Act as are specified in the notification.

20 (2) The Authority shall not, under subsection (1), exempt a person who is ordinarily resident in New South Wales or a class or description of persons who are ordinarily so resident.

(3) An exemption under subsection (1) may be granted subject to such terms or conditions as are specified in the notification by which the exemption is granted.

25 (4) The Authority may, by notification published in the Gazette, revoke, alter or vary a notification referred to in subsection (1).

Delegation by Authority

64. (1) The Authority may delegate to a person the exercise of any of its functions, other than this power of delegation.

Boxing Authority 1986

- (2) A delegation under this section—
- (a) shall be in writing;
 - (b) may be general or limited; and
 - (c) may be revoked, wholly or partly, by the Authority.
- 5 (3) A delegate is, in the exercise of a function delegated under this section, subject to such conditions as are specified in the instrument of delegation.
- (4) A function delegated under this section, when exercised by the delegate, shall be deemed to have been exercised by the Authority.
- 10 (5) A delegation under this section does not prevent the exercise of a function by the Authority.
- (6) A function purporting to have been exercised by a delegate under this section shall, until the contrary is proved, be deemed to have been duly exercised by a delegate under this section.

15 Shortened references to Authority

65. In any other Act, in any instrument made under any Act or in any other instrument of any kind, except in so far as the context or subject-matter otherwise indicates or requires, a reference to the Boxing Authority shall be read as a reference to the Boxing Authority of New South Wales
- 20 constituted by this Act.

Service of documents

66. (1) A document may be served on the Authority by leaving it at, or by sending it by post to—
- (a) the office of the Authority; or
 - (b) if it has more than one office—any one of its offices.
- 25

(2) Nothing in subsection (1) affects the operation of any provision of a law or of the rules of a court authorising a document to be served on the Authority in a manner not provided for by subsection (1).

- (3) A notice required or permitted by this Act to be served on a person
- 30 by the Authority may be served personally or by mail addressed to the person at the address last shown in the records of the Authority as the person's address.

Authentication of certain documents

67. Every summons, process, demand, order, notice, statement, direction or other document requiring authentication by the Authority may be sufficiently authenticated without the seal of the Authority if signed by the
5 Chairperson or by any member of the staff of the Authority authorised to do so by the Chairperson.

Recovery of charges, etc., by Authority

68. Any charge, fee or money due to the Authority may be recovered by the Authority as a debt in a court of competent jurisdiction.

10 Proof of certain matters not required

69. In any legal proceedings, proof is not required (until evidence is given to the contrary) of—

- (a) the constitution of the Authority;
- (b) any resolution of the Authority;
- 15 (c) the appointment of, or the holding of office by, any member; or
- (d) the presence of a quorum at any meeting of the Authority.

Offences by corporations

70. (1) Where a corporation contravenes, whether by act or omission, any provision of this Act or a regulation, each person who is a director of
20 the corporation or who is concerned in the management of the corporation shall be deemed to have contravened the same provision unless the person satisfies the court that—

- (a) the corporation contravened the provision without the knowledge of the person;
- 25 (b) the person was not in a position to influence the conduct of the corporation in relation to its contravention of the provision; or
- (c) the person, being in such a position, used all due diligence to prevent the contravention by the corporation.

- (2) A person may be proceeded against and convicted under a provision
30 pursuant to subsection (1) whether or not the corporation has been proceeded against or been convicted under that provision.

Boxing Authority 1986

(3) Nothing in this section affects any liability imposed on a corporation for an offence committed by the corporation against this Act or the regulations.

Proceedings for offences

5 71. Proceedings for an offence against this Act or the regulations shall be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

Regulations

10 72. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to—

- (a) the use and custody of the seal of the Authority;
- 15 (b) exemptions under section 63; and
- (c) any matter in relation to which a rule may be made.

(2) A regulation may create an offence punishable by a penalty not exceeding \$500.

(3) A provision of a regulation may—

- 20 (a) apply generally or be limited in its application by reference to specified exceptions or factors;
- (b) apply differently according to different factors of a specified kind; or
- 25 (c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,

or may do any combination of those things.

(4) In the event of any inconsistency between a regulation and a rule, the regulation, to the extent of the inconsistency, shall prevail.

Rules

73. (1) The Authority may make rules, not inconsistent with this Act, for or with respect to any aspect of professional boxing in New South Wales and, in particular, for or with respect to—
- 5 (a) any of the functions of the Authority;
- (b) the appointment and functions of an executive officer of the Authority;
- (c) the appointment, functions and remuneration of inspectors for the purposes of this Act;
- 10 (d) the appointment of, and fees payable to, boxing officials;
- (e) the establishment of ratings for boxers;
- (f) boxing titles;
- (g) boxing equipment;
- (h) contracts between boxers and industry participants;
- 15 (i) the accreditation and functions of medical officers in connection with boxing contests;
- (j) rest periods for boxers; and
- (k) the undertaking of guarantees, and the lodgment of security deposits, by promoters of boxing contests.
- 20 (2) A rule shall not be made except with the approval of the Minister.
- (3) A rule—
- (a) shall be published in the Gazette; and
- (b) shall take effect on and from the date of publication or a later date specified in the rule.
- 25 (4) Section 72 (3) applies to and in respect of a provision of a rule in the same way as it applies to and in respect of a provision of a regulation.

Repeal of Act No. 129, 1980

74. The Professional Boxing Control Act 1980 is repealed.

*Boxing Authority 1986***Savings and transitional provisions**

75. Schedule 3 has effect.

SCHEDULE 1

(Sec. 4 (6))

5 PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY**Age of members**

1. A person of or above the age of 70 years is not eligible to be appointed as a member or to act in the office of a member.

Acting members and acting Chairperson

10 2. (1) The Governor may, from time to time, appoint a person to act in the office of a member during the illness or absence of the member, and the person, while so acting, shall have and may exercise all the functions of the member and shall be deemed to be a member.

15 (2) The Governor may, from time to time, appoint a member to act in the office of Chairperson during the illness or absence of the Chairperson, and the member, while so acting, shall have and may exercise all the functions of the Chairperson and shall be deemed to be the Chairperson.

(3) The Governor may remove any person from any office to which the person was appointed under this clause.

20 (4) A person while acting in the office of a member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the person.

25 (5) For the purposes of this clause, a vacancy in the office of a member or the Chairperson shall be deemed to be an absence from office of the member or Chairperson, as the case may be.

Terms of office

3. Subject to this Schedule, a member shall hold office for such period not exceeding 4 years as may be specified in the instrument of appointment of the member, but is eligible (if otherwise qualified) for re-appointment.

30 Remuneration

4. A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.

*Boxing Authority 1986*SCHEDULE 1—*continued*PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY—*continued***Filling of vacancy in office of member**

5. (1) If the office of a member referred to in section 4 (4) (b) or (c) becomes vacant, or if as the result of a vacancy in the office of any member the membership of the Authority (not counting any person appointed under clause 2) is for the time being reduced to fewer than 5 persons, a person shall, subject to this Act, be appointed to fill the vacancy.

(2) A person may, subject to this Act, be appointed to fill any vacancy other than a vacancy to which subclause (1) applies.

Casual vacancies

10 6. (1) A member shall be deemed to have vacated office if the member—

(a) dies;

15 (b) absents himself or herself from 4 consecutive meetings of the Authority of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the Minister or unless, before the expiration of 4 weeks after the last of those meetings, the member is excused by the Minister for being absent from those meetings;

(c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;

20 (d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act 1958 or a person under detention under Part VII of that Act;

25 (e) is convicted in New South Wales of an offence which is punishable by imprisonment for 12 months or upwards or is convicted elsewhere than in New South Wales of an offence which if committed in New South Wales would be an offence so punishable;

(f) resigns the office by instrument in writing addressed to the Minister;

(g) attains the age of 70 years; or

(h) is removed from office by the Governor under subclause (2) or (3).

30 (2) The Governor may remove a member from office.

(3) Without affecting the generality of subclause (2), the Governor may remove from office a member who contravenes the provisions of clause 7.

*Boxing Authority 1986*SCHEDULE 1—*continued*PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY—*continued***Disclosure of pecuniary interests**

7. (1) A member who has a direct or indirect pecuniary interest—
- (a) in a matter that is being considered, or is about to be considered, at a meeting of the Authority; or
 - 5 (b) in a thing being done or about to be done by the Authority,
- shall, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Authority.
- (2) A disclosure by a member at a meeting of the Authority that the member—
- (a) is a member, or is in the employment, of a specified company or other body;
 - 10 (b) is a partner, or is in the employment, of a specified person; or
 - (c) has some other specified interest relating to a specified company or other body or a specified person,
- shall be deemed to be a sufficient disclosure of the nature of the interest in any matter or thing relating to that company or other body or to that person which may arise after
- 15 the date of the disclosure.
- (3) The Authority shall cause particulars of any disclosure made under subclause (1) or (2) to be recorded in a book kept for the purpose and that book shall be open at all reasonable hours to the inspection of any person on payment of such fee as may be determined by the Authority from time to time.
- 20 (4) After a member has, or is deemed to have, disclosed the nature of an interest in any matter or thing pursuant to subclause (1) or (2), the member shall not, unless the Minister otherwise determines—
- (a) be present during any deliberation of the Authority, or take part in any decision of the Authority, with respect to that matter; or
 - 25 (b) exercise any functions under this Act with respect to that thing,
- as the case requires.
- (5) Notwithstanding that a member contravenes the provisions of this clause, that contravention does not invalidate any decision of the Authority or the exercise of any function under this Act.
- 30 (6) A reference in this clause to a meeting of the Authority includes a reference to a meeting of a committee of the Authority.

Effect of certain other Acts

8. (1) The Public Service Act 1979 does not apply to or in respect of the appointment of a member and a member is not, as a member, subject to that Act.

*Boxing Authority 1986*SCHEDULE 1—*continued*PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY—*continued*

(2) Where by or under any other Act provision is made requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or prohibiting the person from engaging in employment outside the duties of that office, that provision shall not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any remuneration payable to the person under this Act as a member.

(3) The office of a part-time member shall for the purposes of any Act be deemed not to be an office or place of profit under the Crown.

Liability of members, etc.

9. No matter or thing done by the Authority, any member or any person acting under the direction of the Authority shall, if the matter or thing was done in good faith for the purposes of executing this or any other Act, subject a member or a person so acting personally to any action, liability, claim or demand.

SCHEDULE 2

(Sec. 4 (7))

15 PROVISIONS RELATING TO THE PROCEDURE OF THE AUTHORITY

General procedure

1. The procedure for the calling of meetings of the Authority and for the conduct of business at those meetings shall, subject to this Act, be as determined by the Authority.

Quorum

20 2. (1) Where the Authority consists of 5 or 6 members, the quorum for a meeting of the Authority is 3 members.

(2) Where the Authority consists of 7 members, the quorum for a meeting of the Authority is 4 members.

Presiding member

25 3. (1) The Chairperson or, in the absence of the Chairperson, another member elected as chairperson for the meeting by the members present shall preside at a meeting of the Authority.

(2) The person presiding at any meeting of the Authority has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

30 **Voting**

4. A decision supported by a majority of the votes cast at a meeting of the Authority at which a quorum is present shall be the decision of the Authority.

*Boxing Authority 1986*SCHEDULE 2—*continued*PROVISIONS RELATING TO THE PROCEDURE OF THE AUTHORITY—
*continued***Minutes**

5. The Authority shall cause full and accurate minutes to be kept of the proceedings of each meeting of the Authority.

5 First meeting of Authority

6. The Minister shall call the first meeting of the Authority in such manner as the Minister thinks fit.

SCHEDULE 3

(Sec. 75)

SAVINGS AND TRANSITIONAL PROVISIONS

10

Interpretation

1. In this Schedule—

“Director” means the Director of the Department of Sport and Recreation;

“the former Act” means the Professional Boxing Control Act 1980.

15 Registers

2. The Authority may, for the purpose of compliance with its obligations under sections 7 and 18, adopt a register kept by the Director under section 16 or 27 of the former Act.

Registration

20 3. (1) The registration of a person, in force under any of the provisions of section 18, 22, 29 or 34 of the former Act immediately before the commencement of this Act, shall be deemed to be a registration in force under the corresponding provisions of section 9, 13, 20 or 25, as the case requires.

25 (2) An application made under section 17 or 21, or section 28 or 33, of the former Act that was made but not determined before the commencement of this Act shall be deemed to be an application made under section 8 or 12, or section 19 or 24, as the case requires.

30 (3) A requirement made, not earlier than 14 days before the commencement of this Act, by the Minister under section 20 (1) or 32 (1) of the former Act shall be deemed to be a requirement made by the Authority under section 11 (1) or 23 (1), as the case requires.

*Boxing Authority 1986*SCHEDULE 3—*continued*SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

(4) A cancellation or suspension of registration under section 20 or 32 of the former Act, or a reduction of the period of a registration under section 20 (2) (c) of that Act, that affected any person immediately before the commencement of this Act shall continue to affect the person as if it were a cancellation, suspension or reduction effected by the Authority under section 11 or 23, as the case requires.

(5) The Authority shall give notice of the outcome of any application made under section 17 or 21, or section 28 or 33, of the former Act which had been determined before the commencement of this Act but in relation to which no notice of the outcome had been given by the Director to the applicant.

10 Medical record book

4. A medical record book issued under the former Act shall be deemed to be a medical record book issued under this Act.

Weigh-ins

5. A weigh-in conducted, before the commencement of this Act, in accordance with the former Act in connection with a boxing contest held on or after the commencement of this Act shall be deemed to have been carried out in accordance with this Act.

Medical certificates

6. A medical certificate issued under section 60, 61 or 68 of the former Act shall be deemed to have been issued under section 50, 51 or 58.

20 Direction to take medical examination

7. A direction of the Minister under section 60 of the former Act that has not been complied with shall be deemed to be a direction given by the Authority under section 50.

Transitional regulations

8. (1) The regulations may make provision of a savings or transitional nature consequent on the repeal of the Professional Boxing Control Act 1980 and the enactment of this Act or the Theatres and Public Halls (Boxing and Wrestling Contests) Amendment Act 1986.

(2) Without affecting the generality of subclause (1), the regulations may make provision for or with respect to—

(a) deeming all or some of the persons who were registered as boxers under the former Act to be members of a specified class of boxers prescribed for the purposes of section 6;

(b) deeming all or some of the persons who, immediately before the commencement of this Act, were members of a class prescribed for the purposes of section 26 of the former Act to be members of a specified class of industry participants prescribed for the purposes of section 17; and

*Boxing Authority 1986*SCHEDULE 3—*continued*SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

- (c) the grant or renewal of registration to a person for a period other than the periods for which registration was permitted to be granted or renewed under the former Act or is permitted to be granted or renewed under section 9, 13, 20 or 25.
- 5 (3) A provision made in accordance with this clause may take effect as from the date of assent to this Act or a later day.
- (4) To the extent to which a provision made in accordance with this clause takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as—
- 10 (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication; or
- (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.
- 15 (5) A provision made in accordance with this clause shall, if the regulations so provide, have effect notwithstanding any other provision of this Schedule.

 BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1986

BOXING AUTHORITY ACT 1986 No. 11

NEW SOUTH WALES



TABLE OF PROVISIONS

PART 1—PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

PART 2—THE BOXING AUTHORITY OF NEW SOUTH WALES

4. The Authority
5. Staff of Authority

PART 3—REGISTRATION OF BOXERS

6. Prescribed classes of boxers
7. Register
8. Application for registration
9. Determination of application
10. Duration of registration
11. Cancellation, suspension, etc., of registration
12. Application for renewal of registration
13. Determination of application
14. Duration of renewal of registration
15. Offence to engage in boxing contest
16. Offence to engage in sparring

PART 4—REGISTRATION OF INDUSTRY PARTICIPANTS

17. Prescribed classes of-industry participants
18. Register
19. Application for registration
20. Determination of application
21. Conditions of registration
22. Duration of registration
23. Cancellation or suspension of registration
24. Application for renewal of registration
25. Determination of application
26. Duration of renewal of registration
27. Offence

PART 5—APPEALS

28. The Tribunal
29. Grounds of appeal
30. Tribunal to be sole arbiter
31. Proceedings
32. Regulations respecting appeals

PART 6—MEDICAL RECORD BOOKS

33. Issue
34. Alterations
35. Offence of false information
36. Offence of damaging medical record book, etc.
37. Surrender of medical record book
38. Reissue
39. Issue of additional cards
40. Replacement of book or card lost, etc.

PART 7—BOXING CONTESTS

DIVISION 1—*Permit to promote or arrange a boxing contest*

41. Interpretation
42. Application
43. Issue
44. Notification of Commissioner of Police
45. Offence

DIVISION 2—*Attendance of certain persons at a boxing contest*

46. Attendance of certain persons at weigh-in and contest

DIVISION 3—*Physical examination of boxers*

47. Weigh-in before contest
48. Recording of boxer's weight, etc., at weigh-in
49. Medical examination before contest
50. Authority may direct medical examination of boxer
51. Functions of examining medical practitioner
52. Unfit boxer not to engage in contests, etc.
53. Obligation of promoter—examination under s. 49
54. Obligation of promoter—examination of medical record book
55. Obligation of promoter—unfit boxer
56. Boxer to submit to medical examination after contest
57. Obligation of promoter—boxer rendered unconscious, etc.
58. Obligations of medical practitioner after contest
59. Boxer not to engage in further contests, etc.

DIVISION 4—*Record of boxing contest*

60. Boxing result sheet
61. Forwarding of information

PART 8—PROHIBITION OF BOXING CONTESTS AT CERTAIN PLACES

62. Boxing contests prohibited at certain places

PART 9—MISCELLANEOUS

63. Exemptions
64. Delegation by Authority
65. Shortened references to Authority
66. Service of documents
67. Authentication of certain documents
68. Recovery of charges, etc., by Authority
69. Proof of certain matters not required
70. Offences by corporations
71. Proceedings for offences
72. Regulations
73. Rules
74. Repeal of Act No. 129, 1980
75. Savings and transitional provisions

SCHEDULE 1—PROVISIONS RELATING TO THE MEMBERS OF THE
AUTHORITY

SCHEDULE 2—PROVISIONS RELATING TO THE PROCEDURE OF THE
AUTHORITY

SCHEDULE 3—SAVINGS AND TRANSITIONAL PROVISIONS



.

.

.

.



BOXING AUTHORITY ACT 1986 No. 11

NEW SOUTH WALES



Act No. 11, 1986

An Act to regulate the conduct of professional boxing; to constitute the Boxing Authority of New South Wales and to define its functions; to repeal the Professional Boxing Control Act 1980; and for other purposes. [Assented to 24 April 1986.]

See also Theatres and Public Halls (Boxing and Wrestling Contests) Amendment Act 1986.

Boxing Authority 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

PART 1
PRELIMINARY

Short title

1. This Act may be cited as the "Boxing Authority Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Interpretation

3. (1) In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

"Authority" means the Boxing Authority of New South Wales constituted by this Act;

"boxing" means fist fighting, kick boxing or any other style of fighting in relation to which a class of boxers is prescribed under section 6, and includes sparring in any such style;

"boxing contest" means—

- (a) a contest, display or exhibition of boxing between contestants for a monetary prize or other reward in money or money's worth; or
- (b) a contest, display or exhibition of boxing between persons, at least one of whom is a person prescribed by subsection (2),

Boxing Authority 1986

but does not include—

- (c) sparring otherwise than for public entertainment;
- (d) a contest, display or exhibition—
 - (i) excepted by the regulations; or
 - (ii) of a kind so excepted; or
- (e) a contest, display or exhibition of boxing between contestants (none of whom is a person prescribed by subsection (2)) for a prize or reward—
 - (i) excepted by the regulations; or
 - (ii) of a kind so excepted;

“boxing official” means a person appointed by the Authority to officiate at boxing contests;

“Chairperson” means the Chairperson of the Authority;

“Department” means the Department of Sport and Recreation;

“industry participant” means a person who, otherwise than as a boxer, engages in or is employed in any profession, occupation or business, whether on a full-time, part-time or casual basis, in relation to boxing;

“member” means a member of the Authority;

“registered” means—

- (a) in relation to a boxer, registered under section 9 or 13; and
- (b) in relation to an industry participant, registered under section 20 or 25;

“regulations” means regulations made under this Act;

“rules” means rules made under this Act;

“Tribunal” means the Boxing Appeals Tribunal continued by this Act.

(2) For the purposes of the definition of “boxing contest” in subsection (1), a person who has at any time been a contestant in a contest, display or exhibition of boxing for a monetary prize or other reward in money or money’s worth (other than a prize or reward referred to in paragraph (e) of that definition) is a prescribed person.

Boxing Authority 1986

(3) In this Act—

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(4) The Chairperson may be referred to as the chairman or chairwoman, as the case requires.

PART 2

THE BOXING AUTHORITY OF NEW SOUTH WALES

The Authority

4. (1) There is constituted by this Act a corporation under the corporate name of the "Boxing Authority of New South Wales".

(2) The Authority—

- (a) shall have and may exercise the functions conferred or imposed on it by or under this or any other Act;
- (b) shall, for the purposes of any Act, be deemed to be a statutory body representing the Crown; and
- (c) shall, in the exercise of its functions (except in relation to the contents of a report or recommendation made by it to the Minister), be subject to the control and direction of the Minister.

(3) The Authority shall consist of not fewer than 5 and not more than 7 part-time members, who shall be appointed by the Governor.

(4) Of the members—

- (a) one shall, in and by the instrument by which the member is appointed, be appointed as the Chairperson of the Authority;
- (b) one shall be a member of the New South Wales Police Force, of or above the rank of inspector, nominated by the Commissioner of Police; and

Boxing Authority 1986

(c) one shall be a medical practitioner nominated by the Australian Sports Medicine Federation, New South Wales Branch.

(5) The Minister may make such arrangements as the Minister considers appropriate for the receipt of nominations for the purposes of subsection (4) (b) and (c).

(6) Schedule 1 has effect with respect to the members.

(7) Schedule 2 has effect with respect to the procedure of the Authority.

Staff of Authority

5. (1) Such staff as may be necessary to enable the Authority to exercise its functions shall be employed under the Public Service Act 1979.

(2) The Authority may—

(a) with the approval of the Minister; and

(b) on such terms and conditions as may be approved by the Public Service Board,

arrange for the use of the services of any staff or facilities of a government department, administrative office or public authority.

(3) The Authority may—

(a) for any purpose approved by the Minister; and

(b) on such terms and conditions as may be approved by the Public Service Board,

employ such casual staff as may be required by the Authority in exercising its functions.

(4) The Public Service Act 1979 does not apply to or in respect of the employment of casual staff under subsection (3) and a person is not, as a member of that casual staff, subject to that Act.

PART 3

REGISTRATION OF BOXERS

Prescribed classes of boxers

6. For the purpose of registering boxers, classes of boxers may be prescribed according to the style of fighting practised by them.

Register

7. (1) The Authority shall cause to be kept a register in respect of each prescribed class of boxers in which shall be recorded—

- (a) the names and addresses of persons who are registered as boxers of that class; and
- (b) such other particulars as may be prescribed.

(2) A certificate purporting to have been signed by the Authority, or by a delegate under section 64, and stating—

- (a) that on a specified day or during a specified period, a specified person was, or was not, registered as a boxer of a specified class;
- (b) that on a specified day the registration of a specified person as a boxer of a specified class had been cancelled under a specified provision of this Act;
- (c) that the registration of a specified person as a boxer of a specified class had been suspended under a specified provision of this Act for a period commencing on a specified day and ending on another specified day;
- (d) that the period of registration of a specified person as a boxer of a specified class had been reduced under a specified provision of this Act and would end on a specified day; or
- (e) that the registration of a person as a boxer of a specified class is due to expire, or expired, on a specified day,

is admissible in evidence in any proceedings and is evidence of the truth of the statement.

Application for registration

8. (1) A male person of or above the age of 18 years may make an application to the Authority to be registered as a boxer of a prescribed class.

Boxing Authority 1986

- (2) An application under subsection (1) shall be—
- (a) in or to the effect of the prescribed form; and
 - (b) accompanied by—
 - (i) a certificate of fitness for boxing of the class in respect of which registration is sought, being a certificate in or to the effect of the prescribed form which has been given by a medical practitioner not more than 7 days before the date on which the application is made; and
 - (ii) the prescribed fee.

Determination of application

9. (1) On receipt of an application under section 8 (1), the Authority—
- (a) where it is satisfied that the application complies with the requirements of section 8 (2), that the applicant is a fit and proper person to be registered as a boxer of the prescribed class in respect of which the registration is sought and that, in the case of a subsequent application referred to in section 11 (2), the applicant has complied with any conditions imposed under that subsection in relation to the applicant's registration as a boxer—
 - (i) shall register the applicant as a boxer of the relevant class; or
 - (ii) if, in the opinion of the Authority, it is in the interests of the health or safety of the applicant to be registered as a boxer of that class for a period of less than 12 months, shall so register the applicant for some such period; or
 - (b) where it is not so satisfied, shall refuse to register the applicant as such a boxer.
- (2) The Authority shall give notice to an applicant, in writing, of his registration as a boxer of a prescribed class or of the refusal of the Authority so to register the applicant, as the case may be, within 7 days after the date of registration or refusal of registration.
- (3) Where the Authority refuses to register an applicant as a boxer on the ground that the applicant is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Duration of registration

10. The registration of a boxer shall remain in force for—

- (a) except as provided by paragraph (b)—the calendar year specified in a certificate issued by the Authority certifying the fact of that registration; or
- (b) where the boxer was registered for a period of less than 12 months in accordance with section 9 (1) (a) (ii)—the period for which the boxer was so registered,

unless—

- (c) the registration is sooner cancelled or suspended under section 11 (2) or (4); or
- (d) the period of his registration is reduced under section 11 (2).

Cancellation, suspension, etc., of registration

11. (1) The Authority may, by notice in writing served on a boxer, require him to show cause, by a date and time specified in the notice (being a date not less than 14 days after the date of service of the notice), why his registration as a boxer of a prescribed class should not be cancelled or suspended, or why the period of his registration as a boxer should not be reduced, as the case may be.

(2) Where, by the date and time referred to in the notice under subsection (1), the boxer has not shown sufficient cause why his registration as a boxer of a prescribed class should not be cancelled or suspended, or why the period of his registration as such a boxer should not be reduced, the Authority may—

- (a) cancel the registration;
- (b) suspend the registration for such period as the Authority thinks fit; or
- (c) reduce the period of registration to or by such period as the Authority thinks fit,

and may impose such conditions as the Authority thinks fit with which the boxer must comply before any subsequent application by the boxer for registration, or renewal of registration, as a boxer may be dealt with under this Act.

Boxing Authority 1986

(3) Where the Authority has, under subsection (2), cancelled or suspended a person's registration as a boxer or reduced the period of his registration as a boxer, the Authority shall give notice to the person, in writing, of the cancellation, suspension or reduction, as the case may be, and of any conditions referred to in subsection (2), within 7 days.

(4) The Authority may, where it is of the opinion that it is in the interests of the health or safety of a boxer to do so otherwise than in accordance with subsections (1), (2) and (3), by notice in writing served on the boxer, cancel or suspend his registration as a boxer of any prescribed class.

(5) A notice under subsection (4) shall take effect from a date specified in the notice, being the date of, or a date after, service of the notice on the boxer.

(6) The Authority shall cause to be recorded in the register kept under section 7 particulars of any cancellation, suspension or reduction of a period of registration and of any conditions imposed under subsection (2).

Application for renewal of registration

12. (1) A person registered as a boxer of a prescribed class may, not earlier than 56 days and not later than 21 days before the date of expiration of his registration as a boxer of that class, make an application to the Authority for the renewal of his registration as such a boxer.

(2) An application under subsection (1) shall be—

(a) in or to the effect of the prescribed form; and

(b) accompanied by the certificate and fee referred to in section 8 (2) (b).

Determination of application

13. (1) On receipt of an application under section 12 (1), the Authority—

(a) where it is satisfied that the application complies with the requirements of section 11 (2), that the applicant is a fit and proper person to be registered as a boxer of the class in respect of which the renewal of registration is sought and that the applicant has complied with any conditions imposed under section 11 (2) in relation to the renewal of his registration as such a boxer—

(i) shall renew the registration of the applicant as a boxer of the relevant class; or

(ii) if, in the opinion of the Authority, it is in the interests of the health or safety of the applicant to be registered as a boxer of that class for a period of less than 12 months, shall renew the registration of the applicant as a boxer of that class for some such period; or

(b) where it is not so satisfied, shall refuse to renew the registration of the applicant as such a boxer.

(2) The Authority shall give notice to an applicant, in writing, of the renewal of his registration as a boxer or of the refusal of the Authority to renew his registration as a boxer, as the case may be, within 7 days after the date of renewal of registration or refusal of renewal of registration.

(3) Where the Authority refuses to renew the registration of an applicant as a boxer on the ground that the applicant is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Duration of renewal of registration

14. The renewal of registration of a boxer shall remain in force for—

(a) except as provided by paragraph (b)—a further period of 12 months from the date on which the registration of the boxer would, but for the renewal, have expired; or

(b) where the registration of the boxer was renewed in accordance with section 13 (1) (a) (ii)—the period for which the registration was so renewed,

unless—

- (c) sooner cancelled or suspended under section 11 (2) or (4); or
- (d) the period of renewal of his registration is reduced under section 11 (2).

Offence to engage in boxing contest

15. A person shall not engage in a boxing contest involving a particular style of fighting—

- (a) if the person is not registered as a boxer of the prescribed class that is appropriate to that style of fighting; or
- (b) while the person's registration as a boxer of that class is suspended under section 11 (2) or (4).

Penalty: \$1,000 or imprisonment for 6 months, or both.

Offence to engage in sparring

16. A person shall not engage in sparring in a particular style of fighting at any time during which the person's registration as a boxer of the prescribed class that is appropriate to that style of fighting—

- (a) is cancelled under section 11 (4); or
- (b) is suspended under section 11 (4).

Penalty: \$1,000 or imprisonment for 6 months, or both.

PART 4

REGISTRATION OF INDUSTRY PARTICIPANTS

Prescribed classes of industry participants

17. For the purpose of registering industry participants, classes of industry participants may be prescribed according to the nature of their participation in the industry.

Register

18. (1) The Authority shall cause to be kept a register in respect of each prescribed class of industry participants in which shall be recorded—

- (a) the names and addresses of such persons as are registered as industry participants of that class; and
- (b) such other particulars as may be prescribed.

(2) A certificate purporting to have been signed by the Authority, or by a delegate under section 64, and stating—

- (a) that on a specified day or during a specified period, a specified person was, or was not, registered as an industry participant of a specified class;
- (b) that on a specified day the registration of a specified person as an industry participant of a specified class had been cancelled under a specified provision of this Act;
- (c) that the registration of a specified person as an industry participant of a specified class had been suspended under a specified provision of this Act for a period commencing on a specified day and ending on another specified day;
- (d) that the period of registration of a specified person as an industry participant of a specified class had been reduced under a specified provision of this Act and would end on a specified day; or
- (e) that the registration of a person as an industry participant of a specified class is due to expire, or expired, on a specified day,

is admissible in evidence in any proceedings and is evidence of the truth of the statement.

Application for registration

19. (1) Any person may make an application to the Authority to be registered as an industry participant of a prescribed class.

(2) An application under subsection (1) shall be—

- (a) in or to the effect of the prescribed form; and
- (b) accompanied by the prescribed fee.

Determination of application

20. (1) On receipt of an application under section 19 (1), the Authority—

(a) where it is satisfied that—

- (i) the application complies with the requirements of section 19 (2);
- (ii) the applicant has complied with any conditions imposed under section 21 in relation to the applicant's registration; and
- (iii) the applicant is a fit and proper person to be registered as an industry participant of the prescribed class in respect of which the registration is sought,

shall register the applicant as such an industry participant; or

(b) where it is not so satisfied, shall refuse to register the applicant as such an industry participant.

(2) The Authority shall give notice to an applicant, in writing, of the applicant's registration as an industry participant of a prescribed class or of the refusal of the Authority so to register the applicant, as the case may be, within 7 days after the date of registration or refusal of registration.

(3) Where the Authority refuses to register an applicant as an industry participant on the ground that the person is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Conditions of registration

21. The regulations may prescribe, in relation to a prescribed class of industry participants, conditions (including the passing of any courses of training) with which an applicant for registration, or renewal of registration, as an industry participant of that class must comply before the applicant may be so registered or, as the case may be, before the applicant's registration may be renewed.

Duration of registration

22. The registration of an industry participant shall, unless sooner cancelled or suspended under section 23 (2), remain in force for the calendar year specified in a certificate issued by the Authority certifying the fact of that registration.

Cancellation or suspension of registration

23. (1) The Authority may, by notice in writing served on a person who is an industry participant of a prescribed class, require the person to show cause, by a date and time specified in the notice (being a date not less than 14 days after the date of service of the notice), why the person's registration as such an industry participant should not be cancelled or suspended, as the case may be.

(2) Where, by the date and time referred to in the notice under subsection (1), a person has not shown sufficient cause why the person's registration as an industry participant of a prescribed class should not be cancelled or suspended, the Authority may—

- (a) cancel the registration; or
- (b) suspend the registration for such period as the Authority thinks fit.

(3) Where the Authority has, under subsection (2), cancelled or suspended a person's registration as an industry participant, the Authority shall give notice to the person, in writing, of the cancellation or suspension, as the case may be, within 7 days.

(4) The Authority shall cause to be recorded in the register kept under section 18 particulars of any cancellation or suspension of registration.

Application for renewal of registration

24. (1) A person registered as an industry participant of a prescribed class may, not earlier than 1 November and not later than 30 November in any year of current registration as an industry participant of that class, make an application to the Authority for the renewal of the person's registration as such an industry participant.

(2) An application under subsection (1) shall be—

- (a) in or to the effect of the prescribed form; and
- (b) accompanied by the fee referred to in section 19 (2) (b).

Boxing Authority 1986

Determination of application

25. (1) On receipt of an application under section 24 (1), the Authority—

(a) where it is satisfied that—

- (i) the application complies with the requirements of section 24 (2);
- (ii) the applicant has complied with any conditions imposed under section 21 in relation to the applicant's registration; and
- (iii) the applicant is a fit and proper person to be registered as an industry participant of the prescribed class in respect of which the renewal of registration is sought,

shall renew the registration of the applicant as such an industry participant; or

(b) where it is not so satisfied, shall refuse to renew the registration of the applicant as such an industry participant.

(2) The Authority shall give notice to an applicant, in writing, of the renewal of the applicant's registration as an industry participant of a prescribed class or of the refusal of the Authority to renew the applicant's registration as such an industry participant, as the case may be, within 7 days after the date of renewal of registration or refusal of renewal of registration.

(3) Where the Authority refuses to renew a person's registration as an industry participant on the ground that the person is not a fit and proper person to be so registered, the Authority shall, in the notice under subsection (2), so inform the applicant.

Duration of renewal of registration

26. The renewal of registration of an industry participant shall, unless sooner cancelled or suspended under section 23 (2), remain in force for the year succeeding the calendar year in which application was made for it.

Boxing Authority 1986

Offence

27. (1) A person shall not carry on the business of, or be employed as, an industry participant of a prescribed class—

- (a) if the person is not registered as an industry participant of that class; or
- (b) while the person's registration as an industry participant of that class is suspended under section 23 (2).

(2) The regulations may, in respect of a prescribed class of industry participants, prescribe a penalty for a contravention of subsection (1) in respect of that class.

PART 5
APPEALS

The Tribunal

28. The Boxing Appeals Tribunal established under the Professional Boxing Control Act 1980 and consisting of a District Court Judge appointed by the Minister upon the recommendation of the Attorney General is continued by this Act.

Grounds of appeal

29. (1) Any person—

- (a) who has been registered as a boxer for a period of less than 12 months upon a determination under section 9 (1) (a) (ii) or 13 (1) (a) (ii);
- (b) in respect of whom conditions are imposed under section 11 (2);
- (c) whose registration has been cancelled or suspended under section 11 (2) or (4) or section 23 (2) or the period of whose registration is reduced under section 11 (2); or
- (d) whose application for registration or renewal of registration as a boxer or an industry participant has been refused on the ground that the person is not a fit and proper person to be so registered,

Boxing Authority 1986

and who is thereby aggrieved may, within 21 days after the registration, renewal of registration, imposition of conditions, cancellation, suspension, reduction or refusal, as the case may be, appeal, in accordance with the regulations, to the Tribunal.

(2) A decision appealed against under subsection (1) continues to have effect pending determination of the appeal.

Tribunal to be sole arbiter

30. (1) The Tribunal shall be the only body to which an appeal against the registration, renewal of registration or imposition of conditions or a cancellation, suspension, reduction or refusal referred to in section 29 (1) shall lie.

(2) The decision of the Tribunal in respect of an appeal under section 29 (1) shall be final and shall be deemed to be the decision of the Authority.

Proceedings

31. Proceedings on an appeal under section 29 (1) shall be held before the Tribunal as in open court.

Regulations respecting appeals

32. The regulations may make provision for or with respect to—

- (a) the procedure to be followed at or in connection with appeals under section 29 (1);
 - (b) the payment of fees and costs in respect of appeals under section 29 (1); and
 - (c) any matters incidental to or connected with appeals under section 29 (1).
-

PART 6

MEDICAL RECORD BOOKS

Issue

33. (1) The Authority shall issue each person on first registration as a boxer with a medical record book containing—

- (a) a medical record card bearing the name and address of the boxer; and
- (b) other medical record cards which are—
 - (i) consecutively numbered; and
 - (ii) in or to the effect of the prescribed form.

(2) Where a person—

- (a) who has been registered as a boxer; and
- (b) who has ceased, for any period, to be so registered,

is, after the date on which he so ceased to be so registered, registered as a boxer, the Authority shall issue the person with a medical record book—

- (c) which contains medical record cards complying with subsection (1) (a) and (b); and
- (d) which contains the same information as was contained in any medical record book previously issued under this Act to that person.

Alterations

34. (1) A person shall not endorse or alter a medical record book or medical record card unless the person is authorised under this Act to endorse such a book or card.

Penalty: \$2,000 or imprisonment for 12 months, or both.

(2) Where a person makes an alteration under subsection (1) to a medical record card, the person shall initial the alteration immediately adjacent to the alteration.

Boxing Authority 1986

Offence of false information

35. A person shall not endorse on a medical record card any information that is false or misleading in a material particular or alter any information on a medical record card so that it is false or misleading in a material particular.

Penalty: \$1,000.

Offence of damaging medical record book, etc.

36. A person shall not wilfully damage or deface a medical record book or medical record card or, without lawful excuse, remove a medical record card from a medical record book.

Penalty: \$1,000 or imprisonment for 6 months, or both.

Surrender of medical record book

37. A boxer shall surrender his medical record book to the Authority—

- (a) where the boxer has not at the date and time of expiration of his registration applied for his registration to be renewed—immediately upon that expiration;
- (b) where his registration has been cancelled or suspended under section 11 (2)—immediately upon receipt of the notice under section 11 (3); or
- (c) where his registration has been cancelled or suspended under section 11 (4)—immediately upon receipt of the notice under that subsection.

Penalty: \$500.

Reissue

38. The Authority shall reissue a medical record book to a boxer—

- (a) where the book is surrendered under section 37 (b) or (c) as a consequence of the suspension of the boxer's registration and no appeal is made by the boxer against the suspension—as soon as practicable after the expiration of the period of the suspension; or
- (b) where the book is surrendered under section 37 (b) or (c) and an appeal made by the boxer against the Authority's decision to cancel or suspend his registration as a boxer is upheld—as soon as practicable after the upholding of the appeal.

Boxing Authority 1986

Issue of additional cards

39. (1) Immediately upon the completion of all medical record cards in the medical record book of a boxer, the boxer may make an application to the Authority for the issue of additional medical record cards.

(2) On receipt of an application under subsection (1), the Authority shall issue to the boxer additional medical record cards complying with section 33 (1) (b).

Replacement of book or card lost, etc.

40. (1) Where a boxer satisfies the Authority by statutory declaration that his medical record book or medical record card has been spoilt, lost or destroyed, the Authority shall, on payment by the boxer of a prescribed fee, issue the boxer with a duplicate medical record book or medical record card, as the case requires.

(2) A medical record book or medical record card issued under subsection (1) shall be clearly marked or printed with the words "Duplicate Copy".

PART 7**BOXING CONTESTS****DIVISION 1—*Permit to promote or arrange a boxing contest*****Interpretation**

41. In this Division, this section excepted, a reference to a boxing contest is a reference to—

- (a) a single boxing contest; or
- (b) 2 or more boxing contests, where the contests are conducted on the one occasion and at the same venue.

Application

42. (1) A person seeking to promote or arrange a boxing contest may make an application to the Authority, not less than 21 days before the date of the proposed contest, for permission to promote or arrange the contest.

Boxing Authority 1986

- (2) An application under subsection (1) shall be—
- (a) in or to the effect of the prescribed form; and
 - (b) accompanied by the fee, if any, prescribed.

Issue

43. On receipt of an application under section 42 (1) in respect of a boxing contest, the Authority may—

- (a) issue a permit to the applicant in respect of the contest, subject to such conditions as the Authority thinks fit; or
- (b) refuse to issue a permit in respect of the contest.

Notification of Commissioner of Police

44. Where the Authority issues a permit under section 43, it shall, as soon as practicable thereafter, cause the Commissioner of Police to be notified of the date, time and place of the boxing contest in respect of which the permit is issued.

Offence

45. A person shall not promote or arrange a boxing contest unless a permit has been issued under section 43 in respect of the contest.

Penalty: \$2,000 or imprisonment for 12 months, or both.

DIVISION 2—Attendance of certain persons at a boxing contest**Attendance of certain persons at weigh-in and contest**

46. A person who promotes or arranges a boxing contest is guilty of an offence against this Act and liable to a penalty not exceeding \$1,000 unless—

- (a) within the prescribed period before the commencement of the contest, a weigh-in of the contestants is carried out;
- (b) there is present at the weigh-in for the contest, where that weigh-in is carried out otherwise than immediately before the contest— a member of the police force authorised by the Commissioner of Police to attend the weigh-in; and

Boxing Authority 1986

- (c) there is present at the contest (including any weigh-in carried out immediately before the contest)—
- (i) a member of the police force authorised by the Commissioner of Police to attend the contest (which authorisation shall be deemed to include an authorisation to attend any such weigh-in); and
 - (ii) a medical practitioner engaged by the person promoting or arranging the contest to exercise the functions of a medical practitioner under sections 58 and 60 in relation to a boxer who engages in the contest and the contest in which he is engaged.

*DIVISION 3—Physical examination of boxers***Weigh-in before contest**

47. A boxer shall not engage in a boxing contest unless he has, within the prescribed period before the commencement of the contest, submitted himself for the weigh-in for the contest.

Penalty: \$500.

Recording of boxer's weight, etc., at weigh-in

48. (1) A boxer shall, at the weigh-in for a boxing contest in which he is a contestant, produce his medical record book to the member of the police force present at that weigh-in.

Penalty: \$500.

(2) The member of the police force referred to in subsection (1) shall, on the production to the member of a medical record book in accordance with that subsection, record in the book—

- (a) the boxer's weight at the weigh-in; and
- (b) such other particulars as may be prescribed for completion by the member of the police force so referred to.

Medical examination before contest

49. A boxer shall not engage in a boxing contest unless he has, within the period of 24 hours immediately preceding the contest, requested a medical practitioner to exercise, in relation to him, the functions of an examining medical practitioner under section 51 and has submitted himself for examination by the medical practitioner so as to enable the medical practitioner to exercise those functions.

Penalty: \$1,000.

Authority may direct medical examination of boxer

50. (1) The Authority may, by notice in writing served on a boxer, direct the boxer to submit himself on or before a date specified in the notice to a medical examination by a medical practitioner so specified.

(2) The Authority, on the recommendation of a medical practitioner, may, by notice in writing served on a boxer, direct the boxer to submit himself on or before a date specified in the notice to an examination or investigation by a person suitably qualified, in the opinion of the Authority, to determine any particular matter or thing concerning the boxer's health and safety.

(3) A notice under this section may give directions in relation to one or more examinations or investigations by one or more medical practitioners or other persons.

(4) Where a notice under this section is served on a boxer, the boxer shall not (except as may be permitted by the notice) engage in a boxing contest unless he has complied with the direction or directions given by the notice.

Penalty: \$1,000.

(5) The Authority may request a medical practitioner to whom a boxer is directed to submit himself in accordance with this section to exercise, in relation to the boxer, the functions of an examining medical practitioner under section 51 or such other functions relating to the health or safety of the boxer as the Authority may specify in its request.

(6) The Authority may request a person qualified as referred to in subsection (2) to conduct such examination or investigation as the Authority may specify and to report to the Authority concerning any such examination or investigation.

Functions of examining medical practitioner

51. The functions of an examining medical practitioner under this section in relation to a boxer who proposes to engage in a boxing contest are—

- (a) to conduct such examination of the boxer as is prescribed;
- (b) to record the prescribed particulars in the boxer's medical record book;
- (c) to certify in the boxer's medical record book whether or not, in the opinion of the medical practitioner, the boxer is medically fit to engage in the proposed contest;
- (d) if the medical practitioner has certified under paragraph (c) that the boxer is not medically fit to engage in the proposed contest and considers it to be in the interests of the health or safety of the boxer to do so—to certify in the boxer's medical record book that, in the opinion of the medical practitioner, the boxer should not engage in—
 - (i) any boxing contest; or
 - (ii) any boxing contest or any sparring, before a specified date; and
- (e) where the medical practitioner has given a certificate under paragraph (c) or (d), forthwith—
 - (i) to notify the boxer and, where the examination was carried out immediately before the proposed contest, the member of the police force present, pursuant to section 46 (c), at the contest of the matters as to which the medical practitioner has certified; and
 - (ii) to prepare and forward to the Authority a report of the examination.

Unfit boxer not to engage in contests, etc.

52. (1) Except to the extent that the Authority, on the advice or recommendation of a medical practitioner or after considering the report of a medical practitioner, otherwise directs—

- (a) where a medical practitioner certifies under section 51 (c) that, in the opinion of the medical practitioner, a boxer is not medically fit to engage in a proposed boxing contest—the boxer shall not engage in that contest;

Boxing Authority 1986

- (b) where, following a medical examination under section 50, a medical practitioner gives, in relation to a boxer and a proposed contest, a certificate that, in the opinion of the medical practitioner, a boxer is not medically fit to engage in that contest—the boxer shall not engage in that contest;
- (c) where a medical practitioner gives, in relation to a boxer, a certificate under section 51 (d)—the boxer shall not, before the date specified in the certificate, engage in any boxing contest or any sparring, or both, as may be specified in the certificate; or
- (d) where, following a medical examination under section 51, a medical practitioner gives, in relation to a boxer, a certificate to the same effect as a certificate under section 51 (d)—the boxer shall not, before the date specified in the certificate, engage in any boxing contest or any sparring, or both, as may be specified in the certificate.

(2) Notwithstanding any direction given by the Authority under subsection (1) or the opinion of any other medical practitioner, where the medical practitioner present at a boxing contest is of the opinion, immediately before the contest, that the boxer is not medically fit to engage in the contest, and so informs the boxer, the boxer shall not engage in the contest.

Penalty: \$2,000.

Obligation of promoter—examination under s. 49

53. A person who promotes or arranges a boxing contest shall not permit a boxer to engage in the contest if the boxer has not complied with section 49 in relation to the contest.

Penalty: \$2,000 or imprisonment for 12 months, or both.

Obligation of promoter—examination of medical record book

54. A person who promotes or arranges a boxing contest shall examine the medical record book of a boxer who proposes to engage in that contest after the time when the boxer has complied with section 49 in relation to that contest and before the time when the boxer is due to be engaged in that contest.

Penalty: \$500.

Obligation of promoter—unfit boxer

55. Unless the Authority, on the advice or recommendation of a medical practitioner or after considering the report of a medical practitioner, otherwise directs, where a medical practitioner certifies under section 51 (c) that, in the opinion of the medical practitioner, a boxer is not medically fit to engage in a proposed boxing contest, the person promoting or arranging the proposed contest shall not permit the boxer to engage in that contest.

Penalty: \$2,000 or imprisonment for 12 months, or both.

Boxer to submit to medical examination after contest

56. A boxer shall, immediately upon the conclusion of a boxing contest in which he has been a contestant, except where he is medically examined under section 57, submit himself for a medical examination by a medical practitioner engaged by the person who promoted or arranged the contest to exercise, in relation to the boxer, the functions of an examining medical practitioner under sections 58 and 60.

Penalty: \$500.

Obligation of promoter—boxer rendered unconscious, etc.

57. Where a boxer who engages in a boxing contest is rendered unconscious or otherwise appears to the person who promoted or arranged the contest to be unable to comply with section 56, that person shall forthwith arrange for a medical practitioner engaged by that person to exercise, in relation to the boxer, the functions of an examining medical practitioner under section 58 and 60 and such other functions as may be necessary in the circumstances of the case.

Penalty: \$2,000 or imprisonment for 12 months, or both.

Obligations of medical practitioner after contest

58. The functions of an examining medical practitioner under this section in relation to a boxer who has engaged in a boxing contest are—

- (a) to conduct such examination of the boxer as is prescribed;
- (b) to record the prescribed particulars in the boxer's medical record book;
- (c) where the medical practitioner considers it to be in the interests of the health or safety of the boxer to do so—to certify in the boxer's medical record book that, in the opinion of the medical practitioner, the boxer should not engage in—
 - (i) any boxing contest; or
 - (ii) any boxing contest or any sparring,before a specified date; and
- (d) where the medical practitioner has given a certificate under paragraph (c), forthwith—
 - (i) to notify the boxer and the member of the police force present, pursuant to section 46 (c), at the contest in which the boxer was engaged of the matters as to which the medical practitioner has certified; and
 - (ii) to prepare and forward to the Authority a report of the examination.

Boxer not to engage in further contests, etc.

59. Except to the extent that the Authority, on the advice or recommendation of a medical practitioner or after considering the report of a medical practitioner, otherwise directs, where a medical practitioner gives, in relation to a boxer, a certificate under section 58 (c), the boxer shall not, before the date specified in the certificate, engage in any boxing contest or any sparring, or both, as may be specified in the certificate.

Penalty: \$2,000.

DIVISION 4—*Record of boxing contest***Boxing result sheet**

60. (1) For the purpose of instituting a record of a boxing contest, it is the duty of the member of the police force present, pursuant to section 46 (c), at the contest, and a function of the medical practitioner so present, to write up in duplicate, and, by an original signature, to sign each copy of, a boxing result sheet in relation to the contest.

(2) The boxing result sheet referred to in subsection (1) shall be—

- (a) in or to the effect of the prescribed form; and
- (b) written up in accordance with the directions on that sheet.

Forwarding of information

61. (1) The member of the police force present, pursuant to section 46 (c), at a boxing contest shall forward—

- (a) the original of the boxing result sheet written up in relation to that contest, when completed, to the Authority; and
- (b) the copy of that boxing result sheet to the Commissioner of Police.

(2) The Authority shall cause the information contained in a boxing result sheet forwarded to it under subsection (1) (a) to be filed in the office of the Authority for such time as it thinks fit.

(3) The Commissioner of Police shall cause the information contained in a copy of a boxing result sheet forwarded under subsection (1) (b) to be filed in the records of the Police Department for such time as the Commissioner thinks fit.

PART 8

PROHIBITION OF BOXING CONTESTS AT CERTAIN PLACES

Boxing contests prohibited at certain places

62. A person shall not—

- (a) promote or arrange; or
- (b) engage in,

a boxing contest at—

- (c) a prescribed place; or
- (d) a place of a prescribed class or description.

Penalty: \$2,000 or imprisonment for 12 months, or both.

PART 9

MISCELLANEOUS

Exemptions

63. (1) The Authority may, by notification published in the Gazette, exempt any person named in the notification or any class or description of persons specified in the notification from the operation of this Act or such of the provisions of this Act as are specified in the notification.

(2) The Authority shall not, under subsection (1), exempt a person who is ordinarily resident in New South Wales or a class or description of persons who are ordinarily so resident.

(3) An exemption under subsection (1) may be granted subject to such terms or conditions as are specified in the notification by which the exemption is granted.

(4) The Authority may, by notification published in the Gazette, revoke, alter or vary a notification referred to in subsection (1).

Delegation by Authority

64. (1) The Authority may delegate to a person the exercise of any of its functions, other than this power of delegation.

Boxing Authority 1986

(2) A delegation under this section—

- (a) shall be in writing;
- (b) may be general or limited; and
- (c) may be revoked, wholly or partly, by the Authority.

(3) A delegate is, in the exercise of a function delegated under this section, subject to such conditions as are specified in the instrument of delegation.

(4) A function delegated under this section, when exercised by the delegate, shall be deemed to have been exercised by the Authority.

(5) A delegation under this section does not prevent the exercise of a function by the Authority.

(6) A function purporting to have been exercised by a delegate under this section shall, until the contrary is proved, be deemed to have been duly exercised by a delegate under this section.

Shortened references to Authority

65. In any other Act, in any instrument made under any Act or in any other instrument of any kind, except in so far as the context or subject-matter otherwise indicates or requires, a reference to the Boxing Authority shall be read as a reference to the Boxing Authority of New South Wales constituted by this Act.

Service of documents

66. (1) A document may be served on the Authority by leaving it at, or by sending it by post to—

- (a) the office of the Authority; or
- (b) if it has more than one office—any one of its offices.

(2) Nothing in subsection (1) affects the operation of any provision of a law or of the rules of a court authorising a document to be served on the Authority in a manner not provided for by subsection (1).

(3) A notice required or permitted by this Act to be served on a person by the Authority may be served personally or by mail addressed to the person at the address last shown in the records of the Authority as the person's address.

Authentication of certain documents

67. Every summons, process, demand, order, notice, statement, direction or other document requiring authentication by the Authority may be sufficiently authenticated without the seal of the Authority if signed by the Chairperson or by any member of the staff of the Authority authorised to do so by the Chairperson.

Recovery of charges, etc., by Authority

68. Any charge, fee or money due to the Authority may be recovered by the Authority as a debt in a court of competent jurisdiction.

Proof of certain matters not required

69. In any legal proceedings, proof is not required (until evidence is given to the contrary) of—

- (a) the constitution of the Authority;
- (b) any resolution of the Authority;
- (c) the appointment of, or the holding of office by, any member; or
- (d) the presence of a quorum at any meeting of the Authority.

Offences by corporations

70. (1) Where a corporation contravenes, whether by act or omission, any provision of this Act or a regulation, each person who is a director of the corporation or who is concerned in the management of the corporation shall be deemed to have contravened the same provision unless the person satisfies the court that—

- (a) the corporation contravened the provision without the knowledge of the person;
- (b) the person was not in a position to influence the conduct of the corporation in relation to its contravention of the provision; or
- (c) the person, being in such a position, used all due diligence to prevent the contravention by the corporation.

(2) A person may be proceeded against and convicted under a provision pursuant to subsection (1) whether or not the corporation has been proceeded against or been convicted under that provision.

Boxing Authority 1986

(3) Nothing in this section affects any liability imposed on a corporation for an offence committed by the corporation against this Act or the regulations.

Proceedings for offences

71. Proceedings for an offence against this Act or the regulations shall be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

Regulations

72. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to—

- (a) the use and custody of the seal of the Authority;
- (b) exemptions under section 63; and
- (c) any matter in relation to which a rule may be made.

(2) A regulation may create an offence punishable by a penalty not exceeding \$500.

(3) A provision of a regulation may—

- (a) apply generally or be limited in its application by reference to specified exceptions or factors;
- (b) apply differently according to different factors of a specified kind; or
- (c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,

or may do any combination of those things.

(4) In the event of any inconsistency between a regulation and a rule, the regulation, to the extent of the inconsistency, shall prevail.

Rules

73. (1) The Authority may make rules, not inconsistent with this Act, for or with respect to any aspect of professional boxing in New South Wales and, in particular, for or with respect to—

- (a) any of the functions of the Authority;
- (b) the appointment and functions of an executive officer of the Authority;
- (c) the appointment, functions and remuneration of inspectors for the purposes of this Act;
- (d) the appointment of, and fees payable to, boxing officials;
- (e) the establishment of ratings for boxers;
- (f) boxing titles;
- (g) boxing equipment;
- (h) contracts between boxers and industry participants;
- (i) the accreditation and functions of medical officers in connection with boxing contests;
- (j) rest periods for boxers; and
- (k) the undertaking of guarantees, and the lodgment of security deposits, by promoters of boxing contests.

(2) A rule shall not be made except with the approval of the Minister.

(3) A rule—

- (a) shall be published in the Gazette; and
- (b) shall take effect on and from the date of publication or a later date specified in the rule.

(4) Section 72 (3) applies to and in respect of a provision of a rule in the same way as it applies to and in respect of a provision of a regulation.

Repeal of Act No. 129, 1980

74. The Professional Boxing Control Act 1980 is repealed.

Savings and transitional provisions

75. Schedule 3 has effect.
-

SCHEDULE 1

(Sec. 4 (6))

PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY

Age of members

1. A person of or above the age of 70 years is not eligible to be appointed as a member or to act in the office of a member.

Acting members and acting Chairperson

2. (1) The Governor may, from time to time, appoint a person to act in the office of a member during the illness or absence of the member, and the person, while so acting, shall have and may exercise all the functions of the member and shall be deemed to be a member.

- (2) The Governor may, from time to time, appoint a member to act in the office of Chairperson during the illness or absence of the Chairperson, and the member, while so acting, shall have and may exercise all the functions of the Chairperson and shall be deemed to be the Chairperson.

- (3) The Governor may remove any person from any office to which the person was appointed under this clause.

- (4) A person while acting in the office of a member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the person.

- (5) For the purposes of this clause, a vacancy in the office of a member or the Chairperson shall be deemed to be an absence from office of the member or Chairperson, as the case may be.

Terms of office

3. Subject to this Schedule, a member shall hold office for such period not exceeding 4 years as may be specified in the instrument of appointment of the member, but is eligible (if otherwise qualified) for re-appointment.

Remuneration

4. A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.

*Boxing Authority 1986*SCHEDULE 1—*continued*PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY—*continued***Filling of vacancy in office of member**

5. (1) If the office of a member referred to in section 4 (4) (b) or (c) becomes vacant, or if as the result of a vacancy in the office of any member the membership of the Authority (not counting any person appointed under clause 2) is for the time being reduced to fewer than 5 persons, a person shall, subject to this Act, be appointed to fill the vacancy.

(2) A person may, subject to this Act, be appointed to fill any vacancy other than a vacancy to which subclause (1) applies.

Casual vacancies

6. (1) A member shall be deemed to have vacated office if the member—

(a) dies;

(b) absents himself or herself from 4 consecutive meetings of the Authority of which reasonable notice has been given to the member personally or in the ordinary course of post, except on leave granted by the Minister or unless, before the expiration of 4 weeks after the last of those meetings, the member is excused by the Minister for being absent from those meetings;

(c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;

(d) becomes a temporary patient, a continued treatment patient, a protected person or an incapable person within the meaning of the Mental Health Act 1958 or a person under detention under Part VII of that Act;

(e) is convicted in New South Wales of an offence which is punishable by imprisonment for 12 months or upwards or is convicted elsewhere than in New South Wales of an offence which if committed in New South Wales would be an offence so punishable;

(f) resigns the office by instrument in writing addressed to the Minister;

(g) attains the age of 70 years; or

(h) is removed from office by the Governor under subclause (2) or (3).

(2) The Governor may remove a member from office.

(3) Without affecting the generality of subclause (2), the Governor may remove from office a member who contravenes the provisions of clause 7.

*Boxing Authority 1986*SCHEDULE 1—*continued*PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY—*continued***Disclosure of pecuniary interests**

7. (1) A member who has a direct or indirect pecuniary interest—

(a) in a matter that is being considered, or is about to be considered, at a meeting of the Authority; or

(b) in a thing being done or about to be done by the Authority,

shall, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Authority.

(2) A disclosure by a member at a meeting of the Authority that the member—

(a) is a member, or is in the employment, of a specified company or other body;

(b) is a partner, or is in the employment, of a specified person; or

(c) has some other specified interest relating to a specified company or other body or a specified person,

shall be deemed to be a sufficient disclosure of the nature of the interest in any matter or thing relating to that company or other body or to that person which may arise after the date of the disclosure.

(3) The Authority shall cause particulars of any disclosure made under subclause (1) or (2) to be recorded in a book kept for the purpose and that book shall be open at all reasonable hours to the inspection of any person on payment of such fee as may be determined by the Authority from time to time.

(4) After a member has, or is deemed to have, disclosed the nature of an interest in any matter or thing pursuant to subclause (1) or (2), the member shall not, unless the Minister otherwise determines—

(a) be present during any deliberation of the Authority, or take part in any decision of the Authority, with respect to that matter; or

(b) exercise any functions under this Act with respect to that thing,

as the case requires.

(5) Notwithstanding that a member contravenes the provisions of this clause, that contravention does not invalidate any decision of the Authority or the exercise of any function under this Act.

(6) A reference in this clause to a meeting of the Authority includes a reference to a meeting of a committee of the Authority.

Effect of certain other Acts

8. (1) The Public Service Act 1979 does not apply to or in respect of the appointment of a member and a member is not, as a member, subject to that Act.

*Boxing Authority 1986*SCHEDULE 1—*continued*PROVISIONS RELATING TO THE MEMBERS OF THE AUTHORITY—*continued*

(2) Where by or under any other Act provision is made requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or prohibiting the person from engaging in employment outside the duties of that office, that provision shall not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any remuneration payable to the person under this Act as a member.

(3) The office of a part-time member shall for the purposes of any Act be deemed not to be an office or place of profit under the Crown.

Liability of members, etc.

9. No matter or thing done by the Authority, any member or any person acting under the direction of the Authority shall, if the matter or thing was done in good faith for the purposes of executing this or any other Act, subject a member or a person so acting personally to any action, liability, claim or demand.

SCHEDULE 2

(Sec. 4 (7))

PROVISIONS RELATING TO THE PROCEDURE OF THE AUTHORITY

General procedure

1. The procedure for the calling of meetings of the Authority and for the conduct of business at those meetings shall, subject to this Act, be as determined by the Authority.

Quorum

2. (1) Where the Authority consists of 5 or 6 members, the quorum for a meeting of the Authority is 3 members.

(2) Where the Authority consists of 7 members, the quorum for a meeting of the Authority is 4 members.

Presiding member

3. (1) The Chairperson or, in the absence of the Chairperson, another member elected as chairperson for the meeting by the members present shall preside at a meeting of the Authority.

(2) The person presiding at any meeting of the Authority has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

Voting

4. A decision supported by a majority of the votes cast at a meeting of the Authority at which a quorum is present shall be the decision of the Authority.

*Boxing Authority 1986*SCHEDULE 2—*continued*PROVISIONS RELATING TO THE PROCEDURE OF THE AUTHORITY—
*continued***Minutes**

5. The Authority shall cause full and accurate minutes to be kept of the proceedings of each meeting of the Authority.

First meeting of Authority

6. The Minister shall call the first meeting of the Authority in such manner as the Minister thinks fit.

SCHEDULE 3

(Sec. 75)

SAVINGS AND TRANSITIONAL PROVISIONS

Interpretation

1. In this Schedule—

“Director” means the Director of the Department of Sport and Recreation;

“the former Act” means the Professional Boxing Control Act 1980.

Registers

2. The Authority may, for the purpose of compliance with its obligations under sections 7 and 18, adopt a register kept by the Director under section 16 or 27 of the former Act.

Registration

3. (1) The registration of a person, in force under any of the provisions of section 18, 22, 29 or 34 of the former Act immediately before the commencement of this Act, shall be deemed to be a registration in force under the corresponding provisions of section 9, 13, 20 or 25, as the case requires.

(2) An application made under section 17 or 21, or section 28 or 33, of the former Act that was made but not determined before the commencement of this Act shall be deemed to be an application made under section 8 or 12, or section 19 or 24, as the case requires.

(3) A requirement made, not earlier than 14 days before the commencement of this Act, by the Minister under section 20 (1) or 32 (1) of the former Act shall be deemed to be a requirement made by the Authority under section 11 (1) or 23 (1), as the case requires.

*Boxing Authority 1986*SCHEDULE 3—*continued*SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

(4) A cancellation or suspension of registration under section 20 or 32 of the former Act, or a reduction of the period of a registration under section 20 (2) (c) of that Act, that affected any person immediately before the commencement of this Act shall continue to affect the person as if it were a cancellation, suspension or reduction effected by the Authority under section 11 or 23, as the case requires.

(5) The Authority shall give notice of the outcome of any application made under section 17 or 21, or section 28 or 33, of the former Act which had been determined before the commencement of this Act but in relation to which no notice of the outcome had been given by the Director to the applicant.

Medical record book

4. A medical record book issued under the former Act shall be deemed to be a medical record book issued under this Act.

Weigh-ins

5. A weigh-in conducted, before the commencement of this Act, in accordance with the former Act in connection with a boxing contest held on or after the commencement of this Act shall be deemed to have been carried out in accordance with this Act.

Medical certificates

6. A medical certificate issued under section 60, 61 or 68 of the former Act shall be deemed to have been issued under section 50, 51 or 58.

Direction to take medical examination

7. A direction of the Minister under section 60 of the former Act that has not been complied with shall be deemed to be a direction given by the Authority under section 50.

Transitional regulations

8. (1) The regulations may make provision of a savings or transitional nature consequent on the repeal of the Professional Boxing Control Act 1980 and the enactment of this Act or the Theatres and Public Halls (Boxing and Wrestling Contests) Amendment Act 1986.

(2) Without affecting the generality of subclause (1), the regulations may make provision for or with respect to—

- (a) deeming all or some of the persons who were registered as boxers under the former Act to be members of a specified class of boxers prescribed for the purposes of section 6;
- (b) deeming all or some of the persons who, immediately before the commencement of this Act, were members of a class prescribed for the purposes of section 26 of the former Act to be members of a specified class of industry participants prescribed for the purposes of section 17; and

Boxing Authority 1986

SCHEDULE 3—*continued*SAVINGS AND TRANSITIONAL PROVISIONS—*continued*

- (c) the grant or renewal of registration to a person for a period other than the periods for which registration was permitted to be granted or renewed under the former Act or is permitted to be granted or renewed under section 9, 13, 20 or 25.
- (3) A provision made in accordance with this clause may take effect as from the date of assent to this Act or a later day.
- (4) To the extent to which a provision made in accordance with this clause takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as—
- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication; or
 - (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of its publication.
- (5) A provision made in accordance with this clause shall, if the regulations so provide, have effect notwithstanding any other provision of this Schedule.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1986