

# BOXING AUTHORITY ACT 1986 No. 11

## NEW SOUTH WALES



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**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.]

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

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**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),

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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.

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- (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.
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## 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

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(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.

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## 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.

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- (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.

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(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,

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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.

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**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.

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**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.

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**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).

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**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.

**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.

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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,

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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).
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**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.

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**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.

**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".

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**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.

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- (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

- (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.

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**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;

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- (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.

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**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.

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## 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.

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## 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.

(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.

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**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.

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(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.

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**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.

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**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.

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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.

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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

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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.
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