



New South Wales

# Combat Sports Amendment (Exclusions and Exemptions) Regulation 2016

under the

Combat Sports Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Combat Sports Act 2013*.

STUART AYRES, MP  
Minister for Sport

## Explanatory note

The objects of this Regulation are:

- (a) to modify the sports, martial arts and activities that are not combat sports regulated by the *Combat Sports Act 2013 (the Act)*, as follows:
  - (i) by changing the definition of **light contact** to mean contact resulting from the use of controlled techniques in a manner that involves anything other than substantial force,
  - (ii) by excluding further sports, martial arts and activities from the definition of the term **combat sport**, with the effect that those sports, martial arts and activities will no longer be regulated by the Act, and
- (b) to modify the persons who are exempt from certain requirements of the Act, as follows:
  - (i) by inserting as a provision the exemption that was notified in the Gazette on 3 July 2015, which exempts certain interstate persons, who are registered or licensed with certain sporting organisations (defined in the Regulation as **approved sporting organisations**) to engage in an amateur combat sport contest as an amateur combatant, from the registration requirements of the Act if the Authority is provided with a clearance containing the prescribed information,
  - (ii) by exempting an interstate trainer or second from the registration requirements of the Act if the trainer or second is registered or affiliated with an approved sporting organisation and the trainer or second is not required to be registered by a combat sport body established by legislation in the State or Territory in which the trainer or second ordinarily resides,
  - (iii) by exempting an international trainer or second from the registration requirements of the Act if the trainer or second is registered or licensed by a combat sport body established by legislation in an international jurisdiction, or by an approved sporting organisation, to carry out an activity as a trainer or second, and
- (c) to make it clear that a permit for an amateur combat sport contest is conditional on the promoter of the contest not carrying out the functions of an approved amateur body in relation to that contest.

This Regulation is made under the *Combat Sports Act 2013*, including sections 4 (1) (definition of **combat sport**), 42 (2) and 106 (the general regulation-making power).

## **Combat Sports Amendment (Exclusions and Exemptions) Regulation 2016**

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### **1 Name of Regulation**

This Regulation is the *Combat Sports Amendment (Exclusions and Exemptions) Regulation 2016*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## Schedule 1 Amendment of Combat Sports Regulation 2014

### [1] Clause 3 Definitions

Insert in alphabetical order in clause 3 (1):

***approved sporting organisation*** means an international or national sporting organisation or a sporting organisation of another State or Territory that the Authority has determined, by notice published on the Authority's website, is equivalent to an approved amateur body.

### [2] Clause 5 Other sports, martial arts and activities not included in definition of "combat sport"

Omit the definition of *light contact* from clause 5 (2). Insert instead:

***light contact*** means contact resulting from the use of controlled techniques in a manner that involves anything other than substantial force.

### [3] Clause 24 Additional conditions of permits for amateur combat sport contests

Omit clause 24 (a). Insert instead:

- (a) the promoter of the amateur combat sport contest must not carry out any of the functions of an approved amateur body that are specified in clause 47 in relation to that contest,

### [4] Clause 59A

Insert after clause 59:

#### **59A Certain amateur combatants registered interstate exempt from registration requirements**

- (1) A person who is not ordinarily resident in New South Wales and is registered or licensed with an approved sporting organisation or an equivalent Australian regulatory body to engage in an amateur combat sport contest as a combatant is exempt from the requirement to be registered as a combatant under section 9 of the Act if, before the weigh-in for a combat sport contest, the Authority has been provided with:
  - (a) a clearance in the approved form issued by the organisation or body for the purpose of engaging in the amateur combat sport contest, and
  - (b) if the organisation or body does not hold a current certificate of fitness for the combatant—a certificate of fitness provided by a medical practitioner in the approved form, and
  - (c) if the organisation or body does not hold a current serological clearance for the combatant—a current serological clearance in the approved form that was obtained within Australia.
- (2) Without limiting what is contained in any approved form, a clearance issued under this clause must include the following:
  - (a) the registration status of the combatant, including the class of registration (if any),
  - (b) confirmation that the combatant is not medically or otherwise suspended,
  - (c) the classes of combat sport that the combatant is cleared to contest,
  - (d) confirmation that the combatant is an amateur combatant and has never competed for a monetary prize or other valuable reward in a

professional combat sport contest for the style of combat sport concerned.

**[5] Clause 61A**

Insert after clause 61:

**61A Certain other interstate trainers and seconds exempt from registration requirements**

- (1) A person who is not ordinarily resident in New South Wales and is registered or affiliated with an approved sporting organisation is exempt from the requirement to be registered as a trainer or second under section 20 (1) of the Act if the person is not required to be registered or licensed to carry out an activity as a trainer or second by an equivalent Australian regulatory body in the State or Territory in which the trainer or second ordinarily resides.
- (2) Any such person must provide evidence of the registration or affiliation to any combat sport inspector on request by the inspector or by the Authority.  
Maximum penalty: 20 penalty units.

**[6] Clause 62 Overseas industry participants exempt from registration requirements**

Insert at the end of clause 62:

- (2) A person who is not ordinarily resident in Australia and is registered or licensed to carry out an activity as a trainer or second by an approved sporting organisation or an equivalent overseas regulatory body is exempt from the requirement to be registered as a trainer or second under section 20 (1) of the Act.
- (3) Any person referred to in this clause must provide evidence of the registration or licence to any combat sport inspector on request by the inspector or by the Authority.  
Maximum penalty: 20 penalty units.

**[7] Schedule 1 Excluded sports, martial arts and activities**

Insert in appropriate order in clause 2:

International Sport Karate Association (utilising the rules of the International Brazilian Jiu-Jitsu Federation for both Brazilian Jiu-Jitsu and No Gi Grappling)

**[8] Schedule 1, clause 6**

Insert in appropriate order:

Australian Kodokan Judo Association  
Australian Judo Union

**[9] Schedule 1, clause 11**

Omit "Australian Kung Fu (Wu-Shu) Federation Inc".

**[10] Schedule 1, clause 11**

Insert "Kung Fu Wu Shu Australia Limited" in appropriate order.

**[11] Schedule 1, clause 13**

Omit the clause.

**[12] Schedule 1, clause 16**

Omit “Federation Internationale Des Luttes Associees”.

**[13] Schedule 1, clause 16**

Insert “United World Wrestling” in appropriate order.