

Boxing and Wrestling Control Act 1986 No 11

[1986-11]



New South Wales

Status Information

Currency of version

Historical version for 1 July 2008 to 5 July 2009 (accessed 25 November 2024 at 16:23)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Previously named**
Boxing Authority Act 1986
- **Does not include amendments by**
[Miscellaneous Acts \(Local Court\) Amendment Act 2007 No 94](#) (not commenced)
- **Note**
The Act is to be repealed on the commencement of sec 75 of the [Combat Sports Act 2008 No 116](#).

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 10 December 2008

Boxing and Wrestling Control Act 1986 No 11



New South Wales

Contents

Long title	6
Part 1 Preliminary	6
1 Name of Act	6
2 Commencement	6
3 Definitions	6
Part 2 The Boxing Authority of New South Wales	8
4 The Authority	8
5 (Repealed)	9
Part 3 Registration of boxers	9
6 Prescribed classes of boxers	9
7 Register	9
8 Application for registration	9
9 Determination of application	10
10 Duration of registration	10
11 Cancellation, suspension etc of registration	11
12 Application for renewal of registration	11
13 Determination of application	12
14 Duration of renewal of registration	12
15 Offence to engage in boxing contest	13
16 Offence to engage in sparring	13
Part 4 Registration of industry participants	13

17 Prescribed classes of industry participants.....	13
18 Register	13
19 Application for registration	14
20 Determination of application	14
21 Conditions of registration	15
22 Duration of registration	15
23 Cancellation or suspension of registration.....	15
24 Application for renewal of registration.....	16
25 Determination of application	16
26 Duration of renewal of registration.....	16
27 Offence	17
Part 5 Review by Administrative Decisions Tribunal.....	17
28 Applications may be made to Administrative Decisions Tribunal for review of decisions	17
29–32 (Repealed)	18
Part 6 Medical record books	18
33 Issue	18
34 Alterations	18
35 Offence of false information	18
36 Offence of damaging medical record book etc	19
37 Surrender of medical record book	19
38 Reissue	19
39 Issue of additional cards.....	19
40 Replacement of book or card lost etc	19
Part 7 Boxing contests	20
Division 1 Permit to promote or arrange a boxing contest.....	20
41 Interpretation	20
42 Application.....	20
43 Issue	20
44 Notification of Commissioner of Police	20
45 Offence	20
Division 2 Attendance of certain persons at a boxing contest	21

46 Attendance of certain persons at weigh-in and contest	21
Division 3 Physical examination of boxers	21
47 Weigh-in before contest.....	21
48 Recording of boxer’s weight etc at weigh-in	21
49 Medical examination before contest.....	21
50 Authority may direct medical examination of boxer	22
51 Functions of examining medical practitioner	22
52 Unfit boxer not to engage in contests etc.....	23
53 Obligation of promoter—examination under section 49	24
54 Obligation of promoter—examination of medical record book	24
55 Obligation of promoter—unfit boxer	24
56 Boxer to submit to medical examination after contest	24
57 Obligation of promoter—boxer rendered unconscious etc.....	24
58 Obligations of medical practitioner after contest	25
59 Boxer not to engage in further contests etc	25
Division 4 Record of boxing contest	25
60 Boxing result sheet.....	25
61 Forwarding of information	26
Part 8 Prohibition of boxing contests at certain places	26
62 Boxing contests prohibited at certain places	26
Part 8A Control of wrestling and amateur boxing contests	26
62A Application of Part and definitions.....	26
62B Permits required for wrestling or amateur boxing contests	27
62C Application for and granting of permits.....	27
62D Prohibition on female boxing contests	28
Part 9 Miscellaneous	28
63 Exemptions.....	28
63A Appointment of boxing inspectors.....	28
64 Delegation by Authority.....	28
65 Shortened references to Authority	29
66 Service of documents	29

67 Authentication of certain documents	29
68 Recovery of charges etc by Authority.....	29
69 Proof of certain matters not required	30
70 Offences by corporations.....	30
71 Proceedings for offences	30
72 Regulations.....	30
73 Rules.....	31
74 Repeal of Act No 129, 1980	32
75 Savings and transitional provisions	32
Schedule 1 Provisions relating to the members of the Authority	32
Schedule 2 Provisions relating to the procedure of the Authority	35
Schedule 3 Savings and transitional provisions	36

Boxing and Wrestling Control Act 1986 No 11



New South Wales

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

Part 1 Preliminary

1 Name of Act

This Act may be cited as the *Boxing and Wrestling Control Act 1986*.

2 Commencement

- (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.

3 Definitions

- (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),

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 inspector means a person appointed by the Authority as a boxing inspector for the purposes of this Act.

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.

- (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.
- (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.
- (5) Notes included in this Act do not form part of this Act.

Part 2 The Boxing Authority of New South Wales

4 The Authority

- (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.
- (2A) However, the Authority cannot employ any staff.

Note—

Staff may be employed under Chapter 1A of the [Public Sector Employment and Management Act 2002](#) in the Government Service to enable the Authority to exercise its functions.

- (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
 - (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.

5 (Repealed)

Part 3 Registration of boxers

6 Prescribed classes of boxers

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

7 Register

- (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.

8 Application for registration

- (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.
- (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.

9 Determination of application

- (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.

10 Duration of registration

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).

11 Cancellation, suspension etc of registration

- (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.
- (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).

12 Application for renewal of registration

- (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).

13 Determination of application

- (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.

14 Duration of renewal of registration

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).

15 Offence to engage in boxing contest

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).

Maximum penalty: 10 penalty units or imprisonment for 6 months, or both.

16 Offence to engage in sparring

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).

Maximum penalty: 10 penalty units or imprisonment for 6 months, or both.

Part 4 Registration of industry participants

17 Prescribed classes of industry participants

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

18 Register

- (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.

19 Application for registration

- (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.

20 Determination of application

- (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.

21 Conditions of registration

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.

22 Duration of registration

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.

23 Cancellation or suspension of registration

- (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.

24 Application for renewal of registration

- (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).

25 Determination of application

- (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.

26 Duration of renewal of registration

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.

27 Offence

- (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 Review by Administrative Decisions Tribunal

28 Applications may be made to Administrative Decisions Tribunal for review of decisions

A person may apply to the Administrative Decisions Tribunal for a review of any of the following decisions:

- (a) a determination under section 9 (1) (a) (ii) or 13 (1) (a) (ii) that the person be registered as a boxer for a period of less than 12 months,
- (b) a decision under section 11 (2) to impose conditions in respect of the person,
- (c) a decision under section 11 (2) or (4) or section 23 (2) to cancel or suspend the registration of the person,
- (d) a decision under section 11 (2) to reduce the period of the person's registration,
- (e) a decision to refuse the person's application for registration or renewal of registration as a boxer where the refusal is on the ground that the person is not a fit and proper person,
- (f) a decision under section 20 to refuse to register the person as an industry participant,
- (g) a decision under section 23 to cancel or suspend the person's registration as an industry participant,
- (h) a decision under section 25 to refuse to renew the person's registration as an industry participant,
- (i) a decision under section 43 to refuse to issue a permit to the person in respect of a boxing contest,
- (j) a decision under section 51 to give a certificate that the person is not medically fit to engage in a proposed boxing contest,
- (k) a decision under section 62C to refuse to issue a permit to the person to hold or

promote a wrestling contest or an amateur boxing contest.

29-32 (Repealed)

Part 6 Medical record books

33 Issue

- (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.

34 Alterations

- (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.
Maximum penalty: 20 penalty units 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.

35 Offence of false information

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.

Maximum penalty: 10 penalty units.

36 Offence of damaging medical record book etc

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.

Maximum penalty: 10 penalty units or imprisonment for 6 months, or both.

37 Surrender of medical record book

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.

Maximum penalty: 5 penalty units.

38 Reissue

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.

39 Issue of additional cards

- (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).

40 Replacement of book or card lost etc

- (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

41 Interpretation

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.

42 Application

- (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.
- (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.

43 Issue

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.

44 Notification of Commissioner of Police

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.

45 Offence

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

Maximum penalty: 20 penalty units or imprisonment for 12 months, or both.

Division 2 Attendance of certain persons at a boxing contest

46 Attendance of certain persons at weigh-in and contest

A person who promotes or arranges a boxing contest is guilty of an offence against this Act and liable to a penalty not exceeding 10 penalty units 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 boxing inspector or a member, and
- (c) there is present at the contest (including any weigh-in carried out immediately before the contest):
 - (i) a boxing inspector or member, 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

47 Weigh-in before contest

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.

Maximum penalty: 5 penalty units.

48 Recording of boxer's weight etc at weigh-in

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

Maximum penalty: 5 penalty units.

- (2) The boxing inspector or member must record in the medical book so produced:
 - (a) the boxer's weight at the weigh-in, and
 - (b) such other particulars as may be prescribed.

49 Medical examination before contest

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.

Maximum penalty: 10 penalty units.

50 Authority may direct medical examination of boxer

- (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.

Maximum penalty: 10 penalty units.

- (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.

51 Functions of examining medical practitioner

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 boxing inspector or member 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.

52 Unfit boxer not to engage in contests etc

- (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,
 - (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.

Maximum penalty: 20 penalty units.

53 Obligation of promoter—examination under section 49

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.

Maximum penalty: 20 penalty units or imprisonment for 12 months, or both.

54 Obligation of promoter—examination of medical record book

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.

Maximum penalty: 5 penalty units.

55 Obligation of promoter—unfit boxer

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.

Maximum penalty: 20 penalty units or imprisonment for 12 months, or both.

56 Boxer to submit to medical examination after contest

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.

Maximum penalty: 5 penalty units.

57 Obligation of promoter—boxer rendered unconscious etc

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.

Maximum penalty: 20 penalty units or imprisonment for 12 months, or both.

58 Obligations of medical practitioner after contest

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 boxing inspector or member 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.

59 Boxer not to engage in further contests etc

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.

Maximum penalty: 20 penalty units.

Division 4 Record of boxing contest

60 Boxing result sheet

- (1) For the purpose of instituting a record of a boxing contest, it is the duty of the boxing inspector or member 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.

61 Forwarding of information

- (1) The boxing inspector or member present at a boxing contest, pursuant to section 46 (c), is to send the original boxing result sheet to the Authority when completed.
- (2) The Authority shall cause the information contained in a boxing result sheet forwarded to it under subsection (1) to be filed in the office of the Authority for such time as it thinks fit.
- (3) (Repealed)

Part 8 Prohibition of boxing contests at certain places

62 Boxing contests prohibited at certain places

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.

Maximum penalty: 20 penalty units or imprisonment for 12 months, or both.

Part 8A Control of wrestling and amateur boxing contests

62A Application of Part and definitions

- (1) This Part applies to:
 - (a) wrestling contests, and
 - (b) amateur boxing contests,
held for public entertainment.

- (2) In this Part:

amateur boxing contest means a contest, display or exhibition of boxing, but does not include a boxing contest as defined by section 3 (1).

public entertainment means:

- (a) entertainment to which admission may ordinarily be gained by members of the public on payment of money, or other consideration, as the price or condition of admission, or
- (b) the entertainment of:
 - (i) patrons of any premises licensed under the *Liquor Act 2007*, or
 - (ii) the public or a section of the public at a building or temporary structure subject to a development consent in force under the *Environmental Planning and Assessment Act 1979* for use as a place of public entertainment (within the meaning of that Act).

wrestling contest means a contest, display or exhibition of wrestling, whether or not for a monetary prize or other reward.

62B Permits required for wrestling or amateur boxing contests

A person shall not hold or promote a wrestling contest or an amateur boxing contest:

- (a) without a permit under this Part, or
- (b) contrary to the conditions subject to which such a permit was granted.

Maximum penalty: 20 penalty units.

62C Application for and granting of permits

- (1) Any application for a permit under this Part:
 - (a) shall be made to the Minister, and
 - (b) shall be made not less than 21 days before the date of the proposed wrestling contest or amateur boxing contest.
- (2) The Minister:
 - (a) may grant a permit unconditionally or subject to such conditions as the Minister thinks fit to impose, or
 - (b) may refuse to grant a permit.
- (3) A permit may be granted so as to authorise a single contest, or 2 or more contests.
- (4) The Minister may delegate to any person the Minister's powers under subsection (2).
- (5) (Repealed)

62D Prohibition on female boxing contests

- (1) A female person of any age shall not take part in any amateur boxing contest.
- (2) A person shall not hold or promote an amateur boxing contest in which a female person is a contestant.

Maximum penalty: 20 penalty units.

Part 9 Miscellaneous

63 Exemptions

- (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.

Editorial note—

For notifications under this subsection see Gazettes No 195 of 19.12.1986, p 6244 and No 89 of 29.5.1987, p 2570.

- (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).

63A Appointment of boxing inspectors

- (1) The Authority may appoint an officer of the Department of Sport, Recreation and Racing to be a boxing inspector for the purposes of this Act.
- (2) A boxing inspector has such functions as are conferred or imposed on boxing inspectors by or under this Act.

64 Delegation by Authority

- (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.

65 Shortened references to Authority

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.

66 Service of documents

- (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.

67 Authentication of certain documents

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.

68 Recovery of charges etc by Authority

Any charge, fee or money due to the Authority may be recovered by the Authority as a

debt in a court of competent jurisdiction.

69 Proof of certain matters not required

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.

70 Offences by corporations

- (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.
- (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.

71 Proceedings for offences

Proceedings for an offence against this Act or the regulations shall be dealt with summarily before a Local Court.

72 Regulations

- (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 5 penalty units.
- (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.

73 Rules

- (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 boxing 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 lodgement 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.

74 Repeal of Act No 129, 1980

The *Professional Boxing Control Act 1980* is repealed.

75 Savings and transitional provisions

Schedule 3 has effect.

Schedule 1 Provisions relating to the members of the Authority

(Section 4 (6))

1 (Repealed)

2 Acting members and acting Chairperson

- (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.

3 Terms of office

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.

4 Remuneration

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.

5 Filling of vacancy in office of member

- (1) If the office of a member referred to in section 4 (4) (b) or (c) becomes vacant, or if as a 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.

6 Casual vacancies

- (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 7 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, or

(g) (Repealed)

(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.

7 Disclosure of pecuniary interests

(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.

8 Effect of certain other Acts

- (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.
- (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.

9 Liability of members etc

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 Provisions relating to the procedure of the Authority

(Section 4 (7))

1 General procedure

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.

2 Quorum

- (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.

3 Presiding member

- (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.

4 Voting

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.

5 Minutes

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

6 First meeting of Authority

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

Schedule 3 Savings and transitional provisions

(Section 75)

1 Definitions

In this Schedule:

Director means the Director of the Department of Sport and Recreation.

the former Act means the [Professional Boxing Control Act 1980](#).

2 Registers

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.

3 Registration

- (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.
- (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.

4 Medical record book

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

5 Weigh-ins

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.

6 Medical certificates

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.

7 Direction to take medical examination

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.

8 Transitional regulations

- (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

(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.