



Australian Capital Territory

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AUSTRALIAN CAPITAL TERRITORY

BOXING CONTROL ACT 1993

This consolidation has been prepared by the ACT Parliamentary Counsel's Office

Reprinted as at 31 January 1998

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AUSTRALIAN CAPITAL TERRITORY

BOXING CONTROL ACT 1993

An Act to regulate the conduct of professional and amateur boxing and for related purposes

Short title

1. This Act may be cited as the *Boxing Control Act 1993*.¹

Commencement

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Interpretation

3. In this Act, unless the contrary intention appears—

“amateur boxing contest” means a boxing contest otherwise than for a monetary prize or other reward in money or money’s worth;

“Authority” means the Boxing Authority of New South Wales constituted by the New South Wales Act;

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“boxing” means fist fighting, kick boxing or any other style of fighting in relation to which a class of boxers is prescribed under the New South Wales Act and includes sparring in any such style;

“boxing contest” means a contest, display or exhibition of boxing, but does not include a prescribed contest, display or exhibition;

“boxing official” means a person who is a boxing official under the New South Wales Act;

“code of practice” means the code of practice determined under subsection 15 (1) as varied from time to time under that subsection;

“determined fee” means the fee determined under section 21 for the purposes of the provision in which the expression occurs;

“medical practitioner” means a registered medical practitioner under the *Medical Practitioners Registration Act 1930* or under a law of a State or another Territory providing for the registration of medical practitioners;

“New South Wales Act” means the *Boxing and Wrestling Control Act 1986* of the State of New South Wales;

“professional boxing contest” means a boxing contest for a monetary prize or other reward in money or money’s worth;

“promoter” means the person who promotes, arranges or conducts a boxing contest.

PART II—CONTROL OF BOXING CONTESTS

Interpretation

4. In this Part, a reference (other than in this section) 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 1 occasion and at the same venue.

Boxing contests

5. A person shall not conduct a boxing contest without approval of the Minister.

Penalty: \$5,000 or imprisonment for 6 months, or both.

Application for approval

6. An application for approval to conduct a boxing contest shall—

- (a) be in a form approved by the Minister; and
- (b) be accompanied by the determined fee.

Further information—applications

7. The Minister may, by written notice, require an applicant for an approval to furnish to the Minister, either orally or in writing, such further information relating to the application as is specified in the notice.

Approvals

8. (1) On application being made in accordance with section 6, the Minister may—

- (a) approve the application;
- (b) approve the application subject to conditions; or
- (c) refuse to approve the application.

(2) The Minister shall refuse an application if the Minister is satisfied, based on reasonable grounds, that—

- (a) it would not be in the public interest to hold the contest to which the application relates;
- (b) the venue at which it is proposed to hold the contest is unsuitable; or
- (c) the applicant is not or will not be able to meet any contractual obligations he or she may have in relation to the conduct of the contest to which the application relates.

(3) An approval shall—

- (a) be in writing;
- (b) specify the conditions (if any) subject to which it is given; and
- (c) be accompanied by a copy of the code of practice (if any).

(4) The conditions that may be specified in an approval may include, but are not limited to—

- (b) conditions as to the number and classification of boxing officials to be present at the contest to which the approval relates;
- (c) conditions requiring persons to whom approval is given to enter into a bond to secure performance against the conditions of the approval;

- (d) in relation to the conduct of an amateur boxing contest—
 - (i) conditions requiring the contest be completed by a specified time; or
 - (ii) if the contest is to be held on licensed premises—conditions as to the manner in which the contest is to be conducted;
- (e) if an amateur boxing contest is to be conducted in conjunction with a professional boxing contest—conditions as to the manner in which the amateur boxing contest is to be so conducted; or
- (f) if the contest is to be conducted on licensed premises within the meaning of the *Liquor Act 1975*—conditions as to the age of the contestants.

(4A) Compliance with the code of practice (if any) shall be taken to be a condition of an approval.

(4B) A failure to comply with paragraph (3) (c) does not affect the validity of an approval under subsection (1).

(5) A person who, without reasonable excuse, contravenes a condition of an approval is guilty of an offence punishable, on conviction, by a fine not exceeding \$5,000.

Cancellation of approval

9. Where the Minister believes on reasonable grounds that a person to whom an approval has been given has contravened a condition of the approval, the Minister may cancel the approval.

Boxing officials

10. (1) A person shall not participate in a professional boxing contest, otherwise than as a boxer, unless the person is registered according to the nature of his or her participation in the contest.

Penalty: \$5,000 or imprisonment for 6 months, or both.

(2) In subsection (1)—

“registered” means registered under section 20 or 25 of the New South Wales Act.

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Professional boxers

11. (1) A person (other than a female) shall not engage in a professional boxing contest involving a particular style of boxing unless the person is registered as a boxer of the class that is appropriate to that style of boxing.

Penalty: \$5,000 or imprisonment for 6 months, or both.

(2) In subsection (1)—

“registered” means registered under section 9 or 13 of the New South Wales Act.

Amateur boxers

12. (1) A person shall not—

- (a) engage in an amateur boxing contest (not being a kick boxing contest) as a boxer; or
- (b) participate in an amateur boxing contest (not being a kick boxing contest) as a boxing official;

unless the person is a member of the body known as the Amateur Boxing Union of Australia or an affiliated body.

Penalty: \$5,000 or imprisonment for 6 months, or both.

(2) A person shall not—

- (a) engage in an amateur kick boxing contest as a kick boxer; or
- (b) participate in an amateur kick boxing contest as a kick boxing official;

unless the contest is sanctioned in writing by an organisation approved by the Minister by instrument for the purposes of this subsection.

Penalty: \$5,000 or imprisonment for 6 months, or both.

Female boxing contests

13. A female shall not engage in a professional boxing contest without the written approval of the Minister.

Penalty: \$5,000 or imprisonment for 6 months, or both.

Approval for female boxing contests

14. (1) An application by a female for approval to engage in a professional boxing contest shall—

- (a) be in a form approved by the Minister;

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- (b) be accompanied by a certificate of a medical practitioner, obtained by the applicant not more than 14 days before the date of the application, certifying that, in the opinion of the medical practitioner, the applicant is medically fit to engage in the proposed contest; and
 - (c) be accompanied by the determined fee.
- (2) The Minister may, by written notice, require an applicant for an approval to furnish to the Minister, either orally or in writing, such further information relating to the application as is specified in the notice.
- (3) The Minister may—
- (a) approve the application;
 - (b) approve the application subject to conditions; or
 - (c) refuse to approve the application.
- (4) The Minister shall approve an application under subsection (1) if satisfied that it would not be contrary to public interest for the contest to take place.

PART III—CODE OF PRACTICE

Determination and variation

15. (1) The Minister may, by instrument—

- (a) determine a code of practice in respect of the conduct of boxing contests; and
- (b) vary the code of practice from time to time.

(2) An instrument under subsection (1) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.

Contents

16. The code of practice may include, but is not limited to, matters relating to—

- (a) medical examinations of boxers;
- (b) the numbers and functions of medical practitioners in connection with boxing contests;
- (c) venues for boxing contests;
- (d) sizes of rings for boxing contests;
- (e) protective clothing to be worn by participants in boxing contests;
- (f) weigh-in procedures;

- (g) records to be maintained in relation to boxing contests; and
- (h) the rules of boxing to apply to boxing contests.

PART IV—ADMINISTRATIVE REVIEW

Notice of decisions

- 18. (1)** Where the Minister makes a decision—
- (a) to refuse to approve an application under subsection 8 (1);
 - (b) to grant an application subject to a condition under subsection 8 (1);
 - (c) to approve an application on a specific date, time or place under section 8;
 - (d) to cancel an approval to conduct a boxing contest under section 9;
 - (da) to refuse to approve an organisation under subsection 12 (2); or
 - (e) to grant an application subject to a condition, or to refuse to approve an application, under section 14;

the Minister shall cause notice in writing of the decision to be given to the applicant.

(2) A notice under subsection (1) shall be in accordance with the requirements of the Code of Practice in force under subsection 25B (1) of the *Administrative Appeals Tribunal Act 1989*.

Review by Administrative Appeals Tribunal

19. A person entitled under subsection 18 (1) to be given notice of a decision may apply to the Administrative Appeals Tribunal for a review of the decision.

PART V—MISCELLANEOUS

Determination of fees

20. The Minister may, by notice published in the *Gazette*, determine fees for the purposes of this Act.

Regulations

21. (1) The Executive may make regulations, not inconsistent with this Act, prescribing matters—

- (a) required or permitted by this Act to be prescribed; or

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- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) Without limiting the generality of subsection (1), the regulations may—
 - (a) exempt a specified person or a person included in a specified class of persons from the application of all or any of the provisions of this Act; and
 - (b) specify the circumstances, whether generally or in a particular case, in which an exemption applies.

NOTES

1. The *Boxing Control Act 1993* as shown in this reprint comprises Act No. 24, 1993 amended as indicated in the Tables below.
2. The *Legislation (Republication) Act 1996* (No. 51, 1996) authorises the Parliamentary Counsel in preparing a law for republication, to make certain editorial and other formal amendments in accordance with current legislative drafting practice. Those amendments make no change in the law. Amendments made pursuant to that Act do not appear in the Table of Amendments but details may be obtained on request from the Parliamentary Counsel's Office.

Table of Acts

Act	Number and year	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
<i>Boxing Control Act 1993</i>	24, 1993	21 May 1993	Ss. 1 and 2: 21 May 1993 Remainder: 17 June 1993 (see Gazette 1993, No. S112)	—
<i>Boxing Control (Amendment) Act 1993</i>	71, 1993	27 Sept 1993	27 Sept 1993	—
(Reprinted as at 31 January 1994)				
<i>Administrative Appeals (Consequential Amendments) Act 1994</i>	60, 1994	11 Oct 1994	Ss. 1 and 2: 11 Oct 1994 Remainder: 14 Nov 1994 (see s. 2 (2) and Gazette 1994, No. S250)	—
<i>Boxing Control (Amendment) Act 1996</i>	11, 1996	10 Apr 1996	10 Apr 1996	—

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NOTES—continued

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision	How affected
S. 3.....	am. No. 71, 1993; No. 60, 1994; No. 11, 1996
S. 5.....	am. No. 71, 1993
S. 8.....	am. No. 71, 1993; No. 11, 1996
S. 12.....	am. No. 71, 1993; No. 11, 1996
Part III (ss. 15-17).....	rep. No. 11, 1996
Part III (ss. 15, 16).....	ad. No. 11, 1996
S. 15.....	am. No. 71, 1993 rs. No. 11, 1996
S. 16.....	rs. No. 11, 1996
S. 17.....	rep. No. 11, 1996
S. 18.....	am. No. 60, 1994 am. No. 11, 1996
S. 19.....	am. No. 60, 1994

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