

Australian Capital Territory

Boxing Control Regulation 2018

Subordinate law SL2018–1

made under the

Boxing Control Act 1993, dictionary, definition of *boxing contest*, paragraph (a)

EXPLANATORY STATEMENT

OUTLINE

Under the *Boxing Control Act 1993*, a 'boxing contest' is defined as a contest, display or exhibition of boxing (other than a contest, display or exhibition prescribed by regulation). 'Boxing' is defined by the link to New South Wales legislation, and the full range of combat sports regulated by New South Wales are considered within the coverage of the *Boxing Control Act 1993*. The definition of 'boxing contest' refers to this expanded definition of combat sports.

The Boxing Control Regulation 2018 has been made to exempt low risk training and demonstration boxing activities from the definition of a 'boxing contest', and thus from requiring an approval to be sought.

Routine training and demonstration events happen on a daily basis across the ACT. These training and demonstration events are considered low-risk and as such there is negligible benefits in regulating them in the same way as high-risk commercial contests.

The Boxing Control Regulation 2018 provides clarity to persons involved in boxing activities as to whether those activities constitute a boxing contest or not.

CLAUSE NOTES

PART 1 PRELIMINARY

Clause 1 Name of regulation

This clause provides for the name of the regulation.

Clause 2 Commencement

This clause allows for the regulation to commence on the day after its notification day.

Clause 3 Dictionary

This clause refers to the dictionary that defines commonly used terms in the regulation.

Clause 4 Notes

This clause makes it clear that the notes in the regulation are explanatory only and do not form part of the substantive provisions of the regulation.

PART 2 EVENTS THAT ARE NOT BOXING CONTESTS

Clause 5 What is *routine training*?

This clause defines what a routine training session is. In order to be considered as 'routine training', the session must be both closed to the public and not-for-profit. The session may, or may not, include sparring.

The session is closed to the public if the general public is not permitted to watch or listen to the session in any way, including in person, or via electronic broadcast including, but not limited to, television, internet or mobile phone devices. People specifically invited to the session, such as family and friends, are not considered the 'general public'.

Clause 6 What is a *demonstration event*?

This clause defines what a demonstration event is. In order to be considered a 'demonstration event', a display or exhibition of boxing must meet the following requirements: a showcase of skill, not-for-profit, no official score is kept, and no official winner is recorded.

The intention of this clause is to provide clarity regarding low-risk showcases of skill or movement that occur regularly in the ACT that would otherwise be captured by the legislation. The examples of karate and tae kwon-do in the clause are used to demonstrate the types of situations where this clause would apply. Currently, certain sports such as karate and tae kwon-do are already exempt if held under the rules, and sanctioned by, an organisation as listed under New South Wales legislation. This clause goes further in order to also exempt certain low-risk activities that are not being held under the rules of, or sanctioned by, a listed organisation.

Clause 7 Meaning of not-for-profit

This clause defines when a routine training session or demonstration event is considered 'not-for-profit'. For the purposes of a person receiving a monetary reward in relation to the training or event, it is the intent for a monetary reward to be received that is crucial in this definition. If a fee is collected purely for cost-recovery purposes in organising the training or event, then this is not considered 'for-profit'. Any person (which could include, but is not limited to, a boxer, trainer, judge, referee, venue operator or promoter), intending to make any sort of profit from the training or event would be acting in a manner that would be considered 'for-profit'.

Furthermore, if a boxer gains any sort of other direct benefit from the training or event then this would be considered 'for-profit'.

In-direct benefits gained by the holding of a training session or demonstration event would be considered 'not-for-profit'. For example, this may include demonstration events where membership of a local boxing club increases; or fitness benefits from participating in routine training sessions.

Clause 8 Events that are not boxing contests – Act, dictionary, definition of *boxing contest*, paragraph (a)

This clause states that routine training sessions and demonstration events are excluded from the definition of a 'boxing contest' under the *Boxing Control Act 1993*, as this regulation has met the requirements defined in the Act to preclude routine training sessions and demonstration events from the requirements of the Act for a boxing contest. This exclusion does not apply for training and events to be held at the casino (as defined under the *Casino Control Act 2006*) or in premises that are licensed or permitted to sell alcohol (under the *Liquor Act 2010*).

This clause applies to the expanded definition of 'boxing contest' in NSW legislation.