



Australian Capital Territory

Controlled Sports Regulation 2019

Subordinate Law SL2019-26

The Australian Capital Territory Executive makes the following regulation under the *Controlled Sports Act 2019*.

Dated 20 September 2019.

YVETTE BERRY
Minister

GORDON RAMSAY
Minister



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[Controlled Sports Act 2019](#)

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Part 1 Preliminary

1 Name of regulation

This regulation is the *Controlled Sports Regulation 2019*.

2 Commencement

This regulation commences on the commencement of the *Controlled Sports Act 2019*, section 3.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation.

Note 2 A definition in the dictionary applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

5 Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

Note 1 Criminal Code

The [Criminal Code](#), ch 2 applies to all offences against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 Penalty units

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

Part 2 Controlled sports registration

6 Individual registration as controlled sports official— application requirements—Act, s 15 (2) (e)

Photographic evidence of the applicant's identity is prescribed.

7 Corporation registration as controlled sports official— application requirements—Act, s 16 (2) (d)

Photographic evidence of the identity of each relevant person for the corporation is prescribed.

8 Controlled sports official registration—conditions— Act, s 20 (2)

The following conditions of registration for a registered controlled sports official are prescribed:

- (a) a registered controlled sports official participating at a registered event must comply with any direction given to the official by—
 - (i) the registrar; or
 - (ii) an inspector under the [Act](#), section 73; or
 - (iii) a registered medical practitioner at the event; or
 - (iv) a registered referee at the event;
- (b) a registered controlled sports official must tell the registrar of any change to the official's address or contact details.

**9 Controlled sports official registration—renewal
application requirements—Act, s 22 (2) (b)**

In deciding an application for renewal of registration as a controlled sports official, the registrar must consider the following requirements:

- (a) if the applicant is an individual—
 - (i) whether the application includes photographic evidence of the applicant's identity; and
 - (ii) whether the application includes the application requirements mentioned in the [Act](#), section 15 (1) and (2) (a), (c) and (d); and
 - (iii) if the application is for registration in a capacity or for a controlled sport for which the applicant has not been previously registered—whether the applicant can provide evidence of the applicant's qualifications (if any) or experience for registration in the new capacity or for the new controlled sport;
- (b) if the applicant is a corporation—
 - (i) whether the application includes photographic evidence of the identity of each relevant person for the corporation; and
 - (ii) whether the application includes the application requirements mentioned in the [Act](#), section 16.

**10 Registration as controlled sports contestant—application
requirements—Act, s 25 (3) (e)**

Photographic evidence of the applicant's identity is prescribed.

**11 Controlled sports contestant registration—conditions—
Act, s 29 (2)**

- (1) The following conditions of registration for a registered controlled sports contestant are prescribed:
 - (a) a registered controlled sports contestant competing at a registered event must comply with any direction given to the contestant by—
 - (i) the registrar; or
 - (ii) an inspector under the [Act](#), section 73; or
 - (iii) a registered controlled sports official, including a registered medical practitioner, at the event;
 - (b) a registered controlled sports contestant must tell the registrar the following:
 - (i) if the contestant's address or contact details change—the change;
 - (ii) any change to the contestant's medical fitness that may indicate the contestant is no longer medically fit to compete in a registered event;
 - (c) if a registered controlled sports contestant competes in a controlled sports event in an unregulated jurisdiction, the contestant must tell the registrar within the time stated in subsection (2)—
 - (i) the date and place the event was held; and
 - (ii) the controlled sport contested at the event; and
 - (iii) the contestant's weight at the event; and
 - (iv) any injury sustained, or any medical advice or treatment received, by the contestant at the event; and

- (v) for each contest the contestant competes in at the event—
 - (A) the name and weight of the contestant's opponent; and
 - (B) the number of rounds in the contest; and
 - (C) the result or score of the contest.
- (2) A contestant must tell the registrar the information mentioned in subsection (1) (c) not less than 7 days after—
 - (a) if the event is overseas—the day the contestant returns to Australia; or
 - (b) if the event is in another jurisdiction—the day of the event.
- (3) In this section:
unregulated jurisdiction means—
 - (a) overseas; or
 - (b) another jurisdiction that does not have a corresponding law.

12 Controlled sports contestant registration—renewal application requirements—Act, s 31 (2) (b)

In deciding an application for renewal of registration as a controlled sports contestant, the registrar must consider the following requirements:

- (a) whether the application includes photographic evidence of the applicant's identity;
- (b) whether the application includes the application requirements mentioned in the [Act](#), section 25 (2) and (3).

**13 Application to register controlled sports event—
contents—Act, s 34 (2) (d)**

- (1) The following details are prescribed for an application to register a registrable event:
- (a) the place the event will be held;
 - (b) the maximum number of entry tickets to be sold for the event;
 - (c) a draft draw for the event, unless the registrar has told the applicant a draft draw is not needed;
 - (d) a list of officials who will, or intend to, participate at the event, unless the registrar has told the applicant a list of officials is not needed;
 - (e) each controlled sport to be contested at the event;
 - (f) the rules that apply for each controlled sport;
 - (g) a statement about whether an exempted light contact combat sport will be contested at the same time and place as the event;
 - (h) evidence of appropriate insurance for the event, as set out in the code of practice;
 - (i) any specifications for gloves, including hand wraps or bandaging, to be used by contestants at the event.

- (2) In this section:

exempted light contact combat sport means a light contact combat sport exempted by the Minister under the [Act](#), section 8.

light contact combat sport—see the [Act](#), section 8 (6).

**14 Minimum age for contestants—registered events—
Act, s 37 (a)**

The minimum age for contestants to compete in a registered event is 18 years old.

Part 3 Conduct of registrable events

15 Medical reporting requirements—Act, s 57 (1) (f)

- (1) The following medical reporting requirements are prescribed for a registered medical practitioner for a registered event:
 - (a) the practitioner must record the results of a contestant's pre-event medical clearance examinations in the contestant's medical record book, including—
 - (i) whether, in the practitioner's opinion, the contestant is fit to compete in the event; and
 - (ii) if the contestant is fit to compete—any recommended restrictions on the contestant when competing;
 - (b) if the practitioner recommends the suspension or cancellation of a contestant's registration under the [Act](#), section 58 (3), the practitioner must—
 - (i) provide a written statement to the registrar setting out—
 - (A) the recommendation; and
 - (B) the reason for the recommendation; and
 - (C) if the recommendation is for suspension—the recommended period of suspension; and
 - (D) anything else relevant to the recommendation; and
 - (ii) record the matters mentioned in subparagraph (i) in the contestant's medical record book;
 - (c) if a contestant sustains a serious injury or dies at the event, the practitioner must—
 - (i) immediately after treating the contestant, tell the following about the injury or death:
 - (A) any inspector present at the event;

- (B) the registrar; and
- (ii) not more than 24 hours after the injury or death—provide a written statement to the registrar setting out the details of the injury or death; and
- (iii) record the details of the injury or death in the contestant's medical record book.

Example—serious injury

an injury requiring treatment from an ambulance or in a hospital

- (2) In this section:

inspector means a person appointed as an inspector under the [Act](#), section 71.

medical record book, for a contestant, means a document that—

- (a) is issued to the contestant by the registrar, or a registrar (however described) under a corresponding law; and
- (b) contains the contestant's medical history in relation to controlled sports events.

pre-event medical clearance examinations—see the [Act](#), section 57 (2).

Part 4 Conduct of non-registrable events

16 Approval of non-registrable events—conditions— Act, s 62 (2)

It is a condition of approval of a non-registrable event that the authorised controlled sports body for the event is satisfied of the following:

- (a) the person conducting the event—
 - (i) does not have any legal, financial or personal interest that may conflict with the conduct of the event; and
 - (ii) has met any stated conditions of the authorised controlled sports body;

Examples—conditions

- 1 the person can prove that each contestant competing at the event is medically fit to compete
- 2 the person has appropriate emergency management procedures for the event
- 3 the person agrees to comply with the authorised controlled sports body's reporting requirements

- (b) the event will be appropriately insured.

17 Declaration of authorised controlled sports body— Minister's considerations—Act, s 63 (3) (d)

The following considerations are prescribed:

- (a) whether the entity has a constitution;
- (b) whether the entity has a board and, if so, the structure of the board;
- (c) whether the entity has in place appropriate policies and practices for risk management;

- (d) whether the entity has appropriate insurance;
- (e) how the entity communicates with the entity's members and stakeholders;
- (f) the entity's education, training and accreditation processes for controlled sports officials at events;
- (g) the entity's medical processes and procedures for events;
- (h) whether the entity agrees to comply with conduct requirements for non-registrable events as set out in the code of practice.

**18 Notice about non-registrable event—content—
Act, s 64 (2)**

The following content is prescribed:

- (a) the name of the non-registrable event;
- (b) the name of the authorised controlled sports body that approved the event;
- (c) a copy of the authorised controlled sports body's written approval;
- (d) each controlled sport to be contested at the event;
- (e) the date, time and location of the event;
- (f) details about the person conducting the event;

Examples

- 1 the name of the individual or corporation conducting the event
- 2 the address and contact details for the individual or corporation conducting the event
- (g) the name of each controlled sports official at the event and the official's capacity at the event;
- (h) the name and age of each contestant competing in the event;
- (i) a draw for the event;

- (j) a copy of the rules that apply for each controlled sport, including any modified rules for children;
- (k) written evidence that the event is not a registrable event.

**19 Minimum age for contestants—non-registrable events—
Act, s 66 (a)**

- (1) The minimum age for contestants to compete in a non-registrable event is 14 years old.
- (2) However, subsection (1) does not apply to a non-registrable event if—
 - (a) for an event conducted or approved in writing by a national sporting organisation—the event is conducted in accordance with the organisation’s rules; or
 - (b) for an event conducted or approved in writing by an authorised controlled sports body other than a national sporting organisation—the Minister has approved a lower minimum age for the event.
- (3) In deciding whether to approve a lower minimum age for a non-registrable event under subsection (2) (b), the Minister must consider—
 - (a) the rules of each controlled sport to be contested at the event and how the rules relate to children; and
 - (b) the procedures used by the authorised controlled sports body to ensure children may safely compete in the event; and

Examples

- 1 using protective clothing or equipment
- 2 holding shorter contests
- 3 using limited or restricted techniques

- (c) the body's history of compliance with controlled sports legislation; and
 - (d) any advice received from an advisory committee.
- (4) If the Minister refuses to approve a lower minimum age for a non-registrable event, the Minister must give a reviewable decision notice to the authorised controlled sports body for the event.

Note 1 The decision-maker must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see [ACT Civil and Administrative Tribunal Act 2008](#), s 67A).

Note 2 The requirements for a reviewable decision notice are prescribed under the [ACT Civil and Administrative Tribunal Act 2008](#).

- (5) If an authorised controlled sports body receives a reviewable decision notice under subsection (4), the body may apply to the ACAT for review of the decision.

Note If a form is approved under the [ACT Civil and Administrative Tribunal Act 2008](#) for the application, the form must be used.

- (6) An approval under subsection (2) (b) is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

- (7) In this section:

advisory committee means an advisory committee established by the Minister under the [Act](#), section 86.

controlled sports legislation means—

- (a) the [Boxing Control Act 1993](#) (repealed); or
- (b) the [Controlled Sports Act 2019](#); or
- (c) a corresponding law.

national sporting organisation—see the [Act](#), section 63 (7).

Part 5 Definitions—Act, dictionary

20 Medical details—Act, dict, def *certificate of fitness*, par (b)

The following details are prescribed for a certificate for a person:

- (a) any injuries or medical conditions the person is suffering from on the date the certificate is issued;
- (b) the date the person last competed in a controlled sports event;
- (c) details of any knockouts, concussions or other head traumas sustained by the person since the date the person's previous certificate of fitness was issued.

21 Corresponding law—Act, dict, def *corresponding law*

The following laws are prescribed:

- (a) the *Boxing and Martial Arts Act 2000* (SA);
- (b) the *Combat Sports Act 1987* (WA);
- (c) the *Combat Sports Act 2013* (NSW);
- (d) the *Professional Boxing and Combat Sports Act 1985* (Vic).

22 Medical investigations—Act, dict, def *pre-event medical clearance certificate*, par (b)

- (1) The following investigations are prescribed for a certificate for a controlled sports contestant:
 - (a) an investigation to determine whether the contestant—
 - (i) is dehydrated; or
 - (ii) has recently consumed alcohol or used a prohibited substance; or
 - (iii) has recently sustained an injury, fracture or wound; or

- (iv) is suffering from an illness; or
 - (v) has a skin infection or disease; or
 - (vi) is pregnant;
 - (b) any other investigation to determine whether the contestant is suffering from any medical condition that may prevent the contestant from safely competing in a controlled sports event.
- (2) In this section:

prohibited substance—see the [*Medicines, Poisons and Therapeutic Goods Act 2008*](#), section 13.

Dictionary

(see s 3)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- child
- entity
- person (see s 160).

Note 3 Terms used in this regulation have the same meaning that they have in the [Controlled Sports Act 2019](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Controlled Sports Act 2019](#), dict:

- another jurisdiction
- authorised controlled sports body (see s 63)
- certificate of fitness
- controlled sport (see s 7)
- controlled sports contestant (see s 25 (1))
- controlled sports event (see s 9)
- controlled sports official (see s 11)
- corresponding law
- non-registrable event (see s 61)
- pre-event medical clearance certificate
- registered controlled sports contestant
- registered controlled sports official
- registered event (see s 35 (2) (a))
- registered medical practitioner
- registered referee
- registrable event (see s 10)
- registrar
- relevant person.

draw, for a controlled sports event—

- (a) means a list of contestants who will, or intend to, compete in the event; and
- (b) includes the controlled sport and the number of rounds each contestant will, or intends to, compete in at the event.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 23 September 2019.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
