

Professional Boxing and Martial Arts Bill

EXPLANATORY MEMORANDUM

Outline

The purposes of this Bill are:

- (a) to remove the requirement that agents, managers, ring-announcers, judges, seconds and timekeepers involved in professional boxing and martial arts contests hold licences and that medical practitioners involved in those contests be accredited; and
- (b) to repeal the **Martial Arts Control Act 1986** and to transfer certain provisions in that Act regulating the martial arts to the **Professional Boxing Control Act 1985**; and
- (c) to rename the **Professional Boxing Control Act 1985** as the **Professional Boxing and Martial Arts Act 1985**; and
- (d) to restructure and rename the Professional Boxing Control Board; and
- (e) to enable the Minister to make rules for the proper conduct of professional boxing and martial arts contests.

Notes on Clauses

Clause 1 sets out the purposes of the Act.

Clause 2 sets out the commencement provisions and provides that sections 1 and 2 come into operation on the day on which it receives Royal Assent and that the remaining provisions come into operation on days to be proclaimed or on 1 January 1997 if not before.

Clause 3 changes the name **Professional Boxing Control Act 1985** to **Professional Boxing and Martial Arts Act 1985**.

Clause 4 makes provision for martial arts in the **Purposes** of the Act.

Clause 5 provides new **Definitions**.

Clause 6 provides for changes to the licensing requirements of the Act. In particular, it restricts the requirement for industry participants to be licensed to trainers, matchmakers, referees and promoters and removes references to “fit and proper persons” from the Act. It also removes barriers to appeal or review of the Minister’s decision.

Clause 7 clarifies the requirement for promoters to hold a permit and provides for breaches to incur penalties of 120 penalty units or 12 months imprisonment or both. It also removes barriers to appeal or review of the Minister’s decision.

Clause 8 requires promoters, trainers, match-makers and referees to be licensed and provides for breaches to incur penalties of 120 penalty units or 12 months imprisonment or both. It also specifies the circumstances under which promoters, trainers, match-makers and referees may gain exemption from the requirement to be licensed.

Clause 9 extends the duration of a licence from 1 year to 3 years. It also removes barriers to appeal or review of the Minister's decision.

Clause 10 makes provision for the holder of a licence or permit to comply with any conditions which may be imposed and provides for breaches to incur penalties of 120 penalty units or 12 months imprisonment or both.

Clause 11 clarifies the circumstances under which professional contestants may gain exemption from the requirement to be registered, specifies the necessary procedures to be undertaken by a person applying for registration, the duration of the registration, the circumstances in which a contestant's registration may be cancelled or suspended and procedures for cancellation or suspension of the registration. It also makes provision for re-registration of a professional contestant.

Clause 12 abolishes the position of accredited medical officer.

Clause 13 makes provision for a professional contestant to undergo a medical examination before and after a contest, specifies procedures and makes provision for breaches to incur penalties of 120 penalty units or 12 months imprisonment or both.

Clause 14 makes minor consequential changes concerning contestants and medical officers in respect to the duties of promoters. It also increases the penalty for breaches of provisions of the section from 20 penalty units to 120 penalty units or 12 months imprisonment or both.

Clause 15 provides for the establishment of a Professional Boxing and Martial Arts Board, specifies the composition of that Board and makes provision for fees to be fixed by the Governor in Council. It also provides for the Board to advise the Minister on the development of rules for the proper conduct of contests.

Clause 16 makes provision for the Minister to delegate under the Act to the Board, a Board member or an officer of the Department of Arts, Sport and Tourism. It also removes barriers to appeal or review of the Minister's decision.

Clause 17 changes 2 references to professional boxers. It also removes barriers to appeal or review of the Minister's decision.

Clause 18 repeals general penalty provisions, having substituted specific provisions wherever appropriate. It also increases the penalty for aiding and abetting offences under the Act to 120 penalty units.

Clause 19 repeals regulations concerning the accreditation of medical practitioners; fees and allowances paid to medical practitioners; rules for the conduct, inspection and supervision of contests; the duties, powers and functions of persons involved in contests; the safety of rings, furnishings, fittings and equipment; venues for contests; and fees, expenses and allowances of members of the Board.

Clause 20 makes provision for the Minister, on the advice of the Board, to make rules for the proper conduct of contests.

Clause 21 repeals the **Martial Arts Control Act 1986**.

Clause 22 provides for the members of the Martial Arts Board and the Professional Boxing Control Board to cease to hold office.

Clause 23 makes the Professional Boxing and Martial Arts Board the successor in law of the Martial Arts Board and the Professional Boxing Control Board.

Clause 24 provides for the transfer of licences, permits and registrations previously granted under the **Professional Boxing Control Act 1985** and the **Martial Arts Control Act 1986** to the **Professional Boxing and Martial Arts Act 1985**.

Clause 25 repeals section 4 of the **Professional Boxing Control Act 1985**.

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