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GOVERNMENT GAZETTE

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[No. 7016

KAAPSTAD, 23 MEI 1980

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 994.

23 May 1980.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 62 of 1980: Boxing and Wrestling Control Amendment Act, 1980.

No. 994.

23 Mei 1980.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 62 van 1980: Wysigingswet op die Beheer van Boks en Stoei, 1980.

Wet No. 62, 1980

WYSIGINGSWET OP DIE BEHEER VAN BOKS EN STOEI, 1980

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op die Beheer van Boks en Stoei, 1954, ten einde voorsiening te maak vir beheer oor persone wat sekere bokkers of stoeiers afrig; die deponeering by die raad van die bedrag wat ingevolge 'n ooreenkoms aan 'n beamppte by 'n voorgenome toernooi betaal moet word; 'n verbod op die hou van of deelname aan sekere bokswedstryde of -vertonings; die vergroting van die ledetal van provinsiale rade; ander voorsiening te maak betreffende die ledetal van plaaslike rade; voorsiening te maak vir die koöptering van persone as lede van plaaslike rade; verdere voorsiening te maak betreffende die uitoefening van sekere bevoegdhede ten opsigte van sekere toernooie wat deur die raad gemagtig is; en voorsiening te maak vir die geldigverklaring van sekere regulasies; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 5 Mei 1980.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 39 van 1954, soos gewysig deur artikel 1 van Wet 51 van 1973.

1. Artikel 1 van die Wet op die Beheer van Boks en Stoei, 1954 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „beamppte” deur die volgende omskrywing te vervang:

„beamppte” 'n skeidsregter, beoordelaar, tydhouer, assistent-tydhouer, aankondiger, helper, afrigter of krytmeester aan wie 'n registrasiesertifikaat as sodanig kragtens **[sub-paragraaf (i) van]** paragraaf (c) van artikel sewe uitgereik is;”.

Vervanging van artikel 3 van Wet 39 van 1954.

2. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang:

„Oogmerke van raad.

3. Die oogmerke van die raad is om boks en stoei 15 by toernooie in die **[Unie]** Republiek te reël en te beheer en algemene toesig daaroor te hou met die oog op die uitskakeling van ongewenste gebruike en die beskerming van die belange van bokkers, stoeiers, afrigters, promotors, beampptes en die publiek in die 20 algemeen.”.

Wysiging van artikel 7 van Wet 39 van 1954.

3. Artikel 7 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (c) deur die volgende paragraaf te vervang:

„(c) om enige persoon wat nie 'n lid van die raad, 'n provinsiale raad of 'n plaaslike raad is nie, as bokser, stoeier, beamppte, afrigter, bestuurder of 25

BOXING AND WRESTLING CONTROL AMENDMENT ACT, 1980

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GENERAL EXPLANATORY NOTE:

[**]** Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Boxing and Wrestling Control Act, 1954, so as to provide for the control of persons who train certain boxers or wrestlers; the deposit with the board of the amount which in terms of an agreement is to be paid to an official at a proposed tournament; a prohibition of the holding of or participation in certain boxing contests or exhibitions; the increase of the membership of provincial boards; to make other provision as to the membership of local boards; to provide for the co-option of persons as members of local boards; to make further provision regarding the exercise of certain powers in respect of certain tournaments authorized by the board; and to provide for the validation of certain regulations; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 5 May 1980.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the Boxing and Wrestling Control Act, 1954 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "official" of the following definition:

Amendment of section 1 of Act 39 of 1954, as amended by section 1 of Act 51 of 1973.

10 "official" means any referee, judge, timekeeper, assistant timekeeper, announcer, second, trainer or ringmaster to whom a certificate of registration as such has been issued under **[sub-paragraph (iii) of]** paragraph (c) of section seven;".

2. The following section is hereby substituted for section 3 of the principal Act:

Substitution of section 3 of Act 39 of 1954.

15 "Objects of board. 3. The objects of the board are to regulate, control and exercise general supervision over boxing or wrestling at tournaments in the **[Union]** Republic with a view to the elimination of undesirable practices and the protection of the interests of boxers, wrestlers, trainers, promoters, officials and the public generally."

3. Section 7 of the principal Act is hereby amended—

Amendment of section 7 of Act 39 of 1954.

25 (a) by the substitution for paragraph (c) of the following paragraph:

"(c) to register any person who is not a member of the board, a provincial board or a local board, as a boxer, wrestler, official, trainer, manager or promo-

promotor te registreer en registrasiesertifikate uit te reik waarby magtiging verleen word aan enige persoon wat aldus geregistreer is—

- (i) as bokser, stoeier of beampte, om in die hoedanigheid waarin hy aldus geregistreer is, 5
aan toernooie deel te neem; **[of]**
 - (ii) as afrigter, om enige bokser of stoeier met die oog op sy deelname aan 'n toernooi as bokser of stoeier af te rig;
 - [(ii)]** (iii) as bestuurder, om die sake van 'n bokser of 10
stoeier te behartig vir sover dit op sy deelname aan toernooie as bokser of stoeier betrekking het; of
 - [(iii)]** (iv) as promotor, om met enige bokser of stoeier te 15
onderhandel met die doel om sy dienste as bokser of stoeier by 'n toernooi te verkry, en om in elke geval in die sertifikaat die geldigheidsduur van so 'n sertifikaat te bepaal;'';
- (b) deur paragraaf (d) deur die volgende paragraaf te 20
vervang:
- „(d) om die bekwaamheid van enige persoon wat om 'n registrasiesertifikaat as bokser, stoeier, afrigter of beampte kragtens paragraaf (c) aansoek doen, te toets en om te vereis dat enige persoon wat om 'n registrasiesertifikaat as— 25
- (i) afrigter;
 - (ii) promotor; of **[enige persoon wat om 'n registrasiesertifikaat as];** of
 - (iii) bestuurder, aansoek doen, die raad voorsien van die inligting 30
wat die raad nodig ag;'';
- (c) deur paragraaf (g) deur die volgende paragraaf te 35
vervang:
- „(g) om te vereis dat 'n applikant om 'n lisensie kragtens paragraaf (f), die raad voorsien van— 35
- (i) alle ooreenkomste wat tussen die promotor van die toernooi en die bokkers, **[of]** stoeiers of beamptes wat daaraan sal deelneem, aange- 40
gaan is;
 - (ii) 'n sertifikaat van liggaamlike en geestelike 45
geskiktheid ten opsigte van die bokkers en stoeiers wat aan die toernooi sal deelneem, in die vorm en deur die mediese praktisyn (hetsy hy in die **[Unie]** Republiek of elders prakti- 50
seer) uitgereik wat die raad goedkeur;
 - (iii) volle besonderhede van alle reëlins wat vir die hou van die toernooi getref is;
 - (iv) 'n eksemplaar van elke voorgenome advertensie wat op die toernooi betrekking het en van 55
die voorgenome program van die toernooi, 50
en van die verdere inligting wat die raad in staat sal stel om tot 'n behoorlike besluit betreffende die aansoek te geraak;''; en
- (d) deur paragraaf (h) deur die volgende paragraaf te 55
vervang:
- „(h) om, indien 'n ooreenkoms tussen 'n promotor en 'n bokser, **[of]** stoeier of beampte voorsiening maak vir die betaling van 'n vasgestelde bedrag aan die bokser, **[of]** stoeier of beampte as besoldiging vir sy dienste by enige voorgenome toernooi, te vereis 60
dat die promotor daardie bedrag by die raad deponeer op of voor 'n bepaalde datum voor die datum van die toernooi, om behoudens die bepaling van paragraaf (j) ooreenkomstig die ooreen- 65
koms deur die raad uitbetaal te word nadat die toernooi gehou is, en indien so 'n vereiste nie nagekom word nie, enige lisensie wat kragtens paragraaf (f) uitgereik mag wees, in te trek;''.

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ter and to issue certificates of registration authorizing any person who has been so registered—

5 (i) as a boxer, wrestler or official, to take part in tournaments in the capacity in which he has been so registered; **[or]**

(ii) as a trainer, to train any boxer or wrestler with a view to his participation in tournaments as a boxer or wrestler;

10 **[(ii)]** (iii) as a manager, to manage the affairs of any boxer or wrestler in so far as they relate to his participation in tournaments as a boxer or wrestler; or

15 **[(iii)]** (iv) as a promoter, to negotiate with any boxer or wrestler with a view to procuring his services as a boxer or wrestler at a tournament, and in each case to specify in the certificate the period during which any such certificate shall be valid;”;

20 (b) by the substitution for paragraph (d) of the following paragraph:

“(d) to test the ability of any person applying for a certificate of registration as a boxer, wrestler, trainer or official under paragraph (c) and to require any person applying for a certificate of registration as—

(i) a trainer;

(ii) a promoter; or **[any person applying for a certificate of registration as]**

(iii) a manager,

30 to furnish the board with such information as it may deem necessary;”;

(c) by the substitution for paragraph (g) of the following paragraph:

35 “(g) to require any applicant for a licence under paragraph (f) to furnish the board with—

(i) all agreements entered into between the promoter of the tournament, and the boxers, **[or]** wrestlers or officials who will participate therein;

40 (ii) a certificate of physical and mental fitness in respect of the boxers or wrestlers who will participate in the tournament, issued in such form and by such medical practitioner (whether practising in the **[Union]** Republic or elsewhere) as the board may approve;

45 (iii) full particulars of all arrangements made for the holding of the tournament;

(iv) a specimen of every proposed advertisement relating to, and of the proposed programme of, the tournament,

50 and such further information as will enable the board to arrive at a proper decision on the application;”;

55 (d) by the substitution for paragraph (h) of the following paragraph:

60 “(h) if an agreement between a promoter and a boxer, **[or]** wrestler or official provides for the payment to such boxer, **[or]** wrestler or official of a fixed amount as remuneration for his services at any proposed tournament, to require the promoter to deposit that amount with the board on or before any specified date prior to the date of the tournament, to be disbursed by the board, subject to the provisions of paragraph (j), in terms of the agreement after the tournament has been held, and if any such requirement is not complied with, to withdraw any licence which may have been issued under paragraph (f);”.

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WYSIGINGSWET OP DIE BEHEER VAN BOKS EN STOEI, 1980

Wysiging van
artikel 9 van
Wet 39 van 1954,
soos gewysig deur
artikel 4 van
Wet 51 van 1973.

4. Artikel 9 van die Hoofwet word hierby gewysig deur paragraaf (f) van subartikel (1) deur die volgende paragraaf te vervang:

„(f) die registrasie van enige persoon as bokser, stoeier, beampte, afrigter, bestuurder of promotor;”.

5

Wysiging van
artikel 13 van
Wet 39 van 1954,
soos gewysig deur
artikel 5 van
Wet 51 van 1973.

5. Artikel 13 van die Hoofwet word hierby gewysig deur in subartikel (1) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

„'n Provinsiale raad bestaan uit 'n voorsitter deur die Minister aangestel en **[vier]** ses ander lede aldus aangestel, 10
van wie elkeen een van twee persone is wat deur die provinsiale raad van die betrokke provinsie genomineer is:”.

Wysiging van
artikel 18 van
Wet 39 van 1954.

6. Artikel 18 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) (a) 'n Plaaslike raad bestaan uit **[drie]** die voor- 15
geskrewe aantal lede wat met die goedkeuring van die raad deur die provinsiale raad van die provinsie waarin die plaaslike raad ingestel is, aangestel word, en een van die aldus aangestelde lede word deur die provinsiale raad as voorsitter van die plaaslike raad aangewys. 20

(b) 'n Plaaslike raad kan met die goedkeuring van die betrokke provinsiale raad 'n voorgeskrewe aantal persone as lede daarvan koöpteer, hetsy vir die verrigting van 'n bepaalde werksaamheid of vir die verrigting van sy werksaamhede in die algemeen.”. 25

Vervanging van
artikel 21 van
Wet 39 van 1954.

7. Artikel 21 van die Hoofwet word hierby deur die volgende artikel vervang:

21. Niemand mag—

(a) as bokser, stoeier of beampte aan 'n toernooi deelneem nie; of 30

(b) enige bokser of stoeier met die oog op sy deelname aan 'n toernooi afrig nie; of

„Boksers, stoeiers, beamptes, afrigters, bestuurders en promotors moet geregistreer wees. **[(b)]** (c) die sake van 'n bokser of stoeier vir sover hulle op sy deelname aan toernooie as bokser of stoeier betrekking het, behartig nie; of 35

[(c)] (d) met 'n bokser of stoeier onderhandel met die doel om sy dienste as bokser of stoeier by 'n toernooi te verkry nie,

tensy hy in besit is van 'n geldige registrasiesertifikaat as bokser, stoeier, beampte, afrigter, bestuurder of 40
promotor, al na die geval, wat kragtens artikel 7 (c) aan hom uitgereik is.”.

Invoeging van
artikel 21B in
Wet 39 van 1954.

8. Die volgende artikel word hierby in die Hoofwet na artikel 21A ingevoeg:

„Verbod op
hou van of
deelname
aan sekere
bokswed-
stryde of
-vertonings.

21B. (1) Niemand mag enige bokswedstryd of 45

-vertoning hou of by die hou daarvan bystand verleen of daaraan deelneem nie (hetsy as bokser, skeidsregter, beoordelaar, tydhouer, assistent-tydhouer, aankondiger, afrigter, helper of krytmeester) waaraan enige van die volgende persone deelneem, te wete— 50

(a) enigiemand wie se aansoek om registrasie as bokser deur die raad afgewys is;

(b) enigiemand wat kragtens hierdie Wet as bokser geregistreer was, maar nie meer aldus geregistreer is nie (met inbegrip van iemand wie se registrasiesertifikaat as bokser kragtens artikel 7 55

(e) opgeskort is, terwyl dit aldus opgeskort is);

(c) enigiemand wat nie kragtens hierdie Wet as bokser geregistreer is nie, maar wat vir gewin aan enige bokswedstryd of -vertoning (hetsy in 60
die Republiek of elders) deelgeneem het.

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4. Section 9 of the principal Act is hereby amended by the substitution for paragraph (f) of subsection (1) of the following paragraph:

Amendment of section 9 of Act 39 of 1954, as amended by section 4 of Act 51 of 1973.

- 5 “(f) the registration of any person as a boxer, wrestler, official, trainer, manager or promoter;”.

5. Section 13 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding the proviso of the following words:

Amendment of section 13 of Act 39 of 1954, as amended by section 5 of Act 51 of 1973.

- 10 “A provincial board shall consist of a chairman appointed by the Minister and **[four]** six members so appointed, each of whom shall be one of two persons nominated by the provincial board of the province concerned:”.

6. Section 18 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 18 of Act 39 of 1954.

- 15 “(1) (a) A local board shall consist of **[three]** the prescribed number of members appointed with the approval of the board by the provincial board of the province within which the local board has been established, and one of the members so appointed shall be designated by the provincial board as chairman of the local board.
- 20 (b) A local board may with the approval of the provincial board concerned co-opt a prescribed number of persons as members thereof, either for the performance of a particular function or for the performance of its functions generally.”.
- 25

7. The following section is hereby substituted for section 21 of the principal Act:

Substitution of section 21 of Act 39 of 1954.

- “Boxers, wrestlers, officials, trainers, managers and promoters to be registered.
- 30 **21.** No person shall—
- (a) take part in any tournament as a boxer, wrestler or official; or
- (b) train any boxer with a view to his participation in any tournament; or
- [(b)]** (c) manage the affairs of any boxer or wrestler in so far as they relate to his participation in tournaments as a boxer or wrestler; or
- 35 **[(c)]** (d) negotiate with any boxer or wrestler with a view to procuring his services as a boxer or wrestler at a tournament,
- 40 unless he is in possession of a valid certificate of registration as a boxer, wrestler, official, trainer, manager or promoter, as the case may be, issued to him under section 7 (c).”.

8. The following section is hereby inserted in the principal Act after section 21A:

Insertion of section 21B in Act 39 of 1954.

- 45 “Prohibition of holding of or taking part in certain boxing contests or exhibitions.
- 50 **21B.** (1) No person shall hold or assist in the holding of or take part in (whether as a boxer, referee, judge, timekeeper, assistant timekeeper, announcer, second or ringmaster) any boxing contest or exhibition in which any of the following persons takes part, namely—
- (a) any person whose application for registration as a boxer was refused by the board;
- (b) any person who was registered under this Act as a boxer but is no longer so registered (including any person whose registration certificate as a boxer has been suspended under section 7 (e), while it is so suspended);
- 55 (c) any person who is not registered under this Act as a boxer, but who for gain has taken part in any boxing contest or exhibition (whether in the Republic or elsewhere).
- 60

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(2) Niemand mag enigiemand in paragraaf (a), (b) of (c) van subartikel (1) vermeld, afrig nie met die oog op so iemand se deelname aan enige bokswedstryd of -vertoning.”.

Wysiging van artikel 22 van Wet 39 van 1954.

9. Artikel 22 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:

„(4) Indien die raad die hou van 'n toernooi gemagtig het en daardie toernooi deur die raad of 'n lid van die raad bygewoon word—

- (a) geskied enige optrede ingevolge hierdie artikel slegs nadat die raad of daardie lid geraadpleeg is;
- (b) word die plek waar daardie toernooi gehou word slegs met die instemming van die raad of daardie lid betree.”.

Vervanging van artikel 23 van Wet 39 van 1954, soos vervang deur artikel 7 van Wet 51 van 1973.

10. Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang:

„Misdrywe en strawwe.

23. Iemand wat—

- (a) die bepalinge van artikel 20 oortree of versuim om daaraan te voldoen;
 - (b) 'n boks- of stoeiwedstryd of -vertoning wat ingevolge artikel 22 (1) stopgesit of verbied is, 20 hou of bywoon of daaraan deelneem of behulpzaam is by die hou daarvan;
 - (c) 'n bevel wat ingevolge artikel 22 (2) gegee is, verontagsaam;
 - (d) weier om aan 'n lid van die polisiemag, terwyl 25 hy diens doen, vrye toegang te verleen tot 'n perseel waarin of waarop 'n boks- of stoeiwedstryd of -vertoning gehou word of gehou gaan word of so 'n lid hinder by die uitvoering van sy pligte kragtens hierdie Wet;
 - (e) as 'n bokser of stoeier aan 'n toernooi deelneem nadat hy ingevolge artikel 7 (i) verbied is om aldus aan daardie toernooi deel te neem;
 - (f) 'n toernooi adverteer deur middel van 'n advertensie wat verskil van enige kragtens artikel 7 (g) 35 (iv) aan die raad voorgelegde advertensie;
 - (g) 'n beamppte toelaat om aan 'n toernooi deel te neem in 'n ander hoedanigheid as dié waarin hy kragtens artikel 7 (c) (i) geregistreer is;
 - (h) die bepalinge van artikel 21 oortree of versuim 40 om daaraan te voldoen; **[of]**
 - (i) die bepalinge van artikel 21A oortree; of
 - (j) die bepalinge van artikel 21B oortree,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—
- (i) in die geval van 'n in paragraaf (a), (b), (c), (d), (e), (f), (g), **[of]** (i) of (j) bedoelde misdryf, met 'n boete van hoogstens seshonderd rand of gevangenisstraf vir 'n tydperk van hoogstens 50 twaalf maande of met beide daardie boete en daardie gevangenisstraf; en
 - (ii) in die geval van 'n in paragraaf (h) bedoelde misdryf, met 'n boete van hoogstens honderd rand of gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie gevangenisstraf sonder die keuse van 'n boete.”.

Geldigverklaring van regulasies.

11. Die regulasies wat deur die Suid-Afrikaanse Nasionale Boksbeheerraad ingevolge artikel 9 van die Hoofwet uitgevaardig is en wat onmiddellik voor die Wysigingswet op die Beheer van Boks en Stoei, 1973 (Wet No. 51 van 1973), gegeld het, word 60 geag nie te verval het nie en word geag ingevolge gemelde artikel deur die Minister na oorleg met daardie raad uitgevaardig te wees.

Kort titel.

12. Hierdie Wet heet die Wysigingswet op die Beheer van Boks en Stoei, 1980.

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(2) No person shall train any person referred to in paragraph (a), (b) or (c) of subsection (1) with a view to such person's participation in any boxing contest or exhibition."

5 9. Section 22 of the principal Act is hereby amended by the addition of the following subsection: Amendment of section 22 of Act 39 of 1954.

"(4) If the board has authorized the holding of any tournament and such tournament is attended by the board or any member of the board—

- 10 (a) any action in terms of this section shall be taken only after the board or that member has been consulted;
(b) the place where that tournament is being held shall be entered upon only with the consent of the board or that member."

15 10. The following section is hereby substituted for section 23 of the principal Act: Substitution of section 23 of Act 39 of 1954, as substituted by section 7 of Act 51 of 1973.
"Offences and penalties. 23. Any person who—

- (a) contravenes or fails to comply with the provisions of section 20;
20 (b) holds, assists in holding, attends or takes part in any boxing or wrestling contest or exhibition which has been stopped or forbidden under section 22 (1);
25 (c) disobeys any order given under section 22 (2);
(d) refuses to allow any member of the police force on duty, free access to any premises in or on which any boxing or wrestling contest or exhibition is being or about to be held or obstructs such member in the execution of his duties under this Act;
30 (e) participates as a boxer or wrestler in any tournament after having been prohibited under section 7 (i) from so participating in that tournament;
35 (f) advertises any tournament by means of an advertisement which differs from any advertisement submitted to the board under section 7 (g) (iv);
40 (g) allows any official to take part in a tournament in a capacity other than that in which he was registered under section 7 (c) (i);
(h) contravenes or fails to comply with the provisions of section 21; **[or]**
45 (i) contravenes the provisions of section 21A; or
(j) contravenes the provisions of section 21B;
shall be guilty of an offence and liable on conviction—
(i) in the case of an offence referred to in paragraph (a), (b), (c), (d), (e), (f), (g), **[or]** (i) or (j), to a fine not exceeding six hundred rand or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment; and
50 (ii) in the case of an offence referred to in paragraph (h), to a fine not exceeding one hundred rand or to imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine."

11. The regulations made by the South African National Boxing Control Board in terms of section 9 of the principal Act and which were in operation immediately before the commencement of the Boxing and Wrestling Control Amendment Act, 1973 (Act No. 51 of 1973), shall be deemed not to have lapsed and shall be deemed to have been made in terms of that section by the Minister after
60 consultation with that board. Validation of regulations.

12. This Act shall be called the Boxing and Wrestling Control Amendment Act, 1980. Short title.

