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No. 13410

KAAPSTAD, 17 JULIE 1991

STATE PRESIDENT'S OFFICE

No. 1660.

17 July 1991

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

No. 134 of 1991: Boxing and Wrestling Control Amendment Act, 1991

KANTOOR VAN DIE STAATSPRESIDENT

No. 1660.

17 Julie 1991

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

No. 134 van 1991: Wysigingswet op die Beheer van Boks en Stoei, 1991

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 extend the powers of the Minister to make regulations; to provide for the existence of two provincial boxing control boards in the province of the Cape of Good Hope; to make further provision in connection with the constitution of provincial boxing control boards; to provide for the hearing of appeals by a provincial boxing control board or the South African National Boxing Control Board; and to increase fines; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 27 June 1991.)

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

Amendment of section 9 of Act 39 of 1954, as amended by section 4 of Act 51 of 1973, section 4 of Act 62 of 1980 and section 7 of Act 30 of 1988

1. Section 9 of the Boxing and Wrestling Control Act, 1954 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution for paragraph (f) of subsection (1) of the following paragraph:

“(f) the registration of any person as a boxer, official, trainer, manager or promoter and the requirements with which he must comply for registration.”;
- (b) by the substitution for paragraph (g) of subsection (1) of the following paragraph:

“(g) the rules under which and the manner in which any tournament shall be organized and conducted, including the manner in which that portion of any premises on which and the ring in which actual boxing takes place shall be isolated and equipped and the facilities to be provided in connection therewith.”;
- (c) by the substitution for paragraph (i) of subsection (1) of the following paragraph:

“(i) the weighing of participants prior to any tournament, the testing of the physical and mental fitness and the medical examination [and the weighing] of participants prior to and during any tournament.”;
- (d) by the insertion of the following paragraph after paragraph (l) of subsection (1):

“(m) the coaching of boxers.”; and
- (e) by the substitution in subsection (2) for the expression “R1 000” of the expression “R2 000”.

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrappings 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 die Minister se bevoegdheid om regulasies te maak, uit te brei; voorsiening te maak vir die bestaan van twee provinsiale boksbeheerrade in die provinsie die Kaap die Goeie Hoop; verdere voorsiening te maak in verband met die samestelling van provinsiale boksbeheerrade; voorsiening te maak vir die aanhoor van appèlle deur 'n provinsiale boksbeheerraad of die Suid-Afrikaanse Nasionale Boksbeheerraad; en boetes te verhoog; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 Junie 1991.)*

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

Wysiging van artikel 9 van Wet 39 van 1954, soos gewysig deur artikel 4 van Wet 51 van 1973, artikel 4 van Wet 62 van 1980 en artikel 7 van Wet 30 van 1988

- 5 1. Artikel 9 van die Wet op die Beheer van Boks en Stoei, 1954 (hieronder die Hoofwet genoem), word hierby gewysig—
- (a) deur paragraaf (f) van subartikel (1) deur die volgende paragraaf te vervang:
- 10 “(f) die registrasie van enige persoon as bokser, beampte, afrigter, bestuurder of promotor en die vereistes waaraan hy moet voldoen vir registrasie;”;
- (b) deur paragraaf (g) van subartikel (1) deur die volgende paragraaf te vervang:
- 15 “(g) die reëls waarvolgens en die wyse waarop 'n toernooi gereël en bestuur moet word, met inbegrip van die wyse waarop die gedeelte van die perseel waarop en die kryt waarin boks werklik plaasvind, afgesonder en toegerus moet wees en die fasiliteite wat in verband daarmee verskaf moet word;”;
- (c) deur paragraaf (i) van subartikel (1) deur die volgende paragraaf te vervang:
- 20 “(i) die weeg van deelnemers voor 'n toernooi, die toets van die liggaamlike en geestelike geskiktheid en die mediese ondersoek [en die weeg] van deelnemers voor en tydens 'n toernooi;”;
- (d) deur die volgende paragraaf na paragraaf (l) van subartikel (1) in te voeg:
- 25 “(m) die afrigting van bokkers;”;
- (e) deur in subartikel (2) die uitdrukking “R1 000” deur die uitdrukking “R2 000” te vervang.

Amendment of section 12 of Act 39 of 1954, as substituted by section 9 of Act 30 of 1988**2. Section 12 of the principal Act is hereby amended—****(a) by the addition of the following proviso:**

“: Provided that for the province of the Cape of Good Hope there shall be two provincial boards from such date and for such districts as the Minister may determine by notice in the *Gazette*.”; and

(b) by the addition of the following subsection, the existing section becoming subsection (1):

“(2) The members of the first board of each additional provincial board established after the commencement of the Boxing and Wrestling Control Amendment Act, 1991, in terms of the proviso to subsection (1) for the province of the Cape of Good Hope, shall be appointed by the Minister after nominations have been submitted to him in the manner determined in section 13(1), by the provincial board existing at the commencement of the said Act for the said province.”.

Amendment of section 13 of Act 39 of 1954, as amended by section 5 of Act 51 of 1973 and section 5 of Act 62 of 1980**3. Section 13 of the principal Act is hereby amended—****(a) by the substitution in subsection (1) for the words preceding the proviso, of the following words:**

“A provincial board shall consist of **[a chairman appointed by the Minister and six]** seven members [so] appointed by the Minister, each of whom shall be one of two persons nominated by the provincial board of the province concerned, after persons having an interest have been requested in an Afrikaans and an English newspaper circulating in the area of that provincial board to submit nominations for members of that provincial board to such board:”; and

(b) by the insertion after subsection (1) of the following subsection:

“(1A) The members of a provincial board shall from among their number elect a person to act as chairman of the board.”.

Amendment of section 23 of Act 39 of 1954, as substituted by section 10 of Act 62 of 1980 and amended by section 13 of Act 30 of 1988**4. Section 23 of the principal Act is hereby amended—****(a) by the substitution in paragraph (i) for the expression “R2 000” of the expression “R4 000”; and****(b) by the substitution in paragraph (ii) for the expression “R1 000” of the expression “R2 000”.****Insertion of section 24 in Act 39 of 1954****5. (1) The following section is hereby inserted in the principal Act after section 23:****“Appeal to provincial board or board**

24. (1) Any promoter, manager, official or boxer who feels aggrieved at a decision of any local board or a provincial board, may appeal in the prescribed manner, within the prescribed period and upon payment of the prescribed fee, to the provincial board concerned or to the board, respectively.

(2) After considering the appeal, the provincial board concerned or the board, as the case may be, may —

(a) confirm, set aside or vary the decision against which the appeal is lodged;

(b) refer the matter back to the local board or provincial board concerned, as the case may be, with the instruction to obtain further evidence;

Wysiging van artikel 12 van Wet 39 van 1954, soos vervang deur artikel 9 van Wet 30 van 1988**2. Artikel 12 van die Hoofwet word hierby gewysig—**

- (a) deur die volgende voorbehoud by te voeg:
- 5 “: Met dien verstande dat daar vir die provinsie die Kaap die Goeie Hoop twee provinsiale rade is vanaf ’n datum en vir die distrikte wat die Minister by kennisgewing in die *Staatskoerant* bepaal.”; en
- (b) deur die volgende subartikel by te voeg terwyl die bestaande artikel subartikel (1) word:
- 10 “(2) Die lede van die eerste raad van elke bykomende provinsiale raad wat na die inwerkingtreding van die Wysigingswet op die Beheer van Boks en Stoei, 1991, ingevolge die voorbehoud by subartikel (1) vir die provinsie die Kaap die Goeie Hoop ingestel word, word deur die Minister aangestel nadat nominasies op die wyse in artikel 13(1) bepaal deur die provinsiale raad wat by die inwerkingtreding van genoemde Wet vir genoemde
- 15 provinsie bestaan het, aan hom voorgelê is.”

Wysiging van artikel 13 van Wet 39 van 1954, soos gewysig deur artikel 5 van Wet 51 van 1973 en artikel 5 van Wet 62 van 1980**3. Artikel 13 van die Hoofwet word hierby gewysig—**

- (a) Deur in subartikel (1) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:
- 20 “’n Provinsiale raad bestaan uit [**’n voorsitter deur die Minister aangestel en ses ander**] sewe lede [**aldus**] deur die Minister aangestel, van wie elkeen een van twee persone is wat deur die provinsiale raad van die betrokke provinsie genomineer is, nadat belanghebbende persone in ’n Afrikaanse en Engelse nuusblad wat in die gebied van daardie provinsiale raad in omloop is, versoek is om nominasies vir lede van daardie provinsiale raad aan daardie raad voor te lê.”; en
- (b) deur na subartikel (1) die volgende subartikel in te voeg:
- 25 “(1A) Die lede van ’n provinsiale raad kies uit hulle geledere iemand om as voorsitter van die raad op te tree.”
- 30

Wysiging van artikel 23 van Wet 39 van 1954, soos vervang deur artikel 10 van Wet 62 van 1980 en gewysig deur artikel 13 van Wet 30 van 1988**4. Artikel 23 van die Hoofwet word hierby gewysig—**

- (a) deur in paragraaf (i) die uitdrukking “R2 000” deur die uitdrukking “R4 000” te vervang; en
- (b) deur in paragraaf (ii) die uitdrukking “R1 000” deur die uitdrukking “R2 000” te vervang.
- 35

Invoeging van artikel 24 in Wet 39 van 1954

- 40 5. (1) Die volgende artikel word hierby in die Hoofwet na artikel 23 ingevoeg:

“Appel na provinsiale raad of raad

- 24. (1)** ’n Promotor, bestuurder, beampte of bokser wat hom veronreg voel oor ’n beslissing van ’n plaaslike raad of ’n provinsiale raad, kan op die voorgeskrewe wyse, binne die voorgeskrewe tydperk en by betaling van die voorgeskrewe geld na onderskeidelik die betrokke provinsiale raad of die raad appelleer.
- 45
- (2) Na oorweging van die appel kan die betrokke provinsiale raad of die raad, na gelang van die geval—
- (a) die beslissing waarteen geappelleer word, bevestig, tersyde stel of verander;
- 50
- (b) die aangeleentheid na die betrokke plaaslike raad of provinsiale raad, na gelang van die geval, terugverwys met die opdrag om verdere getuienis te verkry;

- (c) order any party to the appeal, to produce in writing or to give verbally, on a specific date, such further evidence as the provincial board or the board, as the case may be, deems necessary;
- (d) take such steps as it deems necessary for the just, speedy and cheapest settlement of the matter;
- (e) make such order as to costs as it deems fit."

5

(2) Any appeal considered since 1 January 1960 in terms of the Boxing and Wrestling Control Act, 1954 (Act No. 39 of 1954), or the regulations made thereunder, shall be deemed to have been considered as if the provisions of subsection (1) had been in force since the said date.

10

Short title

6. This Act shall be called the Boxing and Wrestling Control Amendment Act, 1991.

- (c) 'n party tot die appèl gelas om op 'n bepaalde datum die verdere
getuienis wat die provinsiale raad of die raad, na gelang van die
geval, nodig ag, skriftelik voor te lê of mondeling af te lê;
- (d) die stappe doen wat hy nodig ag vir die regverdige, spoedige en
goedkoopste beslegting van die aangeleentheid;
- (e) die bevel aangaande koste gee wat hy billik ag."
- (2) Enige appèl wat sedert 1 Januarie 1960 oorweeg is ingevolge die Wet op die
Beheer van Boks en Stoei, 1954 (Wet No. 39 van 1954), of die regulasies
daarkragtens uitgevaardig, word geag oorweeg te gewees het asof die bepalings van
subartikel (1) sedert genoemde datum in werking was.

Kort titel

6. Hierdie Wet heet die Wysigingswet op die Beheer van Boks en Stoei, 1991.

