

No. 39, 1954.]

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain uneven numbered pages as the other language is printed on even numbered pages.

## ACT

To provide for the establishment of a South African National Boxing Control Board and a South African National Wrestling Control Board, to define their objects, to prescribe their powers, duties and functions and to provide for other incidental matters.

(English text signed by the Governor-General.)  
(Assented to 15th June, 1954.)

**BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. In this Act, unless the context otherwise indicates— Definitions.

- (i) "board" means—
- (a) with reference to matters affecting boxers or boxing, the South African National Boxing Control Board established by paragraph (a) of section *two*; and
- (b) with reference to matters affecting wrestlers or wrestling, the South African National Wrestling Control Board established by paragraph (b) of section *two*; (vi)
- (ii) "local board" means a local board established under section *seventeen*; (iii)
- (iii) "Minister" means the Minister of Justice; (ii)
- (iv) "official" means any referee, judge, timekeeper, assistant timekeeper, announcer, second or ring-master to whom a certificate of registration as such has been issued under sub-paragraph (i) of paragraph (c) of section *seven*; (i)
- (v) "promoter" means any person or body to whom a certificate of registration as a promoter has been issued under sub-paragraph (iii) of paragraph (c) of section *seven*; (iv)
- (vi) "provincial board" means a provincial board established under section *twelve*; (v)
- (vii) "tournament" means any function to which the public have access, whether on payment of a charge for admission or not, and at which two or more persons engage in boxing or wrestling for gain, whether by way of competition, exhibition or otherwise. (vii)

2. There is hereby established—

- (a) a board to be known as the South African National Boxing Control Board; and
- (b) a board to be known as the South African National Wrestling Control Board,

each of which shall be a body corporate, capable of suing and being sued in its corporate name and performing all such acts as are necessary for or incidental to the carrying out of its objects and the performance of its functions and duties under this Act.

Establishment of South African National Boxing Control Board and South African National Wrestling Control Board.

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

Objects of the board.

4. (1) The board shall consist of five members appointed by the Minister, of whom— Constitution of board.

- (a) one shall be designated by the Minister as chairman;
- (b) four shall represent—

(i) in respect of the first appointment of members to the board, one each the respective bodies (hereinafter referred to as the old provincial boards) to whom a written authority was granted under section *three* of the Boxing and Wrestling Act, 1923 (Act No. 5 of 1923), to act as a board of control of boxing and wrestling within a province of the Union; and

(ii) in respect of any subsequent appointment of any such members, one each the respective provincial boards.

(2) The Minister shall by notice in writing invite two nominations in respect of each member, other than the chairman, to be appointed to the board—

(a) in the case of the first appointment of members to the board, from the respective old provincial boards; and

(b) in the case of any subsequent appointment of any such members, from the provincial board concerned,

and any person appointed to the board to represent any old provincial board or any provincial board shall, subject to the provisions of sub-section (3), be selected from amongst the nominees of that old provincial board or provincial board, as the case may be.

(3) If any nominations required under sub-section (2) are not lodged with the Minister within the period stated in the notice inviting such nominations, the Minister may, in making the appointment in respect of which such nominations are not so lodged, appoint any person whom he considers suitable to be a member of the board.

5. (1) The chairman of the board shall hold office for such period, and any other member of the board for such period not exceeding three years, as the Minister may determine at the time of the appointment: Provided that the Minister may at any time remove from his office any member of the board—

Tenure of office, vacancies and remuneration of members of the board.

(a) who has, in the opinion of the Minister, directly or indirectly by himself or through his spouse, partner or business associate any financial interest in boxing or wrestling at tournaments;

(b) if his estate is sequestrated;

(c) if he becomes of unsound mind;

(d) if he is convicted of an offence and sentenced to imprisonment without the option of a fine; or

(e) if he has absented himself from two consecutive meetings of the board without its leave.

(2) Whenever for any reason the office of any member of the board becomes vacant before the expiration of the period for which he has been appointed, another person shall be appointed to fill the vacancy until the expiration of the period for which the vacating member was appointed.

(3) The members of the board shall receive no remuneration in respect of their services on the board but may, out of the funds of the board, be paid such allowances to cover expenses reasonably incurred by them in respect of their attendance of the meetings of the board or while otherwise engaged on the business of the board, as the Minister may determine.

6. (1) The first meeting of the board shall be held at such time and place as the chairman may determine and all subsequent meetings shall, subject to the provisions of sub-section (2), be held at such times and places as the board may fix.

Meetings and quorum.

(2) The chairman of the board may at any time and shall at the request of the majority of members of the board call a special meeting of the board to be held at such time and place as he may direct.

(3) In the absence of the chairman from any meeting of the board, the members present at that meeting may elect one of their number to preside thereat.

(4) The quorum of a meeting of the board shall be three of the members thereof.

(5) All decisions at any meeting of the board shall be by resolution by majority vote of the members present thereat, and in the event of an equality of votes on any matter, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

7. For the purpose of attaining its objects, the board shall have power—

Powers of the board.

(a) to appoint a secretary and such other servants on such conditions and at such remuneration as it may determine and to acquire, alienate or hire such property as it may consider necessary for the effective performance of its functions: Provided that immovable property may not be alienated without the approval of the Minister;

(b) with the approval of the Minister, to invest or otherwise deal with such funds of the board as may not immediately be required for the purpose of meeting its financial obligations;

- (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, manager or promoter and to issue certificates of registration authorizing any person who has been so registered—
- (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 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
  - (iii) 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;
- (d) to test the ability of any person applying for a certificate of registration as a boxer, wrestler or official under paragraph (c) and to require any person applying for a certificate of registration as a promoter or any person applying for a certificate of registration as a manager, to furnish the board with such information as it may deem necessary;
- (e) to suspend, cancel or renew any certificate issued under paragraph (c);
- (f) to issue, subject to such conditions as it may deem fit, licences authorizing the holding of tournaments;
- (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 who will participate therein;
  - (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 or elsewhere) as the board may approve;
  - (iii) full particulars of all arrangements made for the holding of the tournament;
  - (iv) a specimen of every proposed advertisement relating to the tournament,
- and such further information as will enable the board to arrive at a proper decision on the application;
- (h) if an agreement between a promoter and a boxer or wrestler provides for the payment to such boxer or wrestler 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);
- (i) at any time prior to the holding of any tournament to prohibit any boxer or wrestler from participating as such in the tournament if, after such examination or test for physical and mental fitness as the board may deem fit, it is satisfied that such boxer or wrestler should not be allowed so to participate, or if such boxer or wrestler refuses at the request of the board to submit himself to such examination or test;
- (j) if any boxer or wrestler taking part in any tournament is disqualified by the referee for—
- (i) not boxing or wrestling to the best of his ability;
  - (ii) retiring from the tournament without sufficient cause; or
  - (iii) committing a deliberate foul as prescribed by regulation under this Act,
- to declare the whole or any portion of the amount payable to such boxer or wrestler for his services in the tournament, to be forfeited and to determine to whom such amount shall be paid;

- (k) to decide who are the holders of national, provincial or other titles in respect of boxing or wrestling by any class of persons at tournaments and to provide for the half-yearly grading of boxers or wrestlers or classes of boxers or wrestlers registered under paragraph (c) of section seven;
- (l) to make arrangements with other bodies controlling or regulating boxing or wrestling, at tournaments for the mutual recognition of any refusal, suspension or cancellation of the registration of any boxer, wrestler, official or promoter;
- (m) to issue a certificate of introduction to any registered boxer, wrestler, official or promoter proceeding to any place outside the Union in order to take part in tournaments, or to procure the services of any boxer or wrestler ordinarily resident outside the Union, at tournaments in the Union, and to set out in such certificate such particulars concerning the boxer, wrestler, official or promoter as the board deems necessary;
- (n) to establish a benevolent fund to be used for such purposes as may be prescribed by regulation under this Act; and
- (o) to take any steps which the board considers necessary or expedient for the due and proper regulation or control of, or to enable it to exercise due and proper supervision over boxing or wrestling at tournaments.

8. The board may, with the approval of the Minister, delegate to a provincial board any of the powers and functions conferred or imposed upon it by this Act and any power or function so delegated shall be exercised or performed by that provincial board in respect of the province for which it has been established: Provided that the board shall not be divested of any power or function which it may have so delegated to a provincial board and may amend or withdraw any decision by a provincial board.

Delegation of board's powers and functions.

9. (1) The board may, with the approval of the Minister, make regulations not inconsistent with this Act, with regard to—

Regulations.

- (a) the manner and form in which any application under this Act shall be made;
- (b) the nature of the particulars to be furnished with any application under this Act;
- (c) the form of any licence, certificate or other document to be used for the purposes of this Act;
- (d) the fees which shall be payable to the board in respect of the grant, issue or renewal of any licence, certificate or other similar document, under this Act;
- (e) the rights and duties of officials during tournaments;
- (f) the registration of any person as a boxer, wrestler, official, manager or promoter;
- (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 actual boxing or wrestling takes place shall be isolated and equipped and the facilities to be provided in connection therewith;
- (h) the manner in which participants shall be attired and, in the case of boxers, the nature, weight and quality of gloves and bandages to be used;
- (i) the testing of the physical and mental fitness, the medical examination and the weighing of participants prior to any tournament;
- (j) the circumstances under which any specified class of persons shall be prohibited from attending or taking part in tournaments generally or any specified kind of tournament;
- (k) the submission to the board within a prescribed period after any tournament, by the promoter thereof, of a statement showing the expenditure incurred in connection with and the income derived from that tournament;
- (l) the management of a benevolent fund and the purposes for which such fund may be used,

and generally with regard to all matters which by this Act are required or permitted to be prescribed or which the board

considers necessary or expedient to prescribe in order that the objects for which it has been established may be achieved.

(2) Any regulations made under this section may prescribe penalties for any contravention thereof or failure to comply therewith not exceeding a fine of fifty pounds or imprisonment for a period of six months.

10. (1) The funds of the board shall consist of the fees received by it in pursuance of any regulation made under section *nine* and any funds derived from any other sources whatsoever. Funds of the board.

(2) The board shall cause full and correct account to be kept of all amounts received and expended by it.

(3) The Minister may out of moneys appropriated by Parliament for the purpose, advance to the board such amounts not exceeding in the aggregate one thousand pounds as he may deem necessary in order to enable it to carry out its functions.

(4) Any such advance shall be made on such conditions and shall be repayable at such times as the Minister may, after consultation with the Minister of Finance, determine.

11. The board shall not later than ninety days after the thirtieth day of June of each year, submit to the Minister a report concerning its activities during the period of twelve months preceding that date, together with a copy of an audited statement of its income and expenditure during that period and a balance sheet showing its financial position as at that date. Annual report and financial statement.

12. There is hereby established for each province of the Union a provincial boxing control board and a provincial wrestling control board. Establishment of provincial boards.

13. (1) A provincial board shall consist of a chairman appointed by the Minister and four other members so appointed, each of whom shall be one of two persons nominated—

(a) in the case of the first appointment of members, by the old provincial board of the province concerned; and

(b) in the case of any subsequent appointment of a member, by the provincial board of the province concerned:

Provided that if the required nominations are not lodged with the Minister within the period stated in a written notice issued by him inviting such nominations from an old provincial board or the provincial board of the province concerned, as the case may be, the Minister may, in making the appointment in respect of which such nominations are not so lodged, appoint any person whom he considers suitable to be a member of the provincial board concerned.

(2) The remuneration of the secretary and other servants of a provincial board and the expenditure incurred by a provincial board with the approval of the board for the effective performance of the functions of the provincial board, shall be paid out of the funds of the board.

14. The provisions of sections *five* and *six* shall *mutatis mutandis* apply to a provincial board: Provided that any payments under sub-section (3) of section *five* shall be made out of the funds of the board. Tenure of office, vacancies, remuneration of members, meetings and quorum in respect of a provincial board.

15. A provincial board may, in respect of the province for which it has been established—

(a) exercise such powers and perform such functions conferred or imposed upon the board by this Act as have been delegated to it by the board under section *eight*;

(b) carry out the instructions or directions of the board;

(c) subject to the approval of the board, appoint a secretary and other servants on such conditions and at such remuneration as it may, with the approval of the board, determine; and

(d) generally, assist the board in the performance of its functions.

16. A provincial board may, with the approval of the board, delegate to a local board any of the powers and functions delegated to that provincial board under section *eight* and any power or function so delegated shall be exercised or performed by that local board in respect of the area assigned to it under section *seventeen*: Provided that a provincial board shall not be Delegation of a provincial board's powers and functions.

divested of any power or function which it may have so delegated to a local board and may amend or withdraw any decision by a local board.

17. (1) The Minister may at the request of a provincial board and on the recommendation of the board, by notice in the *Gazette* establish a local board for any area within the province for which that provincial board has been established and may by such notice determine the place where meetings of such local board shall be held.

Establishment of local boards.

(2) The Minister may at any time at the request of the provincial board of a province within which a local board has been established and on the recommendation of the board, by notice in the *Gazette* extend or reduce the area assigned to such local board under sub-section (1).

18. (1) A local board shall consist of three 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.

Constitution of local board, tenure of office, vacancies and meetings.

(2) The members of a local board shall hold office for such period as the provincial board may determine at the time of their appointment: Provided that the Minister may at any time remove from his office any member of a local board on the grounds specified in the proviso to sub-section (1) of section five.

(3) Sub-section (2) of section five shall *mutatis mutandis* apply to a local board.

(4) The chairman of a local board may at any time call a meeting of the local board.

(5) All decisions at any meeting of a local board shall be by resolution by majority vote.

19. A local board may, in respect of the area assigned to it under section *seventeen*,—

Powers and functions of local boards.

- (a) exercise such powers and perform such functions conferred or imposed upon the board by this Act, as have been delegated to the local board by a provincial board under section *sixteen*;
- (b) carry out the instructions or directions of the provincial board of the province within which the local board has been established; and
- (c) generally, assist the said provincial board in the performance of its functions.

20. No person shall hold or assist in holding any tournament unless the holding of the tournament has been authorized by a licence issued under paragraph (f) of section *seven* and unless the tournament is held in accordance with any conditions imposed by the board under that paragraph.

Tournaments to be authorized.

21. No person shall—

- (a) take part in any tournament as a boxer, wrestler or official; or
- (b) 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
- (c) negotiate with any boxer or wrestler with a view to procuring his services as a boxer or wrestler at a tournament,

Boxers, wrestlers, officials, managers and promoters to be registered.

unless he is in possession of a valid certificate of registration as a boxer, wrestler, official, manager or promoter, as the case may be, issued to him under paragraph (c) of section *seven*.

22. (1) Whenever the commissioner or any deputy commissioner of police or any magistrate or assistant magistrate is of the opinion that any boxing or wrestling contest or exhibition being held or about to be held, should, in the public interest be stopped or forbidden, he shall convey or cause to be conveyed to the person holding or proposing to hold such contest or exhibition or to the participants, a notice, whether verbal or in writing, stopping or forbidding such contest or exhibition.

Boxing or wrestling contests or exhibitions may be stopped or forbidden.

(2) Whenever any officer of the police of or above the rank of sergeant is of the opinion that the continuance of any boxing or wrestling contest or exhibition is likely to result in the life of any participant or any person attending the contest or exhibition being endangered, or in a breach of the peace, he shall order the participants or any person holding or assisting in the

holding of the contest or exhibition, to stop the contest or exhibition and may order all persons present thereat to depart.

(3) Any member of the police on duty shall at all times have free access to any place in which any boxing or wrestling contest or exhibition is being held or about to be held.

23. Any person who—

Offences and penalties.

- (a) contravenes or fails to comply with the provisions of section *twenty*;
- (b) holds, assists in holding, attends or takes part in any boxing or wrestling contest or exhibition which has been stopped or forbidden under sub-section (1) of section *twenty-two*;
- (c) disobeys any order given under sub-section (2) of section *twenty-two*;
- (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;
- (e) participates as a boxer or wrestler in any tournament after having been prohibited under paragraph (f) of section *seven* from so participating in that tournament;
- (f) advertises any tournament by means of an advertisement which differs from any advertisement submitted to the board under sub-paragraph (iv) of paragraph (g) of section *seven*;
- (g) allows any official to take part in a tournament in a capacity other than that in which he was registered under sub-paragraph (i) of paragraph (c) of section *seven*; or
- (h) contravenes or fails to comply with the provisions of section *twenty-one*,

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), or (g) to a fine not exceeding three hundred pounds or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment; and
- (ii) in the case of an offence referred to in paragraph (h), to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine.

24. The Boxing and Wrestling Act, 1923 (Act No. 5 of 1923), and the Wrestling Regulation Act, 1939 (Act No. 10 of 1939), are hereby repealed. Repeal of laws.

25. The Governor-General may by proclamation in the *Gazette* and in the *Official Gazette* of the territory of South-West Africa, declare this Act to be *mutatis mutandis* in force in the territory and thereupon— Application of Act to the territory of South-West Africa.

- (a) any reference to a province of the Union shall include a reference to the territory and any reference to the Union shall be construed as a reference to the Union including the territory;
- (b) the word "six" shall be substituted in sub-section (1) of section *four* for the word "five" and the word "five" for the word "four";
- (c) any reference to an old provincial board shall include a reference to the Administrator of the territory;
- (d) any reference in section *seventeen* to the *Gazette* shall in the application of this Act to the territory be construed as the *Official Gazette* of the territory.

26. This Act shall be called the Boxing and Wrestling Control Act, 1954, and shall come into operation upon a date to be fixed by the Governor-General by proclamation in the *Gazette*. Short title and date of commencement.