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OFFICE OF THE PRESIDENT

KANTOOR VAN DIE PRESIDENT

No. 1637.

11 December 1998

No. 1637.

11 Desember 1998

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

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

No. 136 of 1998: Boxing and Wrestling Control Amendment Act, 1998.

No. 136 van 1998: Wysigingswet op die Beheer van Boks en Stoei, 1998.

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.
Words underlined with a solid line indicate insertions in existing enactments.

ACT

*(English text signed by the President.)
(Assented to 4 December 1998.)*

To amend the Boxing and Wrestling Control Act, 1954, so as to substitute a definition; to amend the constitution of the South African National Boxing Control Commission; to further provide for the compensation of the members of the Commission; to extend and control the powers of the commission; to increase the amounts that may be advanced to the commission; and to increase penalties; and to provide for matters connected therewith.

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

Amendment of section 1 of Act 39 of 1954, as amended by section 1 of Act 51 of 1973, section 1 of Act 62 of 1980, section 1 of Act 30 of 1988 and section 1 of Act 88 of 1993

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 "Minister" of the following definition:
" 'Minister' means the Minister [for] of Sport and Recreation: "

Amendment of section 4 of Act 39 of 1954, as substituted by section 3 of Act 88 of 1993

2. Section 4 of the principal Act is hereby amended—

(a) by the substitution in the words preceding paragraph (a) of subsection (1) for the word "eleven" of the word "twelve";

(b) by the deletion of subparagraphs (i) and (ii) of paragraph (a) of subsection (1);

(c) by the substitution for the first proviso to paragraph (a) of subsection (1) of the following proviso:

"Provided that the Minister shall appoint these [five] three members after each provincial commission has been requested in writing by the Minister to nominate two persons in respect of each appointment referred to in subparagraphs [(i)] [(ii)] [(iii)] [(iv)] [(v)"]; "

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(d) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) the [chairman] chairperson of each of the [six] nine provincial commissions.”; and

(e) by the addition of the following subsection: 5

“(3) The members of the commission shall among their number elect a person to act as a chairperson of the commission, subject to the ratification of such an appointment by the Minister: Provided that the Minister shall appoint such a chairperson if the members fail to elect a chairperson within the period determined by the Minister in writing.”. 10

Amendment of section 5 of Act 39 of 1954, as amended by section 3 of Act 51 of 1973, section 4 of Act 30 of 1988 and section 4 of Act 88 of 1993

3. Section 5 of the principal Act is hereby amended—

(a) by the substitution in the words preceding paragraph (a) of subsection (1) for the expression “4(1)(a)(ii)” of the expression “4(1)(a)(iii)”; and 15

(b) by the substitution for subsection (3) of the following subsection:

“(3) The members of the commission [shall receive no remuneration] may out of the funds of the commission be paid—

(a) annually, such honoraria in respect of their services on the commission [but] ; and 20

(b) [may, out of the funds of the commission, be paid] such allowances to cover expenses reasonably incurred by them in respect of their attendance of the meetings of the commission or while otherwise engaged on the business of the commission, 25

as the Minister may determine.”.

Amendment of section 7 of Act 39 of 1954, as amended by section 3 of Act 62 of 1980 and section 6 of Act 30 of 1988

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

(a) by the deletion at the end of paragraph (o) of the word “and”;

(b) by the addition of the following paragraphs: 30

“(q) to impose a fine not exceeding R50 000 on any boxer, official, trainer, manager or promoter for any contravention of or failure to comply with any provision not referred to in section 23 and to suspend his or her certificate until such fine has been paid; and

(r) to require of any boxer taking part in a tournament in any place outside the Republic to furnish the commission beforehand with full details in writing of the purse money agreed to between such boxer and a promoter and to disclose to the commission any other information relating to the boxer’s participation in a tournament, as the commission may from time to time determine.”; and 35 40

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

“(2) The commission shall give written reasons to any person whose rights have been adversely affected by any administrative action of the commission, and shall offer such a person the opportunity of a hearing to show cause why such action should not have been taken.”. 45

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, section 7 of Act 30 of 1988, section 1 of Act 134 of 1991 and section 6 of Act 88 of 1993

5. Section 9 of the principal Act is hereby amended by the substitution in subsection (2) for the expression “R2 000” of the expression “R5 000”. 50

Amendment of section 10 of Act 39 of 1954, as amended by section 8 of Act 30 of 1988

6. Section 10 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection: 55

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“(3) The Minister may out of moneys appropriated by Parliament for the purpose, advance to the commission such amounts not exceeding in the aggregate ~~[R10 000]~~ R100 000 as he or she may deem necessary to enable it to carry out its functions.”.

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 and section 4 of Act 134 of 1991 5

7. Section 23 of the principal Act is hereby amended—

- (a) by the substitution in paragraph (i) for the expression “R4 000” of the expression “R10 000”; and
- (b) by the substitution in paragraph (ii) for the expression “R2 000” of the expression “R10 000”. 10

Short title and commencement

8. (1) This Act shall be called the Boxing and Wrestling Control Amendment Act, 1998.

(2) Section 2 shall come into operation on a date determined by the President by proclamation in the *Gazette*. 15