

BOXING AND WRESTLING CONTROL ACT

Acts 4/1956, 3/1959, 14/1962 (s. 2), 10/1964, 45/1964, 57/1972 (s. 34), 22/2001 (s. 4) ;6/2005 (s. 31); R.G.N.s 153/1963, 59/1974; S.I 362/1980.

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AN ACT to provide for the establishment of a Zimbabwe National Boxing Control Board and a Zimbabwe National Wrestling Control Board, to define their objects, to prescribe their powers, duties and functions; and to provide for other incidental matters.

[Date of commencement: 27th April, 1956.]

1 Short title

This Act may be cited as the Boxing and Wrestling Control Act [*Chapter 25:02*].

2 Interpretation

In this Act—

“Board” means—

- (a) with reference to matters affecting boxers or boxing, the Zimbabwe National Boxing Control Board established by paragraph (a) of section *three*; and
- (b) with reference to matters affecting wrestlers or wrestling, the Zimbabwe National Wrestling Control Board established by paragraph (b) of section *three*;

“Minister” means the Minister of Sports, Recreation and Culture or any other Minister to whom the President may, from time to time, assign the administration of this Act;

“official” means any referee, judge, timekeeper, assistant timekeeper, announcer, second or ringmaster to whom a certificate of registration as such has been issued under subparagraph (i) of paragraph (c) of subsection (1) of section *eight*;

“promoter” means any person or body to whom a certificate of registration as a promoter has been issued under subparagraph (iii) of paragraph (c) of subsection (1) of section *eight*;

“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.

3 Establishment of Zimbabwe National Boxing Control Board and Zimbabwe National Wrestling Control Board

There is hereby established—

- (a) a board to be known as the Zimbabwe National Boxing Control Board; and
- (b) a board to be known as the Zimbabwe 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.

4 Objects of Board

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

5 Constitution of Board

(1) The Board shall consist of not less than five members appointed by the Minister of whom one shall be designated by the Minister as chairman.

(2) The Board may, with the approval of the Minister, appoint a committee for any area and may delegate to any such committee any function, power or duty which may be exercised by the Board, subject to such restrictions or conditions as the Board may think fit.

6 Tenure of office, vacancies and remuneration of members of Board

(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 office any member 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; or
- (b) if his estate is sequestered; or
- (c) if he becomes of unsound mind; or
- (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) Any member, while engaged upon the business of the Board, shall be paid from the funds of the Board such remuneration and allowances as the Minister, with the approval of the Minister responsible for finance, may from time to time fix.

[Subsection substituted by section 31 of Act 6 of 2005]

7 Meetings and quorum

(1) The meetings of the Board shall be held at such times and places as the Board may fix. (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.

8 Powers of Board

(1) For the purpose of attaining its objects, the Board shall have power—

- (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; and

- (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; and
- (c) to register any person who is not a member of the 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. [Proviso repealed by section 31 of Act 6 of 2005]
- (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 consider necessary; and

- (e) to suspend, cancel or renew any certificate issued under paragraph (c); and
- (f) to issue, subject to such conditions as it may consider fit, licences authorizing the holding of tournaments; and
- (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; and
 - (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 practising in Zimbabwe as the Board may approve; and
 - (iii) full particulars of all arrangements made for the holding of the tournament; and
 - (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; and [Paragraph amended by section 31 of Act 6 of 2005]
- (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 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); and
- (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; and (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; or
 - (ii) retiring from the tournament without sufficient cause; or
 - (iii) committing a deliberate foul as prescribed by regulation; 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; and
- (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 yearly grading of boxers or wrestlers or classes of boxers or wrestlers registered under paragraph (c); and
[Paragraph amended by section 31 of Act 6 of 2005]
- (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; and
- (m) to issue a certificate of introduction to any registered boxer, wrestler, official or promoter proceeding to any place outside Zimbabwe in order to take part in tournaments or to procure the services of any boxer or wrestler ordinarily resident outside Zimbabwe at tournaments in Zimbabwe and to set out in such certificate such particulars concerning the boxer, wrestler, official or promoter as the Board considers necessary; and
- (n) to establish a benevolent fund to be used for such purposes as may be prescribed by regulation; 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. (2) In case of extreme urgency or exceptional circumstances a member of the Board, a member of a committee or a secretary of such Board or committee, as the case may be, may exercise any of the powers mentioned in subsection (1). Any power exercised by any such person shall be subject to the approval of the Board or committee, as the case may be, as soon as reasonably possible after the exercise of such power.

9 Regulations

- (1) The Minister may make regulations not inconsistent with this Act with regard to— (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 not exceeding a fine of level five or imprisonment for a period of six months or both such fine and such imprisonment. [Subsection as amended by section 4 of Act No. 22 of 2001]

10 Funds of Board

- (1) The funds of the Board shall consist of
 - (a) any moneys that may be payable to it from moneys appropriated for the purpose by Act of Parliament; and
 - (b) fees received by it in pursuance of any regulation made under section *nine*; and (c) any funds received by way of gifts or from any other sources whatsoever.
- (2) The Board shall cause full and correct accounts to be kept of all amounts received and expended by it. [Section substituted by section 31 of Act 6 of 2005]

11 Annual report and financial statement

- (1) The Board shall, as soon as possible after the 1st January in each year, submit to the Minister a report on its activities during the year ended the 31st December last preceding.
 - (2) The Board shall, as soon as possible after the 1st January in each year, submit to the Minister a copy of an audited statement of its income and expenditure during the year ended the 30th December last preceding, and a balance sheet showing its financial position on that date.
- [Section amended by section 31 of Act 6 of 2005]

12 Tournaments to be authorized

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 subsection (1) of section *eight* and unless the tournament is held in accordance with any conditions imposed by the Board under that paragraph.

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

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; 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 subsection (1) of section *eight*.

14 Boxing or wrestling contests or exhibitions may be stopped or forbidden (1) Whenever any commissioned police officer of or above the rank of assistant commissioner or any district administrator or employee 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.

(2) Whenever any police officer of or above the rank of assistant inspector 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 police officer of or above the rank of assistant inspector may—

- (a) if he has reason to believe that any person who is about to enter or who has entered any place in which any boxing or wrestling contest or exhibition is being held or about to be held, is likely to cause a breach of the peace, order him not to enter such place or, if he has entered, order him to depart therefrom; or
- (b) if any person who has entered any place in which any boxing or wrestling contest or exhibition is being held or about to be held, does any act which is likely to cause a breach of the peace, order him to depart from such place.

(4) Any police officer 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.

15 Offences and penalties Any

person who—

- (a) allows any official to take part in a tournament in a capacity other than that in which he was registered under subparagraph (i) of paragraph (c) of subsection (1) of section *eight*; or
- (b) advertises any tournament by means of an advertisement which differs from any advertisement submitted to the Board under subparagraph (iv) of paragraph (g) of subsection (1) of section *eight*; or (c) participates as a boxer or wrestler in any tournament after having been prohibited under paragraph (i) of subsection (1) of section *eight* from so participating in that tournament; or
- (d) contravenes section *twelve*; or
- (e) contravenes section *thirteen*; or
- (f) holds, assists in holding, attends or takes part in any boxing or wrestling contest or exhibition which has been stopped or forbidden under subsection (1) of section *fourteen*; or
- (g) disobeys any order given under subsection (2) of section *fourteen*; or
- (h) disobeys any order given under subsection (3) of section *fourteen*; or
- (i) refuses to allow any police officer 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; shall be guilty of an offence and liable—
 - (i) in the case of an offence referred to in paragraph (a), (b), (c), (d), (f), (g) or (i), to a fine not exceeding level six or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment; and

[Paragraph as amended by section 4 of Act No. 22 of 2001]

- (ii) in the case of an offence referred to in paragraph (e) or (h), to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine.

[Paragraph as amended by section 4 of Act No. 22 of 2001]