

Zambia

## Professional Boxing and Wrestling Control Act, 1961

### Chapter 156

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## Professional Boxing and Wrestling Control Act, 1961

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## Zambia

# Professional Boxing and Wrestling Control Act, 1961

## Chapter 156

Commenced on 1 October 1962

*[This is the version of this document as it was at 31 December 1996 to 15 August 2010.]*

*[37 of 1961; Government Notice 497 of 1964; Act No.]*

**An Act to provide for the establishment of a Zambia Professional Boxing Control Board and a Zambia Professional Wrestling Control Board; to define their objects; to prescribe their powers, duties and functions; and to provide for matters incidental to the foregoing.**

### 1. Short title

This Act may be cited as the Professional Boxing and Wrestling Control Act.

### 2. Interpretation

In this Act, unless the context otherwise requires—

**"Board"** means—

- (a) with reference to matters affecting boxers or boxing, the Board established by paragraph (a) of section three;
- (b) with reference to matters affecting wrestlers or wrestling, the Board established by paragraph (b) of section three;

**"boxer"** means a person who engages in boxing for gain;

**"manager"** means any person to whom a certificate of registration has been issued under subsection (1) (c) (ii) of section nine;

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

**"promoter"** means any person to whom a certificate of registration as a promoter has been issued under subsection (1) (c) (iii) of section nine;

**"tournament"** means any function to which members of 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;

**"wrestler"** means a person who engages in wrestling for gain.

### 3. Establishment of Zambia Professional Boxing Control Board and Zambia Professional Wrestling Control Board

There is hereby established—

- (a) a Board to be known as the Zambia Professional Boxing Control Board; and
- (b) a Board to be known as the Zambia Professional 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 under this Act.

#### **4. Objects of Board**

The objects of the Board are to regulate, control and exercise general supervision over professional boxing or wrestling at tournaments in Zambia 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**

The Board shall consist of five members appointed by the Minister of whom one shall be designated by the Minister as chairman.

#### **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 appointments:

Provided that the Minister may at any time remove from his 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;
  - (b) if he is adjudged bankrupt;
  - (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 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.

#### **7. Meetings and quorum**

- (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 subsection (2), 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 the meeting may elect one of their members 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. Application for registration

Any person who desires to be registered as a boxer, wrestler, official, manager or promoter under this Act shall make application in writing to the Board in the prescribed form and manner.

## 9. 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;
  - (b) on receipt of an application in terms of section eight, to make such investigations or require the submission of such further information as it may deem necessary in order to enable it to examine such application, or require any person making application to be registered as a boxer or wrestler to demonstrate his skill as such in such manner as the Board may direct;
  - (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 authorising 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:

Provided that—

- (A) the Board shall not register any person as a boxer, wrestler, official, manager or promoter unless the Board is satisfied that the person concerned is seventeen years of age or more;
  - (B) the Board shall not register any person as a boxer or wrestler who is not of the male sex;
- (d) to refuse to register any person as a boxer, wrestler, official, manager or promoter, if the Board is satisfied—
- (i) that the applicant is not sufficiently conversant with the rules of boxing or wrestling, as the case may be, or does not possess sufficient skill, to warrant his being so registered;
  - (ii) that the applicant is not a fit and proper person to be so registered; or
  - (iii) that the registration of the applicant would be against the public interest;
- (e) to cancel on any of the grounds set out in paragraph (d) any certificate of registration issued under paragraph (c);
- (f) to issue, subject to such conditions as it may deem fit, licences authorising 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 Zambia 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);
  - (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, manager or promoter;
  - (m) to issue a certificate of introduction to any registered boxer, wrestler, official, manager or promoter proceeding to any place outside Zambia in order to take part in tournaments, or to procure the services of any boxer or wrestler ordinarily resident outside Zambia, at tournaments in Zambia, and to set out in such certificates such particulars concerning the boxer, wrestler, official, manager or promoter as the Board deems necessary; and
  - (n) to establish a benevolent fund to be used for such purposes as may be prescribed by regulation under this Act.
- (2) Where the Board refuses to register an applicant or cancels a certificate of registration it shall, on being requested to do so by the applicant or the person whose certificate of registration is cancelled, as the case may be, notify such applicant or person of the grounds for such refusal or cancellation.

- (3) Any applicant for registration whose application is refused and any person whose certificate of registration is cancelled may, within thirty days of his application being refused or of his certificate being cancelled, as the case may be, appeal to the Minister against such refusal or cancellation.
- (4) Where an appeal is made to the Minister under subsection (3), the Minister may give such directions to the Board as he may consider necessary to enable him to determine the appeal, and the Board shall comply with such directions.
- (5) The Minister shall, on an appeal being made to him under this section, confirm or reverse the decision of the Board.

## 10. Regulations

- (1) The Minister may, by statutory instrument, make regulations 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 or issue 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 organised 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 minimum age of persons who may attend at tournaments or at 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;
  - (m) the procedure to be followed by the Board in exercising any powers conferred upon it by this Act and the procedure to be followed in appeals to the Minister;

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 one thousand five hundred penalty units or imprisonment for a period not exceeding six months.

*[As amended by Act [No. 13 of 1994](#)]*

**11. Funds of Board**

- (1) The funds of the Board shall consist of the fees received by it in pursuance of any regulation made under section ten and any funds derived from any other sources whatsoever.
- (2) The Board shall cause full and correct account to be kept of all amounts received and expended by it.

**12. 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 July in each year, submit to the Minister a copy of an audited statement of its income and expenditure during the year ended the 30th June last preceding, and a balance sheet showing its financial position on that date.

**13. Tournaments to be authorised**

No person shall hold or assist in holding any tournament unless the holding of the tournament has been authorised by a licence issued under paragraph (f) of subsection (1) of section nine and unless the tournament is held in accordance with any conditions imposed by the Board under that paragraph.

**14. 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 nine.

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

- (1) Whenever any magistrate is of the opinion that any boxing or wrestling contest or exhibition being held or about to be held should be stopped or forbidden, because it might cause a breach of the peace, 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 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.

## 16. 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 paragraph (c) (i) of subsection (1) of section nine;
- (b) advertises any tournament by means of an advertisement which differs from any advertisement submitted to the Board under paragraph (g) (iv) of subsection (1) of section nine;
- (c) participates as a boxer or wrestler in any tournament after having been prohibited under paragraph (i) of subsection (1) of section nine from so participating in that tournament;
- (d) contravenes or fails to comply with the provisions of section thirteen;
- (e) contravenes or fails to comply with the provisions of section fourteen;
- (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 fifteen;
- (g) disobeys any order given under subsection (2) of section fifteen;
- (h) disobeys any order given under subsection (3) of section fifteen;
- (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 police officer in the execution of his duties under this Act;

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), (f), (g) or (i), to a fine not exceeding nine thousand penalty units or to imprisonment for a period not exceeding twelve months, or to both
- (ii) in the case of an offence referred to in paragraph (e) or (h), to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months, or to such imprisonment without the option of a fine.

*[As amended by Act [No. 13 of 1994](#)]*