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KAAPSTAD, 6 JUNIE 1973.

[No. 3917.

DEPARTMENT OF THE PRIME MINISTER.

No. 953. 6th June, 1973.

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

No. 51 of 1973: Boxing and Wrestling Control Amendment Act, 1973.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 953. 6 Junie 1973.

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

No. 51 van 1973: Wysigingswet op die Beheer van Boks en Stoei, 1973.

Act No. 51, 1973 BOXING AND WRESTLING CONTROL AMENDMENT ACT, 1973.

ACT

To amend the provisions of the Boxing and Wrestling Control Act, 1954, relating to definitions; to the constitution of the South African National Boxing Control Board, the South African National Wrestling Control Board, a provincial boxing control board and a provincial wrestling control board; to the tenure of office of any member of any such control board; and to the power to make regulations; to prohibit the participation of females as boxers or wrestlers at tournaments; to amend the provisions of the said Act relating to offences and penalties; and to the application of the said Act in the territory of South-West Africa; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 29th May, 1973.)*

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

Amendment of
section 1 of Act 39
of 1954.

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 of Sport and Recreation;".

Substitution of
section 4 of Act 39
of 1954.

2. The following section is hereby substituted for section 4 of the principal Act:

"Constitution of
board.

4. (1) The board shall consist of the members appointed by the Minister in terms of subsection (2).

(2) The Minister shall appoint as members of the board—

(a) two persons, of whom one shall be designated by the Minister as chairman; and

(b) in respect of each provincial board, one of two persons nominated by the provincial board concerned: Provided that if within the period stated in a notice in writing issued by the Minister inviting the required nominations from the provincial board concerned, such provincial board has not yet lodged such nominations with the Minister, 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."

Amendment of
section 5 of Act 39
of 1954.

3. Section 5 of the principal Act is hereby amended by the substitution for the proviso to subsection (1) of the following proviso:

"Provided that the Minister may at any time remove from his office any member of the board—

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WET

Tot wysiging van die bepalings van die Wet op die Beheer van Boks en Stoei, 1954, betreffende woordskrywings; die samestelling van die Suid-Afrikaanse Nasionale Boksbeheerraad, die Suid-Afrikaanse Nasionale Stoeibeheerraad, 'n provinsiale boksbeheerraad en 'n provinsiale stoeibeheerraad; die ampstermyn van 'n lid van 'n gemelde beheerraad; en die bevoegdheid om regulasies uit te vaardig; om die deelname van vroue as bokseers of stoeiers aan toernooie te verbied; tot wysiging van die bepalings van genoemde Wet betreffende misdrywe en strawwe; en die toepassing van genoemde Wet in die gebied Suidwes-Afrika; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 29 Mei 1973.)

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

1. Artikel 1 van die Wet op die Beheer van Boks en Stoei, 1954 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:

Wysiging van artikel 1 van Wet 39 van 1954.

„Minister” die Minister van Sport en Ontspanning;”.

2. Artikel 4 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 4 van Wet 39 van 1954.

„Samestelling van raad.

4. (1) Die raad bestaan uit die lede wat die Minister ingevolge subartikel (2) aanstel.

(2) Die Minister stel as lede van die raad aan—
(a) twee persone, van wie een as voorsitter deur die Minister aangewys word; en

(b) ten opsigte van elke provinsiale raad, een van twee persone wat deur die betrokke provinsiale raad genomineer is: Met dien verstande dat indien binne die tydperk aangegee in 'n deur die Minister uitgereikte skriftelike kennisgewing waarin die betrokke provinsiale raad versoek word om die vereiste nominasies in te dien, daardie provinsiale raad nog nie bedoelde nominasies by die Minister ingedien het nie, die Minister, wanneer hy die aanstelling doen ten opsigte waarvan daardie nominasies nie aldus ingedien is nie, enigiemand kan aanstel wat hy geskik ag om 'n lid van die raad te wees.”.

3. Artikel 5 van die Hoofwet word hierby gewysig deur die voorbehoudsbepaling by subartikel (1) deur die volgende voorbehoudsbepaling te vervang:

Wysiging van artikel 5 van Wet 39 van 1954.

„Met dien verstande dat die Minister te eniger tyd 'n lid van die raad uit sy amp kan verwyder—

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- (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;
- (e) if he has absented himself from two consecutive meetings of the board without its leave; or
- (f) if in the opinion of the Minister there exists any other sufficient reason which renders such member unsuitable to remain a member of the board.”.

Amendment of
section 9 of Act 39
of 1954.

4. Section 9 of the principal Act is hereby amended by the substitution for all the words preceding paragraph (a) of subsection (1) of the following words:

“The Minister may, after consultation with the board, make regulations not inconsistent with this Act, with regard to—”.

Amendment of
section 13 of Act 39
of 1954.

5. Section 13 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(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 by the provincial board of the province concerned: Provided that if within the period stated in a notice in writing issued by the Minister inviting the required nominations from the provincial board of the province concerned, such provincial board—

- (a) has not yet lodged such nominations with the Minister; or
- (b) has lodged such nominations with the Minister, but the Minister is of the opinion that any person so nominated is, owing to his lack of knowledge or experience or for any other sufficient reason, unfit to be a member of the board,

the Minister may, in making the appointment in respect of which such nominations are not so lodged or in respect of which any unfit person is so nominated, appoint any person whom he considers suitable to be a member of the provincial board concerned.”.

Insertion of section
21A in Act 39
of 1954.

6. The following section is hereby inserted in the principal Act after section 21:

“Prohibition 21A. (1) No female shall take part in any tournament as a boxer or a wrestler.

in respect of females. (2) No person shall—

- (a) hold or assist in holding any tournament in which any female takes part as a boxer or wrestler;
- (b) negotiate with any female with a view to procuring her services as a boxer or wrestler at any tournament.”.

Substitution of
section 23 of Act 39
of 1954.

7. The following section is hereby substituted for section 23 of the principal Act:

“Offences 23. Any person who—

- and penalties. (a) contravenes or fails to comply with the provisions of section 20;
- (b) holds, assists in holding, attends or takes part in any boxing or wrestling contest or exhibition which has been stopped or forbidden under section 22 (1);

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- (a) wat volgens die oordeel van die Minister, regstreeks of onregstreeks self of deur sy eggenote, vennoot of sakegenoot 'n geldelike belang by boks of stoei by toernooie het;
- (b) indien sy boedel gesekwestreer word;
- (c) indien hy kranksinnig word;
- (d) indien hy weens 'n misdryf veroordeel en tot gevangenisstraf sonder die keuse van 'n boete gevonnis word;
- (e) indien hy van twee agtereenvolgende raadsvergaderings sonder verlof van die raad afwesig was; of
- (f) indien daar volgens die oordeel van die Minister 'n ander gegronde rede bestaan wat so 'n lid ongeskik maak om as lid van die raad aan te bly."

4. Artikel 9 van die Hoofwet word hierby gewysig deur al die woorde wat paragraaf (a) van subartikel (1) voorafgaan, deur die volgende woorde te vervang: Wysiging van artikel 9 van Wet 39 van 1954.

„Die Minister kan, na oorleg met die raad, regulasies wat nie met hierdie Wet onbestaanbaar is nie, uitvaardig met betrekking tot—”.

5. Artikel 13 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang: Wysiging van artikel 13 van Wet 39 van 1954.

„(1) 'n Provinsiale raad bestaan uit 'n voorsitter deur die Minister aangestel en vier ander lede aldus aangestel, van wie elkeen een van twee persone is wat deur die provinsiale raad van die betrokke provinsie genomineer is: Met dien verstande dat indien binne die tydperk aangegee in 'n deur die Minister uitgereikte skriftelike kennisgewing waarin die provinsiale raad van die betrokke provinsie versoek word om die vereiste nominasies in te dien, daardie provinsiale raad—

(a) nog nie bedoelde nominasies by die Minister ingedien het nie; of

(b) bedoelde nominasies by die Minister ingedien het, maar die Minister van oordeel is dat iemand wat aldus genomineer is, vanweë sy gebrek aan kennis of ondervinding of vanweë 'n ander gegronde rede onbevoeg is om 'n lid van die raad te wees,

die Minister, wanneer hy die aanstelling maak ten opsigte waarvan daardie nominasies nie aldus ingedien is nie of ten opsigte waarvan 'n onbevoegde persoon aldus genomineer is, enigiemand kan aanstel wat hy geskik ag om 'n lid van die betrokke provinsiale raad te wees.”.

6. Die volgende artikel word hierby na artikel 21 van die Hoofwet ingevoeg: Invoeging van artikel 21A in Wet 39 van 1954.

„Verbod ten opsigte van vroue. 21A. (1) Geen vrou mag as bokser of stoeier aan 'n toernooi deelneem nie.

(2) Niemand mag—

(a) 'n toernooi waaraan 'n vrou as bokser of stoeier deelneem, hou of by die hou daarvan behulpsaam wees nie; of

(b) met 'n vrou onderhandel met die doel om haar dienste as bokser of stoeier by 'n toernooi te verkry nie.”.

7. Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 23 van Wet 39 van 1954.

„Misdrywe en strawwe. 23. Iemand wat—

(a) die bepalings van artikel 20 oortree of versuim om daaraan te voldoen;

(b) 'n boks- of stoeiwedstryd of -vertoning wat ingevolge artikel 22 (1) stopgesit of verbied is, hou of bywoon of daaraan deelneem of behulpsaam is by die hou daarvan;

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- (c) disobeys any order given under section 22 (2);
 - (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 section 7 (i) 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 section 7 (g) (iv);
 - (g) allows any official to take part in a tournament in a capacity other than that in which he was registered under section 7 (c) (i);
 - (h) contravenes or fails to comply with the provisions of section 21; or
 - (i) contravenes the provisions of section 21A,
- 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), (g) or (i), to a fine not exceeding six hundred rand 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 one hundred rand or to imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine.”.

Amendment of
section 25 of Act 39
of 1954.

8. Section 25 of the principal Act is hereby amended by the deletion of paragraphs (b) and (c).

Short title and
commencement.

9. This Act shall be called the Boxing and Wrestling Control Amendment Act, 1973, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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- (c) 'n bevel wat ingevolge artikel 22 (2) gegee is, verontagsaam;
- (d) weier om aan 'n lid van die polisiemag, terwyl hy diens doen, vrye toegang te verleen tot 'n perseel waarin of waarop 'n boks- of stoeiwedstryd of -vertoning gehou word of gehou gaan word of so 'n lid hinder by die uitvoering van sy pligte kragtens hierdie Wet;
- (e) as 'n bokser of stoeier aan 'n toernooi deelneem nadat hy ingevolge artikel 7 (i) verbied is om aldus aan daardie toernooi deel te neem;
- (f) 'n toernooi adverteer deur middel van 'n advertensie wat verskil van enige kragtens artikel 7 (g) (iv) aan die raad voorgelegde advertensie;
- (g) 'n beamppte toelaat om aan 'n toernooi deel te neem in 'n ander hoedanigheid as dié waarin hy kragtens artikel 7 (c) (i) geregistreer is;
- (h) die bepalings van artikel 21 oortree of versuim om daaraan te voldoen; of
- (i) die bepalings van artikel 21A oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—
 - (i) in die geval van 'n in paragraaf (a), (b), (c), (d), (e), (f), (g) of (i) bedoelde misdryf, met 'n boete van hoogstens ses-honderd rand of gevangenisstraf vir 'n tydperk van hoogstens twaalf maande of met beide daardie boete en daardie gevangenisstraf; en
 - (ii) in die geval van 'n in paragraaf (h) bedoelde misdryf, met 'n boete van hoogstens honderd rand of gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie gevangenisstraf sonder die keuse van 'n boete.”.

8. Artikel 25 van die Hoofwet word hierby gewysig deur Wysiging van paragraawe (b) en (c) te skrap. artikel 25 van Wet 39 van 1954.

9. Hierdie Wet heet die Wysigingswet op die Beheer van Boks en Stoei, 1973, en tree in werking op 'n datum wat die Staats- Kort titel en inwerkingtreding. president by proklamasie in die *Staatskoerant* bepaal.

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