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GOVERNMENT GAZETTE

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STATE PRESIDENT'S OFFICE

No. 1160.

2 July 1993

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

No. 88 of 1993: Boxing and Wrestling Control Amendment Act, 1993.

KANTOOR VAN DIE STAATSPRESIDENT

No. 1160.

2 Julie 1993

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

No. 88 van 1993: Wysigingswet op die Beheer van Boks en Stoei, 1993.

GENERAL EXPLANATORY NOTE:

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

To amend the Boxing and Wrestling Control Act, 1954, so as to define or further define certain expressions and to delete certain definitions; to change the name of the South African National Boxing Control Board to the South African National Boxing Control Commission; to alter the constitution of the said Commission; to make other provision for the tenure of office of appointed members of the Commission; to make further provision in respect of meetings of the Commission and the quorum for such meetings; to extend the power of the Minister to make regulations; to change the designation provincial boxing control board to provincial boxing control commission; and to alter the constitution of provincial commissions; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 23 June 1993.)*

BE IT ENACTED by the State President and 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 and section 1 of Act 30 of 1988

1. Section 1 of the Boxing and Wrestling Control Act, 1954 (hereinafter referred to as the principal Act), is hereby amended— 5
 (a) by the deletion of the definition of “board”;
 (b) by the insertion before the definition of “local board” of the following definitions:
 “commission’ means the South African National Boxing Control Commission contemplated in section 2;
 ‘electoral college’ means an electoral college established under section 9;”;
 (c) by the substitution for the definition of “Minister” of the following definition:
 “Minister’ means the Minister [of National Education] for Sport;”;
 (d) by the substitution for the definition of “local board” of the following definition:
 “local [board] commission’ means a local [board] commission established under section 17;”; and 15
 (e) by the substitution for the definition of “provincial board” of the following definition:
 “provincial’ [board] commission’ means a provincial boxing control [board] commission contemplated in section 12;”. 20

ALGEMENE VERDUIDELIKENDE NOTA:

- []** Woorde in vet druk tussen vierkantige hake dui skrapings uit bestaande verordenings aan.
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- Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.
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WET

Tot wysiging van die Wet op die Beheer van Boks en Stoei, 1954, ten einde sekere uitdrukings te omskryf of nader te omskryf en sekere omskrywings te skrap; die naam van die Suid-Afrikaanse Nasionale Boksbeheerraad te verander na die Suid-Afrikaanse Nasionale Boksbeheerkommissie; die samestelling van genoemde Kommissie te verander; ander voorsiening te maak vir die ampstermy van aangestelde lede van die Kommissie; verdere voorsiening te maak ten opsigte van vergaderings van die Kommissie en die kworum vir die vergaderings; die Minister se bevoegdheid om regulasies te maak, uit te brei; die benaming provinsiale boksbeheerraad te verander na provinsiale boksbeheerkommissie; en die samestelling van provinsiale kommissies te verander; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 23 Junie 1993.)

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

Wysiging van artikel 1 van Wet 39 van 1954, soos gewysig deur artikel 1 van Wet 51 van 1973, artikel 1 van Wet 62 van 1980 en artikel 1 van Wet 30 van 1988

- 5 1. Artikel 1 van die Wet op die Beheer van Boks en Stoei, 1954 (hieronder die Hoofwet genoem), word hierby gewysig—
 (a) deur na die omskrywing van "beampte" die volgende omskrywings in te voeg:
 "kieskollege" 'n kieskollege kragtens artikel 9 ingestel;
 "kommissie" die Suid-Afrikaanse Nasionale Boksbeheerkommissie beoog in artikel 2;";
 (b) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:
 "'Minister' die Minister [van Nasionale Opvoeding] vir Sport;";
 (c) deur die omskrywing van "plaaslike raad" deur die volgende omskrywing te vervang:
 "'plaaslike [raad] kommissie'" 'n plaaslike [raad] kommissie wat kragtens artikel 17 ingestel is;";
 (d) deur die omskrywing van "provinsiale raad" deur die volgende omskrywing te vervang:
 "'provinsiale [raad] kommissie'" 'n provinsiale [boksbeheerraad] boksbeheerkommissie beoog in artikel 12;" en
 (e) deur die omskrywing van "raad" te skrap.

Substitution of section 2 of Act 39 of 1954, as substituted by section 2 of Act 30 of 1988

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

“South African National Boxing Control Commission

2. The [board] body corporate established by this section before the substitution thereof by section 2 of the Boxing and Wrestling Control Amendment Act, [1988] 1993, and known as the South African National Boxing Control Board, shall continue to exist [and to be a corporate body] and shall be known as the South African National Boxing Control Commission.”.

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Substitution of section 4 of Act 39 of 1954, as substituted by section 2 of Act 51 of 1973

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

“Constitution of commission

4. (1) The commission shall consist of eleven members, namely—

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- (a) (i) a chairman;
- (ii) an additional member;
- (iii) one medical practitioner as defined in section 1 of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974);
- (iv) one public accountant as defined in section 1 of the Public Accountants' and Auditors' Act, 1991 (Act No. 80 of 1991); and
- (v) one of the following persons, namely—
 - (aa) a person admitted to practise as an advocate in terms of the Admission of Advocates Act, 1964 (Act No. 74 of 1964); or
 - (bb) a person admitted to practise as an attorney in terms of the Attorneys Act, 1979 (Act No. 53 of 1979),

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who shall be appointed by the Minister: Provided that the Minister shall appoint these five 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) to (v): Provided further that if within the period stated in the request by the Minister to any provincial commission concerned to make the required nominations, such provincial commission has failed to lodge such nominations with the Minister, the Minister may, in making the appointment in respect of which such nominations have not been so lodged, appoint any person whom he considers suitable to be a member of the commission; and

- (b) the chairman of each of the six provincial commissions.

(2) Any person registered in terms of section 7(c) may not be a member of the commission.”.

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

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

- (a) by the substitution in subsection (1) for the words preceding the proviso, of the following words:

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“The chairman of the [board] commission shall hold office for such period, and any other member of the [board] commission referred to in section 4(1)(a)(ii) to (v) for such period, but not exceeding three years, as the Minister may determine at the time of the appointment.”; and

Vervanging van artikel 2 van Wet 39 van 1954, soos vervang deur artikel 2 van Wet 30 van 1988

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

“Suid-Afrikaanse Nasionale Boksbeheerkommissie

5 2. Die **[raad]** regspersoon ingestel by hierdie artikel voor die vervanging daarvan deur artikel 2 van die Wysigingswet op die Beheer van Boks en Stoei, **[1988]** 1993, en met die naam die Suid-Afrikaanse Nasionale Boksbeheerraad, bly voortbestaan **[en** 10 **bly 'n regspersoon]** met die naam die Suid-Afrikaanse Nasionale Boksbeheerkommissie.”.

Vervanging van artikel 4 van Wet 39 van 1954, soos vervang deur artikel 2 van Wet 51 van 1973

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

“Samestelling van kommissie

15 4. (1) Die kommissie bestaan uit elf lede, naamlik—
(a) (i) 'n voorsteer;
(ii) 'n addisionele lid;
(iii) een geneesheer soos omskryf in artikel 1 van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidssdiensberoepe, 1974 (Wet No. 56 van 1974);
20 (iv) een openbare rekenmeester soos omskryf in artikel 1 van die Wet op Openbare Rekenmeesters en Ouditeurs, 1991 (Wet No. 80 van 1991); en
(v) een van die volgende persone, naamlik—
(aa) iemand wat ingevolge die Wet op die Toelating van Advokate, 1964 (Wet No. 74 van 1964), toegelaat is om as 'n adyokaat te praktiseer; of
(bb) iemand wat ingevolge die Wet op Prokureurs, 1979 (Wet No. 53 van 1979), toegelaat is om as 'n prokureur te praktiseer,
30 wat deur die Minister aangestel word: Met dien verstande dat die Minister daardie vyf lede aanstel nadat elke provinsiale kommissie deur die Minister skriftelik versoek is om twee persone te benoem ten opsigte van elke aanstelling in subparagraphe (i) tot (v) bedoel: Met dien verstande voorts dat indien binne die tydperk aangegee in die Minister se versoek aan 'n betrokke provinsiale kommissie om die vereiste benoemings te maak, daardie provinsiale kommissie versuum het om bedoelde benoemings by die Minister in te dien, die Minister, wanneer hy die aanstelling doen ten opsigte waarvan daardie benoemings nie aldus ingedien is nie, enigiemand kan aanstel wat hy geskik ag om 'n lid van die kommissie te wees; en
35 (b) die voorsteer van elk van die ses provinsiale kommissies.
40 (2) Iemand wat ingevolge artikel 7(c) geregistreer is, mag nie 'n lid
45 van die kommissie wees nie.”.

Wysiging van artikel 5 van Wet 39 van 1954, soos gewysig deur artikel 3 van Wet 51 van 1973 en artikel 4 van Wet 30 van 1988

4. Artikel 5 van die Hoofwet word hierby gewysig—

50 (a) deur in subartikel (1) die woorde wat die voorbehoudsbepaling vooraf gaan deur die volgende woorde te vervang:
“Die voorsteer van die **[raad]** kommissie beklee sy amp vir die tydperk, en enige ander lid van die **[raad]** kommissie in artikel 4(1)(a)(ii) tot (v) bedoel vir die tydperk **[van]**, maar hoogstens drie jaar, wat die Minister ten tyde van die aanstelling **[mag]** bepaal:”; en

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- (b) by the substitution for paragraph (e) of subsection (1) of the following paragraph:
- “(e) if he has absented himself from two consecutive meetings of the [board] commission without its leave;”.

Amendment of section 6 of Act 39 of 1954, as amended by section 5 of Act 30 of 1988 5

5. Section 6 of the principal Act is hereby amended—

- (a) by the substitution for subsection (4) of the following subsection:
- “(4) The quorum of a meeting of the [board] commission shall be [three] five of the members thereof.”; and
- (b) by the addition of the following subsection:
- “(6) The proceedings of the commission shall not be invalid only by reason of the fact that a vacancy exists on such commission.”.

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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 and section 1 of Act 134 of 1991

6. Section 9 of the principal Act is hereby amended by the insertion after paragraph (m) of subsection (1) of the following paragraph:

- “(n) the establishment and functioning of the electoral college for a provincial commission.”.

Substitution of section 12 of Act 39 of 1954, as substituted by section 9 of Act 30 of 1988 and amended by section 2 of Act 134 of 1991 20

7. The following section is hereby substituted for section 12 of the principal Act:

“Provincial boxing control commissions

**12. (1) The provincial boxing control board established for each province by this section before the substitution thereof by section [9] 25
7 of the Boxing and Wrestling Control Amendment Act, [1988] 1993,
shall continue to exist as a provincial boxing control commission:
Provided that for the province of the Cape of Good Hope there shall be [two] three provincial [boards] commissions from such date and for such districts as the Minister may determine by notice in the Gazette.** 30

(2) The members of the first [board] commission of each additional provincial [board] commission established after the commencement of the Boxing and Wrestling Control Amendment Act, [1991] 1993, in terms of the proviso to subsection (1) for the province of the Cape of Good Hope, shall be appointed [by the Minister after nominations have been submitted to him] in the manner determined in section 13[(1) by the provincial board existing at the commencement of the said Act for the said province].”. 35

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Substitution of section 13 of Act 39 of 1954, as amended by section 5 of Act 51 of 1973, section 5 of Act 62 of 1980 and section 3 of Act 134 of 1991

8. The following section is hereby substituted for section 13 of the principal Act:

“Constitution of provincial commissions, remuneration of officials and expenditure

13. (1) A provincial commission shall consist of nine members appointed by the Minister, namely—

- (a) (i) one medical practitioner as defined in section 1 of the

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- (b) deur paragraaf (e) van subartikel (1) deur die volgende paragraaf te vervang:
- “(e) indien hy van twee agtereenvolgende [raadsvergaderings] kommissievergaderings sonder verlof van die [raad] kommissie afwesig was;”.

Wysiging van artikel 6 van Wet 39 van 1954, soos gewysig deur artikel 5 van Wet 30 van 1988

- 5 5. Artikel 6 van die Hoofwet word hierby gewysig—
- (a) deur subartikel (4) deur die volgende subartikel te vervang:
- “(4) Die kworum vir ’n vergadering van die [raad] kommissie is [drie] vyf lede daarvan.”; en
- (b) deur die volgende subartikel by te voeg:
- “(6) Die verrigtinge van die kommissie is nie ongeldig bloot op grond daarvan dat daar ’n vakature in die kommissie bestaan nie.”.

Wysiging van artikel 9 van Wet 39 van 1954, soos gewysig deur artikel 4 van Wet 51 van 1973, artikel 4 van Wet 62 van 1980, artikel 7 van Wet 30 van 1988 en artikel 1 van Wet 134 van 1991

- 10 6. Artikel 9 van die Hoofwet word hierby gewysig deur na paragraaf (m) van subartikel (1) die volgende paragraaf in te voeg:
- “(n) die samestelling en werksaamhede van die kieskollege vir ’n provinsiale kommissie.”.

Vervanging van artikel 12 van Wet 39 van 1954, soos vervang deur artikel 9 van Wet 30 van 1988 en gewysig deur artikel 2 van Wet 134 van 1991

- 15 25 7. Artikel 12 van die Hoofwet word hierby deur die volgende artikel vervang:

“Provinsiale boksbeheerkommissies

- 30 35 40 45 12. (1) Die provinsiale boksbeheerraad vir elke provinsie ingestel by hierdie artikel voor die vervanging daarvan deur artikel [9] 7 van die Wysigingswet op die Beheer van Boks en Stoei, [1988] 1993, bly voortbestaan as ’n provinsiale boksbeheerkommissie. Met dien verstande dat daar vir die provinsie die Kaap die Goeie Hoop [twee] drie provinsiale [rade] kommissies is vanaf ’n datum en vir die distrikte wat die Minister by kennisgewing in die Staatskoerant bepaal.
- (2) Die lede van die eerste [raad] kommissie van elke bykomende provinsiale [raad] kommissie wat na die inwerkingtreding van die Wysigingswet op die Beheer van Boks en Stoei, [1991] 1993, ingevolge die voorbehoud by subartikel (1) vir die provinsie die Kaap die Goeie Hoop ingestel word, word [deur die Minister aangestel nadat nominasies] aangestel op die wyse in artikel 13 [(1)] bepaal [deur die provinsiale raad wat by die inwerkingtreding van genoemde Wet vir genoemde provinsie bestaan het, aan hom voorgelê is].”.

Vervanging van artikel 13 van Wet 39 van 1954, soos gewysig deur artikel 5 van Wet 51 van 1973, artikel 5 van Wet 62 van 1980 en artikel 3 van Wet 134 van 1991

- 50 8. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang:

“Samestelling van provinsiale kommissies, besoldiging van amptenare en uitgawes

13. (1) ’n Provinsiale kommissie bestaan uit nege lede deur die Minister aangestel, naamlik—
- (a) (i) een geneesheer soos omskryf in artikel 1 van die Wet op

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| <p>Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974);</p> <p>(ii) one public accountant as defined in section 1 of the Public Accountants' and Auditors' Act, 1991 (Act No. 80 of 1991);</p> <p>(iii) one of the following persons, namely—</p> <ul style="list-style-type: none"> (aa) a person admitted to practise as an advocate in terms of the Admission of Advocates Act, 1964 (Act No. 74 of 1964); or (bb) a person admitted to practise as an attorney in terms of the Attorneys Act, 1979 (Act No. 53 of 1979); and <p>(iv) two additional members:</p> <p>Provided that the Minister shall at his discretion appoint the said five members after the electoral college of the said province has submitted to him the names of three persons in respect of each category referred to in subparagraphs (i), (ii) and (iii), and of six persons in respect of the additional members referred to in subparagraph (iv); and</p> <p>(b) one member to represent each of the following four categories, namely—</p> <ul style="list-style-type: none"> (i) boxers; (ii) managers, trainers and seconds; (iii) promoters and matchmakers; (iv) ring announcers and ring officials (including judges, referees, time keepers and ring masters): <p>Provided that the Minister shall appoint such four members after the electoral college for the province concerned has been requested in writing by the Minister to nominate one person in respect of each category: Provided further that if within the period stated by the Minister in his request to such electoral college to make the required nominations, such electoral college has failed to lodge such nominations with the Minister, the Minister may, in making the appointments, appoint any person whom he considers suitable to be a member of that provincial commission.</p> <p>(2) The nominations in terms of subsection (1) shall be made after persons having an interest have been requested by the electoral college in an Afrikaans and an English newspaper circulating in the area of that provincial commission to submit to the electoral college concerned the names of persons for nomination in the different categories.</p> <p>(3) A member of a provincial commission shall hold office for such period, but not exceeding three years, as the Minister may determine at the time of his appointment.</p> <p>(4) The members of a provincial commission shall from among their number elect a person to act as chairman of the commission.</p> <p>(5) Any person registered in terms of section 7(c) may not be a member of a provincial commission.</p> <p>(6) The remuneration of the secretary and other officials of a provincial commission and the expenditure incurred by a provincial commission with the approval of the commission for the effective performance of the functions of the provincial commission, shall be paid out of the funds of the commission.”.</p> | <p>5</p> <p>10</p> <p>15</p> <p>20</p> <p>25</p> <p>30</p> <p>35</p> <p>40</p> <p>45</p> <p>50</p> |
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Substitution of section 14 of Act 39 of 1954

9. The following section is hereby substituted for section 14 of the principal Act:

“Removal from office, vacancies, remuneration of members, meetings and quorum in respect of provincial commission”

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14. The provisions of sections 5 and 6 shall *mutatis mutandis* apply to a provincial [board] commission: Provided that any payments under section 5(3) shall be made out of the funds of the [board] commission.”.

- Geneeshere, Tandartse en Aanvullende Gesondheidsdiens-
beroep, 1974 (Wet No. 56 van 1974);
- (ii) een openbare rekenmeester soos omskryf in artikel 1 van die Wet op Openbare Rekenmeesters en Ouditeurs, 1991 (Wet No. 80 van 1991);
- (iii) een van die volgende persone, naamlik—
 (aa) iemand wat ingevolge die Wet op die Toelating van Advokate, 1964 (Wet No. 74 van 1964), toegelaat is om as 'n advokaat te praktiseer; of
 (bb) iemand wat ingevolge die Wet op Prokureurs, 1979 (Wet No. 53 van 1979), toegelaat is om as 'n prokureur te praktiseer; en
- (iv) twee addisionele lede:
 Met dien verstande dat die Minister na goeddunke genoemde vyf lede aanstel nadat die kieskollege van die betrokke provinsie die name van drie persone ten opsigte van elke kategorie in subparagraphe (i), (ii) en (iii) bedoel, en van ses persone ten opsigte van die addisionele lede in subparagraph (iv) bedoel, aan hom voorgelê het; en
- (b) een lid om elk van die volgende vier kategorieë te verteenwoordig, naamlik—
 (i) boksers;
 (ii) bestuurders, afrigters en helpers;
 (iii) promotors en vegknopers;
 (iv) krytaankondigers en -beamptes (met inbegrip van beoordeelaars, skeidsregters, tydhouders en krytmeesters):
 Met dien verstande dat die Minister die vier lede aanstel nadat die kieskollege vir die betrokke provinsie deur die Minister skriftelik versoek is om een persoon ten opsigte van elke kategorie te benoem; Met dien verstande voorts dat indien binne die tydperk aangegee in die Minister se versoek aan daardie kieskollege om die vereiste benoemings te maak, daardie kieskollege versuim het om bedoelde benoemings by die Minister in te dien, die Minister, wanneer hy die aanstellings doen, enigiemand kan aanstel wat hy gesik ag om lid van daardie provinsiale kommissie te wees.
- (2) Die benoemings ingevolge subartikel (1) geskied nadat die kieskollege belanghebbende persone in 'n Afrikaanse en Engelse nuusblad wat in die gebied van daardie provinsiale kommissie in omloop is, versoek het om die name van persone vir benoeming in die verskillende kategorieë aan die betrokke kieskollege voor te lê.
 (3) 'n Lid van die provinsiale kommissie beklee sy amp vir 'n tydperk, maar hoogstens drie jaar, wat die Minister ten tyde van sy aanstelling bepaal.
 (4) Die lede van die provinsiale kommissie kies uit hulle geledere iemand om as voorsitter van die kommissie op te tree.
 (5) Iemand wat ingevolge artikel 7(c) geregistreer is, kan nie 'n lid van 'n provinsiale kommissie wees nie.
 (6) Die besoldiging van die sekretaris en ander amptenare van 'n provinsiale kommissie en die uitgawes deur 'n provinsiale kommissie met die goedkeuring van die kommissie vir die doeltreffende verrigting van die werkzaamhede van die provinsiale kommissie aangegaan, word uit die fondse van die kommissie betaal."

Vervanging van artikel 14 van Wet 39 van 1954

9. Artikel 14 van die Hoofwet word hierby deur die volgende artikel vervang:

"Verwydering uit amp, vakatures, besoldiging van lede, vergaderings en kworum ten opsigte van provinsiale kommissie

14. Die bepalings van artikels 5 en 6 is *mutatis mutandis* op 'n provinsiale **[raad] kommissie van toepassing: Met dien verstande dat enige betalings ingevolge artikel 5(3) uit die fondse van die **[raad]** kommissie geskied."**

Substitution of expression in Act 39 of 1954

10. The principal Act is hereby amended by the substitution for the expression "board", wherever it occurs, of the expression "commission".

Short title

11. This Act shall be called the Boxing and Wrestling Control Amendment Act, 5
1993.

Vervanging van uitdrukking in Wet 39 van 1954

10. Die Hoofwet word hierby gewysig deur die uitdrukking "raad", waar dit ook al voorkom, deur die uitdrukking "kommissie" te vervang.

Kort titel

5 **11.** Hierdie Wet heet die Wysigingswet op die Beheer van Boks en Stoei, 1993.

