

[LEGAL NOTICE No. 8]

BOXING COMMISSION OF FIJI PROMULGATION
(PROMULGATION No. 13 OF 2008)

**BOXING COMMISSION OF FIJI (AMATEUR BOXING
ASSOCIATION OF FIJI) REGULATIONS 2013**

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IN exercise of the powers conferred upon the Commission by section 21 of the Boxing Commission of Fiji Promulgation 2008, the Commission hereby makes these Regulations—

PART 1—PRELIMINARY

Short title and commencement

1.—(1) These Regulations may be cited as the Boxing Commission of Fiji (Amateur Boxing Association of Fiji) Regulations 2013.

(2) These Regulations shall come into force on the date of its publication in the *Gazette*.

Interpretation

2. In these Regulations, unless the context otherwise requires—

- “amateur boxing” means any form of boxing organised by the Association;
- “amateur boxer” means any boxer registered under the Association;
- “amateur boxing official” means a manager, trainer, referee, and second recorder or time keeper for amateur boxing;
- “AIBA” means Association Internationale de Boxe Amateur;
- “Association” means the Amateur Boxing Association of Fiji established under regulation 3;
- “Committee” means the Disciplinary Proceedings Committee established under regulation 23;
- “Commission” means the Boxing Commission of Fiji established under section 3 of the Boxing Commission of Fiji Promulgation 2008;
- “Executive Member” means an Executive Member of the Association elected by registered members of the Association under regulation 7;
- “Match Commissioner” means a person appointed under regulation 18 to supervise an amateur boxing contest;
- “Minister” means the Minister responsible for Youth and Sports;
- “Permanent Secretary” means the Permanent Secretary for Youth and Sports;
- “Promulgation” means the Boxing Commission of Fiji Promulgation 2008; and
- “registered member” means the members of an amateur boxing club or amateur boxing officials club duly registered with the Association under these Regulations.

PART 2—AMATEUR BOXING ASSOCIATION

Establishment of Amateur Boxing Association

3.—(1) This regulation establishes the Amateur Boxing Association of Fiji.

(2) The Association shall be responsible for all matters pertaining to the management and administration of amateur boxing in Fiji.

Division branches

4. The Association shall establish division branches in the Central, Eastern, Western and Northern divisions to cater for amateur boxing programmes around the country.

Functions of the Association

5. The functions of the Association are to—

- (a) promote and manage amateur boxing programmes in Fiji;
- (b) ensure that uniform standards as per the AIBA Articles and Rules are used in amateur boxing;
- (c) advise the Commission on formulation, development and review of amateur boxing policies, including the review of this Regulations and any other matter relating to amateur boxing;
- (d) monitor and assess the management of amateur boxing contests and operations and management of amateur boxing clubs and amateur boxing officials clubs;
- (e) liaise with other bodies, countries or international agencies in consultation with the Commission in developing policies, strategies and agreements relating to amateur boxing;
- (f) perform other functions given to it under these Regulations or any other written law; and
- (g) advise the Commission as and when requested on the financial, administration and operational position of the Association.

Powers of the Association

6. The Association shall have powers to—

- (a) register amateur boxing clubs, amateur boxing officials clubs and individuals who wish to be registered with the Association;
- (b) grant a permit for amateur boxing contests;
- (c) approve championship titles for amateur boxing; and
- (d) exercise any other power necessary or convenient for the proper implementation of these Regulations.

Executive Members of the Association

7.—(1) The Association shall consist of the following persons Executive Members elected by the Association—

- (a) a Chairperson;
- (b) a Deputy Chairperson;
- (c) a Treasurer;
- (d) a Secretary; and
- (e) 2 other persons.

(2) The Executive Members shall be responsible for the administration of the Association and the performance of the functions and powers conferred upon the Association by these Regulations or any other written law.

Term of office

8. The Executive Members of the Association shall hold office for a term of 3 years and are eligible for re-election.

Remuneration

9. Executive Members of the Association other than public officers are entitled to remuneration determined by the Commission and approved by the Minister.

PART 3—ADMINISTRATION

AIBA Articles and Rules

10. The programmes of amateur boxing will be operated in accordance with the Articles and Rules of the international body known as the Association Internationale de Boxe Amateur dated 1st January 2003 and any of its subsequent amendments.

Association to ensure compliance with AIBA

11. The Association shall ensure that the AIBA Articles and Rules currently in operation are applied in all aspects of amateur boxing in so far as it does not contradict the provisions of these Regulations and the Boxing Commission of Fiji Promulgation 2008.

Election of Executive Members

12.—(1) The Association shall conduct elections for the Executive Members within 7 days before the term of office of the Executive Members lapse.

(2) Elections shall be conducted at a Special General meeting or Annual General meeting of the Association.

(3) Registered members shall be given 7 days notice of the time and place of elections.

(4) Registered members may submit their nominations for elections to the Secretary no less than 3 days prior to the elections.

(5) A person nominated under subsection (4) must be a registered member of an amateur boxing club or amateur boxing officials club.

Voting

13.—(1) A registered member who has not paid its annual subscription in full shall be prohibited from—

- (a) submitting any nominations for elections; and
- (b) voting at any meeting or elections.

(2) In the event of an equality of votes, the presiding executive member of the Association shall have the casting vote.

PART 4—REGULATION OF AMATEUR BOXING

Membership

14. A person who is a member of an amateur boxing club or amateur boxing officials club becomes a member of the Association by virtue of registration of that amateur boxing club or amateur boxing officials club with the Association.

Registration of amateur boxing clubs and amateur boxing officials clubs

15.—(1) Any persons operating or purporting to operate an amateur boxing club or amateur boxing officials club must ensure that the club is duly registered with the Association.

(2) An application for registration must—

- (a) be made by two or more persons associated together primarily for the purpose of protecting or furthering their interests and those of their amateur boxing club or amateur boxing officials club;

- (b) be made to the Association in the approved form and accompanied by the approved fee;
- (c) include a list of all persons who are members of that amateur boxing club or amateur boxing officials club; and
- (d) include any other documentary information required by the Association.

(3) The Association, in consultation with the Commission, may set out guidelines detailing prerequisite conditions for registration.

Registration of amateur boxers and amateur boxing officials

16.—(1) A person shall not participate in an amateur boxing contest as an amateur boxer or amateur boxing official unless he or she is a member of an amateur boxing club or amateur boxing officials club registered with the Association.

(2) Any person who fails to comply with this regulation shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 2 years, or both.

Subscription

17. Every member of the Association shall pay an annual subscription fee as approved by the Association.

Appointment of Match Commissioner

18.—(1) The Association shall, with the approval of the Commission, appoint a Match Commissioner to supervise an amateur boxing contest organised or approved by the Association.

(2) A Match Commissioner shall, prior to the commencement of any boxing contest ensure that the participating amateur boxers and amateur boxing officials are registered members of an amateur boxing club or amateur boxing officials club which has been sanctioned by the Association to participate in such contests.

(3) A Match Commissioner shall ensure that an amateur boxing contest is conducted in accordance with these Regulations, the Promulgation and the AIBA Articles and Rules.

(4) A Match Commissioner shall be remunerated in a manner and at a rate determined by the Association.

PART 5—MEETINGS

Annual General Meeting

19.—(1) The Annual General Meeting of the Association shall be held within the first quarter of every financial year.

(2) A Notice of any motion to be considered at the Annual General Meeting shall be lodged with the Secretary of the Association 14 days prior to the date of the meeting.

Special General Meeting

20—(1) The Chairperson may, in consultation with the Commission, call a Special General Meeting for the purposes of elections or any pertinent issues regarding the Association.

(2) The Secretary of the Association shall 7 days prior to a Special General Meeting, inform registered members by notice of the time and venue of the meeting.

(3) The notice shall state the reason for the calling of the Special General Meeting.

(4) Twenty five (25%) percent of the registered members shall form a quorum.

PART 6—REGISTRATION AND RECORDS

Register and records

21. This regulation establishes a Register of the Associations which shall consist of—

- (a) a register of all amateur boxing clubs, amateur boxing officials club and individual members of the Association;
- (b) records of the Association for the purposes of their operations, administration, meetings and registrations; and
- (c) records of every amateur boxer and amateur boxing official pertaining to their participation in any boxing programme.

Inspection

22. The Association shall at all times, within official hours, keep their Register and records open for inspection by members of the public, the Commission or any persons delegated by the Commission.

PART 7—DISCIPLINARY PROCEEDINGS

Disciplinary Proceedings Committee

23.—(1) This regulation establishes the Disciplinary Proceedings Committee which shall consist of 3 persons appointed by the Executive Members of the Association.

(2) Members of the Committee shall hold office for a term of 3 years and are eligible for reappointment.

(3) Members of the Committee are entitled to be remunerated at a rate and in a manner determined by the Commission and approved by the Minister.

(4) The Committee has the power to hear and determine any case or complaint brought before it.

Complaints and investigations

24.—(1) Any person or body may make a complaint to the Committee regarding any alleged misconduct or unsatisfactory conduct of any agent, amateur boxer, amateur boxing club, amateur boxing official, amateur boxing officials club or any other body or person registered under the Association.

(2) A complaint under subsection (1) shall be made in writing.

(3) The Committee shall upon receipt of a complaint do all things necessary to investigate that complaint.

Committee may investigate without a complaint

25. The Committee may investigate the conduct of an agent, amateur boxer, amateur boxing club, amateur boxing official, amateur boxing officials club or any other body or

person registered under the Association, if the Committee has reason to believe that the conduct may amount to misconduct or unsatisfactory conduct, even though no complaint has been made or a complaint made has been withdrawn.

Further information and verification

26.—(1) Upon receipt of a complaint under regulation 24 (1), the Committee must notify the complainant in writing of receipt of the complaint.

(2) Upon receipt of a complaint, the Committee may—

- (a) require the complainant to provide further information, including —
 - (i) name and address of the complainant;
 - (ii) name of the person or body, which is the subject of the complaint;
 - (iii) details of the conduct complained of;
 - (iv) reliefs, including compensation, being sought by the complainant; or
- (b) require that the complaint or any matter referred to in the complaint be verified by a statutory declaration.

Person or body being complained of or investigated to be informed

27. Upon receipt of a complaint under regulation 24, or at the commencement of an investigation under regulation 25, the Committee shall inform the person or body being complained of or investigated, in writing of the complaint or reason for the investigation.

Requirement for explanation and production of documents

28. The Committee shall, by written notice, require that a person or body being complained of or investigated provide within the time specified in that notice a sufficient and satisfactory written explanation of the matters referred to in the complaint and any documentary evidence relevant to the matter.

Failure to provide explanation or production of documents

29. Where a person or body being complained of fails to comply with regulation 28, the Committee shall issue a written notification stating that if such failure continues for a period of fourteen days, it shall be taken as an admission of guilt.

Proceedings

30. The Committee, upon receipt of a complaint made in accordance with regulation 24(1) or after conducting an investigation under regulation 25 and having complied with regulations 26 and 29, shall consider the matter and—

- (a) where such a complaint or investigation is trivial, unsubstantiated or without merit, summarily dismiss the complaint or findings of the investigation and give notice in writing to the parties concerned; or
- (b) where such a complaint or investigation has merit, fix a date and time for a hearing.

Decision from proceedings

31.—(1) In accordance with regulation 30(b) the Committee shall hear evidence and pass a written decision on a matter being complained of or investigated.

(2) The Committee in its written decision may—

- (a) make such efforts as it sees fit to facilitate the resolution of the matter in question, including mediation;

- (b) impose a suspension from any amateur programmes for not more than 6 months; or
- (c) impose a fine of not exceeding \$2,000 to be paid within 30 days.

(3) A person or body who fails to comply with sub-regulation 2(c) shall automatically be suspended from any amateur boxing programmes until full payment is made.

Appeals

32.—(1) Any person aggrieved by the decision of the Committee may within 14 days from the date the decision was made appeal to the Commission.

(2) An appeal to the Commission shall be in writing setting out the grounds of appeal.

Powers of Commission on appeal

33.—(1) The Commission upon considering the appeal shall either –

- (a) uphold the decision of the Committee in its entirety;
- (b) uphold the decision of the Committee but adjust the penalty;
- (c) order for a re-hearing; or
- (d) quash the decision of the Committee and dismiss the complaint.

(2) Any decision of the Commission made in regard to sub-regulation (1) is final and binding.

Suspension to remain in force

34. Should a person chose to exercise his or her right of appeal under regulation 32, the decision of the Committee to impose a suspension on that person shall remain in force until such time the Commission makes a decision on the appeal.

Criminal or civil proceedings not a bar to disciplinary proceedings

35. The laying of a criminal charge or the preferring of any civil proceedings in a court of law against a member shall not be a bar to a disciplinary proceeding before the Committee.

PART 8—FUNDING

Amateur Boxing Trust Fund

36.—(1) The Association may, from time to time, request the Commission for the release of fund for such purposes designed for the benefit of amateur boxing from the Amateur Boxing Fund established and administered by the Commission under section 28 of the Promulgation.

(2) The Commission shall not unreasonably withhold funds designated for the purpose and operation of the Association.

Power to raise funds

37. The Association shall have powers to raise its own funds.

PART 9—ACCOUNTS AND AUDIT

Bank Account

38.—(1) The Association shall, with the Commission's approval, open a bank account in the name of the Association to be operated with dual signatories.

(2) The Chairperson, or in his or her absence, the Deputy Chairperson shall be the principal signatory of the bank account.

(3) The Association shall ensure that the funds of the Association are administered in accordance with the law and for the sole benefit of the Association.

Audits

39. The accounts of the Association shall be audited annually by the Auditor General or by such other persons on such other terms and conditions that the Commission may appoint.

PART 10—MISCELLANEOUS

Financial Year

40. The financial year of the Association shall commence on 1st of January and end on the 31st of December of each year.

Strategic & Corporate Plans

41.—(1) The Association shall, in consultation with the Commission, prepare its corporate and strategic plans.

(2) The strategic plan shall be for the period of 3 years.

(3) The corporate plan shall be for the period of 1 year.

Initial appointments of the Executive Members of the Association

42.—(1) Notwithstanding the provisions of these Regulations as to the election of the Executive Members of the Association all initial appointments, immediately upon commencement of these Regulations, to the following positions shall be made by the Commission in their discretion, the—

- (a) Chairperson;
- (b) Deputy Chairperson;
- (c) Treasurer;
- (d) Secretary; and
- (e) 2 other persons

(2) Executive Members of the Association appointed under sub-regulation (1) shall hold office until such the time the Commission holds elections in accordance with these Regulations.

(3) All appointments made by the Commission under sub-regulation (1), shall be valid and deemed to have been made in accordance with these Regulations.

(4) The provisions of these Regulations, including the provisions on functions and powers of the Association shall be applicable to all persons appointed by the Commission under sub-regulation (1).

Dated this 25th day of January 2013.

J. RABUKU
Chairperson
Boxing Commission of Fiji

