

NEW SOUTH WALES
DRAFT GOVERNMENT BILL

Combat Sports Amendment Bill 2023

Explanatory note

Overview of Bill

The object of this Bill is to amend the *Combat Sports Act 2013* and the *Combat Sports Regulation 2014* to—

- (a) prescribe the circumstances in which a contest should be stopped or suspended for combatant health and safety, and
- (b) provide for mandatory training relating to the management of concussion and head injuries for industry participants, promoters, referees, combat sports inspectors and combatants, and
- (c) provide for the accreditation of attending medical practitioners to ensure attending medical practitioners have relevant qualifications and skills endorsements including mandatory training relating to the management of concussion and head injuries, and
- (d) provide for the rules to mandate the medical equipment required to be available at combat sport contests, and
- (e) provide for improved management of pre-contest and post-contest medical examinations and medical suspensions, and
- (f) strengthen incentives for industry participants and combatants to self-report failed medical examinations and medical suspensions imposed in other jurisdictions, and
- (g) clarify the period for which serological certificates remain current, and
- (h) improve matchmaking requirements and processes and fight card provisions to ensure combat sport contests are matched fairly, and
- (i) update and simplify provisions relating to registration, including initial eligibility for registration and renewals, and enable the Combat Sports Authority to prescribe prerequisite skills and training, and

public consultation draft

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- (j) provide for the registration of amateur referees, judges and timekeepers, and
- (k) make particular information included on the registers of registered combatants, industry participants and promoters publicly available, and
- (l) strengthen penalties and offences, and
- (m) increase the maximum term for which Combat Sports Authority members may be appointed from 6 to 9 years, and
- (n) introduce other minor legislative changes to clarify requirements and obligations and reduce red tape and administrative burden relating to the regulation of combat sports in New South Wales.

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NEW SOUTH WALES
DRAFT GOVERNMENT BILL

Combat Sports Amendment Bill 2023

No , 2023

A Bill for

An Act to amend the *Combat Sports Act 2013* and the *Combat Sports Regulation 2014* for particular purposes.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Combat Sports Amendment Act 2023*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

DRAFT

Schedule 1 Amendment of Combat Sports Act 2013 No 96

[1] Section 4 Definitions

Insert before section 4(1)—

- (1A) The Dictionary in Schedule 3 defines words used in this Act.

Note— The *Interpretation Act 1987* contains definitions and other provisions affecting the interpretation and application of this Act.

[2] Section 4(1)

Omit the definitions of *amateur combat sport contest*, *approved form*, *attending medical practitioner*, *professional combat sport contest*, *promoter*, *second* and *trainer*.

[3] Section 4(1)

Insert in alphabetical order—

amateur combat sport contest—see section 5(1).

approved form means a form approved by the Authority under section 109.

attending medical practitioner means a medical practitioner, accredited under Part 2A, who is engaged by the promoter of a combat sport contest to—

- (a) carry out the functions of an attending medical practitioner in relation to the contest, and
- (b) to be present, in the capacity of a medical practitioner, at a weigh-in for the contest or at the contest.

category 1 head injury sign means a physical indication, symptom or other sign of a head injury specified in the rules as being a category 1 head injury sign.

category 2 head injury sign means a physical indication, symptom or other sign of a head injury specified in the rules as being a category 2 head injury sign.

certificate of fitness—see section 7A(1).

close associate—see section 6A(1).

contest includes an exhibition contest but does not include sparring.

current certificate of fitness—see section 7A(2).

exhibition contest means a combat sport contest in which each combatant knowingly engages in the contest on the basis that—

- (a) there is no adjudication of the contest for the purposes of determining or declaring a winner, and
- (b) there is no intention of determining or declaring a winner of the contest.

medical suspension—see section 16A(2).

professional combat sport contest—see section 5(2).

promoter, of a combat sport contest, means the person who has effective control of the promotion of the contest.

registration class, of a combatant, means the registration class, determined by the Authority under section 10, in which the combatant is registered.

registration class, of an industry participant or a promoter, means the registration class, determined by the Authority under section 22, in which the industry participant or promoter is registered.

relevant approved amateur body, for a combat sport contest, means an approved amateur body for the combat sport involved in the contest.

safety training condition, in relation to a person's registration under this Act, means a condition requiring the person to undertake, and successfully complete to the standard required by the Authority, training relating to the management of concussion and head injuries specified in the rules.

sparring means a training or practice activity in a combat sport between 2 people in relation to which there is no adjudication for the purposes of determining or declaring, nor any intention of determining or declaring, a winner at the end of the activity.

sports rules, for a combat sport contest, means the rules relating to the combat sport involved in the contest under or in accordance with which the contest is being held or adjudicated.

trainer—see section 6(1)(c).

[4] **Section 5**

Omit section 5. Insert instead—

5 Amateur and professional combat sport contests

- (1) In this Act, a combat sport contest is an **amateur combat sport contest** if—
- (a) the contest has been approved by a relevant approved amateur body for the contest, and
 - (b) the contest is held in accordance with the approved amateur sports rules for the combat sport in which the combatants will engage in the contest, and
 - (c) the match-maker for the contest is a person nominated or approved by a relevant approved amateur body for the contest, and
 - (d) the combatants engaging in the contest will not receive a financial reward, make a financial gain or otherwise receive a prize of more than nominal value for engaging in the contest, and
 - (e) none of the combatants engaging in the contest are registered, under this Act or under the laws of any other jurisdiction, in a professional class for the style of combat sport in which the combatants will engage in the contest, and
 - (f) the contest satisfies any other criteria prescribed by the regulations for the purposes of this subsection.
- (2) In this Act, a combat sport contest is a **professional combat sport contest** unless the contest is—
- (a) an amateur combat sport contest, or
 - (b) an exhibition contest.

[5] **Section 6 Industry participants**

Omit section 6(1)(c) and (d).

Insert instead—

- (c) an individual who does any of the following (a **trainer**)—
 - (i) supervises the training or instruction of a combatant or who accompanies a combatant into or onto the contest area to give advice or assistance during a combat sport contest,
 - (ii) assists a combatant under the supervision or on the advice of a person mentioned in subparagraph (i),

- (iii) assists a person mentioned in subparagraph (i) in the preparation of combatants,

[6] Section 6A

Insert after section 6—

6A Close associates

- (1) For the purposes of this Act, a person is a *close associate*, of an applicant for registration as a manager or a promoter, if the person—
- (a) holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power, whether in the person's own right or on behalf of any other person, in the business of the applicant, and by virtue of that interest or power is or will be able, in the opinion of the Authority, to exercise a significant influence over or with respect to the conduct of the business, or
 - (b) holds or will hold any relevant position, whether in the person's own right or on behalf of any other person, in the business of the applicant.
- (2) In this section—
- relevant financial interest*, in relation to a business, means—
- (a) any share in the capital of the business, or
 - (b) any entitlement to receive any income derived from the business, whether the entitlement arises at law or in equity or otherwise.
- relevant position* means any of the following positions—
- (a) the position of director, manager or any other executive position and the position of secretary, however those positions are designated,
 - (b) any other position prescribed by the regulations for the purposes of this definition.
- relevant power* means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others—
- (a) to participate in any directorial, managerial or executive decision, or
 - (b) to elect or appoint any person to any relevant position.

[7] Section 7 Serological clearances

Omit section 7. Insert instead—

7 Serological clearances

- (1) In this Act, a *serological clearance*, for a person, means a certificate by a medical practitioner or a pathology service provider that—
- (a) the medical practitioner or pathology service provider is of the opinion that the person is not capable of transmitting to another person any medical condition or disease specified by the regulations, and
 - (b) the medical practitioner's or pathology service provider's opinion is based on the results of blood tests or other tests carried out on a date specified in the certificate.
- (2) For the purposes of this Act, a serological clearance is a *current serological clearance* if the tests referred to in the clearance were carried out within the period prescribed by the regulations.
- (3) In this section—

pathology service provider means a person who provides a pathology service.

[8] Section 7A

Insert after section 7—

7A Certificates of fitness

- (1) In this Act, a *certificate of fitness*, for a person, means a certificate by a medical practitioner, in the approved form, certifying that, on the date specified in the certificate, the person—
 - (a) does not have a medical, health or other physical condition prescribed by the regulations as being a condition that disqualifies a person from being registered as a combatant in the registration class of combatant in which the person is, or has applied to be, registered (a *disqualifying condition*), and
 - (b) satisfies any other health requirements determined by the Authority or specified in the rules as being required to be met by the person for registration as a combatant in the registration class of combatant in which the person is, or has applied to be, registered, and
 - (c) is, in the medical practitioner's opinion, otherwise fit to engage in combat sport.
- (2) For the purposes of this Act, a certificate of fitness is a *current certificate of fitness* if the certificate was signed by the medical practitioner not more than 28 days before the certificate is sought to be relied on by the person.

[9] Section 8 Approval of amateur combat sport bodies

Insert after section 8(4)—

- (4A) An approved amateur body must comply with any conditions to which the body's approval is subject.
Maximum penalty—100 penalty units.

[10] Section 10

Omit the section. Insert instead—

10 Registration classes of combatants

The Authority may, with the approval of the Minister, determine the registration classes of combatants for the purposes of registration as a combatant.

[11] Section 11 Application for registration as a combatant

Omit section 11(2). Insert instead—

- (2) The application must—
 - (a) be in the approved form, and
 - (b) specify 1 or more registration classes of combatant in which the applicant is applying to be registered, and
 - (c) be accompanied by—
 - (i) a current certificate of fitness for the applicant, and
 - (ii) a current serological clearance for the applicant, and
 - (iii) any other information or document required by the Authority, and

- (iv) the fee, if any, prescribed by the regulations.

[12] Section 11(3)

Omit section 11(3). Insert instead—

- (3) The Authority may exempt an applicant from a requirement under subsection (2)(c)(i)–(iii) if, at the time the application is made—
- (a) in relation to a requirement under section (2)(c)(i)—the Authority already holds a current certificate of fitness for the applicant, or
 - (b) in relation to a requirement under section (2)(c)(ii)—the Authority already holds a current serological clearance for the applicant, or
 - (c) in relation to a requirement under section (2)(c)(iii)—the Authority already holds the information or document.

[13] Section 13 Determination of application

Insert after section 13(2)(d)—

- (d1) if the applicant is registered in 1 or more other registration classes of combatant—the applicant’s registration in the other class or classes is suspended, or
- (d2) the Authority is of the opinion that it would be contrary to the public interest to grant the registration, or

[14] Section 14 Conditions of registration

Insert “standard” before “conditions” in section 14(3).

[15] Section 14(6)

Insert after section 14(5)—

- (6) A combatant must comply with any conditions imposed on the combatant’s registration.
Maximum penalty—50 penalty units.

[16] Section 15 Duration of registration

Omit section 15(3).

[17] Section 15A

Insert after section 15—

15A Variation of registration

- (1) A person registered as a combatant may apply to the Authority to vary the registration to add or remove a registration class.
- (2) The application must—
 - (a) be in the approved form, and
 - (b) be accompanied by the fee, if any, payable for the application prescribed by the regulations, and
 - (c) specify the registration class the person is applying to be added or removed, and
 - (d) if the person is applying to add a registration class, be accompanied by—
 - (i) a current certificate of fitness for the applicant, and

- (ii) a current serological clearance for the applicant, and
 - (iii) any other information or document required by the Authority.
- (3) The Authority may exempt an applicant from a requirement under subsection (2)(d) if—
 - (a) in relation to a requirement under section (2)(d)(i) or (ii)—at the time the application is made, the Authority already holds a current certificate or clearance for the applicant, or
 - (b) in relation to a requirement under section (2)(d)(iii)—the applicant has already provided Authority with the information or document.
- (4) Section 13 applies to the application as if it were an application to be registered as a combatant under section 11.
- (5) To avoid doubt, if the Authority grants an application to add a registration class (the *added class*) to the applicant's registration as a combatant, the person's registration in the added class ends on the same day as the applicant's registration as a combatant before the addition of the added class.

[18] Section 16

Omit section 16. Insert instead—

16 Restriction on registration of former professional combatants in amateur classes

- (1) This section applies to a person who—
 - (a) is, or has been, registered as a combatant for a registration class applicable to professional combat sport contests for a style of combat sport, or
 - (b) has competed as a combatant in a professional combat sport contest.
- (2) The Authority must not subsequently register the person for a registration class applicable to amateur combat sport contests for the same style of combat sport unless the Authority is satisfied the subsequent registration is appropriate.
- (3) The Authority may determine guidelines for deciding whether it is appropriate to subsequently register a person under subsection (2).
- (4) The Authority must publish any guidelines determined under subsection (3) on the Authority's website.
- (5) In deciding whether it is appropriate to subsequently register the person, the Authority must have regard to any guidelines published under subsection (4).
- (6) The person's registration for the registration class applicable to professional combat sport contests for a style of combat sport is cancelled if the person is subsequently registered for the registration class applicable to amateur combat sport contests for the same style of combat sport.

[19] Sections 16A–16E

Insert after section 16—

16A Automatic medical suspension of combatant's registration

- (1) A person's registration as a combatant is automatically suspended in the following circumstances—
 - (a) the person loses a combat sport contest by knockout under the sports rules for the combat sport involved in the contest,

- (b) the person becomes subject of an automatic or other suspension on the basis of a medical suspension certification by an authority responsible for the regulation and administration of combat sports in another jurisdiction,
 - (c) the person becomes subject of a medical suspension certification by a medical practitioner in New South Wales,
 - (d) the person becomes subject of a medical suspension certification by a medical practitioner in another jurisdiction.
- (2) For the purposes of this Act, the suspension of a person's registration under this section is a *medical suspension*.
- (3) The suspension of the person's registration as a combatant under this section applies to each registration class of combatant in which the person is registered.
- (4) In this section—
- knockout**—
- (a) includes a technical knockout if the person who calls for the contest to be stopped (the *caller*) does so on the basis that the caller—
 - (i) observed a category 1 head injury sign in a combatant, or
 - (ii) under a direction by another person who observed a category 1 head injury sign in a combatant, but
 - (b) does not include a tap out or submission.
- medical suspension certification** means a certification by a medical practitioner on any of the following terms—
- (a) that, in the medical practitioner's opinion, the person is not medically fit to engage in a combat sport contest or sparring,
 - (b) that the person must not engage in any combat sport contest or sparring until the person has been examined and cleared by a medical practitioner as being fit to engage in combat sport,
 - (c) that the person must not engage in any combat sport contest or sparring before a specified date,
 - (d) that the person must not engage in any combat sport contest or sparring before a specified date unless the person has been examined and cleared by a medical practitioner as being fit to engage in combat sport.

16B Duration of medical suspension

- (1) The medical suspension of a person's registration starts—
- (a) for a medical suspension under section 16A(1)(a)—as soon as the knockout occurs, or
 - (b) for a medical suspension under section 16A(1)(b)—when the automatic or other suspension started, or
 - (c) for a medical suspension under section 16A(1)(c) or (d)—when the person is notified of the medical suspension.
- (2) The medical suspension ends—
- (a) for a medical suspension under section 16A(1)(a)—in accordance with the regulations, or
 - (b) for a medical suspension relating to a certification that the person is not medically fit to engage in a combat sport contest or sparring—on the

day a medical practitioner subsequently certifies that the person is medically fit to engage in a contest or sparring, or

- (c) for a medical suspension under section 16A(1)(b)—on the day the automatic or other suspension ends, or
- (d) for a medical suspension relating to a certification that the person must not engage in any combat sport contest or sparring until the person has been examined and cleared by a medical practitioner as being fit to engage in combat sport—on the day the person is examined and cleared by a medical practitioner as being fit to engage in combat sport, or
- (e) for a medical suspension relating to a certification that the person must not engage in any combat sport contest or sparring before a specified date—on the specified date, or
- (f) for a medical suspension relating to a certification that the person must not engage in any combat sport contest or sparring before a specified date unless the person has been examined and cleared by a medical practitioner as being fit to engage in combat sport—on the earlier of the specified date or the day the person is examined and cleared by a medical practitioner as being fit to engage in combat sport.

16C Authority must notify combatants of particular medical suspensions

- (1) As soon as reasonably practicable after becoming aware that a combatant is subject of a medical suspension imposed as a result of a certification given by a medical practitioner under Part 3, the Authority must give the combatant written notice of the medical suspension.
- (2) The notice must state the following—
 - (a) the combatant's name,
 - (b) that the person's registration as a combatant is automatically suspended under the Act, section 16A,
 - (c) for a medical suspension under section 16A(1)(a)—the details of the contest in which the combatant was knocked out,
 - (d) for a medical suspension under section 16A(1)(c)—the details of the medical suspension certification,
 - (e) when the medical suspension started and will end.

16D Combatant must notify Authority of particular medical suspensions

- (1) This section applies to a combatant who becomes the subject of a medical suspension other than a medical suspension imposed as a result of a certification given by a medical practitioner under Part 3.
- (2) The combatant must give the Authority notice of the medical suspension as soon as practicable after becoming aware of the medical suspension.
Maximum penalty—50 penalty units.
- (3) The notice must—
 - (a) state the combatant's name, and
 - (b) state that the combatant is the subject of a medical suspension, and
 - (c) state the day on which the combatant became aware of the medical suspension, and
 - (d) for a medical suspension referred to in section 16A(2)(b)–(d)—
 - (i) state the name and contact details of the authority or medical practitioner, and

- (ii) state the terms of the medical suspension, and
- (iii) be accompanied by a copy of the medical suspension certification.

16E Combatant must notify Authority of end of medical suspension

- (1) A combatant must give the Authority written notice of the end of a medical suspension to which the combatant was subject as soon as practicable after the medical suspension ends.
- (2) The notice must include the following information—
 - (a) the combatant's name,
 - (b) the day on which the medical suspension ended,
 - (c) details of the medical suspension to which the notice relates, including the conditions that were required to be met for the medical suspension to end,
 - (d) a copy of any certification by a medical practitioner required to end the medical suspension.

[20] Section 17 Register of combatants

Omit section 17(5). Insert instead—

- (5) The regulations may make provision for or with respect to—
 - (a) the information on the register that may be made publicly available, and
 - (b) the circumstances in which information on the register must be made available to particular persons.

[21] Section 18 Issue of medical record books

Omit section 18(1) and (2). Insert instead—

- (1) The Authority must issue each registered combatant with a medical record book in the form the Authority considers appropriate, including in electronic form.
- (2) A medical record book may contain 1 or more medical record cards in the approved form.

[22] Section 20 Industry participants and promoters must be registered

Omit section 20(3) and (4). Insert instead—

- (3) A corporation must not—
 - (a) carry out an activity as a manager unless the corporation is registered as a manager of the registration class applicable to the contest, or
 - (b) otherwise carry out an activity as an industry participant.Maximum penalty—
 - (a) for a corporation whose registration for the applicable registration class has been cancelled, other than cancellation on surrender of registration—320 penalty units, or
 - (b) otherwise—200 penalty units.
- (4) A corporation must not promote a combat sport contest unless the corporation is registered as a promoter of the registration class applicable to the contest. Maximum penalty—

- (a) for a corporation whose registration for the applicable registration class has been cancelled, other than cancellation on surrender of registration—320 penalty units, or
- (b) otherwise—200 penalty units.

[23] Section 20(6)(c)

Omit the paragraph.

[24] Section 22

Omit the section. Insert instead—

22 Registration classes of industry participants and promoters

The Authority may, with the approval of the Minister, determine the registration classes of industry participants and promoters for the purposes of registration as an industry participant or promoter.

[25] Section 23 Application for registration as industry participant or promoter

Insert after section 23(1)—

- (1A) A corporation may apply to the Authority to be registered as a manager or promoter of a specified registration class or classes.

[26] Section 23(2)

Omit the subsection. Insert instead—

- (2) The application must—
 - (a) be in the approved form, and
 - (b) specify 1 or more classes in which the applicant is applying to be registered, and
 - (c) for an application by a corporation under subsection (1A)—include the following details for each close associate of the applicant—
 - (i) the close associate's name,
 - (ii) the close associate's date and place of birth,
 - (iii) the close associate's residential address, and
 - (d) be accompanied by any other information or document required by the Authority, and
 - (e) be accompanied by the fee, if any, prescribed by the regulations.

[27] Section 23(3)

Omit the subsection. Insert instead—

- (3) The Authority may exempt an applicant from the requirement under subsection (2)(d) if, at the time the application is made, the Authority already holds the information or document.

[28] Section 25 Determination of application

Insert “for an application by an individual—” before “that the applicant” in section 25(1)(c).

[29] Section 25(1)(d1)–(d3)

Insert after section 25(1)(d)—

- (d1) that the applicant has provided the proof of any qualifications or the endorsement of skills or experience required by the Authority for registration in the class,
- (d2) that the applicant has undertaken, and successfully completed to the standard required by the Authority, training relating to the management of concussion and head injuries prescribed by the regulations,
- (d3) that the applicant has undertaken, and successfully completed to the standard required by the Authority, any other training or examination required by the Authority for registration in the class,

[30] Section 25(2)(c1)

Insert after section 25(2)(c)—

- (c1) the Authority is of the opinion that it would be contrary to the public interest to grant the registration, or

[31] Section 25(5)

Insert after section 25(4)—

- (5) For the purposes of determining an application by a corporation for registration as a manager or promoter, a reference in this section to the applicant includes a reference to each close associate of the applicant.

[32] Section 26 Security determinations

Insert after section 26(5)—

- (6) For the purposes of investigating and making a determination in relation to an application by a corporation for registration as a manager or promoter, a reference in this section to the applicant includes a reference to each close associate of the applicant.

[33] Section 27 Conditions of registration

Insert “standard” before “conditions” in section 27(2).

[34] Section 27(5)

Insert after section 27(4)—

- (5) An industry participant or promoter must comply with any conditions imposed on the industry participant’s or promoter’s registration.

Maximum penalty—

- (a) for an individual—50 penalty units, or
- (b) otherwise—100 penalty units, or

[35] Section 28 Duration of registration

Omit section 28(2).

[36] Sections 28A–28D

Insert after section 28—

28A Variation of registration

- (1) A person registered as an industry participant may apply to the Authority to vary the person’s registration to add or remove a registration class of industry participant.

- (2) A person registered as a promoter may apply to the Authority to vary the person's registration to add or remove a registration class of promoter.
- (3) The application must—
 - (a) be in the approved form, and
 - (b) be accompanied by the fee, if any, payable for the application prescribed by the regulations, and
 - (c) specify the registration class the person is applying to be added or removed, and
 - (d) if the person is applying to add a registration class, be accompanied by any other information or records required by the Authority.
- (4) The Authority may exempt an applicant from a requirement under subsection (3)(d) if the applicant has already provided Authority with the information or record.
- (5) Sections 25 and 26 apply to the application as if it were an application to be registered as an industry participant or promoter under section 23.
- (6) To avoid doubt, if the Authority grants an application to add a registration class (the *added class*), the applicant's registration in the added class ends on the same day as the applicant's registration as an industry participant or promoter before addition of the added class.

28B Automatic suspension of registration—safety training conditions

A person's registration as an industry participant or promoter is automatically suspended if the person does not comply with a safety training condition of the person's registration.

28C Duration of automatic suspension of registration

- (1) The automatic suspension of a person's registration under section 28B starts at the end of the day on which the person was due to comply with the safety training condition.
- (2) The suspension ends on the day on which the Authority gives the person written notice that the Authority is satisfied the person has complied with the safety training condition.

28D Notice of automatic suspension of registration

- (1) As soon as a reasonably practicable after becoming aware of the automatic suspension of a person's registration under section 28B, the Authority must give the person written notice of the suspension.
- (2) The notice must state the following—
 - (a) that the person's registration as an industry participant or promoter is automatically suspended under the Act, section 28B,
 - (b) the safety training condition to which the suspension relates,
 - (c) the day on which the suspension started,
 - (d) that the suspension will end on the day the Authority notifies the person that the Authority is satisfied the person has complied with the relevant condition.

[37] Section 29 Register of industry participants and promoters

Omit section 29(5). Insert instead—

- (5) The regulations may make provision for or with respect to—
 - (a) the information included in the register that may be made publicly available, and
 - (b) the circumstances in which information included in the register must be made available to particular persons.

[38] Section 30 Grounds for disciplinary action

Insert after subsection (1)(d)—

- (e) the Authority is satisfied that it would be contrary to the public interest for the person to be remain registered.

[39] Part 2A

Insert after section 37—

Part 2A Accreditation of attending medical practitioners

37A Attending medical practitioners must be accredited

- (1) A person must not carry out an activity as, or exercise a function of, an attending medical practitioner unless the person is accredited as an attending medical practitioner by the Authority.
Maximum penalty—50 penalty units.
- (2) A promoter for a combat sport contest must not engage a person to be present, in the capacity of a medical practitioner, at a weigh-in for the contest or at the contest unless the person is accredited as an attending medical practitioner by the Authority.
Maximum penalty—50 penalty units.

37B Applications for accreditation as attending medical practitioner

- (1) A medical practitioner may apply to the Authority for accreditation as an attending medical practitioner.
- (2) An application must—
 - (a) be in the approved form, and
 - (b) be accompanied by the fee, if any, payable for the application prescribed by the regulations, and
 - (c) be accompanied by—
 - (i) evidence of the medical practitioner's current registration with the Australian Health Practitioner Regulation Authority as a medical practitioner, and
 - (ii) evidence that the medical practitioner's holds current medical indemnity insurance of an appropriate level to cover a combat sport contest, and
 - (iii) evidence that the medical practitioner holds any other qualification, or has successfully completed any training or course of education, prescribed by the regulations, and
 - (iv) any other information required by the Authority.

29C Deciding application

- (1) The Authority may accredit a medical practitioner as an attending medical practitioner if the Authority is satisfied of the following—

- (a) that the application is made in accordance with this Division,
 - (b) that the medical practitioner is a fit and proper person to be accredited as an attending medical practitioner,
 - (c) as to any other matter prescribed by the regulations.
- (2) The Authority must refuse to accredit a medical practitioner as an attending medical practitioner—
- (a) if the Authority is not satisfied of the matters specified in subsection (1), or
 - (b) in any other circumstances prescribed by the regulations.
- (3) Subsection (2) does not limit the grounds on which the Authority may refuse to accredit a medical practitioner as an attending medical practitioner.
- (4) The Authority is not required to decide an application for accreditation as an attending medical practitioner if—
- (a) the Authority is not satisfied as to the identity of the applicant, or
 - (b) the applicant fails, without reasonable excuse, to provide any relevant information or record requested by the Authority.

29D Conditions of accreditation

- (1) The Authority may, on accreditation of an attending medical practitioner or at any later time, impose conditions on the accreditation.
- (2) The regulations may impose standard conditions on the accreditation of attending medical practitioners.
- (3) The Authority may, at any time, revoke a condition or vary a condition on the accreditation of an attending medical practitioner, other than a standard condition imposed by the regulations.
- (4) This section does not limit any other power of the Authority under this Act to impose conditions on accreditation.
- (5) A person must comply with any conditions imposed on the person's accreditation.
Maximum penalty for subsection (5)—50 penalty units.

29E Suspension or cancellation of accreditation

- (1) The Authority may suspend a person's accreditation as an attending medical practitioner on any of the following grounds—
 - (a) the person is no longer a medical practitioner or the person's registration with the Australian Health Practitioner Regulation Authority as a medical practitioner is suspended,
 - (b) the Authority considers the person is not satisfactorily performing, or cannot satisfactorily perform, the functions of an attending medical practitioner,
 - (c) the person does not comply with a condition of the person's accreditation,
 - (d) the person no longer holds current medical indemnity insurance of an appropriate level to cover a combat spot contest,
 - (e) any other ground prescribed by the regulations.

- (2) The Authority may cancel a person's accreditation as an attending medical practitioner on a ground stated in subsection (1) if the Authority is satisfied that cancellation is warranted in the circumstances.
- (3) The Authority must give the person written notice of the suspension or cancellation.
- (4) The notice must include the following details—
 - (a) the person's name,
 - (b) details of the accreditation being suspended or cancelled,
 - (c) details of the grounds on which the accreditation is being suspended or cancelled,
 - (d) if the notice relates to a suspension—
 - (i) the day on which the suspension starts, and
 - (ii) the day on which the suspension ends,
 - (e) if the notice relates to a cancellation—the day on which the accreditation is cancelled,
 - (f) any other details prescribed by the regulations.

29F Register of attending medical practitioners

- (1) The Authority must keep a register of attending medical practitioners.
- (2) The register must include the following details for each person accredited as an attending medical practitioner—
 - (a) the person's name and date of birth,
 - (b) the person's home address and business address,
 - (c) a contact telephone number or email contact details for the person,
 - (d) the person's Australian Health Practitioner Regulation Authority registration number,
 - (e) details of any conditions to which the person's accreditation is subject,
 - (f) any other information prescribed by the regulations.
- (3) The Authority may determine the way in which the register is maintained.
- (4) The Authority must ensure that information included on the register is accurate and up-to-date.
- (5) The regulations may make provision for or with respect to—
 - (a) the information included on the register that may be made publicly available, and
 - (b) the circumstances in which information included on the register must be made available to particular persons.

[40] Section 38 Application of Division

Insert after section 38(b)—

- (c) 2 or more combat sport contests, if the contests are held on consecutive days and at the same venue.

[41] Section 39

Omit section 39. Insert instead—

39 Requirement for permit to hold particular combat sport contest

- (1) A person must not hold a combat sport contest unless the person is the holder of a permit to promote the contest.
Maximum penalty—
- (a) for an individual—360 penalty units or 12 months imprisonment, or both, or
 - (b) otherwise—720 penalty units.
- (2) For the purposes of subsection (1)—
- (a) a person does not hold a combat sport contest if the person only provides or controls the premises at which the contest is held, and
 - (b) an approved amateur body does not hold an amateur combat sport contest if the approved amateur body only does 1 or both of the following—
 - (i) approves the contest,
 - (ii) arranges for a judge, referee, timekeeper or combat sport inspector to officiate at or attend the contest.

[42] Section 40 Application for permit

Omit “An individual” from section 40(1). Insert instead “A person”.

[43] Section 40(2)(d)

Insert after section 40(2)(c)—

- (d) be accompanied by the fee, if any, prescribed by the regulations.

[44] Section 40(3)

Omit the subsection.

[45] Section 42 Conditions of permit

Insert “standard” before “conditions” in section 42(2).

[46] Section 42(4)

Insert after section 42(3)—

- (4) The holder of a permit must comply with any conditions imposed on the permit.
Maximum penalty—
- (a) for an individual—20 penalty units, or
 - (b) otherwise—40 penalty units.

[47] Section 50

Omit the section. Insert instead—

50 Unfit combatant not to engage in contests or sparring

- (1) A combatant must not engage in a combat sport contest or sparring in the following circumstances—
- (a) a medical practitioner certifies under this Part that, in the medical practitioner’s opinion, the combatant is not medically fit to engage in the contest or sparring and the combatant is notified of the certification,

- (b) a medical practitioner certifies, under this Part or otherwise, that the combatant must not engage in any combat sport contest or sparring until the combatant has been examined and cleared by a medical practitioner as being fit to engage in combat sports and—
 - (i) the combatant is notified of the certification, and
 - (ii) the combatant has not been examined and cleared by a medical practitioner as being fit to engage in combat sports before the contest or sparring,
- (c) a medical practitioner certifies, under this Part or otherwise, that the combatant must not engage in any combat sport contest or sparring before a specified date, and—
 - (i) the combatant is notified of the certification, and
 - (ii) the contest or sparring is held before the specified date,
- (d) a medical practitioner certifies, under this Part or otherwise, that the combatant must not engage in any combat sport contest or sparring before a specified date unless the combatant has been examined and cleared by a medical practitioner as being fit to engage in combat sports and—
 - (i) the combatant is notified of the certification, and
 - (ii) the contest or sparring is held before the specified date and the combatant has not been examined and cleared by a medical practitioner as being fit to engage in combat sports before the contest or sparring.

Maximum penalty—50 penalty units.

- (2) This section does not apply in respect of a matter certified by a medical practitioner, other than an attending medical practitioner, to the extent that the Authority, on the advice or recommendation of a medical practitioner or after considering the report of a medical practitioner, directs that it is not to apply.
- (3) The combatant must give the Authority written notice of the medical practitioner's certification as soon as practicable after being notified of the certification unless the certification is given under this Part.

Maximum penalty—20 penalty units.

[48] Section 51 Obligation of promoter—unfit combatant

Omit section 51(1), penalty. Insert instead—

Maximum penalty—

- (a) for an individual—500 penalty units or 12 months imprisonment, or both, or
- (b) otherwise—1,000 penalty units.

[49] Section 52 Obligation of promoter—protective clothing and equipment

Omit section 52, penalty. Insert instead—

Maximum penalty—

- (a) for an individual—160 penalty units, or
- (b) otherwise—320 penalty units.

[50] Section 53 Obligation of promoter—attending medical practitioner

Insert “accredited under Part 2A” before “is present” in section 53.

[51] Section 53

Omit section 53, penalty. Insert instead—

Maximum penalty—

- (a) for an individual—500 penalty units or 12 months imprisonment, or both, or
- (b) otherwise—1,000 penalty units.

[52] Section 54 Obligation of promoter—notice of injury or death

Omit section 54, penalty. Insert instead—

Maximum penalty—

- (a) for an individual—80 penalty units, or 6 months imprisonment, or both, or
- (b) otherwise—160 penalty units.

[53] Section 57, heading

Insert “attending” before “medical practitioner”.

[54] Section 57(1)

Omit “a medical practitioner”. Insert instead “an attending medical practitioner”.

[55] Section 57(1)(d)

Insert “attending” before “medical practitioner”.

[56] Section 57(1)(e)

Omit the paragraph. Insert instead—

- (e) if the attending medical practitioner certifies that the combatant is not medically fit to engage in the contest and considers it to be in the interests of the health or safety of the combatant to do so—to certify in the combatant’s medical record book and in any other document prescribed by the regulations that, in the opinion of the attending medical practitioner—
 - (i) the combatant must not engage in any combat sport contest or sparring unless the combatant has been examined and cleared by a medical practitioner as being fit to engage in combat sports, or
 - (ii) the combatant must not engage in any combat sport contest or sparring before a specified date, or
 - (iii) the combatant must not engage in any combat sport contest or sparring before a specified date unless the combatant has been examined and cleared by a medical practitioner as being fit to engage in combat sports,

[57] Section 57(1)(f)

Insert “attending” before “medical practitioner”.

[58] Section 57(3)(d)

Omit the paragraph. Insert instead—

- (d) if the medical practitioner considers it to be in the interests of the health or safety of the combatant to do so—to certify in the combatant’s medical record book and in any other document prescribed by the regulations that, in the opinion of the attending medical practitioner—

- (i) the combatant must not engage in any combat sport contest or sparring unless the combatant has been examined and cleared by a medical practitioner as being fit to engage in combat sports, or
- (ii) the combatant must not engage in any combat sport contest or sparring before a specified date, or
- (iii) the combatant must not engage in any combat sport contest or sparring before a specified date unless the combatant has been examined and cleared by a medical practitioner as being fit to engage in combat sports,

[59] Section 57(3)(e)

Insert “attending” before “medical practitioner” wherever occurring.

[60] Section 58 Pre-contest medical examination

Omit “, on the day of the contest,” from section 58(1).

[61] Section 58(1A)

Insert after subsection (1)—

- (1A) The examination must be undertaken—
 - (a) on the day of the contest, and
 - (b) if the combatant has engaged in any other combat sport contests (the *previous contests*) on the day of the contest—after the previous contests.

[62] Section 58(2)(b)

Omit the paragraph. Insert instead—

- (b) the promoter is satisfied that—
 - (i) the combatant has been examined by the attending medical practitioner, and
 - (ii) the attending medical practitioner has certified that the combatant is medically fit to engage in the contest.

[63] Part 3, Division 4, heading

Omit “of”. Insert instead “or suspending”.

[64] Section 62 Direction not to hold or participate in combat sport contest

Insert “or engage” after “participate” in section 62(1)(c).

[65] Section 62(2)

Insert “before,” after “may,”.

[66] Section 63

Omit the section. Insert instead—

63 Direction by attending medical practitioner to stop and end contest

The attending medical practitioner for a combat sport contest must direct the referee for the contest to stop and end the contest, unless the referee has already done so—

- (a) if, in the attending medical practitioner’s opinion,

- (i) there is a serious impairment to a combatant's ability to defend themselves or continue in the contest, or
- (ii) there is a likelihood of serious injury to a combatant's health if the contest were to continue, or
- (b) if the attending medical practitioner observes a category 1 head injury sign in a combatant, or
- (c) in any other circumstances prescribed by the regulations or specified by the rules.

[67] Section 63A

Insert after section 63—

63A Direction by attending medical practitioner to suspend contest

The attending medical practitioner for a combat sport contest must direct the referee for the contest to suspend the contest, unless the referee has already done so—

- (a) if the medical practitioner observes a category 2 head injury sign in a combatant, or
- (b) in any other circumstances prescribed by the regulations or specified by the rules.

[68] Section 64

Omit the section. Insert instead—

64 Direction by combat sport inspector to stop and end contest

A combat sport inspector present at a combat sport contest must direct the referee for the contest to stop and end the contest, unless the referee has already done so—

- (a) if, in the combat sports inspector's opinion,
 - (i) there is a serious impairment to a combatant's ability to defend themselves or continue in the contest, or
 - (ii) there is a likelihood of serious injury to a combatant's health if the contest were to continue, or
- (b) if the combat sports inspector observes a category 1 head injury sign in a combatant, or
- (c) in any other circumstances prescribed by the regulations or specified by the rules.

[69] Section 64A

Insert after section 64—

64A Direction by combat sport inspector to suspend contest

A combat sport inspector present at a combat sport contest must direct the referee for the contest to suspend the contest, unless the referee has already done so—

- (a) if the combat sport inspector observes a category 2 head injury sign in a combatant, or
- (b) if a disruption occurs that, in the combat sport inspector's opinion, warrants suspending the contest, or

- (c) in any other circumstances prescribed by the regulations or specified by the rules.

[70] Section 66

Omit section 66. Insert instead—

66 Referee's duty to stop and end combat sport contest

- (1) The referee for a combat sport contest must immediately stop and end the contest—
 - (a) if directed to stop and end the contest by—
 - (i) the attending medical practitioner under section 63, or
 - (ii) a combat sport inspector under section 64, or
 - (b) if, in the referee's opinion—
 - (i) there is a serious impairment to a combatant's ability to defend themselves or continue in the contest, or
 - (ii) there is a likelihood of serious injury to a combatant's health if the contest were to continue, or
 - (c) if the referee observes a category 1 head injury sign in a combatant, or
 - (d) if a combatant asks the referee to stop and end the contest, or
 - (e) if a trainer of a combatant asks the referee to stop and end the contest, or
 - (f) if the referee carries out a modified head injury assessment on a combatant under section 66A—the combatant does not pass the assessment, or
 - (g) if a disruption occurs that, in the referee's opinion, warrants stopping and ending the contest, or
 - (h) in any other circumstances prescribed by the regulations or specified by the rules.

Maximum penalty—500 penalty units or 12 months imprisonment, or both.

- (2) Without limiting the way in which a request may be made for the purposes of subsection (1)(d) or (e), the request may be made in a way that was agreed between the referee and the combatant or trainer before the contest, including by way of a signal.

[71] Section 66A

Insert after section 66—

66A Referee's duty to suspend combat sport contest

- (1) The referee for a combat sport contest must immediately suspend the contest—
 - (a) after being directed to suspend the contest by—
 - (i) the attending medical practitioner under section 63A, or
 - (ii) a combat sport inspector under section 64A.
 - (b) if the referee observes a category 2 head injury sign in a combatant, or
 - (c) if a disruption occurs that, in the referee's opinion, warrants suspending the contest, or
 - (d) in circumstances prescribed by the regulations or specified by the rules.
- Maximum penalty—500 penalty units or 12 months imprisonment, or both.

- (2) If the referee suspends the contest under subsection on (1)(a) or (b), the referee must either—
 - (a) carry out a modified head injury assessment, in accordance with the rules, on the combatant in whom the category 2 head injury sign was observed, or
 - (b) direct the attending medical practitioner for the contest to carry out a modified head injury assessment, in accordance with the rules, on the combatant in whom the category 2 head injury sign was observed.
 - (3) A regulation or rule under subsection (1)(d) may require the referee to carry out, or direct the attending medical practitioner for the contest to carry out, a modified head injury assessment, in accordance with the rules, on a combatant.
 - (4) The referee must not resume the contest unless—
 - (a) if the referee is required to carry out, or directs the attending medical practitioner to carry out, a modified head injury assessment of a combatant under subsection (2) or the regulations or rules—the referee or attending medical practitioner carries out, and the combatant passes, the assessment, or
 - (b) the disruption or circumstance that warranted or required the contest be suspended has ended and the referee is of the opinion that it is appropriate to resume the contest.
- Maximum penalty—500 penalty units or 12 months imprisonment, or both.

[72] Section 71 Authority may make health and safety prohibition orders

Insert “, or any other person,” after “the person” in section 71(1)(a).

[73] Section 74 General prohibition orders

Omit “within a specified period of the day” from section 74(e).

Insert instead “on the day or days”.

[74] Section 85 Functions of combat sport inspectors

Omit section 85(3)–(5).

[75] Sections 85A–85C

Insert after section 85—

85A Powers of combat sports inspectors to enter premises without warrant

- (1) A combat sport inspector may enter any of the following premises for the purposes of monitoring compliance with this Act, the regulations or the rules, or generally administering this Act—
 - (a) premises at which a combat sport contest, a weigh-in or another activity ancillary to the holding of the contest, or sparring is being carried on,
 - (b) premises at which the inspector reasonably believes a combat sport contest, a weigh-in or other another activity ancillary to the holding of the contest, or sparring is about to be carried on.
- (2) However, if the purpose of the combat sports inspector’s entry to the premises is to monitor compliance with the conditions of a permit issued for a combat sport contest, the inspector must not enter the premises more than 24 hours before the scheduled start of the combat sport contest.

- (3) This section does not empower a combat sports inspector to enter any part of premises used only for residential purposes without—
- (a) the consent of the occupier, or
 - (b) a search warrant.

85B Powers of enforcement officers to enter premises with warrant

- (1) A combat sports inspector may apply to an authorised officer for a search warrant for premises if the inspector reasonably believes this Act, the regulations or the rules are being, or have been, contravened on the premises.
- (2) The authorised officer may issue a search warrant authorising any combat sports inspector to enter and search the premises if the authorised officer is satisfied there are reasonable grounds for issuing the warrant.
- (3) A combat sport inspector executing a search warrant issued under this section may—
- (a) enter the premises specified in the warrant, and
 - (b) search the premises for evidence of a contravention of this Act, the regulations or the rules, and
 - (c) exercise any function of a combat sports inspector under this Part.
- (4) In this section—
authorised officer has the same meaning as it has in the *Law Enforcement (Powers and Responsibilities) Act 2002*.

85C Powers that can be exercised by combat sports inspectors on entry to premises

- (1) A combat sport inspector who lawfully enters premises under this Act for a purpose mentioned in section 85 may do any of the following—
- (a) inspect, make copies of, or take extracts from, any record or document on the premises,
 - (b) require any person on the premises to produce, make copies of or take extracts from, any record or document on the premises,
 - (c) require a person on the premises to answer any question relating to any records or documents on the premises, or any other relevant matter,
 - (d) take any record or document from the premises for the purposes of copying the record or document,
 - (e) take photographs, film and audio, video and other recordings of any part of the premises—
 - (i) used or to be used for a combat sport contest, weigh-in, sparring, or ancillary activity, or
 - (ii) that are set aside for the use of combatants, promoters or industry participants,
 - (f) seize any record or document, or any other thing, that the combat sports inspector reasonably believes is connected with an offence against the Act, the regulations or the rules.
- (2) The power to seize any thing connected with an offence includes a power to seize anything that will provide evidence of the commission of an offence.
- (3) A record or document taken only for the purpose of copying the record or document must be returned when that copying is completed.

[76] Section 92 False or misleading information

Omit “or medical record books” from section 92(c).

[77] Section 100 Personal liability

Omit section 100(1). Insert instead—

(1) A protected person, or a person acting under the direction of a protected person, is not personally subject to any liability for anything done—

(a) in good faith, and

(b) for the purposes of executing this Act.

(1A) The liability instead attaches to the Crown.

[78] Section 100(2)

Insert in alphabetical order—

done includes omitted to be done.

liability means civil liability and includes action, claim or demand.

[79] Section 100(2), definition of *protected person*

Insert after section 100(2), definition of *protected person*, paragraph (g)—

(h) a Public Service employee employed in the Office of Sport who is involved in the administration of this Act.

[80] Section 102 Exemptions for persons not resident in the State

Omit “resident.” from subsection (2). Insert instead—

“resident, other than from the operation of sections 63A, 64A and 66A.”

[81] Section 106 Regulations

Insert after section 106(2)(b)—

(b1) the classification of combat sports,

[82] Section 106(2)(c)

Insert “or classes of combat sports” after “combat sports”.

[83] Section 107 Rules

Omit section 107(2)(b). Insert instead—

(b) the medical examination of combatants, industry participants and related reporting requirements,

[84] Section 107(2)(p)

Insert after section 107(2)(o)—

(p) the classification of combat sports.

[85] Section 109

Insert after section 108—

109 Approved forms

The Authority may approve forms for use under this Act.

[86] Schedule 1 Constitution and procedure of the Authority

Omit “6” from clause 2(2). Insert instead “9”.

[87] Schedule 2 Savings and transitional provisions

Insert at the end of the schedule—

**Part 4 Provision consequent on Combat Sports
Amendment Act 2023**

17 Extension of amendment to total terms of office of members

Schedule 1, clause 2, as amended by the *Combat Sports Amendment Act 2023*, extends to a person who held office as an appointed member before the commencement of the amendment.

[88] Schedule 3 Dictionary

Renumber section 4(1), as amended by this Schedule, items [1] and [2], as **Schedule 3 Dictionary** and relocate to after Schedule 2.

DRAFT

Schedule 2 Amendment of Combat Sports Regulation 2014

[1] Clause 6A

Insert after clause 6—

6A Determination of application for registration

For the Act, section 13(1)(e), the following are prescribed as matters of which the Authority must be satisfied of before registering an applicant for registration as a combatant in a registration class—

- (a) that the applicant has provided the proof of any qualifications or the endorsement of skills or experience required by the Authority for registration in the class,
- (b) that the applicant has undertaken, and successfully completed to the standard required by the Authority, training relating to the management of concussion and head injuries required by the Authority for registration in the class,
- (c) that the applicant has undertaken, and successfully completed to the standard required by the Authority, any other training, education program or examination required by the Authority for the registration in the class.

[2] Clause 7, heading

Omit “Conditions”. Insert instead “Standard conditions”.

[3] Clause 7

Insert “standard” before “conditions”.

[4] Clause 7(b) and (b1)

Omit clause 7(b). Insert instead—

- (b) the combatant must give the Authority a current certificate of fitness for the combatant no later than 12 months after the date of the previous certificate,
- (b1) the combatant must give the Authority a current serological clearance for the combatant no later than 12 months after the date of the previous certificate,

[5] Clause 7(e) and (e1)

Omit section 7(e). Insert instead—

- (e) the combatant must, at the pre-contest medical examination for a contest in which the combatant proposes to engage, advise the attending medical practitioner examining the combatant, whether the contestant has suffered a concussion or other serious head injury since the combatant’s previous medical examination under the Act,
- (e1) the combatant must undertake, and successfully complete to the standard required by the Authority, any training relating to the management of concussion and head injuries required, from time to time, by the Authority for the class of combatant in which the combatant is registered during the period of the combatant’s registration,

[6] Clause 7A

Insert after clause 7—

7A Information on register that may be made publicly available

For the Act, section 17(5)(a), the Authority may make the following information about a person included on the register of combatants publicly available—

- (a) the name of the person,
- (b) the person's combatant registration number,
- (c) the registration class or classes in which the person is registered,
- (d) the expiry date of the person's registration,
- (e) the person's ring name,
- (f) whether the person is eligible to engage in combat sport contests.

[7] Clause 9A

Insert after clause 9—

9A Process for ending particular medical suspensions—the Act, section 16B(2)(a)

A medical suspension under the Act, section 16A(1)(a) ends—

- (a) if the knockout is the third or subsequent knockout of the person in consecutive combat sport contests—at the end of the day that is 90 days after day on which the knockout occurred, or
- (b) if the knockout is the second knockout of the person in consecutive combat sport contests—at the end of the day that is 60 days after day on which the knockout occurred, or
- (c) otherwise—at the end of the day that is 30 days after the day on which knockout occurred.

[8] Part 3A

Insert after Part 3—

Part 3A Combatants' obligations regarding particular medical examinations

9B Combatants to notify Authority of refusal by medical practitioner to issue certificate of fitness

- (1) This clause applies if—
 - (a) a medical practitioner carries out an annual medical check of a combatant, and
 - (b) the medical practitioner refuses to issue a certificate of fitness for the combatant based on the annual medical check.

- (2) The combatant must give the Authority written notice, in the approved form, of the refusal.

Maximum penalty—50 penalty units.

- (3) In this clause—
annual medical check, of a combatant, means a medical examination of the combatant carried out for the purposes of the condition of the combatant's registration imposed under clause 7(a).

9C Combatants to notify Authority about results of directed examinations

- (1) This clause applies if—

- (a) a medical practitioner or a qualified person carries out a directed examination of a combatant, and
 - (b) based on the examination, the medical practitioner or qualified person—
 - (i) refuses to certify that, in the medical practitioner’s or qualified person’s opinion, the combatant is fit to engage in combat sport, or
 - (ii) recommends that the combatant not engage in combat sports or sparring for a fixed period or until particular conditions are met.
- (2) The combatant must give the Authority written notice, in the approved form, of the refusal or recommendation.
Maximum penalty—50 penalty units.
- (3) In this clause—
directed examination, of a combatant, means a medical or other examination to which the combatant is required to submit under a direction given under the Act, section 61.
qualified person has the same meaning as in the Act, section 61.

9D Combatants to notify Authority about results of combat sport contests outside NSW

If a combatant engages as a combatant in a combat sport contest in a jurisdiction outside New South Wales, the combatant must, within 5 days after the contest, give the Authority written notice, in the approved form, of the following—

- (a) the results of the contest,
- (b) the details of any medical suspensions imposed on the combatant under the laws or rules relating to combat sports in the other jurisdiction.

Maximum penalty—50 penalty units.

[9] Clause 18 Determination of application for registration

Omit ‘passed’ from clause 18(a).

Insert instead “undertaken, and successfully completed, to the standard required by the Authority,”.

[10] Clause 18(c)

Insert “, and successfully completed, to the standard required by the Authority,” after “undertaken”.

[11] Clause 18(c1)

Insert after clause 18(c)—

- (c1) that the applicant has undertaken, and successfully completed to the satisfaction of the Authority, training relating to the management of concussion and head injuries determined required by the Authority for the class of industry participant or promoter in which the applicant seeks to be registered,

[12] Clause 19, heading

Omit “Conditions”. Insert instead “Standard conditions”.

[13] Clause 19

Omit “purposes of section 27 of the Act, the following conditions”.

Insert instead “the Act, section 27(2), the following standard conditions”.

[14] Clause 19

Insert after clause 19(a)—

- (a1) the registered participant or promoter must undertake, and successfully complete to the standard required by the Authority, any training relating to the management of concussion and head injuries required, from time to time, by the Authority for the class of industry participant or promoter in which the participant or promoter is registered during the period of the participant’s or promoter’s registration,

[15] Clause 19(h)

Insert after clause 19(g)—

- (h) for a corporation registered as a manager or promoter—
 - (i) the manager or promoter must, within 14 days after any change in the details for a close associate included in the corporation’s application for registration under the Act, section 23(2)(c), give the Authority written notice of the change, and
 - (ii) if a person subsequently becomes a close associate of the manager or promoter, the manager or promoter must, within 14 days after the person becomes a close associate, give the Authority written notice of the following details for the person—
 - (A) the person’s name,
 - (B) the person’s date and place of birth,
 - (C) the person’s residential address.

[16] Clause 19A

Insert after clause 19—

19A Information on register that may be made publicly available

For the Act, section 29(5)(a), the Authority may make the following information about a person included on the register of industry participants and promoters publicly available—

- (a) the name of the person,
- (b) the registration class or classes of the person,
- (c) the expiry date of the person’s registration,
- (c) the conditions imposed on the person’s registration.

[17] Clause 20, heading

Omit “is to”. Insert instead “must”.

[18] Clause 20

Omit “purposes of section 29(5) of the Act, the following are prescribed as circumstances in which information contained in the register of industry participants and promoters is to be”.

Insert instead “the Act, section 29(5)(b), the following are prescribed as circumstances in which information included on the register of industry participants and promoters must be”.

[19] Clause 21 Grounds for disciplinary action

Insert “manufacturing,” after “using,” in clause 21(d).

[20] Part 6A

Insert after clause 21—

Part 6A Accreditation of attending medical practitioners

21A Determination of application for accreditation

For the Act, section 37C(1)(c), the following are prescribed as matters that the Authority must be satisfied of before accrediting an applicant as an attending medical practitioner—

- (a) that the applicant has provided proof of the qualifications and endorsements of skills or experience required by the Authority for accreditation as an attending medical practitioner,
- (b) that the applicant has undertaken, and successfully completed, to the standard required by the Authority, any training or endorsement of skills relating to the management of concussion and head injuries required by the Authority for accreditation as an attending medical practitioner,
- (c) that the applicant has undertaken, and successfully completed, to the standard required by the Authority, any other training or education programs required by the Authority for accreditation as an attending medical practitioner,
- (d) that the applicant has provided proof of identification as determined by, or in the form required by, the Authority.

21B Conditions imposed on accreditation

For the Act, section 37D(2), the following standard conditions are imposed on the accreditation of a person as an attending medical practitioner—

- (a) the person must undertake, and successfully complete to the standard required by the Authority, any training or education programs required by the Authority, from time to time, to maintain accreditation as an attending medical practitioner,
- (b) the person must not bet on, or cause any bets to be placed on, any contest in relation to which the person is undertaking the role of attending medical practitioner,
- (c) the person must notify the Authority in writing if—
 - (i) the person’s registration as a medical practitioner lapses, is suspended or is cancelled, or
 - (ii) conditions are imposed on the person’s registration as a medical practitioner, or
 - (iii) the person is disqualified from being registered as a medical practitioner,
- (d) the person must notify the Authority in writing of any change in the name, address or contact details for the person included on the register of attending medical practitioners not later than 14 days after the change occurs.

21C Information on register that may be made publicly available

For the Act, section 29F(5)(a), the Authority may make the following information about a person included on the register of attending medical practitioners publicly available—

- (a) the name of the person,
- (b) the contact details for the person,
- (c) the local government area in which the person practices.

21D Circumstances in which information on register is to be made available

For the Act, section 29F(5)(b), the following are prescribed as circumstances in which the Authority must make information included on the register of attending medical practitioners available to a person—

- (a) the person is an attending medical practitioner asking to see the attending medical practitioner's own registration details,
- (b) the person is a police officer or other member of the NSW Police Force asking to see any information included on the register for the purposes of exercising any function under the Act by any police officer or other member of the NSW Police Force.

[21] Clause 22 Fee for permit application

Omit “the purposes of section 40(3) of the Act”. Insert instead “the Act, section 40(2)(d)”.

[22] Clause 22(2)

Omit the subclause.

[23] Clause 22A Fee for issuing additional tickets

Insert after clause 22—

22A Fee for issuing additional tickets—the Act, section 40(2)(d)

If the number of tickets issued for a combat sport contest exceeds the number of tickets on which the fee for the permit application was calculated, the individual who holds the permit to promote the contest must, within 14 days after the contest, pay the difference between the fee paid for the permit application and the fee specified in Schedule 3 for the number of tickets issued.

Maximum penalty—

- (a) for an individual—20 penalty units, or
- (b) otherwise—40 penalty units.

[24] Clause 23 Conditions imposed on all permits

Omit clause 23(d). Insert instead—

- (d) the promoter of the combat sport contest must—
 - (i) engage an attending medical practitioner for the combat sport contest, and give the name of the practitioner to the Authority, not less than 5 days before the combat sport contest, or within any shorter period approved by the Authority, and
 - (ii) notify the Authority as soon as practicable if the promoter needs to change the attending medical practitioner for the combat sport contest or engage an additional attending medical practitioner for the combat sport contest,

[25] Clause 23(i)

Omit “contestant” from the paragraph. Insert instead “combatant”.

[26] Clause 23

Insert after clause 23(o)—

- (p) the promoter of the combat sport contest must ensure the fight card for the combat sport contest lodged with the Authority is accompanied by—
 - (i) a declaration, in the approved form, by the match-maker for the combat sport contest that the combat sport contest is, in the opinion of the match-maker, appropriately and fairly matched, and
 - (ii) any other information or documents required by the Authority.

[27] Part 7A

Insert after clause 24—

Part 7A Match-making requirements and fight cards

24A Requirements for combatants included on fight card—the Act, section 106(2)(b)

- (1) The match-maker for a combat sport contest must not include a combatant on the fight card for the contest unless—
 - (a) the combatant is—
 - (i) registered as a combatant in a registration class appropriate for the contest (an *appropriate registration class*), or
 - (ii) will, on the day of the contest, be exempt, in accordance with Part 12, from the requirement to be registered as a combatant in an appropriate registration class, and
 - (b) the combatant has given the Authority—
 - (i) a current serological clearance for the combatant as at the day of the contest, and
 - (ii) a current certificate of fitness for the combatant as at the day of the contest, and
 - (c) the combatant is matched against another combatant on the fight card in relation to the contest or each match comprising the contest.

Maximum penalty—20 penalty units.
- (2) Despite subclause (1)(c), the match-maker may include on the fight card a combatant who is not matched against another combatant if—
 - (a) the contest is an amateur combat sport contest comprising a single contest and the combatant is listed on the fight card as being a reserve combatant for the contest, or
 - (b) the contest is an amateur eliminator contest for which only the combatants for each contest in the first round are listed.
- (3) In this clause—

amateur eliminator contest means an amateur combat sport contest that—

- (a) comprises 2 or more rounds of matches in which the winners of each match in each round progress to the next round of matches in the contest, and
- (b) will be conducted in accordance with the policy titled *Eliminator events at Amateur contests* as approved by the Authority from time to time.

[28] Clause 24B

Insert before clause 25—

24B Compulsory weigh-in

For the Act, section 46(1), a combat sport inspector may direct that a combat sport contest not be held unless a weigh-in has been conducted.

[29] Clause 25 Attendance of combat sport inspectors, other persons and police officers at weigh-in

Omit clause 25(1)(b).

[30] Clause 25(3)

Insert after clause 25(2)—

- (3) The promoter of an amateur combat sport contest must ensure that a representative of the relevant approved amateur body attends the weigh-in.

[31] Clause 27 Provision of weigh-in scales

Omit “appropriate weigh-in scales”. Insert instead “weigh-in scales that meet the specifications specified in the rules”.

[32] Clause 30 Functions of an approved amateur body at an amateur combat sport contest weigh-in

Omit clause 30(b). Insert instead—

- (b) to record the weight of each combatant in the contest, taken at the weigh-in, in the combatant’s medical record book.

[33] Clauses 33 and 34

Omit clauses 33 and 34. Insert instead—

33 Pre-contest medical examinations of combatants—the Act, section 57(1)

- (1) The prescribed examination is a medical examination sufficient to enable the attending medical practitioner to complete the approved form for the pre-contest medical examination of the combatant (the *pre-contest medical examination form*).
- (2) If the attending medical imposes a medical suspension on the combatant following the medical examination, the attending medical practitioner must include the following information in the pre-contest medical examination form—
 - (a) details of the medical suspension,
 - (b) any conditions the attending medical practitioner recommends must be met before the suspension ends.
- (3) The pre-contest medical examination form must include a declaration by the combatant that, at the time of the contest—
 - (a) the combatant is not subject of a medical suspension, and

- (b) is not otherwise suspended from engaging as a combatant in a combat sport contest or sparring, and
 - (c) has not suffered a concussion within the 30 days before the contest.
- (4) The attending medical practitioner must give the completed pre-contest medical examination form to the combat sport inspector present at the contest at the conclusion of the contest.

34 Post-contest medical examinations of combatants—the Act, section 57(3)

- (1) The prescribed examination is a medical examination sufficient to enable the attending medical practitioner to complete the approved form for the post-contest medical examination of the combatant (the *post-contest medical examination form*).
- (2) If the attending medical imposes a medical suspension on the combatant following the medical examination, the attending medical practitioner must include the following information in the post-contest medical examination form—
 - (a) the details of the medical suspension,
 - (b) any conditions the attending medical practitioner recommends must be met before the suspension ends.
- (3) The attending medical practitioner must give the completed post-contest medical examination form to the combat sport inspector present at the contest as soon as possible after the contest.

[34] Clause 36 Recording of medical suspensions in register of combatants

Insert after clause 36(c)—

- (d) details of any other medical suspension imposed on a combatant imposed, including any conditions recommended or required to be met for the medical suspension to be lifted or end.

[35] Clause 37

Omit the clause. Insert instead—

37 Supply of weight gloves

The promoter of a combat sport contest must supply clean, serviceable and appropriate weight gloves in accordance with the rules for each combatant engaged at the combat sport contest who is listed on the fight card for the contest.

Maximum penalty—

- (a) for an individual—20 penalty units, or
- (b) otherwise—40 penalty units.

[36] Clause 38 Inspection of protective clothing and equipment at the contest

Omit “registered combatant must not engage” from clause 38.

Insert instead “person must not engage as a combatant”.

[37] Clauses 39, 40 and 41

Omit “registered” wherever occurring in clauses 39, 40 and 41.

[38] Clause 40 Combatants and promoters must comply with directions about protective clothing or equipment

Omit “if the direction has been made in accordance with the rules” from clause 40.

[39] Clause 41A

Insert after clause 41—

41A Supply of medical equipment—the Act, sections 46(1)

- (1) The promoter of a combat sport contest must ensure that any medical equipment, medical supplies, drugs or medications specified in the rules as being required for a contest are at the contest.

Maximum penalty—

- (a) for an individual—20 penalty units, or
(b) otherwise—40 penalty units.

- (2) The promoter must, before the start of the contest, ensure the medical equipment, medical supplies, drugs or medications are—

- (a) operational or fit for use, and
(b) located in the contest area, and
(c) readily accessible to the attending medical practitioner.

Maximum penalty—

- (a) for an individual—20 penalty units, or
(b) otherwise—40 penalty units.

[40] Clause 45 Standard post-contest rest periods

Omit “person registered as a combatant for professional sport contests” from clause 45.

Insert instead “combatant”.

[41] Clause 46, heading

Omit “or at”.

[42] Clause 46

Omit “1 hour”. Insert instead “2 days”.

[43] Clause 46A

Insert after clause 46—

46A Additional functions of attending medical practitioners—the Act, section 106(2)(b)

The attending medical practitioner’s functions in relation to medical equipment, medical supplies, drugs or medications supplied at a combat sport contest are—

- (a) to use or apply, or supervise the use or application of, any medical equipment or medical supply on a combatant in the contest, and
(b) to supply or administer, or supervise the supply or administration of, any drug or medication to a combatant in the contest.

[44] Clause 47 Functions of an approved amateur sports body at an amateur combat sport contest

Insert after clause 47(g)—

- (h) to ensure the contest is held in accordance with the approved sports rules for the contest.

[45] Clause 50 Combat sport inspector to attend combat sport contest

Insert “in the contest area” after “is present” in clause 50.

[46] Clauses 50A and 50B

Insert after clause 50—

50A Attending medical practitioner to attend combat sport contests—the Act, section 106(2)(b)

The promoter of a combat sport contest must ensure that at least 1 attending medical practitioner attends, and is present in the contest area for the whole of, the contest.

Maximum penalty—

- (a) for an individual—20 penalty units, or
- (b) otherwise—40 penalty units.

50B Representative of amateur approved body to attend amateur combat sport contests—the Act, section 106(2)(b)

- (1) The promoter of an amateur combat sport contest must ensure that at least 1 representative of the relevant approved amateur body for the contest attends, and is present for the whole of, the contest.

Maximum penalty—

- (a) for an individual—20 penalty units, or
- (b) otherwise—40 penalty units.

- (2) In this clause—

relevant approved amateur body, for an amateur combat sport contest, means the approved amateur body that approved the contest.

[47] Clauses 59–62

Omit the clauses. Insert instead—

59 Certain combatants exempt from registration requirement—the Act, section 106(2)(c)

- (1) A combatant is exempt from the requirement to be registered as a combatant under the Act if the combatant—
 - (a) does not ordinarily reside in New South Wales, and
 - (b) is registered or licensed to engage in combat sport contests in the jurisdiction in which the combatant ordinarily resides by any of the following (each a *relevant registration body*)—
 - (i) an equivalent Australian regulatory body,
 - (ii) an equivalent overseas regulatory body,
 - (iii) for a combatant proposing to engage in an amateur combat sport contest—an approved sporting organisation,

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- (iv) for a combatant from overseas proposing to engage in a professional combat sport contest—a national or international sporting organisation.
- (2) The combatant must, no more than 5 days before engaging in a combat sport contest, give the Authority evidence of the combatant's registration or licence, including—
 - (a) the date the registration or licence expires, and
 - (b) the class of registration or licence, if applicable, and
 - (c) confirmation the combatant is not suspended from engaging in combat sport contests in the jurisdiction in which the combatant ordinarily resides.
- (3) If the combatant ordinarily resides interstate, the combatant must, no more than 5 days before engaging in a combat sport contest, give the Authority—
 - (a) evidence the relevant registration body holds—
 - (i) a current serological clearance for the combatant, and
 - (ii) a certificate of fitness for the combatant, in a similar form to the approved form, issued by a medical practitioner no more than 28 days, but not less than 48 hours, before the contest, or
 - (b) if the relevant registration body does not hold the documents referred to in subparagraphs (i) and (ii)—
 - (i) a current serological clearance, and
 - (ii) a certificate of fitness, in the approved form, issued by a medical practitioner no more than 28 days, but no less than 48 hours, before the contest.
- (4) If the combatant ordinarily resides overseas, the combatant must, no more than 5 days before engaging in a combat sport contest, give the Authority—
 - (a) a current serological clearance obtained in Australia, and
 - (b) a certificate of fitness, in the approved form, issued by a medical practitioner no more than 28 days, but no less than 48 hours, before the contest.
- (5) The combatant must not engage in a combat sport contest unless the combatant has complied with subclauses (2)–(4).
Maximum penalty—20 penalty units.
- (6) Subject to subclause (7), the combatant must not engage in an amateur combat sport contest if the combatant—
 - (a) is, or has been, registered or licensed to engage in professional combatant sport contests by the relevant registration body, or
 - (b) has engaged in a professional combat sport contest.Maximum penalty—20 penalty units.
- (7) The combatant may engage in an amateur combat sport contest if the Authority is satisfied the combatant has not engaged in a combat sport contest of the same style for a monetary prize or other valuable reward.
- (8) The combatant must not engage in a combat sport contest of a different style to the style of contest the combatant is registered or licensed to engage in by the relevant registration body.
Maximum penalty—20 penalty units.

60 Certain industry participants exempt from registration requirement

- (1) A person who ordinarily resides in another State or a Territory is exempt from the requirement to be registered as a trainer under the Act if the person is—
 - (a) registered or licensed to carry out an activity as a trainer, or as an individual who assists a combatant as advised by a trainer or assists a trainer in the preparation of combatants (a *second*), by an equivalent Australian regulatory body, or
 - (b) registered or affiliated with an approved sporting organisation and the person is not required to be registered or licensed to carry out an activity as a trainer or second by an equivalent Australian regulatory body in the other State or Territory.
- (2) A person who ordinarily resides outside Australia is exempt from the requirement to be registered as a trainer under the Act if the person is registered or licensed to carry out an activity as a trainer or second by—
 - (a) an equivalent overseas regulatory body, or
 - (b) an approved sporting organisation.
- (3) A person who ordinarily resides in another State or a Territory is exempt from the requirement to be registered as a judge, referee or timekeeper under the Act if the person is registered or licensed to carry out an activity as a judge, referee or timekeeper by an equivalent Australian regulatory body.
- (4) A person who ordinarily resides outside Australia is exempt from the requirement to be registered as a judge, referee or timekeeper under the Act if—
 - (a) the person has been appointed by an international sporting organisation to carry out an activity as a judge, referee or timekeeper at a combat sport contest, and
 - (b) the Authority has determined, by order published on the Authority's website, that the contest is significant.
- (5) A person exempt from a requirement under this clause must give the Authority or a combat sport inspector evidence of the person's registration, licence or affiliation if requested by the Authority or combat sport inspector.
Maximum penalty—20 penalty units.
- (6) A person exempt from a requirement under this clause must not carry out an activity as a referee unless the person has undertaken, and successfully completed to the standard required by the Authority, any training or education programs required by the Authority.
Maximum penalty—20 penalty units.

[48] Clause 63 Serological clearances

Insert at the end of the clause—

- (2) For the Act, section 7(2), the period prescribed is—
 - (a) for a serological clearance relating to a person who is aged under 18 years—the period of 12 months before the date when the certificate is sought to be relied on, or
 - (b) otherwise—the period of 6 months before the date when the certificate is sought to be relied on.

[49] Schedule 2 Penalty notice offences

Omit the entries relating to sections 39(1), 39(2), 52, 53 and 54 and clauses 37 and 61 from Schedule 2, table.

[50] Schedule 2, table

Insert in appropriate order—

Provision of the Act	
Section 8(4A)	\$1,100
Section 14(6)	\$550
Section 27(5)—	(a) for an individual—\$550 (b) otherwise—\$1,100
Section 37A(1)	\$550
Section 37A(2)	\$550
Section 39(1)—	(a) for an individual—\$3,960 (b) otherwise—\$7,920
Section 42(4)—	(a) for an individual—\$220 (b) otherwise—\$440
Section 51(1)—	(a) for an individual—\$1,760 (b) otherwise—\$3,520
Section 52—	(a) for an individual—\$1,760 (b) otherwise—\$3,520
Section 53—	(a) for an individual—\$1,760 (b) otherwise—\$3,520
Section 54—	(a) for an individual—\$1,760 (b) otherwise—\$3,520
Section 66(1)	\$5,500
Section 66A(1)	\$5,500
Section 66A(4)	\$5,500
Provision of this Regulation	
Clause 9B(2)	\$550
Clause 9C(2)	\$550
Clause 9D(2)	\$550
Clause 22A—	(a) for an individual—\$220 (b) otherwise—\$440
Clause 24A(1)	\$220
Clause 37—	(a) for an individual—\$220 (b) otherwise—\$440
Clause 41A(1)—	(a) for an individual—\$220 (b) otherwise—\$440

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Clause 41A(2)—	(a) for an individual—\$220
	(b) otherwise—\$440
Clause 50A—	(a) for an individual—\$220
	(b) otherwise—\$440
Clause 50B(1)—	(a) for an individual—\$220
	(b) otherwise—\$440
Clause 59(5)	\$220
Clause 59(6)	\$220
Clause 59(7)	\$220
Clause 59(8)	\$220
Clause 60(5)	\$220
Clause 60(6)	\$220

[51] Schedule 3 Fees

Omit Schedule 3, table, item 3.

[52] Schedule 3, table

Omit items 6–11. Insert instead—

6	Application for a permit to hold an amateur combat sport contest where 50 or fewer tickets are to be issued	\$0	\$100	\$100
7	Application for a permit to hold an amateur combat sport contest where 51–200 tickets are to be issued	\$50	\$200	\$250
8	Application for a permit to hold an amateur combat sport contest where more than 200 tickets are to be issued	\$200	\$200	\$400
9	Application for a permit to hold a professional combat sport contest where 500 or fewer tickets are to be issued	\$650	\$200	\$850
10	Application for a permit to hold a professional combat sport contest where 501–2,000 tickets are to be issued	\$1,800	\$200	\$2,000
11	Application for a permit to hold a professional combat sport contest where more than 2,000 tickets are to be issued	\$4,800	\$200	\$5,000