

REPORT OF THE COMMITTEE ON SPORT, YOUTH AND CHILD AFFAIRS ON THE PROFESSIONAL BOXING AND WRESTLING CONTROL (AMENDMENT) BILL, NAB 32 OF 2010 FOR THE FOURTH SESSION OF THE TENTH NATIONAL ASSEMBLY, APPOINTED ON 24TH SEPTEMBER 2009

Consisting of:

Mr L J Ngoma, MP, (Chairperson); Dr B E Chishya, MP; Mrs J C Mumbi-Phiri, MP; Mr S Sikota, MP; Mr E M Munaile, MP; Mr B K Mweemba, MP; Mr B M M Ntundu, MP; and Mr V Mwale, MP.

The Honourable Mr Speaker

National Assembly

Parliament Buildings

LUSAKA.

Sir,

Your Committee have the honour to present their Report on the Professional Boxing and Wrestling Control (Amendment) Bill (NAB 32/2010) referred to them by the house on Tuesday 13th July, 2010.

Functions of the Committee

2. In addition to any other duties conferred upon them by the Honourable Mr Speaker, or any order of the House, your Committee may consider any Bills referred to them by the House.

Meetings of the Committee

3. Your Committee held five (5) meetings to consider the Professional Boxing and Wrestling Control (Amendment) Bill NAB 32 of 2010.

Procedure adopted by the Committee

4. Your Committee, in considering the Bill, requested for written submissions from various stakeholders who also appeared before them and made oral submissions.

Object of the Professional Boxing and Wrestling Control (Amendment) Bill (NAB 32/2010)

5. The object of the Bill is to amend the *Professional Boxing and Wrestling Control Act CAP 156* of the Laws of Zambia so as to

- (a) establish the Zambia Professional Boxing and Wrestling Control Board;
- (b) revise the provisions relating to the powers of the Board; and
- (c) provide for matters connected with or incidental to the foregoing.

CONSIDERATION OF THE PROFESSIONAL BOXING AND WRESTLING CONTROL (AMENDMENT) BILL (NAB 32/2010)

Background

6. The Professional Boxing and Wrestling Control (Amendment) Bill, NAB 32 of 2010, seeks to amend the *Professional Boxing and Wrestling Control Act*, CAP 156 of the Laws of Zambia so as to establish a unified Zambia Professional Boxing and Wrestling Control Board and to revise the provisions relating to the powers of the Board. The Principal Act was enacted to provide for the establishment of a Zambia Professional Boxing control Board and a Zambia Professional Wrestling control Board; define their objects; prescribe their powers, duties and functions; and for other matters incidental to the foregoing. Over the years, major developments have occurred at international level in the profession of boxing.

Therefore, a need has arisen to amend the *Professional Boxing and Wrestling Control Act* so as to modernise it and bring it in line with current international standards on boxing and wrestling. A need has also been identified to improve the regulation of professional boxing and wrestling; and to provide for an update of the rules in order to bring them in line with recent changes at international level.

Specific Provisions of the Bill

Clause 2 – Amendment of Long Title

7. This clause amends the long title of the Professional Boxing and Wrestling Control Act in order to merge the Boxing and Wrestling Control Board.

Clause 3 – Amendment of Section 2

This clause amends section 2 of the *Professional Boxing and Wrestling Control Act* in order to introduce the definition “Board” to mean the Zambia Professional Boxing and Wrestling Control Board established under section three.

The rationale for the amendment of section 2 is to provide for the new Board that is established under section three of the *Professional Boxing and Wrestling Control Act*. This means that the two Boards under the Principal Act have been merged to become one single corporate entity.

Clause 4 – Repeal and replacement of section 3

This clause amends section 3 of the *Professional Boxing and Wrestling Control Act* so as to establish the Zambian Professional Boxing and Wrestling Control Board.

Clause 5 – Amendment of section 4

Clause 5 intends to amend section 4 of the principal Act which deals with 'Objects of the Board'. This amendment will to increase the scope of the Board to regulate, control and exercise general supervision over professional boxing or wrestling at tournaments not only within Zambia but also outside Zambia with a view to eliminate undesirable practices. The amendment also provides for the protection of the interest of boxers, wrestlers, promoters, officials and the public generally. It is intended to widen the Board's supervisory jurisdiction to include, not only tournaments held within, but also outside Zambia.

Clause 6 – Amendment of section 6

This clause amends section six of *the Professional Boxing and Wrestling Control Act* so to increase the tenure of office for Board Members from three to five years.

Clause 7 – Amendment of section 9

Clause 7 intends to amend section 9 of the principal Act which deals with 'Powers of the Board' by deleting the provision to paragraph (c) which prohibits the registration of persons under seventeen years old, as wrestlers, boxers, officials, promoters or managers. The provision also expressly prohibits the registration of females as wrestlers or boxers as it states that, "provided that the Board shall not register any person as a boxer or wrestler who is not of the male sex". The amendment intends to raise the age limit to eighteen years for registration of persons as wrestlers,

boxers, officials, promoters or managers, and also to allow for the registration of a female as a wrestler or boxer.

Views Expressed by Stakeholder

8. The following stakeholders submitted to your Committee:

- i) Ministry of Justice;
- ii) Ministry of Sport Youth and Child Development;
- iii) National Sports Council of Zambia;
- iv) Professional Boxing and Wrestling Control Board;
- v) National Women in Sport Physical Activity and Recreation;
- vi) National Milling Company;
- vii) Mr L M Mwenya, Member of Parliament.

All the stakeholders were in support of the Professional Boxing and Wrestling Control Board (Amendment) Bill, N.A.B. No 32 of 2010. In supporting the Bill, they raised the concerns set out below.

- a) The Amendment Bill had been long over due. However, concerns were raised on the piecemeal approach of the amendment. A comprehensive amendment to the Act would have been more appropriate.
- b) Regarding the term of office for the Board Members at clause 6 (a) of the Bill, most stakeholders were in support with the amendment from 3 years to 5 years. They submitted that five (5) years would allow for the Board members to settle, mature and successfully complete their projects. However, some stakeholders stated that 5

years would be too long for an incompetent Board and pointed out that the ideal situation would be to maintain it at three years with the possibility for serving another term.

- c) Stakeholders raised concern over the provision in the principal Act appointment of Board members by the Minister. They stated that, to ensure full representation of the views of all relevant stakeholders in the boxing and wrestling profession, Board Members should be elected.
- d) Stakeholders also raised concern on the issue of protective clothing. They submitted that a further amendment should have been made to state the need for protective clothing for boxers. Those without the protective clothing should not be certified fit to fight.
- e) Stakeholders raised the need for an association for boxers. They stated that the Bill should have clearly stated the need for an association separate from Board. The association could look into issues of sponsorship; awareness raising amongst boxers, promoters and managers on their rights; medical insurance; content of contracts; and publicity of boxers, among other issues.
- f) Stakeholders raised concern over the dying sport of wrestling in the country. They submitted that although it was called the Professional Boxing and Wrestling Control Act, the main preoccupation was with boxing.

Committee's Observations and Recommendations

9. Your Committee wish to state from the outset, that they welcome the proposed amendments to the *Professional Boxing and Wrestling Control Act*.

- a) While noting the background information and the concerns of stakeholders, your Committee observes the piecemeal approach to the amendment of the Act. Your Committee is of the opinion that a more comprehensive review could have been carried out and urge the Ministry of Sport, Youth and Child Affairs to look into further amendments.
- b) Your Committee observes that the current world trend in the administration of sports opts for the election as opposed to the appointment of Board Members. Your Committee recommends that a provision should be made for certain Board Members will be elected, while others, such as Chairperson should be appointed by the Minister.
- c) Your Committee recommends that the tenure of office for Board Members should remain at 3 years. The option for re election should be clearly stated in the Bill.
- d) Your Committee observes that while Bill is amended to include female boxers, the principal Act is still not gender neutral and emphasises the male gender as it refers to ' *he, him, his*'. Your recommends for further amendments to the main Act be made to

deal with the issue so that these three words are substituted by the term ' *the person* '

- e) Your Committee observes the silence on the linkage between Zambia Amateur Boxing Federation and the Zambia Professional Boxing and Wrestling Control Board. Your Committee recommends that the Bill should provide for a clear guideline on how one could progress from amateur to professional boxing.

- f) Your Committee observes the importance of stakeholders in the boxing profession to understand their rights and privileges and recommends that the Bill should provide for the formation association of boxers, separate from the Board, to safe guard their rights

- g) Your Committee observe the dying sport of wrestling and recommend that the Board should be compelled to come up with incentives to revamp the sport.

- h) Further to (g) above, your Committee also observe that although the principal Act, under clause 9 (1) (n) states that the Board shall establish a benevolent fund, this fund has not been in existence for a long time. Therefore, your Committee recommends that the Board should be compelled to ensure that this fund be re-established as this will go a long way in addressing some of the problems that boxers are going through.

CONCLUSION

10. In conclusion, your Committee wish to express their gratitude to you, Mr Speaker, for not only appointing them to your Committee, but also granting them the opportunity to scrutinise the **Professional Boxing And Wrestling Control (Amendment) Bill (NAB 32 of 2010)**. Your Committee also wish to pay tribute to all the stakeholders who appeared before them and tendered both oral and written submissions. They, further, thank the Office of the Clerk of the National Assembly for their unfailing assistance throughout their deliberations.

We have the honour to be, Sir, your Committee on Sport, Youth and Child Affairs mandated to scrutinise the **Professional Boxing And Wrestling Control (Amendment) Bill (NAB 32 of 2010)**.

Mr L J Ngoma, MP,

(Chairperson)

Dr B E Chishya, MP

(Member)

Mr S Sikota, MP

(Member)

Mrs J C Mumbi-Phiri, MP

(Member)

Mr E M Munaile, MP

(Member)

Mr B K Mweemba, MP

(Member)

Mr B M M Ntundu, MP

(Member)

Mr V Mwale, MP
(Member)

July 2009
LUSAKA

Mr L J Ngoma, MP
CHAIRPERSON

APPENDIX I

LIST OF OFFICIALS

National Assembly

Mr S M Kateule, Principal Clerk of Committees

Mr G Lungu, Deputy Principal Clerk of Committees

Mr S C Kawimbe, Committee Clerk (SC)

Mrs C K Mumba, Assistant Committee Clerk

Mr M K Phiri, Assistant Committee Clerk

Mrs D Mukwanka, Assistant Committee Clerk

Ms S E Mwale, Stenographer

Mr R Mumba, Committee Assistant

Mr C Bulaya, Committee Assistant

Mr S M Likunyendo, Parliamentary Messenger

APPENDIX II

WITNESSES

Ministry of Justice

Ms M Muyaba, Parliamentary Counsel

Ms P Goma, Parliamentary Counsel

Ministry of Sport, Youth and Child Affairs

Mr T D Mulonga, Permanent Secretary

Mr B Nakachinda, Director of Sport

Mr K C Siamwinga, Planner

Professional Boxing and Wrestling Control Board

Mr E. E. Kalenga, Board Secretary

Mr C Mulenga, Board Member

Dr D. Nsekula, Board Member

Ms S.S. Eneke, Board Member

National Sport Council of Zambia

Major J. K Kunda, Acting General Secretary

The National Organisation for Women in Sport Physical Activity and Recreation

Ms L. A. Mwamba, General Secretary

Ms I. Nayoto, Professional Female Boxer

National Milling Company

Mr P. Cottan, Managing Director

The National Assembly of Zambia

Mr L. M Mwenya, MP