

CHAPTER 46

RULES GOVERNING BOXING, EXTREME WRESTLING AND SPARRING EXHIBITIONS AND PERFORMANCES

Authority

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Source and Effective Date

R.2000 d.319, effective July 12, 2000.
See: 32 N.J.R. 1495(a), 32 N.J.R. 2909(a).

Executive Order No. 66(1978) Expiration Date

Chapter 46, Rules Governing Boxing, Extreme Wrestling and Sparring Exhibitions and Performances, expires on July 12, 2005.

Chapter Historical Note

Chapter 46, Rules Governing Boxing, Wrestling and Sparring Exhibitions and Performances, was filed and became effective prior to September 1, 1969.

Subchapter 2, Ring Equipment, Subchapter 3, Ring Safety, Subchapter 7, Seconds, and Subchapter 12, Physicians, were repealed and Subchapter 2, Ring Equipment and Safety Requirements, Subchapter 3, Boxing Equipment and Safety Requirements, Subchapter 7, Seconds, and Subchapter 12, Rules to Safeguard Health, were adopted as new rules by R.1984 d.611, effective January 7, 1985. See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Subchapter 23, Standards of Conduct, was adopted by R.1985 d.164, effective April 1, 1985. See: 17 N.J.R. 55(a), 17 N.J.R. 837(a).

Pursuant to Executive Order No. 66(1978), Chapter 46, Rules Governing Boxing, Wrestling and Sparring Exhibitions and Performances, expired on June 3, 1990.

Chapter 46, Rules Governing Boxing, Wrestling and Sparring Exhibitions and Performances, was adopted as new rules by R.1990 d.454, effective September 4, 1990. See: 22 N.J.R. 1231(a), 22 N.J.R. 2748(a).

Subchapter 23A, Gifts, Outside Activities, Lodging, Work Space, was adopted as R.1993 d.460, effective September 20, 1993. See: 24 N.J.R. 4489(a), 25 N.J.R. 4499(b).

Pursuant to Executive Order No. 66(1978), Chapter 46, Rules Governing Boxing, Wrestling and Sparring Exhibitions and Performances, was readopted as R.1995 d.458, effective July 28, 1995. See: 27 N.J.R. 2096(a), 27 N.J.R. 3201(a).

Subchapter 8A, Rules for Championship Matches, was adopted as R.1999 d.102, effective April 5, 1999. See: 30 N.J.R. 997(a), 31 N.J.R. 882(b).

Subchapter 12, Rules to Safeguard Health, was repealed, and Subchapter 12A, Uniform Medical Requirements, and Subchapter 12B, Additional Health and Safety Rules, were adopted by R.1999 d.103, effective April 5, 1999. See: 30 N.J.R. 2160(a), 31 N.J.R. 883(a).

Pursuant to Executive Order No. 66(1978), Chapter 46, Rules Governing Boxing, Wrestling and Sparring Exhibitions, was readopted as R.2000 d.319, effective July 12, 2000. See: Source and Effective Date.

Law Review and Journal Commentaries

In the Aftermath of McClellan: Isn't it Time for the Sport of Boxing to Protect Its Participants? Ross Rosen, 5 Seton Hall J. Sport L. 611 (1995).

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SUBCHAPTER 1. DEFINITIONS

13:46-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Board” means the State Athletic Control Board.

“Championship boxing match” means any boxing match in which the championship of a recognized boxing association is at stake.

“Club” means any person, club, corporation, organization or association licensed under the act to conduct, hold or give professional boxing matches or exhibitions.

“Club contract” is an agreement between a boxer with a promoter that provides that the boxer shall participate in a bout with another named boxer.

“Commissioner” means the person appointed by the Attorney General with the concurrence of the Board to serve as the Chief Executive Officer of the Board.

“Licensee” means any person, club, corporation, organization or association licensed by the Board.

“Manager” means any person who:

1. By contract, agreement, or other arrangement with any person undertakes or has undertaken to represent in any way the interest in any professional boxing contest in which such boxer is to participate as a contestant; and is entitled under that contract, agreement or other arrangement to receive monetary or other compensation for his services without regard to the sources of such compensation; except that the term “manager” shall not be construed to mean any attorney licensed to practice in this State, whose participation in such activities is restricted solely to his representing the interests of a professional boxer as his client.

2. Directs or controls the professional boxing activities of any professional boxer.

3. Receives or is entitled to receive ten percent or more of the gross purse, or gross income of any professional boxing contest.

“Program” means the total of all boxing and wrestling matches presented on a particular occasion.

“Promoter” means any person, club, corporation, organization or association licensed under the act to conduct, hold or give programs or exhibitions.

“Purse” means the compensation, percentage or other remuneration for which the contestants are competing.

“Recognized boxing association” means an organization recognized by the Commissioner with the concurrence of the Board whose voting membership is composed of representatives of governmental agencies regulating boxing, including, but not limited to, the World Boxing Association, the World Boxing Council, the International Boxing Federation, the North American Boxing Federation, and the United States Boxing Association. The Commissioner may, with the concurrence of the Board, designate any regional, national, or international boxing organization pursuant to this definition.

“Special event” means a boxing card, boxing show, or any other combative sports event which has among its contests a championship elimination match, a pay-per-view or subscription television match, a nationally televised match, or any other match of significance to combative sports in this State as designated by the Commissioner with the concurrence of the Board.

As amended, R.1970 d.35, effective April 8, 1970.
See: 2 N.J.R. 27(a), 2 N.J.R. 44(a).
As amended, R.1982 d.389, effective November 1, 1982.
See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Changed subchapter heading from Boxing Weights and Classes to Definitions.

Deleted definitions of “club”; added definition of “program” and “promoter”.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Added definitions “club contract” and “program.”

Amended by R.1995 d.398, effective July 17, 1995.

See: 27 N.J.R. 1138(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(a).

SUBCHAPTER 1A. BOXING WEIGHTS AND CLASSES

13:46-1A.1 Classes of boxers

(a) Boxers shall be divided into the following classes:

1. Flyweight up to 112 pounds
2. Bantamweight up to 118 pounds
3. Featherweight up to 126 pounds
4. Junior Lightweight up to 130 pounds
5. Lightweight up to 135 pounds
6. Junior Welterweight up to 140 pounds
7. Welterweight up to 147 pounds
8. Junior Middleweight up to 154 pounds
9. Middleweight up to 160 pounds
10. Lighth heavyweight up to 175 pounds
11. Cruiserweight up to 195 pounds
12. Heavyweight all over 195 pounds

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Recodified from N.J.A.C. 13:46-1.2.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Deleted original (a)8 and inserted new (a)8 and 9.

Amended by R.1987 d.53, effective January 20, 1987.

See: 18 N.J.R. 1789(a), 19 N.J.R. 233(a).

(b) One winding of surgeon's adhesive tape, not over one and one-half inches wide, shall be placed directly on each hand for protection near the wrist. The tape may cross the back of the hand twice but shall not extend to within one inch of the knuckles when the hand is clenched to make a fist.

(c) The bandages shall be evenly distributed across the hand, without zigzagging, lumping or curling.

(d) Bandages and tape shall be placed on the boxer's hands in the dressing room in the presence of the Commissioner's inspector and in the presence of the manager or chief second of his opponent.

(e) Under no circumstances are gloves to be placed on the hands of a contestant until the approval of the Commissioner's inspector is received.

Amended by R.1987 d.53, effective January 20, 1987.
See: 18 N.J.R. 1789(a), 19 N.J.R. 233(a).

Subsection (a) amended; (b) deleted old (c)-(f) renumbered (b)-(e).

13:46-3.2 Condition and size of gloves

(a) The gloves shall be new for all main events and also for all bouts scheduled for 10 rounds or more. All gloves shall be in good condition or they must be replaced.

(b) All gloves are to be furnished by the licensed club or promoter.

(c) All gloves must weigh at least eight ounces, except that in the Commissioner's discretion, six ounce gloves may be used in the flyweight, bantamweight and featherweight classes.

13:46-3.3 Placement of gloves on boxer's hands

(a) In all bouts, the gloves shall be inspected by the Commissioner's inspector and the ringside physician prior to the fight. The gloves shall be placed on the boxer's hands in the dressing room under the supervision of the Commissioner's inspector, and the laces of each glove shall be knotted on the back of the wrists and there shall be placed on the wrists of the gloves, over the laces, a strip of one-inch surgeon's adhesive tape. The gloves must be removed in the ring after the bout.

(b) If a glove bursts or is otherwise damaged during the progress of a bout, the referee shall interrupt the bout and require that such glove be replaced before the resumption of the bout.

13:46-3.4 Abdominal guard

(a) All boxers must equip themselves with a foul-proof abdominal guard of the boxer's own selection, type to be approved by the Commissioner.

(b) Abdominal guards shall be examined before all bouts by the Commissioner's inspector.

13:46-3.5 Mouth pieces

No boxer shall be permitted to perform in any contest without equipping himself with a well-fitting mouthpiece, which shall be subject to examination and approval by the attending physician.

13:46-3.6 Boxer's trunks

Each boxer on a program must provide himself with trunks of a type approved by the Commissioner.

13:46-3.7 Types of shoes barred from ring

No shoes with spikes, cleats, hard soles or hard heels are permitted in the ring.

13:46-3.8 Cleanly shaven

(a) All boxers must be cleanly shaven when they participate in a ring contest, except that a boxer may wear a closely cropped mustache.

(b) Hair must be trimmed or tied back in such a way (subject to the approval of the ringside physician) as to not interfere with the vision of either boxer or cover any part of a boxer's face. Hair grooming creams, lotions or sprays shall not be worn on a boxer's hair during a fight.

(c) No jewelry or earrings shall be worn by a boxer during a bout.

13:46-3.9 Other boxing equipment

(a) For each bout there shall be a clean water bucket and a clean plastic bottle in each boxer's corner. These articles shall be provided by the licensed club or promoter.

(b) The licensed club or promoter shall also provide powdered resin for canvas and such other articles as may be required by the Commissioner for conducting the boxing contests.

13:46-3.10 Chest protector for women contestants

All female contestants shall wear a chest protector while participating in any combative sport. The chest protector shall be subject to examination and approval by the attending physician.

New Rule, R.1997 d.227, effective June 2, 1997.
See: 29 N.J.R. 413(a), 29 N.J.R. 2567(a).

SUBCHAPTER 4. LICENSING AND PERMITS

13:46-4.1 General licensing requirement

No person, club, corporation or association shall hold, conduct or participate in boxing bouts, extreme wrestling exhibitions, sparring exhibitions, or any other combative

sports competition or exhibition in the State of New Jersey without first having obtained a license from the Board.

Amended by R.1970 d.35, effective April 8, 1970.

See: 2 N.J.R. 27(a), 2 N.J.R. 44(a).

Amendments concerned indoor and outdoor clubs and fees for contests that combined professional and amateur events. As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Added Commissioner's discretion to grant or deny license based on standards and recommendations of a nationally recognized boxing association.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Added text "Nevertheless the Commissioner ... such as association".

Amended by R.1995 d.398, effective July 17, 1995.

See: 27 N.J.R. 1138(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(a).

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Inserted "extreme" preceding "wrestling".

13:46-4.2 Application

Any application for a promoter license shall be submitted to the Commissioner for consideration.

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Changed "club" to "promoter".

13:46-4.3 Examination

Before acting upon any application for a license, the Commissioner may examine, under oath, applicants or other witnesses.

13:46-4.4 List of associated persons

Every application for a license shall have attached to it a complete list of these persons associated with the applicant. If the applicant is a partnership, the list shall state the name of all partners, and if the applicant is a corporation, the list shall state all officers and directors and all shareholders owning or controlling 10 percent or more of the stock. Failure to file such a complete list of associated persons with the application shall be considered sufficient reason to refuse issuance of the license. If the list of associated persons or any other information required by the act or by these rules is falsified and a license is issued, the license shall be revoked.

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Deleted old text of "list of partners" and added new text of "list of associated persons".

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Added the word "all" before officers and directors.

13:46-4.5 Building inspector's certificate

Every application for license shall have attached to the same the certification from the building inspector of the municipality in which the license-holder intends to operate.

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Changed "club" to "license-holder".

13:46-4.6 (Reserved)

As amended, R.1971 d.135, eff. August 11, 1971.

See: 3 N.J.R. 183(a).

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Changed "boxing club" to "promoter".

Repealed by R.1995 d.399, effective July 17, 1995.

See: 27 N.J.R. 1139(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(b).

Section was "Fees".

13:46-4.7 Term of licenses

(a) All new and renewal licenses issued to boxers by the State Athletic Control Board after the effective date of this regulation shall be valid for a period of one year from the date the license is issued, unless revoked or suspended for cause.

(b) All other licenses issued by the State Athletic Control Board shall be on a fiscal year basis (July 1 through the following June 30) and shall be valid from the date the license is issued until the expiration of the fiscal year, no matter when the license was originally obtained, unless revoked or suspended for cause.

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Grammatical change.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Deleted old text and substituted new.

New Rule, R.1987 d.51, effective January 20, 1987.

See: 18 N.J.R. 1924(c), 19 N.J.R. 233(b).

Repealed period of validity; Renewal of license.

13:46-4.8 Bond procedure

(a) Each applicant shall execute and file with the Commissioner a bond to the State of New Jersey in the sum of at least \$5,000 in a form and with sureties thereon satisfactory to the Commission, which bond shall be conditioned for the payment of the State tax.

(b) No license shall be granted under this Chapter unless such bond in connection therewith has been so filed and approved.

13:46-4.9 Documents

All papers and documents filed with the Commissioner shall be the property of the Commissioner.

13:46-4.10 Matchmaker

Each licensed promoter shall designate a matchmaker who must be licensed by the Board.

As amended, R.1982 d.389, eff. November 1, 1982.

See: 14 N.J.R. 751(b), 14 N.J.R. 1220(a).

Changed "boxing club" to "promoter". Grammatical changes.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

(e) Within 15 days after the finding of the Commissioner, a boxer who has been fined pursuant to (c) above may request review by the Board. If review is requested, the Board shall hear the matter directly. The Board may take testimony and cross examination will be permitted. The Board may:

1. Adopt the findings of the Commissioner;
2. Impose a higher or lower fine than imposed by the Commissioner, up to the amount of the purse; or
3. Find that no discipline is warranted.

(f) If the Board finds that no discipline is warranted, any amount previously deducted from the purse shall be forwarded to the boxer.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Deleted (b) and added new (b) and (c).

Amended by R.1995 d.400, effective July 17, 1995.

See: 27 N.J.R. 1141(a), 27 N.J.R. 1959(a), 27 N.J.R. 2698(a).

13:46-5.16 Forfeit fees

(a) The Commissioner may require the posting of forfeit fees by boxers, either in cash or certified check, to guarantee appearance or making of weight.

(b) If said boxer fails to appear or make the agreed upon weight, the Commissioner may impose a fine on all or part of the forfeit money.

(c) Such money withheld shall be deposited with the State Treasurer.

13:46-5.17 Boxer with suspended manager

A boxer whose manager has been suspended may continue boxing independently during the term of such suspension, signing all contracts for matches.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Deleted subsection (b).

13:46-5.18 Age limitation when beginning boxing career

No license shall be granted to any applicant who has attained his 27th birthday and wishes to begin a professional boxing career.

13:46-5.19 Age limitations on rounds of boxing

(a) Boxers 18 years of age are permitted to box for six rounds.

(b) Boxers 19 years of age are permitted to box up to eight rounds.

(c) Boxers 20 years of age are permitted to box 10 rounds.

(d) Boxers 21 years of age are permitted to box more than 10 rounds.

(e) The Commissioner shall have the discretion to waive the age limitations set forth in (a) through (c) above where, based upon a thorough review of the boxer's amateur and professional boxing experience, he determines that the boxer has demonstrated the ability to compete in a bout of longer duration. The Commissioner's review should include a consideration of the boxer's bouts of longer duration in other jurisdictions during the previous year and his degree of success against opponents who have competed in bouts of longer duration.

Amended by R.1984 d.611, effective January 7, 1984.

See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

(e) deleted.

Amended by R.1987 d.53, effective January 20, 1987.

See: 18 N.J.R. 1789(a), 19 N.J.R. 233(a).

Subsection (e) added.

13:46-5.20 Number of rounds

Boxers can be matched at four, six, eight, 10, 12 or 15 rounds.

Amended by R.1984 d.611, effective January 7, 1984.

See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Deleted text "As bouts of other duration at the discretion of the commissioner".

13:46-5.21 Fouls

(a) The following are fouls in boxing and boxers committing any of these infractions are subject to penalty as the referee sees fit:

1. Hitting below the belt;
2. Hitting an opponent who is down or who is getting up after being down;
3. Holding an opponent with one hand and hitting with the other;
4. Holding or deliberately maintaining a clinch;
5. Wrestling or kicking;
6. Any unsportsmanlike trick or action causing injury to an opponent;
7. Butting with the head or shoulder or using the knee;
8. Hitting with the open glove, or with the butt of the hand, the wrist, or the elbow; all backhand blows;
9. Roughing at the ropes;
10. Use of the kidney punch, which consists of punching in the back or kidney area;
11. Use of the rabbit punch, which is defined as punching to the back of the head or neck;
12. Jabbing opponent's eyes with the thumb of the glove;

13. The use of abusive language in the ring;
14. Hitting on the break;
15. Hitting after the bell has sounded ending the round.

13:46-5.22 (Reserved)

Repealed by R.1984 d.611, effective January 7, 1984.
See: 16 N.J.R. 2241(a), 17 N.J.R. 103(b).

Section was previously "Eyes, submission of medical report".

13:46-5.23 Time between bouts

(a) If a boxer has competed anywhere in a bout of nine rounds or more, he shall not be permitted to box in this State until 30 days have elapsed since his last bout.

(b) If a boxer has competed anywhere in a bout of seven to eight rounds inclusive, he shall not be permitted to box in this State until 20 days have elapsed since his last bout.

(c) If a boxer has competed anywhere in a bout of four to six rounds inclusive, he shall not be permitted to box in this State until 14 days have elapsed since his last bout.

(d) If a boxer has competed anywhere in a bout of one to three rounds inclusive, he shall not be permitted to box in this State until 10 days have elapsed since his last bout.

(e) At the Commissioner's discretion, the time periods outlined above may be extended where indicated by the circumstances of the boxer's last bout. In making this determination, the Commissioner shall consider:

1. The number, nature and effect of the blows exchanged by the boxers during the bout;
2. The physical condition of the boxer as demonstrated by the post-fight physical examination; and
3. The recommendations of the ringside physician.

As amended, R.1971 d.228, effective Dec. 30, 1971.

See: 3 N.J.R. 272(b), 4 N.J.R. 28(d).

Amended by R.1984 d.611, effective January 7, 1984.

See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Section substantially amended.

New Rule, R.1987 d.214, effective May 18, 1987.

See: 18 N.J.R. 2423(a), 19 N.J.R. 882(a).

Old text deleted.

13:46-5.24 (Reserved)

Repealed by R.1984 d.611, effective January 7, 1984.

See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Section was previously "Inability to perform contract due to injuries or illness".

13:46-5.25 (Reserved)

Repealed by R.1984 d.611, effective January 7, 1984.

See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Section was previously "cleanly shaven".

13:46-5.26 (Reserved)

Repealed by R.1985 d.164, effective April 1, 1985.

See: 17 N.J.R. 55(a), 17 N.J.R. 837(a).

Originally "Boxers from same stable".

13:46-5.27 Disqualification of boxer

If a boxer persists in fouling, despite a referee's warnings and in violation of clean sportsmanship, the referee shall have the right to disqualify said boxer.

13:46-5.28 Contest stopped prematurely

When a boxing contest is stopped because of rain or other unavoidable circumstances and less than half of the scheduled number of rounds have been finished, the Commissioner or his representative shall call the same a draw. If, under the same circumstances, half or more of the scheduled number of rounds have been completed, the decision shall be awarded in accordance with the majority score of the scorecards.

Amended R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Substantially amended.

13:46-5.29 Resident license

No professional boxer who is not a resident of New Jersey may be booked or scheduled to appear in any boxing contest unless such boxer has in his possession a current license from his State of legal residence, or other appropriate governmental jurisdiction, or if the same provision is waived by the Commissioner.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Substantially amended.

13:46-5.30 (Reserved)

Repealed by R.1984 d.611, effective January 7, 1984.

See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Section was previously "Examination prior to licensing and boxing".

13:46-5.31 Grounds for suspension of license

(a) A boxer may be disciplined by the Commissioner pursuant to N.J.A.C. 13:46-22.1 for any violation of the rules of the Board.

(b) In addition to any other discipline which may be imposed by the Commissioner, the following suspensions shall be imposed upon any boxer who fails a drug test required pursuant to N.J.A.C. 13:46-12.4:

1. Upon the first failure of such drug test, a 30 day suspension shall be imposed;

2. Upon the second failure of such drug test, a minimum suspension of 45 days shall be imposed by the Commissioner. Such suspension may, in the discretion of the Board, be increased to a maximum of one year. Any boxer suspended pursuant to this subsection shall be required to obtain in-patient drug rehabilitation treatment and must demonstrate successful completion of such treatment prior to licensure reinstatement;

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Section was originally "Physical fitness card".

Amended by R.1995 d.399, effective July 17, 1995.

See: 27 N.J.R. 1139(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(b).

13:46-9.7 Check of substitute boxers

All substitutions must occur no later than two hours after the weigh-in and all substitutes must be approved by the Commissioner or his representative and have previously obtained licenses from the State Athletic Commission.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Old text deleted and new text substituted.

13:46-9.8 (Reserved)

Repealed by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Section originally "Collection of tax payment".

13:46-9.9 (Reserved)

AGENCY NOTE: Since these sections were first proposed, L.1984, c.248 has been enacted and effective January 7, 1985. Therefore, these regulations are unnecessary and are being deleted in their entirety.

Repealed by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Section originally "Computing tax payment".

13:46-9.10 Check of lock boxes

Inspectors must check lock boxes to make certain no counterfeit tickets are deposited and as a double check on the box office count.

13:46-9.11 Special reports on performances

Inspectors shall, when the occasion requires, submit special reports on performances of the boxers, recommendations for suspensions or unusual incidents.

13:46-9.12 Special reports on injuries

If any participant in any combative sport is injured and requires hospital attention, the inspectors must notify the Commissioner's office at once and then shall submit a special report on a form supplied by the Commissioner. The same shall include all details and subsequent follow-up reports on the condition of the injured contestant.

Amended by R.1995 d.398, effective July 17, 1995.

See: 27 N.J.R. 1138(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(a).

13:46-9.13 Check of seconds' compliance with rules

Inspectors shall see that all seconds present a neat appearance according to the rules of this Chapter.

13:46-9.14 Assure enforcement of regulations

Inspectors shall see that all necessary equipment is provided, that the contestants are ready on time, that the seconds are properly instructed in their duties and that all regulations pertaining to the proper conduct of the bout are enforced.

13:46-9.15 Report of injuries covered by insurance

Inspectors shall make an inquiry of all boxers after their bouts, in cooperation with the physicians, and shall report any injuries covered by the accident insurance plan on a special form to the Commissioner within 24 hours.

13:46-9.16 Forwarding of receipts

Inspectors must forward voided receipts as well as all other receipts from receipt books in their custody promptly after the conduct of any show to which they are assigned.

13:46-9.17 Compensation for inspectors

(a) Four inspectors shall be assigned by the Commissioner to each boxing show.

(b) The compensation to the inspectors shall be paid by the promoter and the fee for each of the inspectors shall be \$70.00.

(c) Promoters shall not make any payments of compensation directly to inspectors. The promoter shall write a check to the State of New Jersey in an amount authorized and determined by the Commissioner or his authorized representative. The check shall be given to the Commissioner or his authorized representative. The funds will be disbursed by the Board to the inspectors.

(d) Notwithstanding (a) above, the Commissioner shall have the discretion to appoint up to a maximum of 12 inspectors to any boxing show which has among its matches a championship match or a special event.

(e) The number of inspectors assigned to any combative sports event other than a boxing match shall be determined by the Commissioner; however, in no event shall more than six inspectors be assigned to any event other than a boxing show as permitted in (d) above.

New Rule, R.1992 d.511, effective December 21, 1992.

See: 24 N.J.R. 3492(a), 24 N.J.R. 4557(b).

Amended by R.1995 d.399, effective July 17, 1995.

See: 27 N.J.R. 1139(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(b).

SUBCHAPTER 10. ANNOUNCERS

13:46-10.1 Designation; approval; license

Announcers for combative sports in New Jersey may be designated by the promoters with the approval of the Commissioner and must be licensed by the Board.

Amended by R.1995, d.398, effective July 17, 1995.
See: 27 N.J.R. 1138(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(a).

13:46-10.2 Authorization to announce

Announcers are forbidden to make any announcement whatsoever except as authorized to do so by the promoter with the consent of the Commission representative at the ringside.

13:46-10.3 Announcement of contestants' names and weights

After contestants and their chief seconds are in the ring, the boxing announcer shall announce the names of the contestants, their correct weights and other matters as may be directed by the Commissioner's representative.

13:46-10.4 Announcement of contest rules

Boxing announcers shall announce the referee's decisions at the end of contests and in the event of knockouts, the time of same and the round of occurrence.

13:46-10.5 Neutrality

(a) Announcers must not in any way by word or action attempt to show any partisanship inside or outside the ring.

(b) They must remain seated in place and be silent except when making official announcements.

13:46-10.6 Introducing suspended person

Boxing announcers must not at any time introduce from any ring any boxer or other person who is under suspension.

13:46-10.7 Announcement of the decision

At the conclusion of a boxing bout, the announcer shall obtain the decision from the Commissioner or his representative and shall announce the decision from the ring. The manner of the announcement shall be directed by the Commissioner.

Amended by R.1985 d.21, effective February 4, 1985.
See: 16 N.J.R. 1956(a), 17 N.J.R. 314(a).
Old text deleted and new text substituted.

SUBCHAPTER 11. TIMEKEEPERS

13:46-11.1 Appointment and license

Timekeepers for combative sports in New Jersey shall be appointed and licensed by the Commissioner. Timekeepers are at-will employees of the Board and, notwithstanding the procedure enumerated at N.J.A.C. 13:46-4.14, may have their licenses revoked or their renewal applications denied without the benefit of a hearing before the Board.

Amended by R.1995 d.400, effective July 17, 1995.

See: 27 N.J.R. 1141(a), 27 N.J.R. 1959(a), 27 N.J.R. 2698(a).

13:46-11.2 Stop-watch

A timekeeper shall have an accurate stop-watch that shall have been properly examined and certified by a competent watchmaker.

13:46-11.3 Time of round; rest period

(a) A timekeeper shall limit each round of boxing to three minutes, provided, however, that in any boxing contest between female competitors, each round shall be limited to two minutes.

(b) Each rest period between rounds shall last 60 seconds. This period may be extended by the ringside physician in order to allow the physician sufficient time to examine a boxer's physical condition between rounds.

Amended by R.1984 d.611, effective January 7, 1984.
See: 16 N.J.R. 2241(a), 17 N.J.R. 103(a).

Section substantially amended.
Amended by R.1997 d.227, effective June 2, 1997.
See: 29 N.J.R. 413(a), 29 N.J.R. 2567(a).

In (a), added clause regarding time limit of rounds for female competitors.

13:46-11.4 Warning signal

Ten seconds before the beginning of each round the timekeeper shall give to the seconds of the contestants by sounding a signal.

13:46-11.5 Termination before scheduled limit

In the event a boxing contest terminates before the scheduled limit of rounds, the timekeeper shall inform the announcer of the exact duration of the contest.

13:46-11.6 Location near bell

A timekeeper shall be equipped with a metal hammer or mallet and shall be seated close to the bell at ringside. Adequate space must be provided to allow the timekeeper complete freedom of motion.

13:46-11.7 Signals during rounds

Except for the official five-second signal, a timekeeper at a boxing match must not give any signal or information on the duration of any round in progress in any contest.

Amended by R.1998 d.328, effective July 6, 1998.
See: 29 N.J.R. 4250(a), 30 N.J.R. 2509(a).

Substituted a reference to five-second signals for a reference to ten-second signals.

13:46-11.8 Termination between rounds

If a boxing bout shall terminate between rounds by decision of the referee and the bell has not sounded for the next round, the boxer will be considered knocked out in the round just concluded; if the bell has sounded the fighter will be considered knocked out in the next round.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

(a) substantially amended; (b) deleted.

13:46-11.9 Extreme wrestling

(a) A timekeeper at extreme wrestling exhibitions shall take a cue to commence time from the nod of the referee and shall sound the gong simultaneously with the referee's call of "time."

(b) At the termination of each five-minute period of any extreme wrestling exhibition, the timekeeper shall call out the time the participants have been wrestling sufficiently loud for the referee to hear, such as "five minutes" or "ten minutes."

(c) In time limit exhibitions the timekeeper shall sound the gong at the end of the designated time limit to indicate the end of the exhibition.

(d) When an exhibition is terminated in less than the scheduled time limit, the timekeeper shall give the referee the elapsed time.

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

In (a), substituted "a" for "his" preceding "cue"; in (a) and (b), inserted "extreme" preceding "wrestling".

13:46-11.10 Compensation for combative sports timekeepers

(a) The compensation to boxing timekeepers shall be paid by the promoter conducting the show and shall be on the following basis:

1. When the gross gate receipts of the show do not exceed \$25,000, the fee for the timekeeper shall be \$200.00.
2. When the gross gate receipts of the show are between \$25,000 and \$50,000, the fee for the timekeeper shall be \$250.00.
3. When the gross gate receipts of the show are between \$50,000 and \$100,000, the fee for the timekeeper shall be \$300.00.
4. When the gross gate receipts of the show are between \$100,000 and \$200,000, the fee for the timekeeper shall be \$350.00.
5. When the gross gate receipts of the show are between \$200,000 and \$300,000, the fee for the timekeeper shall be \$400.00.
6. When the gross gate receipts of the show are in excess of \$300,000, the fee for the timekeeper shall be set by the Commissioner.

(b) The compensation set forth in (a) above shall not apply in a sanctioned championship boxing bout or special event. The Commissioner shall set the compensation to be

paid to timekeepers officiating at sanctioned championship boxing bouts and special events. In making this determination, the Commissioner may consider any determinations, standards or recommendations made by a recognized boxing association. Nevertheless, the Commissioner shall retain full authority to set the compensation schedule for timekeepers in championship boxing bouts and special events irrespective of a determination or a recommendation by such an association.

New Rule, R.1987 d.50, effective January 20, 1987.

See: 18 N.J.R. 1925(a), 19 N.J.R. 234(a).

Amended by R.1995, d.400, effective July 17, 1995.

See: 27 N.J.R. 1141(a), 27 N.J.R. 1959(a), 27 N.J.R. 2698(a).

SUBCHAPTER 12. (RESERVED)

SUBCHAPTER 12A. UNIFORM MEDICAL REQUIREMENTS

13:46-12A.1 Applicability

This subchapter shall apply to all professional boxing matches. All other rules of this chapter shall continue to apply to professional boxing matches except that, in the event of a conflict, the rules of this subchapter shall control.

13:46-12A.2 Pre-licensure medical requirement

(a) A boxer, as a condition to licensure or to the renewal of licensure by the State Athletic Control Board shall undergo a thorough medical examination by a physician or physicians to establish his or her physical and mental fitness for competition.

(b) An examination shall be made no earlier than 30 days but no later than one day prior to licensure or the renewal thereof except for the HIV test, referred to in N.J.A.C. 13:46-12A.3, which shall be conducted no earlier than 14 days prior to licensure.

(c) In addition to the examination required by (a) above, the Commissioner at his or her discretion may order such additional examinations of a boxer at any time for the purpose of determining his or her continued fitness and qualification to engage in a boxing contest.

(d) No applicant shall be granted a license unless the physician appointed by the State Athletic Control Board has certified his or her fitness to engage in a boxing contest.

13:46-12A.3 Thorough medical examination defined

(a) A thorough medical examination shall consist of a minimum requirement of:

1. A CT/MRI Brain Scan (without contrast), within the last three years;
2. An electrocardiogram;
3. Ophthalmological dilation;
4. An annual gynecological and breast exams for women;
5. A serum pregnancy test for women;
6. A comprehensive history and physical examination;
7. A complete blood count for bleeding and coagulation time;
8. An HIV test conducted no earlier than 14 days prior to licensure; and
9. A urinalysis.

13:46-12A.4 Pre-fight weigh-in examination

(a) All boxers in all bouts shall be given a medical examination by a physician appointed by the Commissioner prior to the start of the bout, both at the weighing-in and in the evening, a short while before the boxing program commences. All such examinations shall be conducted privately with no other persons present besides the physician and the boxer. This physical examination shall include as many of the procedures outlined in N.J.A.C. 13:46-12A.3 as the examining physician may decide are necessary. In all cases, the examination shall include the administration of a thorough ophthalmological and neurological examination and a urinalysis. In all cases, the boxer shall present to the physician the results of a test for the HIV virus in accordance with N.J.A.C. 13:46-12A.5.

(b) The examination shall include a pregnancy test for all female boxers. Any contestant determined to be pregnant shall not be permitted to box in this State.

(c) No boxer shall be permitted to enter the ring unless the physician appointed by the Commissioner has certified his or her fitness to engage in a boxing contest. The physician's decision that a boxer is not fit to engage in a boxing contest shall not be subject to change by any other official. A boxer may be disqualified for any medical reason.

13:46-12A.5 HIV examination

All boxers in all bouts shall complete an HIV examination. The initial test for HIV detection shall be conducted no earlier than 14 days prior to licensure. After licensure, an HIV test shall be completed by every boxer prior to his or her participation in each boxing match. Pre-fight HIV tests shall be administered no earlier than 14 days prior to the boxing match. Any boxer who fails to produce the results of such a test, or who produces a test result showing that the boxer is infected with the HIV virus, shall not be permitted to box in this State.

13:46-12A.6 Recommended hepatitis testing and vaccinations

Hepatitis testing, as well as vaccinations, are recommended for all boxers but are not mandatory.

13:46-12A.7 Usage of drugs

(a) The use of any drug, narcotic, stimulant, depressant, or analgesic of any description, or alcohol substance, by a boxer either before or during a match, shall result in the immediate disqualification of the boxer from the match and disciplinary action in accordance with N.J.A.C. 13:46-12A.9.

(b) A boxer shall submit to any pre-fight or post-fight urinalysis or other laboratory procedure ordered by the physician appointed by the Commissioner to detect the presence of any drug. Refusal to submit to such testing shall result in the immediate disqualification of the boxer from the match and an indefinite suspension from boxing.

13:46-12A.8 Urinalysis

(a) All boxers in all bouts shall complete a pre-fight urinalysis exam to detect the presence of any drug.

(b) In addition to the mandatory pre-fight analysis, the Commissioner may, at his or her discretion, decide to test for the presence of performance enhancing drugs and thereby require additional urine specimens to be produced at any time after the completion of the bout.

(c) Collection of specimens for urinalysis testing shall be conducted by a Commission official. Refusal to submit to such testing shall result in the immediate disqualification of the boxer from the match and an indefinite suspension from boxing.

13:46-12A.9 Penalties for drug use

(a) Any boxer who tests positive for drug use shall be penalized as follows:

1. First offense: 90 days' suspension;
2. Second offense: 180 days' suspension, and mandatory enrollment in a supervisory treatment program approved by the State Commission; and
3. Third offense: Two years' suspension without appeal.

13:46-12A.10 Post-fight medical examination

(a) All boxers in all bouts shall be given a physical examination by a physician appointed by the Commissioner immediately following the bout. This physical examination shall include as many of the procedures outlined in N.J.A.C. 13:46-12A.3 as the examining physician may decide are necessary. In all cases, the examination shall include the administration of a thorough ophthalmological and neurological examination.

(b) The Commissioner, upon placing a boxer on the suspension list, shall immediately mail a written suspension notice to the boxer and his or her licensed manager at their last known addresses, specifying the nature of the suspension, the reason therefor, and the length of the suspension, where known.

(c) Any boxer who participates in a boxing contest during the period of his or her suspension shall have his or her license revoked. Any licensed manager of a boxer on the suspension list who participates in a boxing contest shall have his or her license revoked. Any licensed promoter of a boxing show in which a boxer on the suspension list participates shall have his or her license revoked.

13:46-12B.8 Compensation for physicians

(a) The compensation to physicians shall be paid by the promoter conducting the show and shall be on the following basis:

1. Each physician assigned by the Commissioner to perform duties at the pre-fight weigh-in at a boxing show shall receive a fee of \$100.00.
2. Each physician assigned by the Commissioner to perform ringside duties at boxing or wrestling show shall receive a fee of \$200.00.

(b) The compensation schedule set forth in (a) above shall not apply in a sanctioned championship boxing bout. The Commissioner shall set the compensation to be paid to physicians assigned to perform pre-fight or ringside duties at sanctioned championship boxing bouts. In making this determination, the Commissioner may consider any determinations, standards or recommendations made by a nationally recognized boxing association whose voting membership is composed of representatives of governmental agencies regulating boxing. A nationally-recognized boxing association shall include, but not be limited to, the World Boxing Council, the North American Boxing Federation and the United States Boxing Association. Nevertheless, the Commissioner shall retain full authority to set the compensation schedule for physicians in championship boxing bouts irrespective of a determination or a recommendation by such an association.

Amended by R.2000 d.31, effective January 18, 2000.
See: 31 N.J.R. 3047(a), 32 N.J.R. 321(b).

In (a)2, increased the fee from \$150.00 to \$200.00.

SUBCHAPTER 13. TELEVISION

13:46-13.1 Tax

(a) Every person who shall hold any boxing, wrestling or sparring exhibition or performance shall pay to the Commissioner, in addition to the gross receipts tax imposed by

N.J.S.A. 5:2A-20(c)(1), a tax on the gross receipts derived from the lease or sale of television, moving picture or radio rights in connection with any such exhibition or performance. The rate of tax shall be in accordance with N.J.S.A. 5:2A-20(c)(2).

(b) The Commissioner shall forthwith pay the tax into the State Treasury.

Amended by R.1995 d.399, effective July 17, 1995.
See: 27 N.J.R. 1139(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(b).

13:46-13.2 Forms

Special forms to accompany the payment of the television tax shall be provided by the Commission to promoters whose shows are televised.

13:46-13.3 Sanction and approval of Commissioner

No promoter shall enter into any television agreement, either with a sponsor or a television station, without first obtaining the Commissioner's sanction and approval.

13:46-13.4 Copy of agreement furnished to Commissioner

(a) The Commissioner must be furnished with true copies, properly notarized, of any and all agreements between promoters and television sponsors or between promoters and television stations.

(b) Television station authorities must submit to the Commissioner any television agreement made with any boxing or wrestling promoter prior to televising the same.

13:46-13.5 Time for tax payment

The television tax must be paid the same night of a show. If by check, it must be separate.

13:46-13.6 Application

No person shall enter into any agreement whatsoever to televise a boxing, wrestling or sparring performance or exhibition, either for profit or for advertisement purposes, unless written application is submitted to the Commissioner and sanction obtained.

13:46-13.7 Announcements

Promoters shall submit announcements for television purposes to the representative of the Commissioner.

SUBCHAPTER 14. INSURANCE FOR BOXERS

13:46-14.1 Carried by promoter

Licensed boxing promoters must carry accident insurance covering all professional boxers competing in their clubs.

13:46-14.2 Premium payment

(a) Each licensed promoter shall be required to submit a full premium payment for boxer's insurance coverage at the same time that club contracts are filed, five days prior to a show, with the State Athletic Commission.

(b) Payment by check for the premium is to be made out in the name of the insurance company supplied by the Commissioner.

13:46-14.3 Coverage

(a) Insurance will cover professional boxers for medical, surgical and hospital care in excess of \$10.00 up to a total of \$500.00; dental expense limited to \$50.00; nose injuries, \$100.00.

(b) In the event of accidental death, \$5,000.00 will be paid to the estate of the deceased.

13:46-14.4 Cost of insurance

The cost of insurance is to be divided equally between the promoter and the boxers appearing in a final bout and semi-final bout or bouts of equal importance and of comparable compensation. This schedule is subject to change at the discretion of the Commissioner.

13:46-14.5 Compliance

No professional boxing show shall be approved in New Jersey unless the accident insurance plan is met with the fullest compliance.

SUBCHAPTER 15. TICKETS**13:46-15.1 Approved printer**

Any promoter or person who holds a boxing, extreme wrestling or sparring exhibition or performance must only use tickets obtained from a printer licensed and approved by the Commissioner.

Amended by R.2001 d.293, effective August 20, 2001.
See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Inserted "extreme" preceding "wrestling".

13:46-15.2 Printer's license

(a) All licenses hereunder shall be for a period of one year unless sooner revoked for cause.

(b) At the time of the application for such license, the applicant shall execute and file with the Commissioner a bond to the State of New Jersey in the sum of \$10,000 in proper form and with sureties thereon satisfactory to the Commissioner, which bond shall be conditioned for compliance with the provision of the license.

(c) A printer's license fee shall be \$100.00 for a period of one year.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

(a) deleted; (b)-(d) renumbered to (a)-(c).

Amended by R.1995 d.399, effective July 17, 1995.

See: 27 N.J.R. 1139(a), 27 N.J.R. 1959(a), 27 N.J.R. 2697(b).

Amended by R.1997 d.38, effective January 21, 1997.

See: 28 N.J.R. 4078(a), 29 N.J.R. 373(a).

In (c), raised fee.

13:46-15.3 Ticket form

Tickets shall be printed and made in such form as the Commissioner may prescribe.

13:46-15.4 Inventory

(a) Authorized printers shall send by mail to the Commission office, not less than seven days before a boxing show or wrestling exhibition for which the tickets have been printed, a sworn inventory of all tickets delivered to any club.

(b) The inventory shall account for any over prints, changes or extras.

(c) The inventory, or manifest, shall be in triplicate, two copies of which shall be supplied to the Commissioner.

13:46-15.5 Format of tickets according to price and complimentary tickets

(a) Tickets of different prices must be printed on cardboard of different colors.

(b) A promoter may issue complimentary tickets without charge to those receiving them. The promoter shall pay to the Commissioner the tax required by N.J.S.A. 5:2A-20(c)(1) on all complimentary tickets issued, with the tax being calculated upon the price which would have been paid for each ticket if it had been sold. The tax shall not be paid, however, upon tickets issued without charge to:

1. Newspaper reporters, photographers, telegraphers, and radio and television announcers assigned to work by their recognized employers or supervisors, policemen and firemen in uniform and on duty, and persons of similar vocation who are admitted free to any club for the performance of special duties in connection with any event and whose special duties are the sole reason for their presence and free admission as set forth in N.J.A.C. 13:46-15.11;

2. Persons in the established working press section having reservations as set forth in N.J.A.C. 13:46-15.15; and

3. Actual employees as set forth in N.J.A.C. 13:46-15.16.

As amended, R.1982 d.398, effective November 1, 1982.

See: 14 N.J.R. 971(b), 14 N.J.R. 1220(b).

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Old section deleted and new text substituted.

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Rewrote the section.

13:46-21.7 Medical examination of extreme wrestling referee

Extreme wrestling referees shall be subject to the same medical requirements for professional boxing referees as specified in N.J.A.C. 13:46-12B.4.

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Rewrote the section.

13:46-21.8 Apparel

Apparel required for extreme wrestling referees shall consist of blue shirt, black trousers, black bow tie and black shoes.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Substantially amended.

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Inserted "extreme" preceding "wrestling".

13:46-21.9 Use of physician

The referee of an extreme wrestling exhibition may call the assigned physician to the ring whenever an injury to a wrestler requires a decision on whether or not said wrestler should be permitted to continue.

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Inserted "extreme" preceding "wrestling".

13:46-21.10 Disqualifying wrestlers

Extreme wrestling referees shall disqualify wrestlers who persist in violating rules of decency, propriety, good sportsmanship or are offensive to the public interest.

Amended by R.2001 d.293, effective August 20, 2001.

See: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

Inserted "Extreme" preceding "wrestling".

SUBCHAPTER 22. HEARINGS AND SUBPOENA OF WITNESSES

13:46-22.1 Investigations and hearings held by the Commissioner; discipline

(a) The Commissioner or any agent designated by him may make investigations and the Commissioner may hold hearings and issue subpoenas to compel the attendance of witnesses.

(b) The Commissioner also may order the production of books, papers or records needed for any hearing.

(c) When the hearing takes place the Commissioner may administer oaths to and examine any witnesses for the purpose of determining the question for which the hearing has been called.

(d) If the Commissioner finds that a violation of the rules of the Board has occurred, the Commissioner may impose a disciplinary fine of not less than \$250.00 nor more than \$25,000 for a first offense and not less than \$500.00 nor more than \$50,000 for a subsequent offense. In addition to any fine, the Commissioner may suspend or revoke any license.

(e) Within 15 days after the imposition of a fine and/or suspension or revocation by the Commissioner, a licensee may request review by the Board. If review is requested, the Board shall hear the matter directly or refer the matter to the Office of Administrative Law pursuant to N.J.A.C. 13:46-4.14. The Board may take testimony and cross examination will be permitted. The Board may:

1. Adopt the decision of the Commissioner;
2. Impose a greater or lesser penalty than imposed by the Commissioner, except that the maximum fine shall be the greater of \$10,000 or the amount of the purse in the bout in which the violation occurred; or
3. Find that no discipline is warranted.

Amended by R.1985 d.284, effective June 3, 1985.

See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

Amended by R.1995 d.400, effective July 17, 1995.

See: 27 N.J.R. 1141(a), 27 N.J.R. 1959(a), 27 N.J.R. 2698(a).

Amended by R.1997 d.228, effective June 2, 1997.

See: 29 N.J.R. 414(a), 29 N.J.R. 2568(a).

Rewrote (d).

13:46-22.2 Failure to obey; fine

(a) Any person who shall willfully fail to obey any subpoena by the Commissioner or to answer truthfully such questions as may be asked of him by the Commissioner shall, in addition to any other penalties which may be prescribed by law, be liable to a fine of \$100.00.

(b) No witness shall be compelled to answer any question which will incriminate him.

13:46-22.3 Functions of Commissioner

(a) The Commissioner shall have and exercise sole direction, management, control and supervision over all boxing matches or wrestling and sparring exhibitions and performances.

(b) The Commissioner shall enforce such rules and regulations of the Board as shall be necessary or proper for the holding of boxing matches or extreme wrestling or sparring exhibitions and performances.

(c) It is the Commissioner's power to prescribe and enforce penalties for any violations, subject to the review of the Board as set forth in N.J.A.C. 13:46-22.1.

Amended by R.1995 d.400, effective July 17, 1995.

Sec: 27 N.J.R. 1141(a), 27 N.J.R. 1959(a), 27 N.J.R. 2698(a).

Amended by R.2001 d.293, effective August 20, 2001.

Sec: 33 N.J.R. 1050(a), 33 N.J.R. 2816(a).

In (b), inserted "extreme" preceding "wrestling".

SUBCHAPTER 23. STANDARDS OF CONDUCT

13:46-23.1 Interest in athlete prohibited

No officer, employee or appointee of the Office of the State Athletic Commissioner, including referees, judges, inspectors, timekeepers, physicians, doormen and box office employees, nor any spouse, child, parent or sibling of any such individual, shall have any direct or indirect financial interest in any boxer or wrestler licensed by the Office of the State Athletic Commissioner.

13:46-23.2 Interest in promoter prohibited

No officer, employee or appointee of the Office of the State Athletic Commissioner, including referees, judges, inspectors, timekeepers, physicians, doormen and box office employees, nor any spouse, child, parent or sibling of any such individual, shall have a direct or indirect financial interest in any person, partnership, firm, corporation or association licensed by the Office of the State Athletic Commissioner to hold or conduct boxing bouts, wrestling exhibitions, or sparring exhibitions pursuant to N.J.A.C. 13:46-4.1. For purposes of this section, "financial interest" does not mean the ownership of less than 10 percent of the publicly traded stock in a corporation for profit.

13:46-23.3 Interest in manager's or second's contract prohibited

No officer, employee or appointee of the Office of the State Athletic Commissioner, including referees, judges, inspectors, timekeepers, physicians, doormen and box office employees, nor any spouse, child, parent or sibling of any such individual, shall have any direct or indirect financial interest in any manager's or second's contract with any athlete licensed by the Office of the State Athletic Commissioner or in any assignment thereof.

13:46-23.4 Interest in matchmaker's contract prohibited

No officer, employee or appointee of the Office of the State Athletic Commissioner, including referees, judges, inspectors, timekeepers, physicians, doormen and box office employees, nor any spouse, child, parent or sibling of any such individual, shall have any direct or indirect financial interest in any matchmaker's contract with a promoter licensed by the Office of the State Athletic Commissioner or in any assignment thereof.

13:46-23.5 (Reserved)

Repealed by R.1993 d.460, effective September 20, 1993.
See: 24 N.J.R. 4489(a), 25 N.J.R. 4499(b).

Section was "Acceptance of gift, favor, service or other thing of value prohibited".

13:46-23.6 Promoter's interest in athlete prohibited

No person, partnership, firm, corporation or association licensed by the Office of the State Athletic Commissioner to hold or conduct boxing bouts, wrestling exhibitions or sparring exhibitions pursuant to N.J.A.C. 13:46-4.1, nor any person or entity holding an interest in said licensee of the nature described in N.J.A.C. 13:46-23.2, nor the spouse, child, parent or sibling of any such individual, shall have any direct or indirect financial interest in any boxer or wrestler competing on premises owned or leased by said person or entity unless said interest is disclosed in writing and sent by regular or certified mail or hand delivered to the Office of the State Athletic Commissioner, Richard J. Hughes Justice Complex, Trenton, New Jersey, at least 10 days prior to the authorized event.

13:46-23.7 Promoter prohibited from acting as manager or second of participant

No person, partnership, firm, corporation or association licensed by the Office of the State Athletic Commissioner to hold or conduct boxing bouts, wrestling exhibitions or sparring exhibitions pursuant to N.J.A.C. 13:46-4.1, nor any person or entity holding an interest in said licensee of the nature described in N.J.A.C. 13:46-23.2, nor the spouse, child, parent or sibling of any such individual, shall serve or act as the manager or second for a licensed athlete or shall have any direct or indirect financial interest in any manager's or second's contract with any athlete licensed by the Office of the State Athletic Commissioner or in any assignment thereof unless such interest is disclosed in a writing sent by regular or certified mail or hand delivered to the Office of the State Athletic Commissioner, Richard J. Hughes Justice Complex, Trenton, New Jersey, at least 10 days prior to the time of the authorized event.

13:46-23.8 Promoter prohibited from holding interest in other promoter

No person, partnership, firm, corporation or association licensed by the Office of the State Athletic Commissioner to hold or conduct boxing bouts, wrestling exhibitions or sparring exhibitions pursuant to N.J.A.C. 13:46-4.1, shall hold an interest of the nature described in N.J.A.C. 13:46-23.2 in any other such licensee except as provided by N.J.A.C. 13:46-4.29.

13:46-23.9 Financial interest in opponent prohibited

No licensed manager or second of any licensed athlete and no assignee of a manager-athlete or a second-athlete contract shall have any direct or indirect financial interest in the opponent in any contest in which said athlete participates. No licensed athlete shall have any direct or indirect financial interest in his opponent in any contest.

**SUBCHAPTER 23A. GIFTS, OUTSIDE
ACTIVITIES, LODGING, WORK SPACE**
13:46-23A.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Agent" means any person appointed by the State Athletic Control Board pursuant to N.J.S.A. 5:2A-5(b).

"Board" means the State Athletic Control Board.

"Employee" means the Commissioner, Deputy Commissioners, Chief Inspector, inspectors, and any other person holding full or part-time office or employment with the Board who is compensated for his or her services by the State of New Jersey.

“Appointee” means a referee, judge, timekeeper, or physician or any other individual who is compensated for services performed on behalf of the Board by means of disbursements by the Board from funds provided to it by a check issued by the promoter to the State of New Jersey and who receives no other compensation from the State of New Jersey.

“Licensee” means a promoter, matchmaker, manager, second, boxer, wrestler, kick boxer or other athletic sports combatant, an announcer, doorman, box office employee, and any club, corporation, organization or association licensed by the Board.

“Non-New Jersey state athletic regulatory agency” means a state agency having the authority to regulate an “out-of-State athletic event” as defined in this section.

“Out-of-State athletic event” means any event which, if held in New Jersey, would be a “regulated event” as defined herein.

“Regulated event” means any public boxing, wrestling, kick boxing and combative sports exhibition or any other event subject to regulation by the Boxing, Wrestling and Combative Sports Act, N.J.S.A. 5:2A-1 et seq.

13:46-23A.2 Department Code of Ethics

All Board members, employees, and appointees are subject to Department of Law and Public Safety Code of Ethics.

13:46-23A.3 Acceptance of gift, favor, service or other thing of value by Board member or employee

(a) No Board member or employee shall solicit, receive or agree to receive, whether directly or indirectly, any gift, favor, service or other thing of value whatsoever, including, but not limited to, tickets, travel expenses, meals, the use of hotel rooms or other gratuities, from:

1. Any licensee of, or applicant for licensure by, the Board;
2. Any licensee of, or applicant for licensure by, the Casino Control Commission, pursuant to N.J.S.A. 5:12-1 et seq.; or
3. The owner of any premises at which a regulated event is held.

(b) Any offer of a gift, favor, service or any other thing of value as defined in (a) above must be reported, in writing, within 48 hours of the offer, to the Department of Law and Public Safety Ethics Officer and the Board Ethics Officer. The Department of Law and Public Safety Ethics Officer, after consulting with the Board Ethics Officer, shall determine whether the gift, favor, service or other thing of value may be accepted.

(c) No Board member or employee shall accept, receive or use a casino meal ticket under any circumstances associated with a regulated event.

13:46-23A.4 Acceptance of gift, favor, service or other thing of value by appointee

(a) No appointee shall solicit, receive or agree to receive, whether directly or indirectly, any gift, favor, service or other thing of value whatsoever, including, but not limited to, tickets, travel expenses, meals, the use of hotel rooms, or other gratuities, from any licensee of, or applicant for licensure by, the Board, any licensee of, or applicant for licensure by, the Casino Control Commission, pursuant to N.J.S.A. 5:12-1 et seq., or the owner of any premises at which a regulated event is held:

1. In connection with a regulated event to which the appointee has been assigned; or
2. Under circumstances from which it might be reasonably inferred that the gift, favor, service or other thing of value was given or offered or solicited for the purposes of influencing or rewarding the appointee’s performance of his or her duties or was given, offered or solicited because of the appointee’s status as an official of the Board.

(b) Any offer of a gift, favor, service or other thing of value as defined in (a) above must be reported, in writing, within 48 hours to the Department of Law and Public Safety Ethics Officer and the Board Ethics Officer. The Department of Law and Public Safety Ethics Officer, after consulting with the Board Ethics Officer, shall determine whether the gift, favor, service or other thing of value may be accepted.

13:46-23A.5 Outside activity related to sanctioning bodies, licensees, non-New Jersey state regulatory agencies

(a) No Board member, employee or agent, including the Commissioner, shall hold an office or position in any body, organization, association or federation which is established for the purpose of sanctioning boxing, wrestling, kick boxing, and combative sports exhibitions, events, performances and contests in this State or other states. See N.J.S.A. 5:2A-6.1.

(b) Any employee who is requested to serve in any compensated or uncompensated role on behalf of a sanctioning body that is not otherwise prohibited by (a) above, such as a supervisor in connection with an out-of-State athletic event or as a speaker at an event sponsored by a sanctioning body, or is requested to serve in any compensated or uncompensated role whatsoever on behalf of a licensee of, or applicant for licensure by, the Board or on behalf of a non-New Jersey state athletic regulatory agency, or on behalf of a licensee of, or applicant for licensure by, the Casino Control Commission, pursuant to N.J.S.A. 5:12-1 et seq., or on behalf of the owner of any premises at which a regulated event is held, shall obtain the approval of the Board prior to performing any such role. Requests for approval of such activity shall be submitted in writing to the Department of Law and Public Safety Ethics Officer and the Board Ethics Officer. The Department of Law and Public Safety Ethics Officer, after consulting with the Board Ethics Officer, shall determine whether the activity may be permitted and shall advise the Board accordingly.

(c) Any Board member who is requested to serve in any role as described by (b) above shall advise the other members of the Board and obtain any advisory opinion from the Department of Law and Public Safety Ethics Officer as to the propriety of such service.

(d) Nothing in this section is intended to require appointees to obtain the Board's approval to officiate or to provide medical services on behalf of a sanctioning body or non-New Jersey state athletic regulatory agency in connection with an athletic event outside the State of New Jersey.

13:46-23A.6 Work space, lodging for employees, judges and referees

(a) Notwithstanding any prohibition imposed by N.J.A.C. 13:46-23A.3 or 23A.4, where the Board determines it is necessary for the efficient performance of duties by the Board or any of its employees assigned to a particular regulated event, the Board may require the promoter:

1. To ensure that an appropriate work space, acceptable to the Commissioner, is provided on the premises where the regulated event is held; and/or
2. To provide sleeping quarters, on the premises, or at a reasonable distance therefrom, for Board members attending in their official capacity and employees who have been assigned to the regulated event and whose names are identified by the Board on a list provided to the promoter prior to the event. The Board shall main-

tain a record of the names of the employees and Board members provided with sleeping quarters, the location of the rooms to which they have been assigned, and the dates the rooms were used.

(b) Notwithstanding any prohibition imposed by N.J.A.C. 13:46-23A.3 or 23A.4, where the Board determines it is necessary for the efficient performance of duties by judges and referees assigned to a particular regulated event, it may permit the promoter:

1. To pay the reasonable travel costs of judges and referees recommended by the sanctioning body and assigned by the Commissioner to officiate the regulated event and who must travel from outside the State of New Jersey to officiate the regulated event; and/or
2. To provide all judges and referees assigned to the regulated event by the Commissioner with meals and sleeping quarters on the premises or at a reasonable distance therefrom.

(c) Prior to the regulated event, the Board shall provide a list to the promoter of the judges and referees for whom expenses, rooms, or meals are permitted under (b) above. The Board shall maintain a record of the names of the judges and referees, the meals provided, and the location of the rooms to which the judges and referees have been assigned, and the dates on which the rooms were used.