

13:46-4.29 Co-promoter

Any co-promoter of a boxing or wrestling promotion associating himself with a licensed promoter for a single promotion shall obtain a permit. The fee for a boxing co-promoter permit is \$200.00. The fee for a wrestling co-promoter permit is \$75.00.

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

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

Permit license charge changed from "\$150.00" to "\$100.00".

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).

13:46-4.30 (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Repealed by R.1985 d.284, effective June 3, 1985.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 was originally "Corporation license".

13:46-4.31 Geographical territory

(a) When issuing a yearly boxing or wrestling license, the Commissioner shall designate which of three geographical territories over which the license shall be valid.

(b) A promoter may obtain a license to promote in more than one geographical territory and must obtain a license for a specific territory before promoting in that territory.

As amended R.1970 d.68, eff. June 22, 1970.

See: 2 N.J.R. 36(b), 2 N.J.R. 57(b).

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

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

(b) added.

13:46-4.32 Territory of northern New Jersey

Any yearly boxing or wrestling license issued to a promoter to operate in the geographical territory of northern New Jersey shall be valid throughout Bergen, Essex, Hudson, Morris, Passaic, Somerset, Sussex, Union and Warren Counties.

As amended R.1970 d.68, eff. June 22, 1970.

See: 2 N.J.R. 36(b), 2 N.J.R. 57(b).

13:46-4.33 Territory of central New Jersey

Any yearly boxing or wrestling license issued to a promoter to operate in the geographical territory of central New Jersey shall be valid throughout Burlington, Hunterdon, Mercer, Middlesex, Monmouth and Ocean Counties.

As amended R.1970 d.68, eff. June 22, 1970.

See: 2 N.J.R. 36(b), 2 N.J.R. 57(b).

13:46-4.34 Territory of southern New Jersey

Any yearly boxing or wrestling license issued to a promoter to operate in the geographical area of southern New Jersey shall be valid throughout Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem Counties.

As amended R.1970 d.68, eff. June 22, 1970.

See: 2 N.J.R. 36(b), 2 N.J.R. 57(b).

13:46-4.35 Fingerprinting of applicants for licenses

The Commissioner shall, at his discretion, cause the fingerprints of any applicants for a license, including officers or directors of corporations, to be recorded and kept on file in the office of the Commissioner for identification purposes and for guidance in the exercise of discretion in granting, rejecting or suspending such licenses.

R.1972 d.45, eff. Mar. 2, 1972.

See: 4 N.J.R. 28(a), 4 N.J.R. 76(c).

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

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

Substituted "any" for "all".

13:46-4.36 Refund of license fees

Refunds will not be granted to any person for fees paid for a license, when such person fails to complete the application requirements considered and approved by the Commissioner.

R.1972 d.44, eff. Mar. 2, 1972.

See: 4 N.J.R. 28(b), 4 N.J.R. 76(b).

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".

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

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

Deleted text "promoter licenses, including matchmaker's licenses", and substituted "a license".

SUBCHAPTER 5. BOXERS**13:46-5.1 (Reserved)**

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

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

13:46-5.2 Age

(a) The Commissioner shall license no applicant as a professional boxer who is under the age of 18.

(b) A professional boxer above the age of 35 shall not be licensed by the Commissioner unless he is able to demonstrate to the satisfaction of the Commissioner and the physicians appointed by him that he is capable of engaging in a boxing contest.

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.

13:46-5.3 Boxer as self manager

Any boxer who has attained his 18th birthday and is not under contract to a manager can make his own matches, signing contracts to handle his own affairs and shall for the same apply for a manager's license.

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

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

Changed age from "21st" to "18th".

13:46-5.4 First appearance; proof of age and identity

(a) Any boxer must provide positive proof of his age and identity.

(b) Unless positive proof of age and identity is provided, the inspector shall not permit the contestant to box.

(c) Positive proof of age and identity may include but may not be limited to a drivers license or birth certificate.

Amended by R.1985 d.284, effective June 3, 1985.
See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

(c) added.

13:46-5.5 Boxer-manager contract forms

(a) All boxers with managers must, when boxing in New Jersey for the first time, sign boxer-manager contract forms. These must be executed in triplicate in the presence of a notary public or a Commission official. One copy shall be retained by the manager, one copy shall be retained by the boxer and the manager shall file the third copy with the State Athletic Commissioner.

(b) All contracts and written agreements between a boxer and his manager must be filed with the State Athletic Commissioner.

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.

13:46-5.6 Boxer-manager contracts; time of effectiveness

(a) Boxer-manager contracts in New Jersey shall be effective for a maximum of three years, unless the manager releases the boxer or the Commissioner declares the contract void.

(b) No boxer-manager contracts in New Jersey may be renewable at the exclusive option of the manager.

Amended by R.1985 d.284, effective June 3, 1985.
See: 16 N.J.R. 2962(a), 17 N.J.R. 1432(a).

(b) added.

13:46-5.7 Release from contract

Release of a boxer by a manager from a boxer-manager contract shall be in writing and shall be kept on file in the State Athletic Commission office.

13:46-5.8 Parties to contract to be licensed

(a) Both parties to a boxer-manager contract must be licensed by the State Athletic Commission or the same shall not become effective.

(b) The Commissioner may recognize contracts on file with governmental agencies in other jurisdictions provided that the contracts comply with the rules of 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).

Deleted text "in co-operating States" and added "with governmental agencies . . . of the Commissioner."

13:46-5.9 (Reserved)

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

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

This section was previously "minors".

13:46-5.10 Club contract

No boxer shall participate in any bout in New Jersey without signing a club contract. If the boxer has a manager, the signatures of both the boxer and manager should appear on the club contract.

13:46-5.11 Payment to boxer

A promoter shall pay the boxer the full purse specified in the contract.

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 "the boxer".

13:46-5.12 Failure to appear for weigh-in

Any boxer who fails to appear for the official weigh-in, within the time stipulated on the club contract, shall be subject to fine or suspension or both.

13:46-5.13 Failure to appear for bout

Any contestant who fails to appear for a bout after he has signed a club contract shall be suspended.

13:46-5.14 (Reserved)

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

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

This section was previously "rest period; reinstatement after knock-out".

13:46-5.15 Failure to give satisfactory performance

(a) If a boxer, in the judgment of the referee, inspector or other Board official, fails to give a satisfactory performance, his purse shall be forwarded to the Commissioner.

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

(c) The Commissioner shall investigate the matter and shall conduct such interviews as he deems appropriate. Within 15 days of the match, the Commissioner shall:

1. Find that no discipline is appropriate; or
2. Find that a boxer has failed to give a satisfactory performance and impose such fine as he or she believes appropriate, up to the amount of the purse.

(d) Following the finding by the Commissioner under (c) above, the amount of the purse, minus any fine, shall be forwarded to the boxer.

(b) At the termination of each five-minute period of any wrestling exhibition, the timekeeper shall call out the time that 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.

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. RULES TO SAFEGUARD HEALTH

13:46-12.1 Pre-licensure medical examinations

(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 appointed by the State Athletic Control Board, one of whom is certified in neurology or neurosurgery, to establish his physical and mental fitness for competition.

(b) An examination within the meaning of (a) above shall include a complete history of the applicant (medical and ring record) and any or all of the following laboratory procedures at the discretion of the Commissioner and the physician; chest X-ray, skull X-ray, flat abdominal X-ray, complete blood count for bleeding and coagulation time, serological examination for syphilis and any other test which might be indicated by the past record or present condition of the applicant. In all cases, the examination shall include the administration of an electrocardiogram and electroencephalogram, a urinalysis, and the conduct of a thorough ophthalmological examination. In appropriate cases upon the recommendation of the examining neurologist, a computerized tomography or any other test shall be administered and the results thereof and the recommendation of the examining neurologist forwarded to the Commissioner.

(c) An examination shall be made no earlier than 30 days but no later than one day prior to licensure or the renewal thereof.

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

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

Amended by R.1986 d.302, effective July 21, 1986.
See: 18 N.J.R. 617(a), 18 N.J.R. 1484(a).

Substituted "State Athletic Board" for "Commissioner".

13:46-12.2 Pre-fight medical examinations

(a) All boxers in all bouts must be given a medical examination by a physician appointed by the Commissioner on the day 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. 13:46-12.1(b) 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.

(b) No boxer shall be permitted to enter the ring unless the physician appointed by the Commissioner has certified his 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.

Case Notes

Medical examinations of boxers cited in support of finding that breathalyzer and urine tests, as required by regulation, are not unique to jockeys. *Shoemaker v. Handel*, 608 F.Supp. 1151 (D.N.J.1985).

13:46-12.3 All drugs prohibited; drug testing

(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 indefinite suspension from boxing.

(b) The boxer must submit to any prefight or postfight 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.

(c) The application of Monsel's solution or any of its derivatives or any similar drug or compound, on the body of a boxer before a fight is prohibited.

Case Notes

Medical examinations of boxers cited in support of finding that breathalyzer and urine tests, as required by regulation, are not unique to jockeys. *Shoemaker v. Handel*, 608 F.Supp. 1151 (D.N.J.1985).

13:46-12.4 Duties of ringside physician

(a) Ringside physicians shall be appointed by the Commissioner. No boxing bout or wrestling exhibition may commence or proceed unless the ringside physician is present and seated at ringside.

(b) The ringside physician must terminate any boxing bout if in the opinion of such physician any contestant has received severe punishment or is in danger of serious physical injury. In the event of any serious injury, such physician shall immediately render any emergency treatment necessary, order further treatment or hospitalization if required, and fully report the entire matter to the Commissioner within 24 hours and subsequently thereafter, if necessary. Such physician may also require that the injured boxer and his manager remain in the ring or on the premises or report to a hospital after the contest for such period of time as such physician deems advisable. Any boxer, manager or second refusing to comply with the physician's orders regarding hospitalization may be suspended by the Commissioner in the absence of good cause shown to the contrary.

(c) Anything to the contrary notwithstanding in these rules, the ringside physician may enter the ring during the progress of a bout or between rounds to terminate any boxing bout to prevent severe punishment or serious physical injury to a contestant.

(d) The Commissioner shall assign a minimum of two physicians to each boxing program.

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

13:46-12.5 Post-fight medical examinations

(a) All boxers in all bouts must 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. 13:46-12.1(b) 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) Any boxer refusing to submit to a post-fight medical examination shall be immediately suspended for an indefinite period.

13:46-12.6 Medical examination of boxer after severe injury or actual knockout

(a) Any boxer who has sustained any severe injury or actual knockout in a bout shall within 24 hours be thoroughly examined by a physician appointed by the State Athletic Control Board. Such examination shall include any or all of the procedures as provided in N.J.A.C. 13:46-12.1(b) as the examining physician may decide are necessary. In all cases, the examination shall include the administration of an electrocardiogram and electroencephalogram and the conduct of a thorough ophthalmological examination and a neurological examination.

(b) Any boxer who is knocked out in a boxing match shall be suspended from boxing for a 60-day period. Upon the physician's order, the Commissioner shall extend the suspension already imposed.

1. A boxer who is knocked out in a boxing match shall not be permitted to enter the ring again until a thorough medical examination of the type required by N.J.A.C. 13:46-12.1(b) has been performed by a physician appointed by the State Athletic Control Board and said physician has certified the boxer's fitness to engage in a boxing contest.

(c) Any boxer who is technically knocked out in a boxing match shall be suspended from boxing for a 30-day period. Upon the physician's order, the Commissioner shall extend the suspension already imposed.