



BOXING AUSTRALIA INC.

BY-LAWS

amended 2 July, 2009,
amended 23 October, 2008,
amended 4 April, 2008,
amended 28 September, 2007.

BOXING AUSTRALIA BY-LAWS

1. ANTI-DOPING POLICY

As adopted by BAI.

2. BOARD OF DIRECTORS

2.1 AGENDA FOR MEETINGS

The following shall be included in the Agenda for a Meeting of the Board of Directors of BAI:

- 1) Welcome by Chairperson
- 2) Apologies
- 3) Confirmation of Minutes of the previous Meeting
- 4) Business arising from the minutes
- 5) Correspondence
- 6) Chairperson's Report
- 7) Financial Report by the Director- Finance
- 8) Reports by other Directors
- 9) Notices of Motion submitted by any Director
- 10) General Business

2.2 DIRECTORS TITLES AND PORTFOLIOS OF RESPONSIBILITY

2.2 1 Board of Directors

There will be five persons who will be the members of the Board of Directors of BAI. Their titles will be:

- Chairperson
- Director of Competition
- Director of Governance
- Director of Marketing and Publicity
- Director of High Performance.

2.2 3 Directors' Portfolios of Responsibility

◆ Role of the Chairperson

The Chairperson is responsible for-

- providing leadership and vision to BAI,
- providing leadership to the Board of Directors and promotion in it of cohesiveness and effectiveness,
- provision of an environment that promotes effective contribution from Directors,
- developing good relations between the Board of Directors and BAI's Council of Delegates,
- developing good relations between the Board of Directors and BAI's stakeholders,
- ensuring the Board of Directors meets the requirements of BAI's Constitution,
- chairing and conducting all meetings of the Board of Directors,

- chairing and conducting all Annual Council of Delegates Meetings and General Meetings of the Council of Delegates,
- providing a forum for the Chief Executive Officer to canvas organisation and staff issues,
- developing approaches for the Board of Director's self-evaluation,
- representation of BAI publicly,
- ensuring the safe storing of BAI's administrative records and their availability for the Board of Directors and Council of Delegates,
- ensuring the safe storing of BAI's financial records and their availability for the Board of Directors and Council of Delegates, and
- providing an assessment to every meeting of the Board of Directors of BAI's financial situation.

◆ **Role of the Director- Competition**

The Director- Competition is responsible for-

- development annually of a BAI calendar of boxing tournaments and implementation of the calendar,
- development annually of an international competition calendar for BAI boxers and implementation of the calendar,
- liaison with Member Associations in enhancement and promotion of their boxing tournaments and boxer training and boxer development,
- overseeing the development of referees and judges and refereeing and judging practices,
- provision of advice to the Board of Directors on competition rules, and
- provision of advice to the Board of Directors on BAI boxer selection and selection policy.

◆ **Role of the Director- Governance**

The Director- Governance is responsible for-

- evaluating and reporting to the Board of Directors on the state of BAI's administration,
- evaluating and reporting to the Board of Directors on the state of BAI's program development and implementation,
- monitoring whether BAI is operating in accordance with its statutory requirements,
- evaluating and reporting to the Board of Directors on the adequacy and effectiveness of BAI's structure, staffing, remuneration, training and other related policies, and
- ensuring BAI's compliance with statutory and stakeholder financial requirements.

◆ **Role of the Director- Marketing and Publicity**

The Director- Marketing and Publicity is responsible for-

- development of new sponsors and sponsorship initiatives for BAI,
- development of good relations between sponsors and BAI,
- advice to the Board of Directors as to action that would increase sponsorship of BAI,
- development of a strategy that would increase the number of people participating in all the different activities of amateur boxing, and
- development of a strategy to increase and enhance the public profile of BAI and amateur boxing.

◆ **Role of the Director- High Performance**

The Director- High Performance is responsible for-

- liaison with the Australian Institute of Sport, the National Coach and the Coach of the National Talent Identification and Development Program to enhance the successful development of BAI boxers,
- liaison with State Institutes and Academies of Sport in enhancement and promotion of amateur boxing,
- overseeing the accreditation of coaches and the development of coaching practices.

3. BOXER MEMBERSHIP OF STATE/TERRITORY ASSOCIATION

3.1 Each state and territory member association has jurisdiction for registration of boxers resident in that state or territory, subject to the provisions which follow.

3.2 It is accepted that persons resident near a state/territory border may be training at an affiliated club or gym located on the other side of the border. Special jurisdictional arrangements may be agreed between any two member associations in respect of border-town situations, and any such arrangements require written notification to, and approval by, the Board of Boxing Australia.

3.3 A person is only eligible to apply for registration as a boxer with the BA state or territory member association having jurisdiction for the area in which that person is resident.

3.4 A boxer who is a residential student at the AIS Canberra will during that residency be considered to be registered with the State or Territory Member Association of last registration as a boxer prior to their taking up residency at the AIS Canberra.

3.5 Applicants for registration as a boxer in any state or territory must declare their existing or last Member Association registration.

3.6 Where an applicant declares a current or last registration in another state or territory, the member association which receives the application shall require the applicant to submit proof of residency in the area over which the member association has jurisdiction.

3.7 Any one of the following documents may be accepted as proof of residency if it shows that the person resides in the area over which the member association has jurisdiction:

- Current tenancy agreement, lease agreement, or rental agreement papers (a receipt alone is not acceptable);
- Current Centrelink card;
- Rates notice, electricity bill, or telephone bill paid within the last 3 months;
- Taxation notice not more 12 months old;
- Current proof of enrolment at a school or educational institution (other than the AIS);
- Current proof of employment.

3.8 Where an applicant declares a current or last registration in another state or territory, the member association which receives the application shall notify the other state or territory member association of the application, and shall request a clearance certifying that there is no barrier to registration of that person as a boxer.

3.9 The association receiving a clearance request shall within two weeks provide by post, fax or email to the requesting member association a clearance certifying that there is no barrier to the applicant's registration, or alternatively a notice specifying what barrier exists to registration of the applicant.

3.10 The following matters constitute a barrier to registration of a person as a boxer:

- 3.10.1 The person is ineligible to register as a boxer by virtue of being a professional;
- 3.10.2 The person has been suspended or expelled from a member association;
- 3.10.3 The person has unpaid debts owing to a member association;
- 3.10.4 There is evidence to show the applicant person is not resident in the area he or she claims to reside in;
- 3.10.5 The person has been convicted of an offence relevant to child protection policies.

3.11 If the association receiving a clearance request fails to respond to the requesting association within two weeks, clearance shall be deemed to have been given.

3.12 Where a member association notifies that a barrier exists to clearance, the requesting member association shall notify the applicant that clearance has been refused, and the grounds for that refusal, and shall not proceed with registration of the person as a boxer in their jurisdiction.

3.13 In the event that a clearance is refused as above, the person applying for registration may appeal to the Board of Directors of BAI.

3.14 Upon receipt of any such appeal the Board of Directors may deal with it in the manner they deem appropriate.

3.15 Any decision the Board of Directors makes in regard to any such appeal will have immediate effect and any direction they give in relation to it will be binding on BAI Member Associations.

3.16 The Board of Directors will report to the next meeting of the Council of Delegates of BAI concerning any such appeal regarding boxer registration, and any decision made by it in regard to any such appeal.

4. COMPETITION AND PROMOTION RIGHTS

4.1 TOURNAMENT SANCTION

For any Amateur Boxing Tournament conducted on a National basis by any business house, organisation, club, etc. sanction must be granted by the Board of Directors. A fee of not less than \$1,000 shall be paid in advance where such sanction is approved.

4.2 ADVERTISING

Advertising shall be allowed, except in the Olympic Games and Commonwealth Games, on

- ◆ the back of the boxer's singlet
- ◆ the boxer's shorts
- ◆ the upper part of the boxer's gloves
- ◆ the sides of the headgear above eye level not exceeding 20 square centimetres and not longer than four centimetres and shall not cover the headgear manufacturers' names

4.3 LOGO

The logo of BAI shall be:



BAI's logo may only be used by BAI or with the express permission of the Board of Directors.

4.4 MEDIA RIGHTS - TV, etc

BAI has the sole Rights to its Australian Championships or any other tournament it conducts and as such has and reserves all Rights to Radio, Television, Video, Press, or any other media, for all promotions coincidental, for and on behalf of BAI including the Australian Championships.

In addition BAI has the responsibility to work with each Member State or Territory Association for the full protection of promotion rights of the sport of Amateur Boxing throughout Australia.

4.5 TELEVISION/ VIDEO RECORDING – the sole rights belong to BAI

If any Australian Championships are televised they are to be known as "Australian Championships" and no other name.

No National Amateur Boxing Championships or other BAI managed tournament may be televised without the permission of the Board of Directors and a sanction fee paid to BAI. The same conditions shall apply to any Video Recording of the Championships.

The Board of Directors has the right to nominate the Official Video Recorder and no other persons shall be allowed to video record the Championships.

5. COUNCIL OF DELEGATES

5.1 AGENDA FOR MEETINGS

The following shall be the Agenda for an Annual Meeting of the Council of Delegates of BAI:

- 1) Welcome by Chairperson
- 2) Roll Call
- 3) Apologies
- 4) Confirmation of Minutes of the previous year's Annual Meeting
- 5) Business arising from the minutes
- 6) Chairperson's Report
- 7) Presentation of the Audited Financial Statement & Balance Sheet
- 8) Appointment of auditors
- 8) Reports by other Directors of the BAI Board
- 9) Receipt of written reports from Chairmen of Standing Committees
- 10) Election of Directors
- 11) Notices of Motion submitted by any Financial Affiliated State or Territory Member Association, or the Board of BAI or a Director of the Board

The following shall be included in the Agenda for a General Meeting of the Council of Delegates of BAI:

- 1) Welcome by Chairperson
- 2) Roll Call
- 3) Apologies
- 4) Confirmation of Minutes of the previous General Meeting
- 5) Business arising from the minutes
- 6) Correspondence
- 7) Chairperson's Report
- 8) Presentation of the Financial Statement & Balance Sheet
- 9) Reports by other Directors of the BAI Board
- 10) Notices of Motion submitted by any Financial Affiliated State or Territory Member Association, or the Board of BAI or a Director of the Board
- 11) Business Without Notice- only business approved for consideration by a 75% vote of those Delegates present may be introduced.

5.2 AWARD RECOGNITION

Any Official of a State or Territory Member Association who has given 20 years service to Amateur Boxing in his own State and who is nominated by his or her Member Association to the Board of Directors shall have their nomination submitted to the Council of Delegates for recognition of their services through the award of a Certificate of Appreciation.

5.3 ELECTORAL PROCEDURES

For the purposes of the exhaustive ballot procedure of Boxing Australia's constitution a vote shall be defined as a voting paper prepared by the Chief Executive Officer and distributed by that officer to each Delegate of the Council eligible to vote, or Delegate's proxy eligible to vote, in a ballot.

Such a voting paper is to be considered a vote in a ballot irrespective of whether it is cast or not cast in the ballot, and if cast whether it is marked or unmarked and whether it is determined a formal or an informal vote.

6. MEMBER ASSOCIATIONS

6.1 REGISTER OF MEMBERS OF MEMBER ASSOCIATIONS

Each Member Association shall keep a register of persons registered as boxers with their association which shall contain the name, address and date of birth of every person registered as a boxer with the association.

6.2 SUBSCRIPTIONS AND FEES

The Member Association BAI membership fee will be \$600 (plus GST) due annually on 1 July and payable within 30 days by deposit in a designated BAI bank account.

7. MEMBER PROTECTION BYLAW

As adopted by BAI.

8. PENALTIES FOR UNSANCTIONED CONTESTS

8.1 To ensure that AIBA standards are observed throughout the sport, BAI and its Member Associations permit members to participate in boxing competitions or bouts only where those competitions or bouts are conducted or approved by BAI, a Member Association or by a member of an AIBA-recognised national association. Any Toughman contest, however titled, is not approved by BAI and shall not be approved by a Member Association.

8.2 Any Boxer or Boxing Official who organizes or participates in a boxing bout not approved by BAI, a Member Association or a member of an AIBA-recognised national association shall be disqualified from holding office with BAI and from holding membership of, or registration with, a Member Association for a period of four years following the last instance of such participation. Although by resolution a Member Association may readmit any such Boxer or Boxing Official to participation to approved competition if that person has not previously received such approval under this provision.

Notwithstanding the provisions of this clause a coach registered with a Member Association may corner a Professional boxing bout without contravening this by-law.

8.3 A Boxer is not allowed to compete with or against a professional boxer or give an exhibition with a professional boxer for public exhibition where a fee for admission is

charged.

9. STANDING COMMITTEES

9.1 ANTI-DOPING and MEDICAL STANDING COMMITTEE

A Anti-Doping and Medical Standing Committee of three persons, one of who shall be a BAI Director and one a BAI Council Delegate, and one other person shall be appointed annually by the Council of Delegates. The Council shall appoint the Chairperson of the Committee.

The Anti-Doping and Medical Standing Committee shall assist BAI to undertake all duties required of BAI pursuant to BAI's medical needs and BAI's Anti-Doping Policy.

The Anti-Doping and Medical Standing Committee is under the direction of the Board of Directors and reports to the Board.

9.2 REFEREES AND JUDGES STANDING COMMITTEE

A Referees and Judges Standing Committee shall be appointed annually by the Council of Delegates of BAI. This Standing Committee shall consist of six (6) members, one who shall be the BAI Director-Competition, and five who shall be selected from persons listed on the Australian R&J List. The Council shall appoint the Chairperson of the Standing Committee.

The Referees and Judges Standing Committee is under the direction of the Board of Directors and reports to the Board.

The Referees & Judges Standing Committee shall:

- (a) Maintain an up-to-date list of Australian R/J's
- (b) Be responsible for the examination of State endorsed Referee and Judge candidates at Australian Championships –
 - 1. who have been endorsed by their Member Association, and
 - 2. have been an active Referee or Judge in their Member Association for a minimum of one (1) year,
- (c) Recommend to the BAI Board of Directors for approval the appointment of the Referees and Judges for the Australian Championships, and
- (d) Recommend to the BAI Board of Directors for approval Referees and Judges for international competitions.

Any person who is selected as a Referee or Judge for an international competition held outside of Australia must hold a current Australian Passport.

9.3 RULES STANDING COMMITTEE

A Rules Standing Committee of three persons shall be appointed annually by the Council of Delegates. The Council shall appoint the Chairperson of the Committee.

The Rules Standing Committee is under the direction of the Board of Directors and reports to the Board.

The duties of the committee shall include:

- Reviewing all bylaws every two years
- Drafting new bylaws for consideration by the Board
- Reviewing the constitution and recommending amendments.

9.4 SELECTORS STANDING COMMITTEE

The Selectors Standing Committee shall be appointed annually by the Council of Delegates and shall include the BAI Director- Competition, the National Coach and one other person. The Council shall appoint the Chairperson of the Committee.

The role of the Selectors Standing Committee is to:

1. recommend boxers to compete in the Olympic Games, Commonwealth Games or Championships, World Championships, Oceania Championships, other international championships and other competitions, and
2. to recommend coaches and other persons to support any boxer(s) in international competition.

The Selectors Standing Committee is under the direction of the Board of Directors and reports to the Board.

When calling for nominations from Member Associations for Coaches only one nomination for any or each position shall be sent to the Chief Executive Officer who will forward them to the Selectors Standing Committee for consideration. The Board will review the Standing Committee's recommendations for approval.

Any boxer selected for international competition must hold a current Australian Passport.

10. TRIBUNAL PROCEDURE

10.1 JUDICIARY TRIBUNAL PROCEDURE

1. BAI's Board of Directors may appoint a Judiciary Tribunal comprising either one or three persons, to hear a complaint that has been referred to it as permitted by BAI's constitution. The investigation shall follow the procedures in this bylaw.
2. BAI's Board of Directors may appoint a Judiciary Tribunal comprising either one or three persons, to investigate any matter which is not a complaint, and to report its findings to the Board. The investigation shall follow the procedures in this bylaw to the extent that they are relevant.
3. The CEO will organise for the Tribunal to be convened and provided with a copy of all the relevant correspondence, reports or information relating to the matter under investigation.

4. The Tribunal hearing will be scheduled as soon as practicable, but must still allow adequate time for any person(s) or organization(s) being complained about to respond to the complaint.
5. Where the Tribunal is comprised of three members, at least two of the three members are required to be present throughout the hearing process.
6. The Tribunal will not include any person who has any actual or perceived conflict of interest, preconceived opinions, vested interests or personal involvement relating to the complaint.
7. If a member of the Tribunal cannot continue once the Tribunal hearing has commenced, and the minimum number required for the Tribunal hearing is still maintained, the discontinuing member will not be replaced.
8. If the specific or minimum number is not maintained, the discontinuing member will be replaced by direction of the Tribunal Chairperson.
9. The CEO of Boxing Australia will inform the complainant and respondent(s) by written notification that a tribunal hearing will take place. The written notification will outline:
 - That the complainant has a right to appear at the tribunal hearing to support their complaint;
 - That the respondent has a right to appear at the tribunal hearing to defend the complaint/allegation;
 - Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);
 - The date, time and venue of the tribunal hearing;
 - That they can make either verbal or written submissions to the Tribunal;
 - That they may arrange for witnesses to attend the Tribunal in support of their position;
 - Any possible penalties that may be imposed if the complaint is found to be true; and
 - If the respondent is a minor, they should have a parent or guardian present.
10. A copy of any information or documents that have been given to the Tribunal will also be provided to the complainant and to the respondent.
11. The respondent(s) will be allowed to participate in all BAI activities and events, pending the decision of the Tribunal, including any available appeal process, unless the Board of Directors believes it is warranted to suspend the respondent(s) from all or any activities and events because of the nature of the complaint.
12. The following people will be allowed to attend the Tribunal Hearing:
 - The Tribunal members;
 - The respondent(s);
 - The complainant;
 - Any witnesses called by the respondent;
 - Any witnesses called by the complainant;

- Any parent / guardian or support person required to support the respondent or the complainant.
13. If the respondent(s) is not present at the designated time for the hearing, and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal hearing will continue provided the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been carried out correctly.
 14. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) is presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been carried out correctly, then the Tribunal Hearing will be rescheduled to a later date.
 15. The Tribunal Chairperson will inform the CEO of any need to reschedule, and the CEO will organise for the Tribunal Hearing to be reconvened.
 16. The Tribunal Chairperson will read out the complaint that is to be judged, ask the respondent(s) if they understand the complaint being made against them, and if they agree or disagree with the complaint.
 17. If the person agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any disciplinary measures.
 18. If the person disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Brief notes may be referred to.
 - The complainant will be allowed to call witnesses.
 - The respondent(s) may be allowed to question the complainant and their witnesses.
 19. The respondent(s) will then be asked to respond to the complaint.
 - Brief notes may be referred to.
 - The respondent will be allowed to call witnesses.
 - The complainant may be allowed to ask questions of the respondent and their witnesses.
 20. Both the complainant and respondent will be allowed to be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the Tribunal Hearing until required.
 21. The Tribunal will be allowed to:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented if it is agreed by all parties noted that they will support the person who requested them, but will not provide any new evidence.
 22. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.

23. If the Tribunal considers that at any time during the Tribunal hearing that there is any unreasonable or intimidating behaviour from anyone present, the Tribunal Chairperson shall have the power to stop any further involvement of the person in the Tribunal hearing.
24. After all of the evidence has been presented the Tribunal will make its decision in private.
25. In relation to a formal complaint, the Tribunal may impose any of the disciplinary penalties which BAI's constitution empowers it to so do.
26. All decisions made by a three-person Tribunal will be based on a majority vote of its members.
27. Within 48 hours of making its decision, the Tribunal Chairperson will forward to the CEO a copy of the tribunal decision including any disciplinary penalties imposed.
28. The CEO will promptly forward a letter to the complainant(s) and respondent(s) confirming the Tribunal's decision and any disciplinary penalties imposed. The letter will also outline the process and grounds for an appeal to be made.

10.2 APPEALS TRIBUNAL PROCEDURE

1. A person or group of persons or a member organization wishing to appeal must lodge a letter with the CEO stating their intention and the basis for their appeal within the time specified in the constitution.
2. A non-refundable Appeal Fee of \$100 must be lodged.
3. If the letter of appeal, or the appeal fee, is not received by the CEO within the relevant time period the right of appeal will be deemed to have lapsed.
4. Upon timely receipt of the letter of appeal and the appeal fee, BAI's Board of Directors shall promptly appoint an Appeals Tribunal to consider the appeal.
5. The Appeals Tribunal may comprise one or three persons, and shall not include anyone with a real or perceived conflict of interest.
6. The Appeals Tribunal shall conduct its hearing according to this bylaw and otherwise in such manner as it believes fit.
7. The parties to an Appeals Tribunal Hearing shall agree:
 - a) that the Appeals Tribunal is empowered to make any order:
 - (i) as to the costs and/or expenses of the Appeals Tribunal Hearing; and
 - (ii) as to the payment of any part or parts of such costs and/or expenses by a party or parties;
 - b) that if a party is ordered by the Appeals Tribunal to pay any such costs and/or expenses, the party so ordered will pay the same; and
 - c) that pending any order as to costs and/or expenses which might be made by the Appeals Tribunal, the parties to the Appeals Tribunal Hearing shall pay to the Appeals Tribunal the reasonable anticipated costs and expenses of the Appeals Tribunal Hearing, as fixed by the Appeals Tribunal, in proportional shares as determined

appropriate by the Appeals Tribunal in the circumstances, and prior to the commencement of the Appeals Tribunal Hearing.

8. The Appeal shall be determined as promptly as possible, and no later than sixty days after the appointment of the Tribunal.
9. The Appeals Tribunal may find:
 - that the original decision and penalties imposed are just; or
 - that the original decision is just, but that the penalties imposed are unreasonable, and may vary the penalties accordingly; or
 - that the original decision is unjust, and may declare it void and may refer the complaint for further investigation.
10. All decisions made by a three-person Tribunal will be based on a majority vote of its members.
11. Within 48 hours of making its decision, the Tribunal Chairperson will forward to the CEO a copy of the tribunal's decision.
12. The CEO will promptly forward a letter to the appellant(s) confirming the Tribunal's decision.

11. Competition Rules including Australian Boxing Championship Rules

As adopted by BAI.

12. Risk Management Policy

As adopted by BAI.