

Boxing and Wrestling

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New York State
DEPARTMENT OF STATE
NYS Athletic Commission
www.dos.state.ny.us

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This book is organized into three sections:

First, Chapter 1 of Title 25 of the *Unconsolidated Laws* (Uncon. L.), governing the State Athletic Commission, Boxing and Wrestling. / Page 3

Second, Chapter VII of *Title 19 NYCRR*, Parts 205-216, which includes the rules and regulations of the State Athletic Commission. / Page 14

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UNCONSOLIDATED LAWS

TITLE 25

SPORTS

Chapter 1—Boxing and Wrestling

§ 8901. State athletic commission. The state boxing commission is continued as a division in the department of state under the name of the state athletic commission. The commission shall consist of three members who shall be appointed by the governor by and with the advice and consent of the senate. The governor shall designate one of the members as chairman of the commission. The members of the commission shall be appointed for terms of three years. Any vacancy in the membership of the commission caused otherwise than by expiration of term shall be filled only for the balance of the term of the member in whose position the vacancy occurs.

The commissioners shall be paid their actual and necessary traveling and other expenses incurred by them in the performance of their official duties. The commission shall maintain in the city of New York general offices for the transaction of its business. The members of the commission shall adopt a seal for the commission, and make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may amend or abrogate such rules. Two of the members of the commission shall constitute a quorum to do business; and the concurrence of at least two commissioners shall be necessary to render a determination by the commission.

The commission shall annually make to the legislature a full report of its proceedings for the year ending with the first day of the preceding December and may submit with such report such recommendations pertaining to its affairs as it shall deem desirable.

§ 8902. Officers and employees. The commission may appoint, and at pleasure remove, deputies who shall be paid a salary within budgetary appropriations and all necessary expenses for traveling and maintenance incurred by them in the performance of their official duties outside of the city in which they are regularly employed. The commission may appoint, and at pleasure remove, a secretary to the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its

books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and perform such other duties as the commission may prescribe. The secretary of the commission shall receive an annual salary within budgetary appropriations. The commission may employ such other officers, employees and inspectors as may be necessary to administer the provisions of this act and fix their salaries within the amount appropriated therefor by the legislature. The necessary traveling and other necessary expenses of the members of the commission, and the salary of its deputies and secretary, shall be paid monthly out of the state treasury on the warrant of the comptroller and the certificate of the chairman of the commission out of the money appropriated to be used therefor.

§ 8903. Subpoenas by commission; oaths. The commission shall have authority to issue, under the hand of its chairman, and the seal of the commission, subpoenas for the attendance of witnesses before the commission. A subpoena issued under this section shall be regulated by the civil practice law and rules.

§ 8904. Medical advisory board.

1. A medical advisory board is hereby created in the division of the state athletic commission, to consist of nine members, to be appointed by the governor. Of the members first appointed by the governor, three shall be appointed for terms of one year, three for terms of two years, and three members shall be appointed for terms of three years, from and after the date of their appointment. The governor shall designate one of such members as chairman of the advisory board. The term of a member thereafter appointed, except to fill a vacancy, shall be three years from the expiration of the term of his predecessor. Upon the appointment of a successor to the chairman of the advisory board, the governor shall designate such successor or other member of the advisory board as chairman. A vacancy occurring otherwise than by expiration of term, shall be filled by appointment by the governor for the remainder only of the term. Each member of the advisory board shall be duly licensed to practice medicine in the state of New York, and at the time of his appointment have had at least five years experience in the practice of his profession. The members of the advisory board shall receive such compensation as may be fixed by the commission within the amount provided by appropriation, and shall be allowed and paid necessary traveling and other expenses incurred by them, respectively, in the performance of their duties hereunder.

2. The advisory board shall have power and it shall be the duty of the board to prepare and submit to the commission for approval regulations and standards for the physical examination of professional boxers including, without limitation, pre-fight and/or post-fight examinations and periodic comprehensive examinations. The board shall continue to serve in an advisory capacity to the commission and from time to time prepare and submit to the commission for approval, such additional regulations and standards of examination as in their judgment will safeguard the physical welfare of professional boxers licensed by the commission. The advisory board shall recommend to the commission from time to time such qualified physicians, for the purpose of conducting physical examinations of professional boxers and other services as the rules of the commission shall provide; and shall recommend to the commission a schedule of fees to be paid to physicians for such examinations and other services as required by this act.

3. The advisory board shall develop appropriate medical education programs for all commission personnel involved in the conduct of boxing and sparring matches or exhibitions so that such personnel can recognize and act upon evidence of potential or actual adverse medical indications in a participant prior to or during the course of a match.

4. The advisory board shall review the credentials and performance of each commission physician on an annual basis as a condition of reappointment of each such physician, including each such physician's comprehension of the medical literature on boxing referred to in subdivision five of this section.

5. The advisory board shall recommend to the commission a compilation of medical publications on the medical aspects of boxing which shall be maintained by the commission and be made available for review to all commission personnel involved in the conduct of any boxing or sparring match or exhibition.

6. The advisory board shall also advise the commission on any study of equipment, procedures or personnel which will, in their opinion, promote the safety of boxing participants.

§ 8905. Boxing and wrestling exhibitions

authorized. No boxing, sparring or professional wrestling matches or exhibitions shall be conducted, held or given within the state except in accordance with the provisions of this act. The commission shall direct a deputy to be present at each place where

boxing or sparring matches or exhibitions are to be held pursuant to the provisions of this act. Such deputy shall ascertain the exact conditions surrounding such match or exhibition and make a written report of the same in the manner and form prescribed by the commission. Such boxing or sparring matches or exhibitions may be held in any building for which the commission in its discretion may issue a license. Where such match or exhibition is authorized to be held in a state or city owned armory, the provision of the military law in respect thereto must be complied with, but no such match or exhibition shall be held in a building wholly used for religious services.

§ 8905-a. Combative sports.

1. A "combative sport" shall mean any professional match or exhibition other than boxing, sparring, wrestling or martial arts wherein the contestants deliver, or are not forbidden by the applicable rules thereof from delivering kicks, punches or blows of any kind to the body of an opponent or opponents. For the purposes of this section, the term "martial arts" shall include any professional match or exhibition sanctioned by any of the following organizations: U.S. Judo Association, U.S. Judo, Inc., U.S. Judo Federation, U.S. Tae Kwon Do Union, North American Sport Karate Association, U.S.A. Karate Foundation, U.S. Karate, Inc., World Karate Association, Professional Karate Association, Karate International, International Kenpo Association, or World Wide Kenpo Association. The commission is authorized to promulgate regulations which would establish a process to allow for the inclusion or removal of martial arts organizations from the above list. Such process shall include but not be limited to consideration of the following factors:

(a) is the organization's primary purpose to provide instruction in self defense techniques;

(b) does the organization require the use of hand, feet and groin protection during any competition or bout; and

(c) does the organization have an established set of rules that require the immediate termination of any competition or bout when any participant has received severe punishment or is in danger of suffering serious physical injury.

2. No combative sport shall be conducted, held or given within the state of New York, and no licenses may be approved by the commission for such matches or exhibitions.

3. (a) A person who knowingly advances or profits from a combative sport activity shall be guilty of a class A misdemeanor, and shall be guilty of a class E felony if he or she has been convicted in the previous five years of violating this subdivision.

(b) A person advances a combative sport activity when, acting other than as a spectator, he or she engages in conduct which materially aids any combative sport. Such conduct includes but is not limited to conduct directed toward the creation, establishment or performance of a combative sport, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to attend or participate therein, toward the actual conduct of the performance thereof, toward the arrangement of any of its financial or promotional phases, or toward any other phase of a combative sport. One advances a combative sport activity when, having substantial proprietary or other authoritative control over premises being used with his or her knowledge for purposes of a combative sport activity, he or she permits such to occur or continue or makes no effort to prevent its occurrence or continuation.

(c) A person profits from a combative sport activity when he or she accepts or receives money or other property with intent to participate in the proceeds of a combative sport activity, or pursuant to an agreement or understanding with any person whereby he or she participates or is to participate in the proceeds of a combative sport activity.

(d) Any person who knowingly advances or profits from a combative sport activity shall also be subject to a civil penalty not to exceed for the first violation ten thousand dollars or twice the amount of gain derived therefrom whichever is greater, or for a subsequent violation twenty thousand dollars or twice the amount of gain derived therefrom whichever is greater. The attorney general is hereby empowered to commence judicial proceedings to recover such penalties and to obtain injunctive relief to enforce the provisions of this section.

§ 8906. Jurisdiction of commission.

1. The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing and sparring matches or exhibitions to be conducted, held or given within the state of New York and over all licenses to any and all persons who participate in such boxing or sparring matches or exhibitions and over any and all gyms,

clubs, training camps and other organizations that maintain training facilities providing contact sparring for persons who prepare for participation in such boxing or sparring matches or exhibitions, and over the promotion of professional wrestling exhibitions to the extent provided for in sections 5, 9, 19, 20, 28-a, 28-b and 33 of this act, except as otherwise provided in this act.

2. The commission is authorized and directed to require that all sites wherein boxing, sparring and wrestling matches and exhibitions are conducted shall comply with state and applicable local sanitary codes appropriate to school athletic facilities.

§ 8907. Corporations and persons required to procure licenses; professional boxer and wrestler defined. Except as otherwise provided in sections 9 and 9-a of this chapter, with respect to all boxing or sparring matches or exhibitions in this state, all corporations, persons, referees, judges, match-makers, timekeepers, corporation treasurers, box office employees, ticket takers, doormen, ushers, professional boxers, their managers, trainers, seconds and announcers shall be licensed by the commission, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any boxing or sparring match or exhibition, or the holding thereof, or the operation of any training facility providing contact sparring maintained either exclusively or in part for the use of professional boxers, unless such corporation or persons shall have first procured a license from the commission. The commission shall establish by rule and regulation licensing and training standards for such referees, judges, managers, trainers and seconds. For the purposes of this chapter, a professional boxer is deemed to be one who competes for a money prize or teaches or pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain, and any contest conforming to the rules, regulations and requirements of this chapter shall be deemed to be a boxing match and not a prize fight.

§ 8907-a. Regulation of Judges.

1. Judges for any contest under the jurisdiction of the commission shall be selected by the commission from a list of qualified licensed judges maintained by the commission.

2. Any boxer or manager may protest the assignment of a judge to a contest and the protesting boxer or manager may be heard by the commission or its designee if such protest is timely. If the protest is untimely it shall be summarily rejected.

3. Each person seeking to be licensed as a judge by the commission shall be required to submit to or provide proof of an eye examination and annually thereafter on the anniversary of the issuance of the license. Each person seeking to be a boxing judge in the state must be certified as having completed a training program as approved by the commission and shall have passed a written examination approved by the commission covering aspects of boxing including, but not limited to, the rules of the sport, the law of the state relating to the commission, and basic first aid. The commission shall establish continuing education programs to keep licensees current on areas of required knowledge.

4. Each person seeking a license to be a boxing judge in the state shall be required to fill out a financial questionnaire certifying under penalty of perjury full disclosure of the judge's financial situation on a questionnaire to be promulgated by the commission. Such questionnaire shall be in a form and manner approved by the commission and shall provide information as to areas of actual or potential conflict of interests as well as appearances of such conflicts, including financial responsibility. Within forty-eight hours of any match, each boxing judge shall file with the commission a financial disclosure statement in such form and manner as shall be acceptable to the commission.

5. Only a person licensed by the commission may judge a boxing contest within the state.

§ 8908. License to corporations.

1. a. The commission may, in its discretion, issue a license to conduct, hold or give boxing or sparring matches or exhibitions, subject to the provisions hereof, to any person or corporation duly incorporated under the laws of the state of New York.

b. A prospective licensee must submit to the commission proof that it can furnish suitable premises in which such match or exhibition is to be held.

c. Upon written application and the payment of a fee of fifty dollars which must accompany the application, the commission may grant to any person or corporation holding a license issued hereunder, the privilege of holding such a match or exhibition on a specified date in other premises, or in another location, than the premises or location previously approved by the commission, subject however to approval of the commission and the rules and regulations of the commission.

2. a. The commission may, in its discretion and in accordance with regulations adopted by the commission to protect the health and safety of professional boxers in training, issue a license to operate a training facility providing contact sparring maintained either exclusively or in part for the use of professional boxers. The regulations of the commission shall include, but not be limited to, the following subjects to protect the health and safety of professional boxers:

(i) Requirements for first aid materials to be stored in an accessible location on the premises and for the presence on the premises of a person trained and certified in the use of such materials and procedures for cardio-pulmonary resuscitation at all times during which the facility is open for training purposes;

(ii) Prominent posting adjacent to an accessible telephone of the telephone number for emergency medical services at the nearest hospital;

(iii) Clean and sanitary bathrooms, shower rooms, locker rooms and food serving and storage areas;

(iv) Adequate ventilation and lighting of accessible areas of the training facility;

(v) Establishment of a policy concerning the restriction of smoking in training areas, including provisions for its enforcement by the facility operator;

(vi) Compliance with state and local fire ordinances;

(vii) Inspection and approval of rings as required by section twenty-four of this chapter; and

(viii) Establishment of a policy for posting all commission license suspensions and license revocations received from the commission including provisions for enforcement of such suspensions and revocations by the facility operator.

b. A prospective licensee shall submit to the commission proof that it can furnish suitable facilities in which the training is to be conducted, including the making of such training facilities available for inspection by the commission at any time during which training is in progress.

c. On the first infraction of rules or regulations promulgated pursuant to this subdivision, which infraction may include more than one individual violation, the commission may impose a civil fine of up to two hundred fifty dollars for each health and safety violation and may suspend the training facility's

license until the violation or violations are corrected. On the second such infraction, the commission may impose a civil fine of up to five hundred dollars for each health and safety violation and may suspend the training facility's license until the violation or violations are corrected. On the third such infraction or for subsequent infractions, the commission may impose a civil fine of up to seven hundred fifty dollars for each health and safety violation and may revoke the training facility's license.

3. All penalties imposed and collected by the commission from any corporation, person or persons licensed under the provisions of this act, which fines and penalties are imposed and collected under authority hereby vested shall within thirty days after the receipt thereof by the commission be paid by them into the state treasury.

§ 8909. Temporary working permits. The commission shall issue temporary working permits to box office employees, ushers, ticket takers and doormen good for employment at a single exhibition of boxing, sparring or professional wrestling, at a stated time and place. The fee for each such temporary working permit shall be established by the commission pursuant to rule. No person shall be entitled to obtain more than six temporary working permits in any one license year.

§ 8909-a. Temporary working permits for boxers, managers, trainers and seconds. The commission may issue temporary working permits to professional boxers, their managers, trainers and seconds. A temporary working permit shall authorize the employment of the holder of such permit to engage in a single match at a specified time and place. A temporary working permit may be issued if in the judgment of the commission the participation of the holder thereof in a boxing match will be consistent with the purposes and provisions of this chapter, the best interests of boxing generally, and the public interest, convenience or necessity. The commission may require that boxers applying for temporary working permits undergo a physical examination, neurological or neuropsychological test or procedure, including electroencephalography and computed tomography or medically equivalent procedure. The fee for such temporary working permit shall be established by the commission pursuant to rule.

§ 8909-b. Temporary training facilities. Any training facility providing contact sparring established and

maintained on a temporary basis for the purpose of preparing a professional boxer or for a specific boxing or sparring match or exhibition to be conducted, held or given within the state of New York shall be exempt from this act insofar as it concerns the licensing of such facilities if, in the judgement of the commission, establishment and maintenance of such facility will be consistent with the purposes and provisions of this chapter, the best interests of boxing generally, and the public interest, convenience or necessity.

§ 8910. License fees; term of licenses; renewals.

Each applicant for a license shall, before a license is issued by the commission, pay to the commission, an annual license fee as follows: corporations in cities of the first class, where the seating capacity is not more than two thousand five hundred, four hundred and fifty dollars; where the seating capacity is more than two thousand five hundred but not more than five thousand, seven hundred and fifty dollars; where the seating capacity is more than five thousand but not more than fifteen thousand, one thousand dollars; where the seating capacity is more than fifteen thousand but not more than twenty-five thousand, two thousand dollars; where the seating capacity is more than twenty-five thousand, two thousand five hundred dollars; in cities of the second class, three hundred dollars; elsewhere, one hundred fifty dollars; corporations or persons applying to operate a training facility providing contact sparring maintained either exclusively or in part for the use of professional boxers, one hundred dollars; referees, fifty dollars; judges, fifty dollars; matchmakers, fifty dollars; corporation-treasurers, fifty dollars; box office employees, twenty dollars; timekeepers, ten dollars; professional boxers, ten dollars; managers, thirty dollars; trainers, ten dollars; seconds, ten dollars; ticket takers, ten dollars; doormen, ten dollars; ushers, ten dollars; special policemen, ten dollars; announcers, twenty dollars. Each license or renewal thereof issued pursuant to this section on or after October 1, 1938, shall be effective for a license year expiring on the thirtieth day of September following the date of its issuance. The annual license fee prescribed by this section shall be the license fee due and payable therefor and shall be paid in advance at the time application is made therefor, and each such license may be renewed for periods of one year upon the payment of the annual license fee prescribed by this section. Within three years from the date of payment and upon the audit of the comptroller, the commission may refund any fee, unforfeited posted guarantee or

tax paid pursuant to this act, for which no license is issued or no service rendered or refund that portion of the payment that is in excess of the amount prescribed by statute.

§ 8911. Application for license; fingerprints.

1. Every application for a license shall be in writing, shall be addressed to the commission, shall be subscribed by the applicant, and affirmed by him as true under the penalties of perjury, and shall set forth such facts as the provisions hereof and the rules and regulations of the commission may require.

2. When an application is made for a license under this act, the commission shall cause the fingerprints of such applicant, or if such applicant be a corporation, of the officers of such corporation, to be taken in triplicate. One copy shall be filed in the office of the division of criminal justice services at Albany, one copy may be submitted to the federal bureau of investigation for a national criminal history record check, and one shall remain on file in the office of the commission. No such fingerprint may be inspected by any person, other than a peace officer, except on order of a judge or justice of a court of record. The information obtained by any such fingerprint examination shall be for the guidance of the commission in the exercise of its discretion in granting or withholding the license.

§ 8912. Standards for the issuance of licenses.

1. If in the judgment of the commission the financial responsibility, experience, character and general fitness of an applicant, including in the case of corporations its officers and stockholders, are such that the participation of such applicant will be consistent with the public interest, convenience or necessity and the safety of boxing and wrestling participants and with the best interests of boxing or wrestling generally and in conformity with the purposes of this act, the commission may grant a license in accordance with the provisions herein contained.

2. Any professional boxer applying for a license or renewal of a license under this chapter shall undergo a comprehensive physical examination including clinical neurological and neuropsychological examinations by a physician approved by the commission. If, at the time of such examination, there is any indication of brain injury, or for any other reason the physician deems it appropriate, the boxer shall be required to undergo further neurological and neuropsychological examinations by a neurologist including, but not

limited to, a computed tomography or medically equivalent procedure. The commission shall not issue a license to a boxer until such examinations are completed and reviewed by the commission. The results of all such examinations herein required shall become a part of the boxer's permanent medical record as maintained by the commission. The costs of all such examinations called for in this subdivision shall be assumed by the state if such examinations are performed by a physician or neurologist approved by the commission.

3. Any professional boxer licensed under this chapter shall, as a condition of licensure, waive right of confidentiality of medical records relating to treatment of any physical condition which relates to his ability to fight. All medical reports submitted to, and all medical records of the medical advisory board or the commission relative to the physical examination or condition of boxers and wrestlers shall be considered confidential, and shall be open to examination only to the commissioner or its authorized representative, to the licensed boxer or manager upon written application to examine said records, or upon the order of a court of competent jurisdiction in an appropriate case.

4. All contracts calling for the services of a boxer in a boxing contest and entered into by licensed promoting corporations, boxers or managers as one or more of the parties in such contracts, including those contracts which relate to the rights to distribute, televise or otherwise transmit any boxing bout over the airwaves or by cable shall be subject to the approval of the commission and copies thereof shall be filed with the commission by such corporation, boxer or manager within forty-eight hours after the execution of such contract and at least ten business days prior to any bouts, or the first of any series of bouts, to which they relate. The commission may waive such filing deadline for good cause shown.

§ 8913. Financial interest in boxer prohibited. No corporation or person shall have, either directly or indirectly, any financial interest in a boxer competing on premises owned or leased by the corporation or person, or in which such corporation or person is otherwise interested except pursuant to the specific written authorization of the commission.

§ 8914. Payments not to be made before contests. No contestant in a boxing or sparring match or exhibition shall be paid for services before the contest, and should it be determined by the commission that

such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

§ 8915. Sham or collusive exhibitions. Any person, including any corporation and the officers thereof, any physician, referee, judge, timekeeper, boxer, manager, trainer or second, who shall promote, conduct, give or participate in any sham or collusive boxing or sparring match or exhibition, shall be deprived of his license by the commission.

No licensed promoting corporation or matchmaker shall knowingly engage in a course of conduct in which fights are arranged where one boxer has skills or experience significantly in excess of the other boxer so that a mismatch results with the potential of physical harm to the boxer. If such action occurs, the commission may exercise its powers to discipline under section seventeen of this chapter.

§ 8916. Imposition of penalties for violations. Any corporation, person or persons, licensed under the provisions of this chapter, that shall willfully violate any rule or order of the commission or any provision of this chapter, in addition to any other penalty by law prescribed, shall be liable to a civil penalty not to exceed ten thousand dollars for the first offense and not to exceed twenty-five thousand dollars for the second and each subsequent offense, to be imposed by the commission, to be sued for by the attorney-general in the name of the people of the state of New York if directed by the commission. The amount of the penalty collected by the commission or recovered in any such action, or paid to the commission upon a compromise as hereinafter provided, shall be transmitted by the department of state into the state treasury and credited to the general fund. The commission, for cause shown, may extend the time for the payment of such penalty and, by compromise, may accept less than the amount of such penalty as imposed in settlement thereof. For the purposes of this section, each transaction or statutory violation shall constitute a separate offense, except that a second or subsequent offense shall not be deemed to exist unless a decision has been rendered in a prior, separate and independent proceeding.

§ 8917. Revocation or suspension of licenses.

(a) Any license issued under the provisions of this act may be revoked or suspended by the commission for the reason therein stated, that the licensee has, in the judgment of the commission, been guilty of an act detrimental to the interests of boxing or wrestling generally or to the public interest, convenience or necessity.

(b) Without otherwise limiting the discretion of the commission as provided in this act, the commission may suspend or revoke a license or refuse to renew or issue a license, if it shall find that the applicant, or any person who is a partner, agent, employee, stockholder or associate of the applicant, has been convicted of a crime in any jurisdiction, or is associating or consorting with any person who has or persons who have been convicted of a crime or crimes in any jurisdiction or jurisdictions, or is consorting or associating with or has consorted or associated with bookmakers, gamblers or persons of similar pursuits, or has himself engaged in similar pursuits, or is financially irresponsible, or has been guilty of or attempted any fraud or misrepresentation in connection with boxing, or has violated or attempted to violate any law with respect to boxing in any jurisdiction or any rule, regulation or order of the commission, or shall have violated any rule of boxing which shall have been approved or adopted by the commission, or has been guilty of or engaged in similar, related or like practices.

(c) No such contestant may, under any circumstances, compete or appear in such a match, exhibition or noncompetitive boxing within ninety days of having suffered a knockout in any such match or exhibition, or within forty-five days of having suffered a technical knockout where there is evidence of head trauma as determined by the attending commission physician and shall undergo such examinations as required under section twenty-five of this chapter. The contestant shall be considered suspended from boxing by the commission and shall forfeit his license to the commission during such period and such license shall not be returned to the contestant until the boxer has met all requirements, medical and otherwise, for reinstatement of such license. All such suspensions shall be recorded in the boxer's license by a commission official. For purposes of this section noncompetitive boxing shall include any contact training or sparring.

(d) The commission may at any time suspend, revoke or deny a boxer's license or temporary working permit for medical reasons.

(e) Notwithstanding any other provision of law, the commission may revoke any license issued under the provisions of this chapter if it shall find that the licensee has knowingly and intentionally engaged in any prohibited practices, as prescribed by the commission in rules and regulations promulgated

pursuant to subdivision 5 of section 23 of this chapter, during a boxing or sparring match or exhibition.

(f) Notwithstanding any other provision of law, if any other state shall revoke a licensee's license to box in that state based on a knowing and intentional engagement in any prohibited practices of such state, the commission may act to revoke any license to box issued to such licensee pursuant to the provisions of this chapter.

§ 8918. Advertising matter to state admission price.

It shall be the duty of every person or corporation promoting or conducting a boxing or sparring match or exhibition subject to the provisions of this chapter to cause to be inserted in each show card, bill, poster, newspaper advertisement and in each and every advertisement of any exhibition or contest given by it, the price of admission thereto. Violation of the provisions of this section shall subject the person or corporation to a fine of one hundred dollars.

§ 8919. Tickets to indicate purchase price.

All tickets of admission to any boxing, sparring or professional wrestling match or exhibition shall be controlled by the provisions of article 25 of the arts and cultural affairs law. It shall be unlawful for any person or corporation to admit to such match or exhibition a number of people greater than the seating capacity of the place where such contest is held. Violation of this section shall be a misdemeanor and shall be punishable as such and in addition shall incur forfeiture of license.

§ 8920. Equipment of buildings for exhibitions. All buildings or structures used or intended to be used for holding or giving boxing, sparring or professional wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated.

§ 8921. Age of participants and spectators. No person under the age of eighteen years shall participate in any professional boxing, sparring or professional wrestling match or exhibition, and no person under sixteen years of age shall be permitted to attend thereat as a spectator; provided, however, that a person between the ages of eight and sixteen shall be permitted to attend thereat as a spectator if accompanied by a parent or guardian.

§ 8922. Weights; classes and rules. The weights and classes of boxers and the rules and regulations of boxing shall be prescribed by the commission.

§ 8923. Regulation of conduct of matches or exhibitions.

1. No boxing or sparring match or exhibition shall be of more than twelve rounds in length, such rounds to be not more than three minutes each; and no boxer shall be allowed to participate in more than twelve rounds within seventy-two consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of twelve rounds. At each boxing or sparring match or exhibition except where the exhibitions are held solely for training purposes, there shall be in attendance a duly licensed referee who shall direct and control the same. Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The commission shall have power in its discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, or the share thereof of any manager if in its judgment, such contestant or contestants are not honestly competing or the contestant or manager of a contestant, as the case may be, has committed an act in the premises in violation of any rule, order or regulation of the commission. The amount so forfeited shall be paid within forty-eight hours to the commission. There shall also be in attendance, except where the exhibitions are held solely for training purposes, three duly licensed judges who shall at the termination of each such boxing or sparring match or exhibition render their decision. The winner shall be determined in accordance with a scoring system prescribed by the commission. Each contestant shall wear, during such contest, gloves weighing not less than eight ounces, unless otherwise directed by the commission. Thumbless boxing gloves (or gloves with the thumb section locked, fastened, tied or immovably set to the balance of the glove) of a type approved by the commission shall be used in all boxing matches or exhibitions, provided, however, that this requirement may be waived at the discretion of the commission for championship matches of at least twelve scheduled rounds.

2. The commission may by rule, regulation or order, require the presence of any medical equipment and personnel at each boxing or sparring match or

exhibition as is necessary or beneficial for the safety and protection of the contestants; and may also require the presence of an ambulance or other apparatus at the site of any such match or exhibition or the promulgation of an emergency medical plan in lieu thereof.

3. The commission shall prescribe by rule or regulation the responsibilities of managers, trainers and seconds prior to, during and after a boxing or sparring match or exhibition in order to promote the safety of the contestants at all times.

4. The commission shall require by rule or regulation that any professional boxer licensed under this chapter present to a designated commission official, before each match or exhibition in which he fights in this state, a license which shall include but not be limited to the following information: (a) the boxer's name, photograph, social security number, date of birth, and other identifying information; (b) the boxer's prior fight history including the dates, location, and decision of such fights; (c) the boxer's medical history, relating to any physical condition, medical test or procedure which relates to his ability to fight, and a record of all medical suspensions.

5. The commission shall prescribe by rule or regulation the unsportsmanlike practices prohibited in all boxing or sparring matches or exhibitions, which shall include the practice of biting.

§ 8924. Rings. No boxing contest or exhibition or training activity shall be permitted in any ring unless such ring has been inspected and approved by the commission. The commission shall prescribe standard acceptable size and quality requirements for rings and appurtenances thereto.

§ 8925. Examination by physician; cost.

1. All boxers must be examined by a physician designated by the commission before entering the ring and each such physician shall immediately file with the commission a written report of such examination. The cost of any such examination, as prescribed by a schedule of fees established by the commission, shall be paid by the corporation conducting the contest or exhibition to the commission, which shall then pay the fee covering such cost to the examining physician, in accordance with the rules of the commission.

2. Any professional boxer licensed under this chapter rendered unconscious or suffering head trauma as determined by the attending physician shall be

immediately examined by the attending commission physician and shall be required to undergo neurological and neuropsychological examinations by a neurologist including but not limited to a computed tomography or medically equivalent procedure. Any boxer so injured shall not appear in any match or exhibition until results of such examinations are reviewed by the commission. The results of all such examinations herein required shall become a part of the boxer's permanent medical record as maintained by the commission and shall be used by the commission to determine whether a boxer shall be permitted to appear in any future boxing match or exhibition. The costs of all such examinations called for in this subdivision and subdivision three shall be assumed by the state if such examinations are performed by a physician approved by the commission.

3. The commission may at any time require a licensed boxer to undergo a physical examination, including any neurological or neuropsychological test or procedure.

§ 8926. Physician to be in attendance; powers of such physician.

1. It shall be the duty of every person or corporation licensed to conduct a boxing or sparring match or exhibition, to have in attendance at every boxing or sparring match or exhibition, at least one physician designated by the commission as the rules shall provide. The commission may establish a schedule of fees to be paid by the licensee to cover the cost of such attendance. Such fees shall be paid to the commission, which shall then pay such fees to the physicians entitled thereto, in accordance with the rules of the commission.

2. The physician shall terminate any boxing or sparring match or exhibition 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 physical injury, such physician shall immediately render any emergency treatment necessary, recommend further treatment or hospitalization if required, and fully report the entire matter to the commission within twenty-four hours and if necessary, subsequently thereafter. 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.

3. Such physician may enter the ring at any time during a boxing or sparring match or exhibition and

may terminate the match if in his opinion the same is necessary to prevent severe punishment or serious physical injury to a contestant.

§ 8927. Bond. Before a license shall be granted to a person or corporation to conduct a boxing or sparring match or exhibition, the applicant shall execute and file with the comptroller a bond in an amount to be determined by the commission, to be approved as to form and sufficiency of sureties thereon by the comptroller, conditioned for the faithful performance by said corporation of the provisions of this act and the rules and regulations of the commission, and upon the filing and approval of said bond the comptroller shall issue to said applicant a certificate of such filing and approval, which shall be by said applicant filed in the office of the commission with its application for license, and no such license shall be issued until such certificate shall be filed. In case of default in such performance, the commission may impose upon the delinquent a penalty in the sum of not more than one thousand dollars for each offense, which may be recovered by the attorney-general in the name of the people of the state of New York in the same manner as other penalties are recovered by law; any amount so recovered shall be paid into the treasury.

§ 8928. Bond for purses, salaries and other expenses. In addition to the bond required by section twenty-seven, each applicant for a license to conduct a boxing or sparring match or exhibition shall execute and file with the comptroller a bond in an amount to be determined by the commission to be approved as to form and sufficiency of sureties thereon by the comptroller, conditioned for and guaranteeing the payment of boxers' and wrestlers' purses, salaries of club employees licensed by the commission, and the legitimate expenses of printing tickets and all advertising material.

§ 8928-a. Duty to provide insurance for licensed boxers and professional wrestlers.

1. All persons, parties or corporations having licenses as promoters or who are licensed in accordance with section 28-b of this act shall continuously provide insurance for the protection of licensed boxers and professional wrestlers, appearing in boxing bouts or wrestling exhibitions. Such insurance coverage shall provide for reimbursement to the licensed athlete for medical, surgical and hospital care, with a minimum limit of seven thousand five hundred dollars for injuries sustained while participating in any program operated under the

control of such licensed promoter and for a payment of one hundred thousand dollars to the estate of any deceased athlete where such death is occasioned by injuries received in this state during the course of a program in which such licensed athlete or professional wrestler participated under the promotion or control of any licensed promoter. The commission may from time to time, in its discretion, increase the amount of such minimum limits.

2. The failure to provide such insurance as is required by subdivision one of this section shall be cause for the suspension or the revocation of the license of such defaulting promoter.

§ 8928-b. Professional wrestling; promoters.

1. For the purposes of this act, "professional wrestling" shall mean an activity in which participants struggle hand-in-hand primarily for the purpose of providing entertainment to spectators and which does not comprise a bona fide athletic contest or competition.

2. Every person, partnership or corporation promoting one or more professional wrestling exhibitions in this state shall be required to obtain from the commission an annual license to conduct such exhibitions subject to terms and conditions promulgated by the commission pursuant to rule and consistent with the applicable provisions of this act. Each applicant shall pay an annual fee established by the commission pursuant to rule.

3. A licensed promoter of a professional wrestling exhibition in the state shall notify the athletic commission at least ten days in advance of the holding of the exhibition. Each such promoter shall execute and file with the comptroller a bond in an amount not less than twenty thousand dollars to be approved as to form and sufficiency of sureties thereon by the comptroller, conditioned for and guaranteeing the payment of professional wrestler's purses, salaries of club employees licensed by the commission, the legitimate expenses of printing tickets and all advertising material, payments to sponsoring organizations, and the applicable state and local sales and compensating use tax.

4. A licensed promoter of a professional wrestling exhibition shall provide for a licensed physician to be present at each exhibition, and such physician shall examine each wrestler prior to each performance, and each such pre-performance examination shall be

conducted in accordance with regulations prescribed by the commission.

5. Every licensed promoter of professional wrestling who promotes six or more exhibitions in the state in a calendar year must have in place an anti-drug plan and file with the commission a written copy of the plan. Each such plan shall address the use of a controlled substance defined in article 33 of the public health law, and such plan shall at minimum provide for the following:

(a) dissemination of educational materials to professional wrestlers who perform for any such promoter including a list of prohibited drugs and available rehabilitation services; and

(b) a referral procedure to permit any such professional wrestler to obtain rehabilitation services.

§ 8929. Notice of contest; collection of tax.

1. Every individual, corporation, association or club holding any professional or amateur boxing, sparring or professional wrestling match or exhibition, for which an admission fee is charged or received, shall notify the athletic commission ten days in advance of the holding of such contest. All tickets of admission to any such boxing, sparring or professional wrestling match or exhibition shall be procured from a printer duly authorized by the state athletic commission to print such tickets and shall bear clearly upon the face thereof the purchase price and location of same. Any individual, corporation, association or club failing to fully comply with this section shall be subject to a penalty of fifty dollars to be collected by and paid to the department of state. Any individual, corporation, association or club is prohibited from operating any shows or exhibitions until all penalties due pursuant to this section and taxes, interest and penalties due pursuant to article nineteen of the tax law have been paid.

2. Pursuant to direction by the commissioner of taxation and finance, employees or officers of the athletic commission shall act as agents of the commissioner of taxation and finance to collect the tax imposed by article nineteen of the tax law. The athletic commission shall provide the commissioner of taxation and finance with such information and technical assistance as may be necessary for the proper administration of such tax.

§ 8930. Disposition of receipts. All receipts of the commission shall be paid into the state treasury.

Provided, however, that receipts from the tax imposed by article nineteen of the tax law shall be deposited as provided by section one hundred seventy-one-a of the tax law.

§ 8931. Exceptions. The provisions of this act except as provided in section 29 of this act shall not be construed to apply to any sparring or boxing contest or exhibition conducted under the supervision or the control of the New York state national guard or naval militia where all of the contestants are members of the active militia; nor to any such contest or exhibition where the contestants are all amateurs, sponsored by or under the supervision of any university, college, school or other institution of learning, recognized by the regents of the state of New York; nor to any such contest or exhibitions where the contestants are all amateurs sponsored by or under the supervision of the U. S. Amateur Boxing Federation or its local affiliates or the American Olympic Association; nor except as to the extent provided in sections 5, 9, 19, 20, 28-a, 28-b and 33 of this act, to any professional wrestling contest or exhibition as defined in this act. For the purpose of this act, an amateur is deemed to mean a person who engages in boxing, sparring or wrestling contests and exhibitions where no cash prizes are awarded to participants, and where the prize competed for shall not in value exceed thirty-five dollars or, in boxing, a maximum amount established by the U.S. Amateur Boxing Federation. Any individual, association, corporation or club, except elementary or high schools or equivalent institutions of learning recognized by the regents of the state of New York, who or which conducts an amateur contest pursuant to this section must register with the U. S. Amateur Boxing Federation or its local affiliates and abide by its rules and regulations.

§ 8932. Safety headgear. The commission shall undertake a study of various types of safety headgear that may be used by boxers during the course of a contest or bout. The commission shall develop, or shall contract to develop, a safety headgear prototype during the course, and in furtherance, of the study to be conducted hereunder. Such study shall include the safety and effectiveness that the wearing of various types of headgear may demonstrate, including the ramifications that the wearing of headgear may have on the sport of boxing and the psychological effect it may have on the boxers. The commission shall make a written report of its findings from such study, including any appropriate recommendations, to the

governor and the legislature, no later than one year from the date this section takes effect.

§ 8933. Misdemeanor. Any person or corporation who directly or indirectly conducts, holds or gives boxing or sparring matches or exhibitions or participates either directly or indirectly in any boxing or sparring match or exhibition as a referee, judge, match-maker, timekeeper, corporation treasurer, box office employee, professional boxer, manager, trainer, second or announcer without first having procured an appropriate license as prescribed in this act shall be guilty of a misdemeanor. Any person, partnership or corporation who promotes a professional wrestling match or exhibition in the state without first having procured an appropriate license in accordance with section 28-b of this chapter, shall be guilty of a misdemeanor.

Nothing herein contained shall be deemed to apply to amateur exhibitions.

§ 8934. Regulation of boxing contracts and promotion of matches.

1. No professional boxing match may occur in the state unless the organization that promotes, sanctions or otherwise participates in the proposition, selection, or arrangement of one or more boxers for a contest files with the commission a written statement executed under penalty of perjury stating (a) all charges, expenses, fees, and costs that will be assessed against any boxer participating in the event; (b) all payments, benefits, complimentary benefits and fees the organization or entity will receive for its affiliation with the event; (c) the name of the promoter; (d) sponsor of the event; and (e) all other sources, and such other and additional information as required by the commission. Such written statement shall be filed in a form and manner acceptable to the commission.

2. No professional boxing match may occur in this state unless the promoter, organizer, producer or another that participates in the proposition, selection, or arrangement of one or more boxers for a contest files with the commission a written statement under penalty of perjury detailing all charges, fees, costs and expenses by or through the promoter on the boxer pertaining to the event, including any portion of the boxer's purse that the promoter will receive and training expenses and all payments, gifts or benefits the promoter is providing to any sanctioning organization affiliated with the event. Such written statement shall be filed in a form and manner acceptable to the commission.

3. No professional boxing match may occur in this state unless the promoter, organizer, producer or another that participates in the proposition, selection, or arrangement of one or more boxers for a contest files with the commission a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match.

4. Any contract between a boxer and a promoter or manager shall provide for specific limitation of option contracts between the boxer and the promoter or between promoters with respect to a boxer, to no more than one year, if the granting of such rights is required as a condition to the boxer's participation in a contest, renewable only in writing signed by both parties.

5. Any promoter exercising promotional rights with respect to a boxer during the twelve month period beginning on the day after the last day of the promotional right period described in subdivision four of this section between a boxer and the promoter or manager may not secure exclusive promotional rights from the boxer's opponents as a condition of participating in a professional boxing match against the boxer, and any contract to the contrary is contrary to public policy and unenforceable.

6. Any specific agreement or any provisions in any agreement requiring the hiring, retention, employment, or the receipt of compensation by any relative, associate, or other individual in any capacity connected to the promoter or manager is against public policy and unenforceable.

7. Any contract between a boxer and the promoter or manager shall be in writing and filed with the commission at the time any agreement is made for a match to take place in the state. All promoters or managers shall also file with the commission complete and accurate copies of all fees and costs that will be assessed against the boxer.

8. The provisions of this section shall not be construed to apply to any corporation or partnership which operates a facility used, among other things, for the purposes of conducting, holding, presenting or hosting professional boxing matches, provided such entity does not act as a promoter regarding such matches.

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CHAPTER VII
RULES OF THE
STATE ATHLETIC COMMISSION
(Statutory authority: Unconsolidated Laws, § 8901)
PART 205
DEFINITIONS AND RULES OF
CONSTRUCTION

§ 205.1 Definitions. The following terms shall be construed when used in these rules to have the following meanings, except in those instances where the context clearly indicates otherwise:

(a) *Amateur* shall mean a person who engages in boxing, sparring or wrestling contests and exhibitions where no cash prizes are awarded to participants, and who has never received any purse or other article of value either for the expenses of training therefor or for participating in any boxing, sparring or wrestling contest or exhibition, and where the prize competed for shall not in value exceed \$35 or, in boxing, a maximum amount established by the United States Amateur Boxing Federation.

(b) *Commission* shall mean the State Athletic Commission, or an agent of the commission acting on its behalf.

(c) *Contest* shall mean an engagement in which the boxers or wrestlers strive earnestly in good faith to win.

(d) *Exhibition* shall mean an engagement in which the participants show or display their skill without necessarily striving to win.

(e) *Bout* shall mean a contest or exhibition.

(f) *Judge* shall mean a person other than a referee who shall have a vote in determining the winner of any boxing or wrestling contest.

(g) *Manager* shall mean any person, including an agent, who, directly or indirectly, directs or administers the affairs of any boxer or wrestler.

(h) *Matchmaker* shall mean any person, including an agent, who brings together professional boxers or wrestlers or arranges professional boxing or wrestling contests and exhibitions.

(i) *Participant* shall mean a boxer or wrestler who takes part in a boxing or wrestling contest or exhibition.

(j) *Person* shall mean any natural person, and corporations, partnerships, associations or other similar entities.

(k) *Physician* shall mean an individual licensed in New York to engage in the general practice of medicine and surgery.

(l) *Professional* shall mean a person who competes in a boxing or wrestling contest or exhibition for a purse, or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain.

(m) *Promoter* shall mean any person, and in the case of a corporate promoter shall include any officer, director, employee or stockholder thereof, who produces, arranges or stages any professional boxing or wrestling contest or exhibition.

(n) *Purse or ring earnings* shall mean the financial guarantee or any other remuneration, or part thereof, for which professional boxers or wrestlers are participating in a contest or exhibition.

(o) *Rules* shall mean the rules of the New York State Athletic Commission. The rules shall be interpreted consistently with their intent to promote safe and fair boxing and wrestling in New York. In the rules, plurals shall also refer to singular, and vice versa, unless context dictates otherwise. Titles of rules are not part of the rules.

(p) *Medical examination* includes all physical, mental and psychological examinations.

(q) *He, she* and *it* are used interchangeably. Any one shall refer to any other unless context dictates otherwise.

(r) *Card* shall mean contests and exhibitions scheduled or occurring as part of a program of contests and exhibitions to which a single ticket authorizes admittance.

(s) *Ring officials* shall include referees, judges, timekeepers and announcers.

(t) *Sanctioning body* is an organization that sponsors professional boxing championships for each of the weight limits set forth in section 214.7 of this Title.

(u) *Sparring* shall mean practice boxing, in which a boxer receives, lands or attempts to land blows from or on another person as part of a practice or training exercise.

PART 206

THE COMMISSION, ITS POWERS AND PROCEDURES

§206.1 Office location and hours. The general offices of the commission shall be located at 123 William Street, in the City of New York, and the office hours of the commission shall be from 9 a.m. to 5 p.m. each day, except Saturday, Sunday and legal holidays in the State of New York. The commission may establish other or additional offices and office hours in its discretion.

§206.2 Power of commission to control boxing and wrestling. No boxing or wrestling contest or exhibition shall be held within this State except in accordance with law and the rules of the commission.

§206.3 Rules of the commission, effect and construction. The rules of the commission shall be construed and enforced by the commission, in its discretion, in the best interests of boxing and wrestling in this State. Whenever the rules of the commission provide for discretionary action by the commission, such action shall be taken consistent with the spirit and intent of the rules of the commission and in the best interests of boxing or wrestling generally and the public interest, convenience or necessity. The rules of the commission, or any one of them, may be suspended, amended, revised or recodified at any meeting of the commission, consistent with the provisions of the State Administrative Procedure Act.

§206.4 Authority of commissioner or deputy. At all contests and exhibitions, each commissioner and each deputy or acting deputy shall have the full power to act on behalf of the commission to interpret, construe, and fully enforce all the rules of the commission and each such official has the power and authority to immediately suspend, without prior notice, any licensee for any violation of the rules of the commission or of the laws of this State.

§206.5 Authority of commission representative at events. The representative of the commission in charge of any boxing or wrestling contest or exhibition shall have complete authority, subject only to the direction of the commission or a higher-ranking representative of the commission acting on behalf of the commission, over all phases of the weigh-in, over all entrances to the site of the event, including press and pass entrances and entrances for participants, officials, and

employees; the ring and ringside, including press, radio, and television accommodations; over all the dressing rooms of participants and officials; the counting and accounting for all tickets, including working press, complimentary, participants', officials', and employees' tickets; the collection of all required insurance premiums and policies; the documenting and reporting of all accidents, injuries, and illnesses affecting persons subject to the jurisdiction of the commission, whether or not insurance coverage is involved; the collection of all fees, including special license fees, and other monies due the State; the actions of all other commission representatives assigned to the event; the payment of purses and other monies due and payable to participants and fees and expenses due and payable to officials; and in general over all matters under the jurisdiction of the commission. Nothing in this rule shall be construed to modify the obligations of the commission or its representatives when acting as agents of the commissioner of taxation and finance under article 19 of the Tax Law.

§206.6 Impounding of monies. In case of the termination of any contest or exhibition under the jurisdiction of the commission by disqualification of one or more of the participants, as well as in other circumstances where such action shall be deemed appropriate by him or her, the commission representative in charge, upon or without recommendation of the referee, shall have the authority to impound all monies otherwise due the alleged offending party or parties pending action on the matter by the commission.

§206.7 Licenses required. No participant, promoter, manager, matchmaker, referee, judge, timekeeper, announcer, usher, box office employee or special police officer shall engage, in any way, either directly or indirectly, in boxing or wrestling contests or exhibitions in this State unless he or she shall have first procured the appropriate license or permit from the commission.

§206.8 Violation of State laws or commission rules by licensee. (a) Any licensee who violates the laws of the State of New York, including the Tax Law and the regulations thereunder, or the rules of this commission, may have his license revoked or may be fined, suspended or otherwise disciplined, in such manner as the commission may direct. The commission shall have the power, in its discretion, to declare forfeited any purse, or any part thereof, belonging to the

contestants or either of them or, the share thereof of any manager, if it has reason to believe, such contestant or contestants, or manager of a contestant, as the case may be, has committed any act in violation of any rule or regulation of the commission. Nothing in this rule shall be construed to allow modification of the obligations of a licensee under article 19 of the Tax Law.

(b) The amount so forfeited shall be paid within 48 hours to the commission. Such monies shall be held by the commission until there is a final determination whether such violation has in fact been committed.

§206.9 Suspension of license. The commission may suspend any license it has issued by a dated notice to that effect to the suspended licensee, mailed or delivered to the licensee, and specifying the effective date and term of the suspension, provided however that the commission representative in charge of a contest or exhibition may then and there temporarily suspend any license issued by the commission without such notice. In the event of a temporary suspension, the commission shall mail or deliver the notice to the suspended licensee within three business days after the temporary suspension. In either case such suspension may be without any advance hearing. Upon the receipt of such notice of suspension, the suspended licensee may apply to the commission for a hearing on the matter to determine whether such suspension should be rescinded. Such application for a hearing must be in writing and must be received by the commission within 30 days after the date of notice of suspension.

§206.10 Revocation of license. The commission shall have the authority to revoke any license issued by it. Before any license is so revoked, the licensee will be offered the opportunity at a hearing held by or on behalf of the commission to show cause why the license should not be revoked.

§206.11 Fines. The commission shall have the authority to fine any licensee. Before any such fine is imposed, the licensee will be offered the opportunity at a hearing held by or on behalf of the commission to show cause why the fine should not be imposed. When a fine has been imposed upon a licensee, his or her license may, in the discretion of the commission, be suspended until such fine has been paid.

§206.12 Other disciplinary and supervisory authority. Nothing in these rules shall be construed to

limit the authority of the commission to supervise and discipline licensees in its discretion pursuant to law.

§206.13 Comity. The commission, in its discretion, may recognize and enforce within its jurisdiction, disciplinary sanctions, disqualifications and retirements imposed by other authorities. Such recognition and enforcement shall be in each instance subject to petition to the commission of the affected person(s). The commission shall thereupon inquire into the merits of the case to an extent which the commission, in its sole discretion, may decide. The commission will thereafter, without formal proceedings, render a final decision in accordance with the substantial equities as these shall appear to the commission in its sole discretion.

§206.14 Contracts. No contract for any activity under the commission's jurisdiction shall be valid unless approved by and filed with the commission. The commission shall have the authority to invalidate, enforce, mediate, arbitrate or modify contracts affecting any licensee of the commission or boxing or wrestling in New York.

§206.15 Inquiries. The commission shall have the authority to inquire into the affairs of licensees, and into any matter which may affect boxing or wrestling in New York in its discretion and without limitations. Licensees shall cooperate fully with inquiries by the commission.

§206.16 Hearings. The commission shall offer the opportunity for a hearing to an affected person before taking any final action negatively affecting such person's individual privileges or property granted by a license duly issued by the commission or a contract approved by and filed with the commission. In all such hearings, licensees and other witnesses shall testify under oath or affirmation, which may be administered by any commissioner or authorized representative of the commission actually present. The commission shall be the sole judge of the relevancy and competency of testimony and other evidence, the credibility of witnesses, and the sufficiency of evidence. Hearings may be conducted by representatives of the commission in the discretion of the commission. In such cases, the commission representatives conducting the hearing shall submit findings of fact and recommendations to the commission, which shall not be binding on the commission.

§206.17 Commission bulletins. The commission may from time to time issue bulletins concerning suspensions, revocations, fines, penalties or other disciplinary sanctions, new rules, regulations and other matters pertaining to boxing and wrestling in New York and the conduct of licensees of the commission. All promoters, matchmakers and gymnasias shall keep commission bulletins filed and readily accessible.

§206.18 Communications with licensees. All commission bulletins and notices to any licensee shall be addressed and sent to such licensee at the registered address of such licensee. The registered address of any licensee shall be his or her address as specified in his or her application for a license, and in the event any licensee moves, he or she shall promptly file with the commission an appropriate change-of-address rider to such application. All licensees are bound by the notices and bulletins sent to their registered addresses, and the commission need not entertain any plea or request based upon a contention that such notice or bulletin was not sent to any other address of the licensee.

§206.19 Personnel changes in corporate licensee. A corporate licensee shall notify the commission immediately of any new or additional officers, stockholders or directors, and any changes in such corporate licensee shall be upon notice to and with the consent and approval of the commission.

§206.20 Papers filed with commission. All applications, records or other papers and documents filed or submitted to the commission or to the medical advisory board or at any hearing, become the property of the commission, except that any such paper or document filed with or submitted to the commission in its role as agent of the commissioner of taxation and finance shall be furnished to such commissioner.

§206.21 Records of licensee available for inspection by the commission. All the books and records of any licensee or corporate licensee of this commission, or of any partnership of which he is a partner or of any corporation of which he is an officer, director or stockholder and which directly or indirectly concern boxing or wrestling, shall, at all times, be subject to the inspection of the commission at such times and under such circumstances as the commission may direct.

§206.22 Minutes of commission meetings. Minutes of all commission meetings shall be transcribed and kept on file at the office of the commission.

§206.23 Confidentiality of medical reports. All medical reports submitted to, and all medical records of, the medical advisory board or the commission relative to the physical examination or condition of boxers and wrestlers shall be confidential, and shall be open to examination only to the commission or its authorized representatives, to the licensed boxer or wrestler or his or her authorized representative upon his or her written application therefor, or upon the order of a court of competent jurisdiction in an appropriate case.

§206.24 Persons prohibited from holding financial interest in boxing or wrestling. No official or employee of this commission or of any of its medical panels or advisory boards and no judge or referee, licensed by this commission, may directly or indirectly have any financial interest whatsoever in any boxer, wrestler, promoting corporation, or in any manager's contract with any licensed boxer or wrestler or in any assignment thereof.

PART 207

LICENSES AND CONDUCT OF LICENSEES

§207.1 Licenses required. No person shall act as a participant, referee, judge, manager, trainer, promoter, corporation treasurer, matchmaker, ring official, second, usher, box office employee, ticket taker, doorman or special police officer unless he or she possesses a valid license or permit therefor issued by the commission. No one shall engage a person to act in any such capacity who is not duly licensed by the commission.

§207.2 Applications for licenses and permits. Every application for a license or a permit shall:

- (a) be in writing on a form supplied or approved by the commission;
- (b) be verified by the applicant; and
- (c) set forth such information and have attached thereto such photographs and other exhibits as are required by the commission.

§207.3 Examinations. The commission shall have the authority to require any applicant for any license or permit, and in the case of a corporate applicant any principal, officer, director, employee, shareholder or owner thereof or any licensee, to appear before the commission for oral and/or written examination, under oath, as to his or her qualifications.

§207.4 Duration of licenses. Licenses are annual. Each license issued by the commission shall expire on the 30th day of September next following the date on which it was issued.

§207.5 License fees. The following annual license fees shall accompany each application for a license or the renewal of a license: Referees, fifty dollars; judges, fifty dollars; matchmakers, fifty dollars; corporation - treasurers, fifty dollars; box office employees, twenty dollars; time keepers, ten dollars; professional boxers, ten dollars; professional wrestlers, ten dollars; managers, thirty dollars; trainers, ten dollars; seconds, ten dollars; ticket takers, ten dollars; doormen, ten dollars; ushers, ten dollars; special policemen, ten dollars; announcers, twenty dollars; corporations in cities of the first class where the seating capacity is not more than two thousand five hundred, four hundred and fifty dollars; where seating capacity is more than two thousand five hundred but not more than five thousand, seven hundred and fifty dollars; where the seating capacity is more than five thousand but not more than fifteen thousand, one thousand dollars; where the seating capacity is more than fifteen thousand but not more than twenty-five thousand, two thousand dollars; where the seating capacity is more than twenty-five thousand, two thousand five hundred dollars; in cities of the second class, three hundred dollars; elsewhere, one hundred fifty dollars.

§207.6 Boxers. No person shall participate in a boxing contest or exhibition, nor conduct sparring, unless he or she possesses a valid boxing license or permit issued by the commission.

§207.7 Boxing licenses. (a) To obtain a license to box, and before each contest or exhibition in which he or she fights or spars, a boxer shall present to the commission the following information as required by the commission:

(1) the boxer's name, a current photograph, social security number, date of birth, and other identifying information;

(2) the boxer's prior boxing history including the date, location, name of opponent and decision of such boxing contests and exhibitions; and

(3) the boxer's medical history relating to any physical condition, medical test or procedure which relates to his ability to box, and a record of all medical suspensions.

(b) The boxer must also present the commission with each and every "passport" or other license to box issued to the boxer by a state, country or association.

(c) The boxer must also submit to and pass medical and mental examinations as prescribed by the commission.

§207.8 Use of alias. Boxers may be licensed by the commission under assumed names, provided the use of such assumed name is approved by the commission and provided further that the boxer's true and legal name is disclosed to the commission and entered on the license as the name under which the boxer is otherwise known. No person will be licensed as a boxer under an assumed name of or deceptively similar to the name of another boxer or athlete.

§207.9 Honest competition. Boxers shall perform to the best of their abilities and in good faith in all contests or exhibitions in which they participate.

§207.10 Managers. No person shall act as a manager unless he or she possesses a valid manager's license issued by the commission.

§207.11 Licensing and training standards for managers. Prior to the issuance of a manager's license, an applicant therefor shall demonstrate to the satisfaction of the commission a knowledge of the rules of the commission, the generally accepted rules of boxing, skills as a manager of boxers, and a knowledge of the background, skills and experience of each boxer the manager seeks to place under contract. Managers shall periodically, as required by the commission, attend seminars relating to rules of the commission, health and safety of participants, and skills as a manager of boxers.

§207.12 Managers' records. Managers shall keep accurate records of the receipts and expenses of the boxers under their management and control. Such records shall be available to such boxers and the commission.

§207.13 Financial report. Each manager of a boxer participating in a main event contest shall file with the commission, no later than five days after said contest, a verified report listing the expenses and division of the proceeds of said contest. Said report shall be in triplicate and on forms provided by the commission. The commission shall forward a copy of said report to the boxer.

§207.14 Manager forbidden to act as matchmaker.

Managers and assignees are forbidden from acting in any direct or indirect way as a matchmaker of boxing bouts, except as otherwise directed or authorized by the commission.

§207.15 Manager's interest in boxers. No manager of a professional boxer shall sell, assign, transfer, or in any way encumber, attempt to sell, assign, transfer, or in any way encumber any interest, in whole or in part, which he shall hold in any contract for the services of such boxer without notice to and written consent of such boxer and approval by the commission.

§207.16 Managers as seconds. A manager of a professional boxer may act as second to such boxer in any bout under the jurisdiction of the commission, but, unless he shall also be licensed by the commission as a second of professional boxers, he shall not be permitted to act as second to any boxer with whom he shall have no contractual relationship as manager.

§207.17 Promoters. No person shall act as a promoter unless he or she possesses a valid promoter's license issued by the commission. Promoters may act as matchmakers without a separate license therefor.

§207.18 Promoter not to employ boxers, managers or seconds. No promoter shall have in its employ or be in any way commercially connected with any boxer, manager or second except as otherwise directed or authorized by the commission.

§207.19 Promoter not to act as manager. No principal, director, officer, employee, shareholder or owner of a promoter shall, directly or indirectly, serve or act as the manager, assignee or second of any boxer, or be employed by or be in any way commercially connected with the manager, assignee or second of any boxer unless otherwise directed or authorized by the commission.

§207.20 Matchmakers. No person shall act as a matchmaker unless he or she possesses a valid matchmaker's license issued by the commission.

§207.21 Matchmakers not to employ boxers. No matchmaker shall have in his or her employ or be in any way commercially connected with any boxer, manager or second except as otherwise directed or authorized by the commission.

§207.22 Matchmaker not to act as manager. No principal, director, officer, employee, shareholder or owner of a matchmaker shall, directly or indirectly,

serve as or act as the manager, assignee or second of any boxer, or be employed by or be in any way connected with the manager, assignee or second of any boxer unless otherwise directed or authorized by the commission.

§207.23 Employment by one promoter only. No matchmaker shall be employed by more than one promoter at the same time except as otherwise directed or authorized by the commission.

§207.24 Licensing and training standards for referees. Prior to the issuance of a license as a boxing referee, an applicant therefor shall pass a written and/or oral examination about the commission's rules and regulations as well as have refereed a minimum of 100 rounds of amateur and/or out-of-state professional boxing and/or have otherwise demonstrated his or her skills as a referee of professional boxing to the satisfaction of the commission in a manner approved by the commission in its discretion. Upon receiving a license as a professional boxing referee, each referee shall first be assigned a minimum of no fewer than four four-round preliminary bouts, followed by a minimum of no fewer than four six-round preliminary bouts, except as otherwise directed or authorized by the commission. A referee's conduct and performance may be reviewed and evaluated periodically by an official designated by the commission and if it is found that said referee's conduct and performance is satisfactory, that referee may thereafter officiate bouts of eight rounds or more. In addition, prior to the issuance of a license as a boxing referee, each applicant therefor shall attend a neurological seminar conducted by a physician designated by the commission, and/or otherwise demonstrate his or her skills at recognizing detrimental neurological symptoms of boxers to the satisfaction of the commission in a manner approved by the commission in its discretion. All referees shall meet health and physical standards as may be established from time to time by the commission. In addition, licensed referees of professional boxing shall periodically, as required by the commission in its discretion, attend seminars about the rules and regulations of the commission and skills as a referee of professional boxing. The performance of each boxing referee may be reviewed and evaluated periodically by the commission in its discretion.

§207.25 Licensing and training standards for judges. Prior to the issuance of a license of a boxing judge, an applicant therefor shall pass a written and/or

oral examination about the commission's rules and regulations as well as unofficially score, to the satisfaction of the commission, a minimum of 10 rounds of professional boxing, and/or otherwise demonstrate his or her skills as a judge of professional boxing, to the satisfaction of the commission in a manner approved by the commission in its discretion. In addition, judges of professional boxing shall periodically, as required by the commission in its discretion, attend seminars about the rules and regulations of the commission and skills as a judge of professional boxing. The performance of each boxing judge may be reviewed and evaluated periodically by the commission in its discretion.

§207.26 Medical examinations. Annual medical examinations shall be given to all licensed judges and referees in a manner directed by the commission physician.

§207.27 Restrictions on officials. No referee, judge or timekeeper shall officiate in any way at any boxing or wrestling program within the State of New York which is not conducted under the authority or supervision of the commission unless otherwise directed or authorized by the commission.

§207.28 Licensing and training standards for seconds. Prior to the issuance of a license of a boxing second, an applicant shall pass a written and/or oral examination about the commission's rules and regulations, treatment of injuries, physical conditioning, health care, nutrition, training, first aid, effects of drugs and alcohol and the bandaging of a boxer's hand, and/or otherwise demonstrate skills and knowledge in these areas to the satisfaction of the commission in a manner approved by the commission in its discretion. In addition, licensed seconds of professional boxing shall periodically attend seminars about the rules and regulations of the commission and skills as a second of professional boxers, as required by the commission in its discretion.

§207.29 Other licenses. The requirements for other licensees shall be as prescribed by the commission.

§207.30 Licenses to be displayed. No person may engage or be associated either directly or indirectly, in any boxing or sparring contest or exhibition, or the holding thereof, unless such corporation or person displays his or her license or permit and, upon request, relinquishes same to a representative of the commission prior to each boxing event.

§207.31 Licensees to deal only with licensees. Each licensee shall deal only with other appropriate licensees in any matter within the commission's jurisdiction.

§207.32 Unlicensed persons. No unlicensed person shall perform any activities within the jurisdiction of the commission. If a licensee's license is revoked or allowed to expire, any contractual relationships he or she may have or claim within the commission's jurisdiction shall become voidable at the discretion of the commission.

§207.33 Duty of licensee to report offer to conduct sham or collusive contest. Whenever any licensee is approached with a request or a suggestion that any person participate in, contribute to, aid or abet a sham or collusive contest or a contest that is not to be conducted honestly and fairly, such licensee shall immediately report the entire matter and full circumstances to the commission. Any licensee who learns of any such attempt to effect a sham or collusive contest shall immediately report the entire matter and full circumstances to the commission.

§207.34 Reporting obligations of licensees. All licensees shall promptly furnish the commission with all information concerning illness of a boxer or wrestler and of any reason why any licensee has failed to fulfill any contract. No licensee shall be relieved from performing his or her contractual obligations unless otherwise directed or authorized by the commission.

PART 208 CONTRACTS

§208.1 Approval. No contract relating to a matter within the commission's jurisdiction shall be valid or binding unless and until approved by the commission.

§208.2 Form of certain contracts. Contracts between boxers and managers and between boxers or managers and promoters shall be executed on forms approved by the commission, and approved forms for such contracts shall be provided by the commission upon request to boxers, managers and promoters.

§208.3 Compliance with contracts. All parties shall carry out the terms and conditions of contracts to which they are parties. Parties failing to carry out the conditions of contracts to which they are parties are subject to disciplinary action by the commission, in the

discretion of the commission, including license suspension or revocation. A participant who obtains a license to participate in a contest or exhibition may be held to have contracted to participate in such contest or exhibition for purposes of disciplinary action against them by the commission should such participant thereafter fail to participate in such contest or exhibition. Managers may be disciplined by the commission for failure of their principals to carry out the conditions of contracts to which they are parties.

§208.4 Use of alias. No licensee may enter into a contract under a name other than that in which he or she is licensed. A person who is licensed under an assumed name may enter into a contract under the assumed name provided that his or her true and legal name appears in the body of the contract as a name under which the licensee is otherwise known.

§208.5 Boxer-manager contracts. A contract is not valid between manager and boxer unless both parties appear at the same time before the commission and receive its approval unless otherwise directed or authorized by the commission. A copy of all boxer-manager contracts must be filed with the commission for approval.

§208.6 Duration of boxer-manager contracts. Boxer-manager contracts shall not exceed three years. Boxer-manager contracts between boxers and managers so contracting together for the first time may in the discretion of the commission allow either party to cancel said contract without penalty by written notice to the other party and the commission before the expiration of the 11th month of said contract. Contractual commitments scheduled after a boxer-manager contract is canceled in this manner, but within the original maximum duration of said contract, shall be honored by the parties. No party may contract for services to be performed after a contract has expired.

§208.7 Voiding boxer-manager contracts. A boxer-manager contract may be voided, in whole or in part, in the discretion of the commission, if either party ceases to possess a valid license issued by the commission, or upon an adjudication by the commission that either party has substantially breached the terms thereof or as a result of a determination by the commission that a party has violated the law or rules of the commission.

§208.8 Assignments of boxer-manager contracts. No assignment of any part or parts of the boxer's or manager's interest in a contract will be permitted without the approval of the commission, and the consent to assign will not be granted unless a copy of the proposed assignment is submitted to the commission for its approval.

§208.9 Services after contract term. No manager shall enter into any contract purporting to bind a boxer under his or her management to perform services after the termination of the manager-boxer relationship between them, nor shall any boxer, while under contract to a manager, enter into a commitment, written or oral, to perform such services, without commission approval.

§208.10 Provisions in contracts between managers and professional boxers. Every contract between a manager and a boxer shall contain provisions governing its duration, division of the boxer's purses and the minimum sum to be guaranteed annually to the boxer by the manager. Each such contract shall further provide that the contract shall be automatically terminated if the license of either party is revoked by the commission or if the manager fails to renew his license within 30 days after the expiration thereof. If the license of either party is suspended, the contract shall not be binding upon the other party during the period of such suspension.

§208.11 Manager to be boxer's exclusive representative. All professional contact with a boxer who is represented by a manager shall be through the manager of record, and no one is permitted to work with a boxer who is represented by a manager without the written consent of the manager of record which shall be filed with the commission within three business days of its execution and the approval of the commission, except as otherwise directed or authorized by the commission.

§208.12 Negotiations for a contest or exhibition with person other than manager of record. Whenever any promoter or matchmaker is negotiating for a bout with any person or party who is not the manager of record for the boxer involved, the promoter or matchmaker must sign a form supplied by the commission indicating the circumstances, including the identity of the boxer and the representative of the boxer, if any, the compensation of the representative, and by whom such compensation is to be paid.

§208.13 Contracts with unlicensed persons. No promoter or matchmaker shall contract or negotiate with any unlicensed person or any manager or boxer whose license has been suspended by the commission, except as otherwise directed or authorized by the commission.

§208.14 Contracts for contests and exhibitions. All parties to any contracts or negotiations pertaining to a contest or exhibition to be held in New York must be licensed by the commission, unless otherwise directed or authorized by the commission. All parties to such contracts shall fulfill their contractual obligations. All such contracts shall be approved by and filed with the commission. Such contracts will not be approved by the commission unless both boxers have signed contracts for the contest or exhibition with the same promoter.

§208.15 Persons who may sign contract for contest or exhibition. Except as otherwise provided in these rules, contracts must be signed by the boxer's manager, on the boxer's behalf, or personally by the boxer when he has no licensed manager of record, unless otherwise directed or authorized by the commission.

§208.16 Filing of boxer-promoter contracts. No bout shall be held in the State of New York unless, no later than 10 business days prior to the bout, or within such other time as the commission may for good cause establish in a particular case, each promoter of the bout shall file with the commission a true and accurate copy of every contract currently in effect between the promoter and a participant.

§208.17 Boxer-promoter contracts — mandatory provisions. (a) No contract between a promoter and a boxer entered into on or after the effective date of this regulation shall be for a fixed term of more than three years, excluding any time that a boxer is unable to compete due to injury or other cause.

(b) No contract between a promoter and a boxer shall contain a provision permitting the contract to be automatically renewed or extended. Notwithstanding the foregoing, such contracts may contain a provision granting the promoter an option to renew for a period not to exceed one year, excluding any time that a boxer is unable to compete due to injury or other cause. Such contracts may not contain more than two such options.

(c) In the event that a boxer's execution of an agreement with a specific promoter is a condition of the boxer being allowed to participate in a specific

bout, the term of the contract shall be limited to one year, and shall not contain an option to renew.

(d) No person shall be permitted to box professionally within the State of New York if on or after the effective date of this regulation he or she enters into any contract with a promoter for a term aggregating more than five years, inclusive of any options to renew.

§208.18 Time for filing contracts for specific bouts. All contracts between a promoter and any boxer or manager of a boxer requiring the boxer to participate in any contest or exhibition to be held within the State of New York on a specific date (the "bout contract") shall be filed with the commission by such promoter within 48 hours after execution of such contract, and at least 10 business days prior to the contest or exhibition to which they rely, unless otherwise directed or authorized by the commission.

§208.19 Compensation of boxers. In any contest or exhibition, each boxer in the main bout shall be paid not less than 10 percent of gross receipts from ticket sales unless otherwise directed or authorized by the commission. In any principal or main bout the promoter shall not pay the contestants in excess of 50 percent of the net proceeds of the boxing program after the tax imposed under article 19 of the Tax Law and compensation for the ring officials have been deducted, except as otherwise directed or authorized by the commission. The minimum compensation to any boxer who competes in a bout of six or fewer rounds shall be no less than \$100, and shall be no less than \$200 to any boxer who competes in a bout of eight or more rounds, unless otherwise directed or authorized by the commission. Boxers who are ready, willing and able to participate in a scheduled contest or exhibition, as determined by the commission, shall be paid no less than 50 percent of the agreed upon compensation, irrespective of whether they actually participate in such scheduled contest or exhibition, unless otherwise directed or authorized by the commission. All payments of any nature to be paid each boxer shall be specified in all relevant contracts.

§208.20 Ring earnings of boxers. No boxer shall actually receive less than 66⅔ percent of his or her ring earnings unless otherwise directed or authorized by the commission.

§208.21 How payment for services must be made. All compensation to boxers shall be made by check payable jointly to the participating boxer and his

licensed manager, each of whom shall sign receipts for such payment, unless otherwise directed or authorized by the commission. No boxer shall be paid or receive any portion of his or her purse, except for training expenses, prior to the conduct of the contest or exhibition, except as otherwise directed or authorized by the commission. No boxer shall be paid or receive compensation in the form of an irrevocable letter of credit or other such form of payment which might preclude the commission from withholding that boxer's purse should it determine that he or she gave or participated in a sham or collusive boxing or sparring contest or exhibition or for other valid reason. No payment shall be made to any person or party other than as set forth unless the commission has in advance approved the transaction.

§208.22 "Low-blow" clause mandatory. All contracts between a boxer and a licensed promoting corporation for the services of a male boxer in a boxing contest or exhibition, shall contain the following paragraph:

"The boxer agrees to equip himself with a foul-proof guard of his own selection, type to be approved by the commission, which will obviate the necessity of any claim being made for a low blow during the contest. It is expressly understood that this contest or exhibition is not to be terminated by a low blow, as the protector selected by the boxers, is, in his opinion, sufficient protection to withstand any so-called low-blow which might incapacitate the said boxer."

§208.23 Boxing between the sexes prohibited. No boxer shall compete in a contest, appear in an exhibition or spar with a member of the opposite sex.

§208.24 When contest or exhibition may be publicly announced. No one may publicly announce or advertise that any contest or exhibition will take place unless such contest or exhibition has been formally approved by the commission. Promoters shall notify the commission of any proposed contest or exhibition, and submit same to the commission for approval, including in such notice the full details of such contest or exhibition, at least 10 days before the scheduled date of such contest or exhibition.

§208.25 Broadcast or telecast of bout. All contracts entered into by any licensee or any and all amendments, changes or modifications calling for or referring to any motion picture, telecast or radio broadcast of any contest or exhibition must be

promptly filed with the commission for approval, and no one may announce or conduct any such broadcast or telecast of any contest or exhibition without first obtaining the approval of the commission.

§208.26 Boxer-promoter contracts. No promoter shall have the right to assign any contract with a boxer without first obtaining the boxer's written consent. Such consent shall not be required if the promoter assigns less than all the rights under any such contract with respect to a particular bout.

PART 209

CONTESTS AND EXHIBITIONS

§209.1 Approval by the commission. All contests and exhibitions shall be approved in advance by the commission. Before approving any contest or exhibition, the commission may inquire into the relative merits of the contestants, their past records, and whether or not they are suitable opponents, and the commission may disapprove any contest or exhibition which is not in the best interest of boxing or wrestling or of the health of any of the participants.

§209.2 Completion of training in New York. Unless otherwise directed or authorized by the commission, the last five days of training of principals in main events of contests shall be completed in the State of New York. The training quarters of each such principal may be inspected at any time by representatives of the commission, and the expenses incurred for such inspection shall be borne by the promoter.

§209.3 Number of manager's boxers on program. No manager shall have more than one boxer whom he or she manages compete on any one boxing program except as otherwise directed or authorized by the commission.

§209.4 Duty to provide insurance for licensed boxers and wrestlers. All promoters will provide continuous insurance coverage for the protection of licensed boxers and wrestlers appearing in contests or exhibitions under the promotion or control of such licensed promoter. Such insurance coverage shall provide coverage for the licensed athlete for medical, surgical and hospital expenses having a minimum limit of at least \$7,500 for injuries sustained while participating in any program operated under the control of such licensed promoter and for a payment of at least \$100,000 to the estate of any deceased athlete where such death is occasioned by injuries received

during the course of a program in which such licensed athlete participated under the promotion or control of any licensed promoter. The failure to pay premiums on such insurance shall be cause for the suspension or the revocation of the license of such defaulting promoter.

§209.5 Duty to safeguard premises. All promoters shall safeguard the premises where contests or exhibitions are conducted to insure to the commission's satisfaction that adequate protection against disorderly conduct has been provided. Any disorderly act, assault or breach of decorum on the part of any licensee at such premises is prohibited.

§209.6 Cancellation of boxing programs. No boxing program for which a license has been issued shall be canceled or adjourned without the consent of the commission.

§209.7 Default in debts or obligations. Any promoter in default of any of its debts or obligations may be suspended forthwith, and upon full payment of all such debts and obligations may be reinstated by the commission, conditioned in the discretion of the commission upon posting with the commission a deposit in such amount and for such time as shall be determined by the commission.

§209.8 Private room for use of judges and referees. Promoters shall provide, at each of the premises where cards are conducted, a special private room for the exclusive use of the judges and referees. No other persons excepting the commission representatives shall be allowed to enter such rooms, unless otherwise directed or authorized by the commission.

§209.9 Designation of contests and exhibitions. Each contest or exhibition shall be designated a contest or an exhibition according to its true and correct character and, having been so designated, it shall be announced and advertised explicitly as such at all times.

§209.10 Printing tickets. Promoters may sell or distribute only tickets obtained from a printer licensed by the Secretary of State. Such tickets shall be printed and made in such form as the commission may in each case approve or direct, and shall bear the purchase price on their face. Licensed printers must deliver to the commission, at least 24 hours before the exhibition or contest for which such tickets are to be used, a sworn manifest of all tickets delivered to the promoter. Tickets shall not be printed until the established prices thereof have been submitted to and approved by the commission.

§209.11 Ticket sales. The sale of tickets for any proposed contest or exhibition is prohibited until plans and statements showing the seating arrangements and the location of tickets of each price have been approved by the commission, and until the aisle spacing, the exit facilities and the location of fire appliances have been approved by the appropriate governmental authority.

§209.12 Admission to events. No person with the exception of:

- (a) members of the commission;
- (b) people designated by it for official duty;
- (c) officials required to attend under provisions of State laws or the commission's rules;
- (d) principals, managers and seconds who are involved in the contests or exhibitions; and
- (e) police officers, firefighters and other public officials actually on duty; shall be admitted to any contest or exhibition unless he or she holds a ticket of admission. For the above-excepted classes appropriate admission tickets may be issued in such number and in such form as is approved by the commission.

§209.13 Types and styles of tickets. Tickets for reserved and general admission seats shall be clearly identified as such and shall be printed with a stub to be retained by the purchaser. General admission tickets shall be consecutively numbered. Tickets of different price shall be printed in different distinctive colors unless otherwise directed or authorized by the commission.

§209.14 Exchange of tickets. No exchange of tickets shall be made except at the box office of the promoter unless otherwise directed or authorized by the commission.

§209.15 Selling tickets at discount or in excess of price printed thereon. Without the consent of the commission, no one shall sell any tickets for any price other than the price printed thereon, or change the price of tickets at any time after tickets for the contest or exhibition have been placed on sale, or sell any tickets at any time during the contest or exhibition for a price more or less than tickets for similar seats were sold or offered before the contest or exhibition. No ticket shall be sold by a promoter for more than the printed price, nor by any other person for more than .50 cents more than the printed price. No tickets shall be sold after the main event has commenced.

Promoters shall be vigilant to prevent speculation in tickets.

§209.16 Standing room or roll tickets. No standing room or roll tickets shall be sold for any contest or exhibition.

§209.17 Reserved seating chart. Promoters shall have available in the main box office a chart which plainly indicates the location of all reserved seats.

§209.18 Press tickets. All tickets issued to the working press shall be appropriately marked. The rows of working press tickets shall be consecutively lettered and each seat numbered. Only six such rows are allowed except as otherwise directed or authorized by the commission. There must be adequate aisle space between the end of the working press section and the beginning of the ringside section. Distribution of working press tickets shall be limited in accordance with the actual number of seats provided at ringside for the accommodation of actively engaged representatives of news media. Such seats shall be occupied only by persons thus actively engaged.

§209.19 Indication of location on ringside or press tickets. Tickets marked “Ringside” or “Working Press” must indicate their actual location, in accordance with the following examples:

Working Press	Section	Row	Seat
Working Press Ticket	10	A	1
Ringside Ticket	10	1	1

§209.20 Complimentary tickets. All complimentary tickets shall be clearly so designated in a manner approved by the commission. The numbers of such complimentary tickets issued for each event shall be approved in advance by the commission. Complimentary tickets shall not be transferable by a distributee.

§209.21 Tickets for employees and participants. Distribution of employees’ and participants’ tickets shall be limited strictly to persons in these classifications and such tickets shall not be transferable by a distributee.

§209.22 Cut rate tickets. The issuance of cut-rate tickets shall be approved in advance by the commission.

§209.23 Persons to whom tickets may not be issued. No known gambler nor any person whose license has been revoked or suspended by the commission for conduct detrimental to the best interests of boxing or wrestling shall be issued a ticket for or be admitted to or remain at any boxing or wrestling contest or exhibition, except as otherwise directed or authorized by the commission. Any such person found in attendance at any boxing or wrestling contest or exhibition may be removed therefrom.

§209.24 Surrender of tickets for admission. All ticket holders shall surrender their tickets or the appropriate stubs thereof at the admission gates and such tickets and/or stubs shall be made available to the commission immediately upon the closing of the respective admission gates.

§209.25 Unsold tickets. All promoters of boxing or wrestling cards shall deliver all unsold tickets to the commission together with a complete and accurate report on all tickets sold. After the unsold tickets have been returned to the promoter by the commission, such promoter shall hold all the unsold tickets and all the stubs of sold tickets for a period of not less than six months, and so long as they may become material in the administration of the boxing and wrestling exhibitions tax under article 19 of the Tax Law.

§209.26 Reports. The authorized representative of any promoter holding a contest or exhibition shall submit in writing to the New York State Department of Taxation and Finance within 48 hours after the close of the contest or exhibition, an “Athletic Tax Report” showing the number of each class of tickets sold, unsold or unused, and permit the commission or the New York State Department of Taxation and Finance to examine all sold, unsold or unused tickets, stub coupons, the financial records of the event, and cooperate with and assist the commission or the New York State Department of Taxation and Finance to investigate any other matters relating to the receipts and conduct of the box office and ticket takers. The ticket tally must conform to the manifest issued by the licensed printer and an “Inspector’s Financial Statement” for the particular contest or exhibition must be approved and signed by:

- (a) the commission representative in charge;
- (b) by the commission inspectors making the count; and

(c) by the authorized representative of the promoter.

§209.27 Supervision of ticket sale by promoter.

Each promoter shall supervise the sale of tickets to the general public and prepare the necessary and proper tax returns as are required by law. Box office employees of each promoter shall assist the promoter in the sale of tickets and cooperate with commission representatives in the tabulating of the receipts as well as the counting of sold and unsold tickets directly after the participants in the main bout have entered the ring. Promoters shall comply with the various requirements of the boxing and wrestling exhibitions tax imposed under article 19 of the Tax Law, such as paying tax, filing returns and keeping records.

§209.28 Distribution of receipts of contest or exhibition.

All promoters, in distributing the receipts of any contest or exhibition, shall first deduct all sums due for Federal and State taxes and then deduct all sums due for payments to the referee, judges, physicians and other assigned officials, and for insurance premiums. Thereafter, the balance may be distributed in accordance with the amounts or percentages agreed upon and approved for the compensation of the participants.

§209.29 Changes in announced or advertised cards.

Changes in the announced or advertised programs for any main bout contest shall be filed with and approved by the commission at least 48 hours before the weighing-in time of the contest unless otherwise directed or authorized by the commission. Notices of such change or substitution shall also be included in any public announcement or advertisement relating to the card, and shall be conspicuously posted at all box offices on the premises and announced from the ring before the opening bout, and if any of the patrons apply for refunds on tickets already purchased, the promoters shall make such refunds upon demand, provided such tickets are presented at the box office on the date of the program and before the commencement of the second bout or the main bout, whichever comes first.

§209.30 Postponements for inclement weather. In the event of rain or other inclement weather occurring immediately before or during the course of any outdoor contest or exhibition, except during the course of the main event, the promoter may postpone the card with the approval of the commission to such time and at such place as is approved by the commission. An

announcement giving the full details of the postponement shall forthwith be made by the promoter, and any patron desiring a refund of the purchase price of his or her ticket may apply for and shall receive the same at the box office of the promoter on the premises, except when the main bout is held on a rain-out date indicated on the ticket. All contestants who have fulfilled their contracts before the advent of the inclement weather shall be paid in full, and on the postponed date, substitute bouts in such number and of such duration as are approved by the commission shall be provided by the promoter.

§209.31 Rearrangement or shortening of program.

In the event of threatening weather or rain, an outdoor contest or exhibition may be rearranged or shortened by the promoter with the approval of the commission.

§209.32 When card completed. A card shall be deemed completed when the main event has concluded.

§209.33 Stopping main event. In the event that inclement weather occurs during the progress of the main event at an outdoor card, such card shall be continued, postponed or stopped in the discretion of the commission. If a card is stopped before the main event has concluded, the provisions of section 209.30 of this Part shall apply as to postponements and refunds.

§209.34 Reimbursements of expenses to participants. All participants and officials in contests or exhibitions other than a main event in boxing who were unable to compete because of weather conditions, a rearrangement, cancellation or shortening of a contest or exhibition, shall have such of their expenses and other fees paid by the promoter as the commission may direct.

§209.35 Approval of premises. Contests or exhibitions shall be held only at premises approved by the commission.

§209.36 Seating for ring officials and commission representatives. The promoter shall provide suitable separate ringside seats for the judges, timekeepers, knockdown counter, physicians, commission representatives, and any other person designated by the commission which shall be approved by the commission before the commencement of any card. The promoter shall also provide seats in each boxer's corner for the occupancy of the inspectors on duty at

the program, which shall be approved by the commission before the commencement of any card.

§209.37 Emergency medical facilities and equipment. All boxing promoters shall provide medical information, facilities and equipment, including but not limited to a stretcher and emergency oxygen, adequate for emergency occasions, and all such medical facilities and equipment shall be approved in advance by the commission.

Specifications of the commission for the medical information and equipment, and for the platform, padding and the covering may be prescribed by the commission from time to time by bulletin and forwarded by the commission to each promoter. The promoters at all boxing contests or exhibitions shall have an ambulance with medical attendants available at the site of the event, unless otherwise directed or authorized by the commission.

§209.38 Boxer's dressing room. No one shall be allowed in a boxer's dressing room except his or her manager, seconds, commission representatives, accredited members of the press and such employees or associates of the promoter as are approved by the commission. The promoter shall post a sign to this effect conspicuously at the entrance to all dressing rooms.

§209.39 The ring. No contest or exhibition shall be permitted in any ring unless it has been inspected and approved by the commission. No ring shall be less than 18 feet square nor more than 22 feet square, nor have an apron of less than two feet, unless otherwise directed or authorized by the commission. The ring platform shall be elevated no more than four feet and shall have a smooth, firm surface covered with clean canvas, duck or other resilient material stretched taut and laced tightly to the ring platform, and shall be completely padded both inside and outside the ropes to a thickness of at least one inch or as the commission may authorize or direct, with ensolite or a similar material approved by the commission.

§209.40 Ring posts. The ring posts shall be four in number, shall extend above the ring platform no more than five feet, and shall be at least 18 inches distant from the ring ropes, which shall be attached to the ring posts by adjustable turnbuckles. All ring posts, post tops and turnbuckles shall be suitably padded. Corners shall have protective padding extending from the top to the bottom rope.

§209.41 Steps. Steps shall lead to the ring platform at least two diagonally opposite corners of the ring platform.

§209.42 Ring ropes. The ring ropes shall be four in number and shall be not less than one inch in diameter. Ring ropes shall be suitably covered with soft material and shall be securely fastened to the ring posts. The lowest rope shall be 13 inches from the floor of the ring, the second rope shall be 26 inches from the ring floor, the third rope shall be 39 inches from the floor, and the fourth rope shall be 52 inches from the floor of the ring. The ropes shall be readily adjustable and shall be kept a proper and safe degree of tautness.

§209.43 Ring lighting. The ring shall be amply illuminated by overhead lights, which shall be so arranged that shadow shall be eliminated and discomfort from heat and glare minimized for persons in and near the ring.

§209.44 Repairs. The promoter shall have available at all times during a contest or exhibition an attendant capable of making emergency repairs, corrections and adjustments to the ring, the lights and other necessary fixtures.

§209.45 Equipment supplied by promoter. In addition to the ring and ring equipment, the promoter shall supply the following items, which shall be available for use as needed:

- (a) a public address system in good working order;
- (b) judges and timekeepers chairs elevated sufficiently to assure unobstructed view of the ring and the ring floor;
- (c) a gong or bell of size and resonance sufficient to be clearly audible, when struck by the timekeeper's hammer, by participants, officials, and spectators. The gong shall be approved by the commission and shall be not less than 10 inches in diameter, adjusted securely on a level with the ring platform, unless otherwise directed or authorized by the commission;
- (d) a stool or chair, a clean bucket, a clean water bottle, and an adequate supply of water and fresh ice for each boxer's corner;
- (e) a complete set of numbered round-cards, clearly legible from all parts of the arena, such cards to contain no advertising or other printed matter unless the same shall have been approved by the commission;
- (f) a container of powdered resin;

(g) a clean stretcher and a clean blanket, placed under or adjacent to the ring throughout each program;

(h) first aid oxygen apparatus or equipment;

(i) gloves for each boxer in each contest or exhibition. Gloves shall weigh not less than eight ounces of which weight no more than one ounce shall be in the wrist padding of the glove. Gloves shall be new for main events and for contests and exhibitions scheduled for 10 or more rounds. For all contests and exhibitions except championship contests, thumbless or thumblock gloves approved by the commission shall be used, unless otherwise directed or authorized by the commission;

(j) other articles as may be required by the commission.

§209.46 Scales. Scales used for any weigh-in shall be approved in advance by the commission.

PART 210

CONDUCT OF BOXING CONTESTS AND EXHIBITIONS

§210.1 Number of contests or exhibitions. There shall be no fewer than 30 and no more than 40 rounds of contested boxing on any one program unless otherwise directed or authorized by the commission.

§210.2 Time of main event. All main event contests or exhibitions shall start no later than 10 o'clock p.m. unless otherwise directed or authorized by the commission.

§210.3 Duration of contests. In nonchampionship contests, boxers shall compete for no more than 12 rounds unless otherwise directed or authorized by the commission. Championship contests shall be of no more than 15 rounds as directed or authorized by the commission.

§210.4 Age of boxers. Unless special permission otherwise is granted by the commission, boxers under 19 years of age are permitted to box no more than six rounds; boxers 19 years of age, eight rounds; boxers 20 years of age 10 rounds; and for all bouts over 10 rounds, each boxer in such bout shall be at least 21 years of age.

§210.5 Sex of boxers. No boxer shall engage in any boxing or sparring with a member of the opposite sex.

§210.6 Weighing in. The times and places of all weighing in ceremonies shall be as determined by the commission and all participants shall be weighed in on scales approved by the commission and in the presence of their opponents, the matchmaker and representatives of the commission, unless otherwise directed or authorized by the commission. In the event of a postponement of a contest or exhibition for more than 24 hours for any reason, a second weigh-in and additional physical examination may be required by the commission on the day to which the contest or exhibition has been adjourned.

§210.7 Reporting to dressing rooms. All boxers participating at a boxing program shall report to the designated dressing room of the premises no later than one and one half hours before the scheduled commencement of the first bout, except the contestants in the main bout, who may report at or before one hour before the scheduled commencement of the first bout. All boxers shall remain in their dressing rooms until directed to the ring by the commission representative in charge.

§210.8 Gloving. In all boxing contests and exhibitions, the gloves of each boxer shall be put on in the dressing room under the supervision of a commission representative, 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 adhesive tape. The gloves shall be removed in the dressing room after the bout, under the supervision of a commission representative, unless otherwise authorized or directed by the commission.

§210.9 Bandages. All boxers shall wear bandages on their hands during all bouts and sparring sessions. The bandages on each hand of a boxer must be soft gauze cloth 13 yards in length and two inches in width, held in place by not more than four feet of surgeon's tape one inch in width. The use of six inches of adhesive tape, not more than one inch in width, will be permitted across the back of each hand before bandaging the hands, provided same is not put across the knuckles. The bandages shall be evenly distributed across the hand. No tape or gauze may be placed across or below the knuckles. These bandages shall be applied in the dressing room before any contest or exhibition in which the boxers participate, in the presence of a commission representative. Gloves shall not be placed on the hands of a participant until approval of the bandages by the commission.

§210.10 Appearance. Before entering the ring, boxers must have a clean appearance, and be shaven and their hair must be trimmed or tied back in such a way as not to interfere with the vision of either boxer or cover any part of the boxer's face.

§210.11 Ring costumes. Each participant shall provide him or herself with the ring costume prescribed or approved by the commission, and for males such costume shall include a foul-proof guard of the boxer's own selection, type to be approved by the commission, adequate as determined by the commission in its discretion to satisfactorily reduce the risks of the boxer being disabled by a low blow or blows received during the contest. Each participant shall provide him or herself with two mouthpieces of a type approved by the commission, and shall wear one of such mouthpieces while participating in a contest or exhibition. No shoes with spikes, cleats, hard soles or hard heels shall be worn in the ring.

§210.12 Position of judges and physicians. The judges shall be stationed at separate sides of the ring as directed by the commission, and the physicians shall be stationed at places designated by the commission.

§210.13 Items in boxer's corner. A bucket with ice, plastic water bottle, water, sponge, and surgical tape shall be available in each boxer's corner at all times during the contest or exhibition. Without specific permission of the commission, the only other material which may be present or used at ringside are vaseline, adrenalin (in a manufacturer's vial, premeasured in a 1/1,000 solution) and anticoagulant (either Avitene, Thrombin, Thrombinplastin or Fibroplastic).

§210.14 People in boxer's corner. Each boxer shall submit to the commission for approval the name of his or her chief second and assistant seconds and no one other than approved seconds shall be permitted in the corner of the boxer.

§210.15 Number of seconds. Each contestant shall have no more than three seconds, each of whom shall be licensed by the commission, and each such second while assisting in the boxer's corner shall wear only such costume approved by the commission. Provided, however, that each contestant in a championship bout may have no more than four licensed seconds. Only one second may be inside the ring ropes between rounds.

§210.16 Conduct of seconds. No second shall coach any of the boxers during the progress of any round, and shall remain seated during each round. No second shall enter the ring between rounds and assist a boxer back to his or her corner unless the bout has been terminated by the referee or ringside physician.

§210.17 Throwing towel into ring. No one shall throw any towel into the ring as a signal of defeat or for any other reason.

§210.18 Application of substances to boxers between rounds. All substances applied to or into the body of a boxer between rounds shall be approved in advance by the commission. No substance not so approved by the commission shall be applied to or into the body of a boxer between rounds.

§210.19 Excessive spraying of water on boxer. No excessive or undue spraying or throwing of water on any boxer between rounds is permitted.

§210.20 Referee's instructions. Before the start of each bout the referee shall call the participants together for final instructions, at which time each participant shall be accompanied by his or her chief second only, except in the case of a boxer who also requires the services of an interpreter. After receiving the referee's instructions, the boxers shall shake hands and return to their corners to await the gong for the first round.

§210.21 Start of each round. In all boxing and sparring contests and exhibitions, each boxer shall come to the center of the ring at the start of each round.

§210.22 Duration of rounds. Rounds shall be 180 seconds long unless otherwise directed or authorized by the commission.

§210.23 Intermission between rounds. There shall be a 60 second intermission between rounds, unless otherwise directed or authorized by the commission. The referee, at the request of the ringside physician, may extend this intermission, if necessary to examine a participant, for up to 30 additional seconds.

§210.24 Coaching. The promoter or associates and employees of the promoter and the matchmaker shall not coach any participant at any time during the progress of any contest or exhibition.

RING OFFICIALS

§210.25 Remaining in ring. All participants and their seconds shall remain in or near the ring until the conclusion of a contest or exhibition and until the decision is announced in a contest, unless otherwise directed or authorized by the commission.

§210.26 Completion of contest. After the decision of any contest has been announced, participants and their seconds shall leave the ring at once and retire to their dressing rooms. Participants and seconds are prohibited from indicating in any way to the officials or to the spectators their opinions as to who won or lost the contest or exhibition.

§210.27 Prohibited practices. The following foul, dangerous, and unsportsmanlike practices are prohibited in all boxing contests and exhibitions: hitting below the belt; tripping; kicking; butting; kneeling; throttling; elbowing; striking with the head, shoulder, or forearm; hitting with open glove, or the inside, side or wrist of the glove; hitting on the back, especially the kidneys or the back of the neck; pivot blows; pressing an opponent's face with arm or elbow; attacking while holding the ropes and making use of the ropes in any other unfair way for attack purposes; pressing an opponent's head over the ropes or against the turnbuckles or ring posts; wrestling, lying on, and throwing while in a clinch; attacking in any way a fallen opponent; clinching, holding or locking an opponent's arms or head; pushing a stiff arm underneath an opponent's arm; holding and hitting; pulling and hitting; hitting on the break after a clinch; ducking low to up end an incoming opponent; thumbing and gouging of an opponent's eyes; rubbing an opponent's face with laces, adhesive tape, or any abrasive area of or substance on the gloves; use of any ointment, powder, or other substance intended or likely to cause danger or discomfort to an opponent.

§210.28 Level of effort. All participants shall perform to the best of their abilities at all times, and comport themselves always in accordance with the rules of the commission at the highest levels of good sportsmanship and fair play. Participants in contests shall endeavor to win.

§211.1 Appointment and substitution of ring officials. All judges and referees for contests and exhibitions shall be appointed by the commission. All ring officials shall be approved by the commission. The number of ring officials required to be in attendance, or the substitution of ring officials for any reason at any time is solely within the power and discretion of the commission.

§211.2 Persons disqualified from officiating. No official, director, matchmaker, promoter or official, or employee, or shareholder of any promoter or licensed club shall officiate in any capacity at any boxing contest or exhibition conducted by such promoter or at such club, or interfere in any way with the participants.

§211.3 Officials in attendance. At every contest or exhibition the ring officials in attendance shall consist of at least one referee, three judges, one timekeeper, one knockdown counter and one announcer unless otherwise directed or specifically approved by the commission. In addition, for all boxing contests or exhibitions, there shall be two physicians in attendance at ringside, unless otherwise directed or authorized by the commission.

§211.4 Compensation. The commission shall determine the amount of the compensation of ring officials in accordance with reason and equity in the circumstances of the respective contests and exhibitions to which they shall be appointed. Ring officials appointed by the commission who are ready, willing and able to perform their assigned duties at any scheduled contest or exhibition, as determined by the commission, shall be entitled to compensation in an amount determined by the commission irrespective of whether such officials actually perform their assigned duties at such scheduled contest or exhibition. Compensation due ring officials shall be paid in full in each case by the promoter through the commission.

§211.5 Referee. The commission shall appoint at least one referee to officiate at each contest or exhibition, except exhibitions conducted solely for training or instruction purposes.

§211.6 Referee's powers and duties. The referee shall exercise immediate authority, direction and control over contests and exhibitions to which he or she has been appointed. Before the start of each contest or

exhibition under his or her direction, the referee shall ascertain the identity of the chief seconds of the respective participants and shall hold such chief seconds responsible for their own conduct and for the conduct of their respective assistant seconds in all matters pertinent to the contest or exhibition; the referee shall give such instructions to the participants and their seconds as he or she shall deem appropriate; the referee shall have and exercise in his or her discretion, the authority to remove or cause to be removed from the ring and or the vicinity thereof any person who interferes or attempts to interfere with the conduct of the contest or exhibition; before the start of each such contest or exhibition and from time to time, as he or she shall see fit, during the course thereof, he or she shall check the participants' gloves, equipment, and persons to assure that no unsafe or improper condition or conditions shall be permitted to exist; he or she shall observe carefully and continually the physical condition of the participants and shall have full and final responsibility, either at his or her own discretion or upon recommendation from the attending ringside physician for the immediate halting of any contest or exhibition wherein, for any reason, the safety of a participant would be jeopardized by continuance. The referee shall have exclusive authority in the event of injury to a participant, to interrupt the progress of a round by directing the timekeeper to stop the clock and calling the ringside physician into the ring to examine and advise upon the condition of the injured participant. If it shall be decided by the referee upon advice of the physician that such participant is fit to continue, the referee shall direct the timekeeper to start the clock and the round shall be resumed from the point of interruption, provided, however, that no such interruption of a round shall be ordered when the condition of the distressed party is such as would be materially remedied by an unscheduled rest period, except where the injury involved shall have resulted from a foul action by the opposing participant, when the referee, upon advice of the attending physician, shall order such reasonable rest period as shall be appropriate. The referee shall enforce the rules of boxing or wrestling, as set forth by the commission, as well as those rules generally recognized in the sport under the traditional title of the Marquis of Queensbury Rules, as modified to current date by usage and written authority; the referee shall be authorized, in the event of foul tactics by a participant, to take away a point or points from the score of such participant at the end of the round in which such foul tactics shall have occurred, and when the referee has

taken such action, he or she shall inform the judges and the chief seconds of the participants of the ruling prior to the start of the next round; the referee shall have the exclusive authority to stop a contest or exhibition at any stage because of a major foul being committed by either participant and to award the decision, under the circumstances, to the fouled participant; the referee shall have the exclusive authority to stop a contest or exhibition at any stage if he or she considers that one or both participants are failing to perform according to due standards of effort, ability or conduct, and in such event may disqualify one or both participants and if only one participant is disqualified the referee may award the contest or exhibition to the other by technical knockout; the referee shall have the exclusive authority to stop a contest or exhibition at any stage on the grounds that it is too one-sided. In such event, he or she may award the contest or exhibition to the superior participant as a technical knockout; the referee shall have the exclusive authority to decide whether or not a boxer or wrestler is knocked down during the course of a round and shall indicate such decision to the timekeeper or alternate referee whose count shall be accordingly continued or discontinued, and, if the count is to be continued, the referee shall pick it up orally and by gesture after first assuring that the opponent of the fallen participant shall have retreated to the most distant neutral corner of the ring; at the conclusion of each contest or exhibition under his or her direction, the referee shall confirm to the announcer and to the commission, the official result and whether it shall have been by decision on points, by knockout, by technical knockout, or by disqualification.

§211.7 Judges. The commission shall appoint three judges to officiate at each contest or exhibition, except exhibitions conducted solely for training or instruction purposes.

§211.8 Judges powers and duties. Judges shall observe carefully and expertly the performance of the participants in each contest or exhibition to which they are appointed; to appraise each such contest or exhibition fairly and accurately in the light of these rules and the generally recognized rules of boxing and wrestling; to inscribe the results of such appraisal after each round on the commission scorecard according to the scoring system adopted by the commission; and to deliver said scorecards to the referee or to such other official as designated by the commission.

§211.9 Timekeepers. The promoter shall appoint a timekeeper to officiate at each contest or exhibition, except exhibitions conducted solely for training or instruction purposes.

§211.10 Timekeepers powers and duties. Each timekeeper shall have and maintain an accurate stop-watch or stop-clock, and also a whistle or buzzer, which shall be approved by the commission before each contest or exhibition to which the timekeeper has been appointed. The timekeeper shall sit outside the ring platform and close to the gong. The timekeeper shall keep the time of each round and intermission by means of an accurate stop-watch or stop clock. He or she shall sound the gong to begin and to end each round by striking it vigorously with a metal hammer. The timekeeper or alternate referee shall count for knockdowns by vigorously striking the floor of the ring or a suitable wooden striking board with a substantially constructed hammer or mallet. The timekeeper shall signal by striking the floor of the ring to indicate when only five seconds remains in a round. The timekeeper shall also signal by whistle when ten seconds remain before the beginning of a round, and at such signal all seconds shall leave the ring immediately and shall remove all stools and equipment from the ring immediately. Except as above, the timekeeper shall give no signal or other information during a contest or exhibition.

§211.11 Counting for knockdowns. When a boxer falls to the floor of the ring or leaves the ring during the progress of a round, the timekeeper or alternate referee shall immediately begin the official count and shall continue to the count of 10 at the rate of one stroke per second, unless the referee shall direct that the count be suspended.

§211.12 Early termination of contest or exhibition. When a boxing contest or exhibition shall terminate before completion of the final scheduled round, the timekeeper shall record the exact time of termination and shall inform the announcer and the commission the exact duration of the bout. When a boxing contest or exhibition shall terminate between rounds the contest or exhibition shall be ruled to have ended in the round just terminated.

§211.13 Announcers. The promoter shall engage an announcer for each contest or exhibition, who shall be approved in advance by the commission.

§211.14 Announcers duties and authority. The announcer shall be the master of ceremonies at each contest or exhibition. No announcements from the ring shall be made except by the announcer unless otherwise directed or authorized by the commission, and no announcements from the ring shall be made except as approved by the commission in advance. Introductions from the ring of individuals in attendance shall precede the announcement of the names and correct weights of the participants, and any other matters the announcer is directed to announce by the commission. The announcer shall announce the winner of each contest or exhibition at its conclusion.

PART 212

SCORING

§212.1 Points. All boxing contests and exhibitions shall be scored by three judges. Unless otherwise directed or authorized by the commission, the following scoring system shall be used by the judges in each boxing contest or exhibition to determine which, if any, participant has won a round. In each round, such judges shall observe (a) clean hitting, (b) effective aggressiveness, (c) defense, and (d) ring generalship. At the conclusion of each round, each judge shall score each participant's performance on these four items, and if the performance of each boxer is close and competitive to the other's performance but one boxer is just slightly superior to his opponent in such round, ten points shall be scored for such boxer and nine points scored for the opponent. If a boxer's performance is decisive and dominant (including a flash knockdown) compared to the performance of the opponent in any one round, ten points should be scored for such boxer and eight points scored for the opponent. If a round is one-sided and the superior boxer also scores one or more clean knockdowns, ten points should be scored for such boxer and seven points for the opponent. If the performance of each boxer in a particular round is of identical quality to the performance of the other ten points shall be scored for each boxer for such round.

§212.2 Knockdowns. The judges shall score a knockdown in any one round in a manner which is consistent with section 212.1 of this Part.

§212.3 Three knockdown rule. Referees shall stop any bout in which a boxer has been knocked down three times in one round from the result of a blow as distinguished from a slip or a fall from being off

balance, unless such rule has been waived by the participants with the approval of the commission.

§212.4 Scorecards. At the end of each round, each judge shall mark his or her scorecard in ink or indelible pencil with the score of each boxer in such round along with a brief explanation as to why such judge scored the round as he or she did, and shall deliver the scorecard to the referee, who shall in turn deliver the scorecards of all judges to the commission.

§212.5 The tally and decision. At the conclusion of a contest or exhibition, except a contest or exhibition which has been concluded by knockout, technical knockout or disqualification, the commission shall tally the total points awarded to each participant and shall communicate same to the announcer.

§212.6 The announcer. The announcer shall announce the decision of the judges from the ring, and in main events the announcer shall call out the total points awarded by each judge. The boxer who has more points on the scorecard of the official is the winner on that judge's scorecard. The boxer who has been awarded the decision on at least two of the three judges' scorecards is the winner of the bout. In the event that neither boxer has been awarded the decision on at least two of the three judges scorecards, the decision shall be a draw.

§212.7 Major fouls. Upon the occurrence of any major foul in any round, the referee may disqualify the offending boxer and award the bout to the fouled boxer or following the round of such occurrence instruct the judges to award such round to the fouled boxer, by a score of 10-8. Major fouls are:

- (a) hitting an opponent who is down or who is rising from down;
- (b) using the knee against the opponent;
- (c) failure to heed the referee's warnings concerning low blows or other minor fouls;
- (d) any dangerous and unsportsmanlike conduct in the ring;
- (e) intentional butting, and/or low blows, intentional or unintentional; provided, however, that in the event that a butt was unintentional and the bell has rung for the commencement of the round following the conclusion of at least one-half of the scheduled rounds of such contest or exhibition and the fouled boxer is materially hampered from continuing as a result of such butt, the referee shall stop the contest or

exhibition and the judges shall tally their scorecards for the completed rounds and the boxer who is awarded the decision on two of the three officials' scorecards shall be the winner of the contest or exhibition.

§212.8 Minor fouls. The following are minor fouls and it is within the discretion of the referee as to whether the offending boxer should merely be warned or should lose the round because of the commission of a minor foul:

- (a) holding an opponent;
- (b) deliberately maintaining a clinch;
- (c) hitting with the inside or butt of the hand, the wrist or the elbow;
- (d) backhand blows;
- (e) low blows;
- (f) hitting or "flicking" with the open glove;
- (g) wrestling or roughing at the ropes;
- (h) deliberately striking at that part of the body over the kidneys;
- (i) use of pivot blow or rabbit punch;
- (j) hitting on a break.

§212.9 Report to commission because of fouls. If in any bout a boxer is penalized with the loss of three or more rounds because of fouls, the referee and each judge shall report the matter in writing to the commission within 24 hours.

§212.10 When a boxer is down. A boxer is down if (a) any part of his or her body other than his or her feet is on the ring floor, or (b) he or she is hanging helplessly on the ring ropes, or (c) he or she is rising from a down position.

§212.11 Counting. When a participant is down the timekeeper or alternate referee shall at once commence calling off the seconds, indicating the count with a motion of his or her arm. The referee shall immediately order the other participant to a neutral corner and shall thereafter pick up the count from the timekeeper or alternate referee and indicate it with a motion of his or her arm. If a participant is unable to continue at the count of 10, the referee shall declare the other participant the winner by a knockout.

§212.12 No saving by the bell. When any round, including the final round, in any boxing contest shall terminate before a contestant who is down shall have

risen, the timekeeper's count shall be continued and, if the fallen participant shall fail to rise before the count of 10, he or she shall be considered to have lost the contest by a knockout in the round lately concluded.

§212.13 Additional circumstances when referee shall count boxer out. The referee shall count out a boxer who falls to the floor claiming foul because of a low blow. If a participant who has been knocked or has fallen through the ropes and onto the ring apron fails to be on his or her feet in the ring before the expiration of 10 seconds, the referee shall count him or her out as if he or she were down. If a participant who has been knocked or has fallen out of the ring and off the ring apron fails to be on his or her feet in the ring before the expiration of 20 seconds, the referee shall count him or her out as if he or she were down. A participant who has fallen or has been knocked out of the ring shall return to the ring unassisted.

§212.14 Eight count. A boxer who is down shall be required to take a count of eight whether or not he or she has regained his or her feet before the count of eight has been reached.

§212.15 Loss of mouthpiece. In the event that a boxer loses his or her mouthpiece, the referee shall call time immediately and cause such boxer's seconds to promptly wash or replace such boxer's mouthpiece and re-install same; provided, however, that if in the opinion of the referee, the boxer has deliberately spit out his or her mouthpiece for the purpose of halting a series of blows by the opponent, the referee shall not call time immediately and shall allow the round to continue until the opponent has completed such series of blows. If a referee determines that a boxer has deliberately spit out his or her mouthpiece for any reason, the referee shall issue a warning to such boxer for the first such infraction, instruct the judges at the end of the round following a second such infraction each to deduct one point from their scores for such boxer for such round, and disqualify the boxer for the third such infraction by declaring the opponent a winner.

§212.16 Technical knockout. The referee may stop a contest or exhibition at any time if he or she considers it too one-sided, or if either participant is in such condition that to continue would, in the judgment of the referee, be too dangerous to his or her health and safety. In the event the referee stops a contest or exhibition as aforesaid, the referee shall award the other participant the victory by technical knockout. In

any contest or exhibition, the awarding of a victory therein for any reason other than a countout, disqualification or decision on points shall be deemed a technical knockout.

§212.17 When contest terminates. If the contest is terminated between rounds, it shall be recorded as having concluded in the round just terminated. However, if the bell for the subsequent round has already sounded, the contest shall be recorded as having ended in the subsequent round.

PART 213

OTHER RULES RELATING TO HEALTH AND SAFETY

§213.1 Medical fitness required. No one shall participate in a contest or exhibition, or engage in sparring unless medically fit to the satisfaction of the commission. The commission shall have the authority to examine licensees or require them to be examined for this purpose from time to time in its discretion. Licensees shall submit to such examinations.

§213.2 Medical examination required for license.

(a) To obtain a license or the renewal of a license to box, all boxers shall submit to a thorough medical examination by a physician approved by the medical advisory board.

(b) All boxers applying for an original license must be given a complete physical examination, an electroencephalographic examination, electrocardiographic examination, CAT scan, dilated eye examination by a licensed ophthalmologist and laboratory and other tests and examinations as may be required by such physician and/or the commission.

§213.3 Medical examination before contests and exhibitions. Before participating in contests or exhibitions, all boxers shall submit to a medical examination within 36 hours before the contest or exhibition and also within three hours before the contest or exhibition, unless such times are extended by the commission after consultation with the medical director. Such examinations shall be performed in this State, unless authorized or directed by the commission, by a physician approved by the medical advisory board, and shall include as many of the laboratory procedures outlined in section 213.2 of this Part as the examining physician and/or the commission may decide are necessary.

§213.4 Reporting of injury or illness. Any injury or illness to a participant before a scheduled contest or exhibition, or while in training for a contest or exhibition, shall be fully reported to the commission within 24 hours of its onset by the participant or the participant's manager.

§213.5 Ringside physicians. The number of physicians required to be in attendance at each contest or exhibition, and the type and quantity of medical and emergency equipment and instruments which shall be available at ringside or elsewhere in the premises, shall be as the commission may prescribe.

§213.6 Duties of ringside physician. The ringside physician may terminate any contest or exhibition at any time if in the opinion of such physician the health or well-being of any participant would be significantly jeopardized by continuation of the contest or exhibition. In the event of any serious physical injury, such physician shall immediately render any emergency treatment necessary, recommend further treatment or hospitalization if required, and fully report the entire matter to the commission within 24 hours, and thereafter, as required by the commission. Such physician may also require that the injured participant and his or her 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.

§213.7 When ringside physician may enter ring. Any contrary provisions of these rules notwithstanding, the ringside physician may enter the ring during the progress of a bout at any time to fulfill his or her official duties. A ringside physician desiring to enter the ring for this purpose shall first signal the referee of his or her intention, upon which the referee shall stop the progress of the bout by signalling the timekeeper. At any time during the progress of a bout, the referee may stop the progress of the bout by signalling the timekeeper, and require the ringside physician to enter the ring to examine a participant. Nothing herein shall be deemed to prohibit the ringside physician from entering the ring to examine any contestant during rest periods, with or without invitation from the referee, nor shall anything herein be deemed to restrict the ringside physician's authority pursuant to section 213.6 of this Part.

§213.8 Examination of boxer after injury. Any boxer who has sustained any severe injury or actual knockout in a bout shall receive appropriate medical examination and treatment. Such examination may

include any or all of the procedures as provided in section 213.2 of this Part or as is directed by the medical advisory board, the commission physician, the ringside physician and/or the commission. The commission may suspend such boxer until he is fully recovered and, similarly, may extend any such suspension already imposed.

§213.9 Reporting of boxer's injury. In the event that a boxer who has suffered a knockout or any severe injury has on such account been treated by his or her personal physician or has been hospitalized, or in the event a boxer sustains any knockout, injury, accident or illness which may affect the boxer's health and/or safety whether or not such knockout, injury or accident occurs in a gymnasium, said boxer or his or her manager shall promptly submit to the commission and to the medical advisory board a full report regarding same including but not limited to any report from such physician or hospital.

§213.10 Mandatory examination of participants. Any participant who has lost three consecutive contests by knockout or technical knockout, or who has lost six consecutive contests in any manner, shall be automatically suspended and shall be reinstated in the discretion of the commission after submitting to a medical examination of the type prescribed by the commission. Such examination shall be offered to the participant within 90 days. A suspension under this rule shall not be considered a suspension for any other purpose.

§213.11 Knockouts. If a participant is knocked unconscious during a contest or exhibition, his or her seconds shall not minister to such participant, except to remove his or her mouth protector, until the ringside physician shall have examined such participant and given instructions for his or her future care.

§213.12 Mandatory resting period for boxers between rounds. No boxer shall be allowed to box in this State until seven days have elapsed since his last bout, except with the specific permission of the chairman after consultation with a member of the medical advisory board.

§213.13 Required seminars. All ringside physicians and referees of boxing matches and exhibitions shall attend such neurological training seminars as specified and approved by the commission after consultation with the medical advisory board.

§213.14 Weight loss. No boxer shall participate in any contest or exhibition following weight loss of one percent or more of body weight within 24 hours prior to such contest or exhibition, unless otherwise authorized by the commission.

PART 214

BOXING CLASSES AND CHAMPIONSHIPS

§214.1 When a boxer must defend title. With the exception of champions in the armed forces, a boxer holding a New York State championship title must defend his title against a suitable contender within a period of six months after winning or after last defending it, or his title may be vacated by the commission. In the event that a champion fails to so defend his title, any boxer in the same class who is considered by the commission to be a suitable contender, may, at the expiration of the said six months, forward to the commission a challenge. Such challenge shall be accompanied by deposits of the following amounts for the following classes:

- \$1,000 — flyweight, jr. bantamweight, bantamweight, jr. featherweight, and featherweight;
- \$1,500 — jr. lightweight and lightweight;
- \$2,000 — jr. welterweight, welterweight, jr. middleweight, middleweight and super middleweight;
- \$2,500 — light heavyweight and cruiserweight;
- \$5,000 — heavyweight;

and each such deposit shall be by certified check or by a bank cashier's check drawn to the order of the commission.

§214.2 Procedure when commission receives challenge. Upon receipt of such challenge, the commission shall forward it to the champion and announce the challenge at the office of the commission. Thereafter such champion shall, within 20 days after such announcement, enter into a contract to defend his championship title against the contender. In the event the champion does not enter into such contract as specified above or unjustifiably refuses promptly to defend his title against such contender, his license may be suspended by the commission until he either defends his title against the challenger or against some other contender considered suitable by the commission, or until his title is otherwise vacated, unless he is prevented by circumstances beyond his control, in which case the time may be extended by the commission in its discretion.

§214.3 Champion's selection between challengers. In the event that more than one suitable contender's challenge is received by the commission and forwarded to the champion, the champion may select to defend his title against any one of such challengers.

§214.4 When championship is forfeited. In the event that the champion is permanently unable to physically qualify for the defense of his title, the commission may forfeit his championship and declare the title vacant. In each defense of his title, the champion shall be at the weight required by the class for which he holds the title.

§214.5 Contracts for championship bouts. All contracts for championship bouts must be signed in the presence of at least one commissioner. On the date of the signing of the contracts, the two contestants and the promoter of the bout shall each post forfeits with the commission in the following amounts per class:

- \$1,000 — flyweight, jr. bantamweight, bantamweight, jr. featherweight, and featherweight;
- \$1,500 — jr. lightweight and lightweight;
- \$2,000 — jr. welterweight, welterweight, jr. middleweight, middleweight and super middleweight;
- \$2,500 — light heavyweight and cruiserweight;
- \$5,000 — heavyweight;

Such forfeits are to insure that each of the contestants will appear at the championship contest and to make the proper weight, and that the promoter will fulfill its obligations. In the event that a forfeit is declared by the commission, the deposit or deposits so forfeited will be distributed equally between the nondefaulting depositors.

§214.6 Individual may hold only one championship title at a time. No individual shall hold a world's championship title in two or more classes at the same time, but the holder of one such championship title may enter a contest for the world's championship title of another class. In the event that such individual wins such world's championship title in such other class, his original world championship is automatically vacated.

§214.7 Weight limits for contestants in championship bouts. The weight limit for each contestant in a championship bout shall be as listed below, and the championships are recognized in the following classes only:

108 junior flyweight

- 112 flyweight
- 115 junior bantamweight
- 118 bantamweight
- 122 junior featherweight
- 126 featherweight
- 130 junior lightweight
- 135 lightweight
- 140 junior welterweight
- 147 welterweight
- 154 junior middleweight
- 160 middleweight
- 168 super middleweight
- 175 light heavyweight
- 190 cruiserweight
- over 190 heavyweight

In the heavyweight class there is no maximum weight limit for any contestant.

§214.8 Weight limits in nonchampionship bouts other than four-round contests. In nonchampionship bouts, other than four-round contests, the following differences of weights between contestants may be permitted:

junior flyweight (108 pounds)	4 pounds
flyweights (112 pounds)	5 pounds
junior bantamweight (115 pounds)	6 pounds
bantamweights (118 pounds)	7 pounds
junior featherweight (122 pounds)	7 pounds
featherweights (126 pounds)	8 pounds
junior lightweight (130 pounds)	9 pounds
lightweights (135 pounds)	10 pounds
junior welterweight (140 pounds)	11 pounds
welterweights (147 pounds)	12 pounds
junior middleweight (154 pounds)	13 pounds
middleweights (160 pounds)	13 pounds
super middleweight (168 pounds)	13 pounds
light heavyweights (175 pounds)	14 pounds
cruiserweight (190 pounds)	15 pounds
heavyweights (all over 190 pounds)	no limitations

§214.9 Weight limits in four-round bouts. In all four-round bouts, except in the light heavyweight and heavyweight classes, the difference between the weights of the contestants shall not exceed five pounds.

§214.10 Boxers overweight in nontitle bout. In nontitle bouts, boxers overweight under the terms of the contract may be suspended after the match for such period as the commission may decide.

§214.11 Weight of holder of championship in contest of title. Whenever a recognized holder of a championship engages in a championship contest in

this State, he must be at the weight required by the class for which he holds the championship except when a champion of one class competes as a contender for the championship in another class.

§214.12 How championship can be lost. A championship may be lost by default, forfeit or inability to pass the scale, but a championship shall only be won by a contender in a contest.

§214.13 When contestant in championship bout must "pass the scale." All contestants in a championship bout must pass the scale at noon of the contest or at an additional weigh-in two hours thereafter.

PART 215

SPECIAL RULES FOR CHAMPIONSHIP BOUTS OTHER THAN A NEW YORK STATE CHAMPIONSHIP

§215.1 Exclusivity of rules. No championship bout may be held in the State of New York except one held in accordance with these rules.

§215.2 Preliminary filing requirements. In order to sanction a championship bout to be held within the State of New York, a sanctioning body must have filed the following with the Commission:

- (a) a copy of its constitution and by laws;
- (b) the names and addresses of its current officers and directors;
- (c) a certified financial statement for its last complete fiscal year; and
- (d) its current criteria for ranking boxers in each weight class.

§215.3 Criteria for ranking boxers. No criteria for ranking boxers shall be accepted for filing unless they:

- (a) provide objective and consistent criteria for ranking professional boxers in each weight class;
- (b) do not exclude from being ranked, professional boxers who are not affiliated, or whose promoters are not affiliated with the sanctioning body; and
- (c) provide a procedure whereby a professional boxer who is either aggrieved by not being ranked by the sanctioning body in the top 15 boxers in his or her weight class, or by his or her ranking within said top 15 boxers of his or her weight class may appeal to the sanctioning body to be ranked either within or higher within the top 15 boxers for that weight class.

§215.4 Pre-bout filing requirements. Within 10 days after a contract to hold a championship bout in New York has been signed, the sanctioning body shall file with the commission:

(a) a statement setting forth all fees and charges (including amounts) that it has or will impose on the boxers and promoters with respect to the championship bout being sanctioned;

(b) all contracts it enters into with respect to the championship bout being sanctioned; and

(c) an affidavit certifying that other than the fees and charges identified in response to subdivision (a) of this section, neither the sanctioning body, nor any officers or directors have or will receive any payment, compensation or other benefit from promoter(s) or those affiliated with the promoter(s) with respect to the championship bout being sanctioned.

§215.5 Compensation of judges and referees. (a) Every judge of a championship bout shall be compensated based on the following formula: Combined purses of the participants in the bout (CP) times a multiplier (M) divided by 3: $CP \times M \div 3 =$ each judge's compensation.

(b) The following multipliers shall be used in setting the amount of compensation for judges in championship bouts:

Combined Purses	Multiplier	Combined Compensation	Individual Compensation
\$0 to 5,000.00	.06	up to \$300	\$100
5,001 to 10,000	.06	up to \$600	\$200
10,001 to 25,000	.05	up to \$1,250	\$416
25,001 to 50,000	.04	up to \$2,000	\$666
50,001 to 100,000	.03	up to \$3,000	\$1,000
100,001 to 250,000	.02	up to \$5,000	\$1,666
250,001 to 500,000	.015	up to \$7,000	\$2,333
500,001 to 1,000,000	.008	up to \$8,000	\$2,666
1,000,001 to 2,500,000	.004	up to \$10,000	\$3,333
2,500,001 to 5,000,000	.0025	up to \$12,500	\$4,166
5,000,001 to 10,000,000	.0015	up to \$15,000	\$5,000
10,000,001 to----			\$6,000

(c) The compensation of a referee in a championship bout shall be equal to the individual compensation of a judge as calculated in subdivision (b) of this section times 1.5.

§215.6 Reimbursement of expenses for judges and referees. (a) If a person who is assigned to be a judge or a referee in a championship bout held within the State of New York is required to travel from the city or town where he or she resides in order to officiate at the bout being held, he or she shall be entitled to

reimbursement for the expense of traveling at the rate of \$0.35 per mile.

(b) A person who serves as a judge or a referee of a championship bout held within New York State shall be entitled to be reimbursed for lodging at a rate of \$175.00 per night for up to two nights, and shall be entitled to be reimbursed for meals at a daily rate of \$100 per day for up to three days.

§215.7 Nomination of candidates for assignment as a judge. (a) Within 10 business days after a contract to hold a championship bout in New York has been signed, the Sanctioning Body whose championship is being contested shall submit to the commission the names of three candidates for assignment by the commission to each of the two positions as a judge of the aforesaid championship bout. In the event that the championship of three or more sanctioning bodies is being contested in the same bout, each sanctioning body shall submit the names of three candidates for assignment by the commission to one position as a judge of the aforesaid championship bout.

(b) Each sanctioning body that nominates candidates for assignment by the commission to a position of judge shall submit to the commission an application for a temporary license to judge the specific championship bout executed by each candidate on a form to be provided by the commission, together with the candidate's photograph and a set of the candidate's fingerprints.

(c) The commission shall select and assign the three judges and the referee for each championship bout. In so doing, the commission shall review the qualifications of each person submitted by a sanctioning body for assignment to each position of judge of the aforesaid championship bout. In its sole discretion, the commission may, but shall not be required to select one out of the three persons submitted by a sanctioning body for each such position.

§215.8 Deposit of funds to compensate and reimburse judges and referees. (a) Within 15 days after a contract to hold a championship bout in New York has been signed, each Sanctioning Body whose championship is being contested in the bout shall deposit with the commission a sum sufficient to compensate pursuant to section 215.5 of this Part the three judges and referee to be assigned to officiate at the championship bout, and reimburse their expenses pursuant to section 215.6 of this Part. No person

nominated by a Sanctioning Body for assignment by the commission as judge for the bout in question shall be considered for assignment until the Sanctioning Body or Bodies whose championship is being contested has deposited sufficient funds with the commission to pay all the judges and referee for the bout.

(b) The commission shall pay from the sum(s) so deposited, the compensation and reimbursable expenses of said judges and referee pursuant to this Part and Part 216 of this Title.

(c) In the event that more than one sanctioning body has deposited funds with the commission pursuant to subdivision (a) of this section, the payments made by the commission pursuant to subdivision (b) of this section shall be credited against each such deposit on a pro rata basis. After such payments have been made, the balance of each deposit shall be returned to the Sanctioning Body from which it was received.

§215.9 Employment by boxer of promoter's employees, associates or relatives. (a) Within 10 days after a contract to hold a championship bout in New York has been signed, both the promoter(s) and each boxer must file a statement under penalties of perjury either that the boxer has not hired any employee, relative, affiliate or business associate of the promoter as the boxer's manager, trainer, second or other employee or independent contractor; or, in the event that such a person or entity has been so hired, that the promoter has not required the boxer to hire any of the promoter's employees, relatives, affiliates or business associates as the boxer's manager, trainer, second or other employee or independent contractor.

(b) In the event that the boxer has hired any of the promoter's employees, relatives, affiliates or business associates as the boxer's manager, trainer, second or other employee or independent contractor, the promoter must also file a statement under penalty of perjury setting forth the name and address of the person or entity so hired, the services that the person or entity was hired to perform, the compensation and expense reimbursement(s) for the past 12 months to which the person or entity is entitled for the performance of said services, that were deducted from any purse(s) earned by the boxer, and the amount, if any, that the person or entity is to receive from the boxer's purse for the championship bout.

(c) For purposes of this Part, provided that the promoter is not a public company, an affiliate is a

person, group of persons, or an entity that has at least an ownership or beneficial interest in the promoter, or an entity other than a public company in which the promoter has an ownership or beneficial interest.

(d) For purposes of this Part, a business associate is a person who is united or confederated together with another person or entity for the purpose of business.

§215.10 Accounting for the payment of purses. The promoter(s) shall file statements accounting to each boxer on the card for payment of his or her purse. Such statements shall also be prepared in accordance with generally accepted accounting principles and be accompanied by an unqualified opinion by a certified public accountant.

§215.11 Applicability of rules to championship bouts. The provisions of sections 208.16, 208.17 and 208.18 of this Title shall apply to all contests in which a championship is being contested.

PART 216

SPECIAL RULES FOR WRESTLING

§216.1 Persons to whom rules apply. The following special rules and regulations apply particularly to all persons and parties licensed as wrestlers, wrestling managers, wrestling promoters and wrestling matchmakers.

§216.2 Wrestling programs are not contests. All professional wrestling programs under the supervision and the authority of the commission are exhibitions only and not contests and all such wrestling can only be advertised or announced as exhibitions.

§216.3 Commission rules apply exclusively. All wrestlers are required to wrestle under the rules of this commission and contracts between wrestlers for wrestling exhibitions must specify that the wrestling rules of this commission only shall apply to such exhibitions.

§216.4 When exhibitions terminate. All such exhibitions shall be terminated by one fall or by two out of three falls, unless otherwise approved by the commission, and the wrestling contracts shall specify the number of falls for each exhibition.

§216.5 Time limits for exhibitions. The time limit for each wrestling exhibition shall be set forth in the contract. All wrestling contracts must be submitted for the approval of the commission five days in advance of

the schedule date of the exhibition. Under no circumstances shall any wrestling exhibition continue after 11 p.m. unless otherwise authorized by the commission.

§216.6 Scoring of exhibitions. All wrestling exhibitions shall be scored as follows:

(a) In a one-fall match the wrestler winning the fall within the time limit shall be declared the winner. If no fall occurs during the time prescribed, the referee and judges, by majority vote, shall render a decision on the exhibition — calling the exhibition a draw or awarding either wrestler the decision.

(b) In a two-out-of-three-fall match, the wrestler first to win the two falls within the time limit shall be declared the winner. If only one fall occurs within the time limit, the wrestler scoring such fall shall be declared the winner. In the event neither wrestler scores two falls within the time limit but each have scored one fall or neither wrestler has scored a fall, the referee and judges, by majority vote, shall render a decision.

§216.7 Wrestling mats required for ring. The mat covering the ring in boxing cards must not be used when wrestling cards are staged. Separate mats conforming to the specifications of the commission are required.

§216.8 Number of exhibitions. The number of wrestling exhibitions on each card and the duration of each exhibition shall, in each instance, be submitted to the commission for approval five days in advance of the date of the program.

§216.9 Time for commencement of wrestling programs. All wrestling cards shall commence no later than 8:30 p.m. unless otherwise authorized by the commission.

§216.10 How contracts for services must be signed. Contracts for a professional wrestler's services must be signed by the professional wrestler personally, or by his or her manager, if he or she has one. Where any party to such a contract is under age 18, such contract must be signed on the minor's behalf by his or her legal guardian.

§216.11 Tactics forbidden to wrestlers. Wrestlers are prohibited from indulging in the following unfair or foul tactics: striking, scratching, gouging, butting or unnecessarily punitive strangleholds. Any

unsportsmanlike or physically dangerous conduct or tactics by any wrestler during an exhibition entitles the referee to stop the exhibition and award the decision to the other wrestler.

§216.12 Conduct of seconds. Seconds, managers and coaches may not touch a wrestler during an exhibition, neither shall they give any advice or coaching until a rest period is declared.

§216.13 Intermission between falls. Wrestlers shall be allowed five minutes between falls if the exhibition provides for two out of three falls.

§216.14 Definition of fall. A fall is scored against a wrestler, when for a count of three, both his or her shoulders touch the floor at the same time.

§216.15 How referee awards fall. The referee shall immediately slap on the back or the shoulder the wrestler scoring a fall.

§216.16 Procedure when wrestler refuses or is unable to continue. When a wrestler refuses or is physically unable to continue an exhibition at the referee's command, the exhibition shall be terminated and the decision awarded to his or her opponent.

§216.17 Where wrestling must take place. All wrestling must take place within the ropes. Wrestlers deliberately throwing opponents out of the ring are guilty of a foul and the referee may therefore award the exhibition to the fouled wrestler.

§216.18 Effect of wrestler leaving ring. No wrestler shall deliberately leave the enclosed ring during the course of an exhibition, and if the offense is repeated after once given warnings by the referee, a penalty fall will be scored against him or her by the referee.

§216.19 Wrestler's wearing apparel. Wrestlers must provide themselves with such type and color of wearing apparel as the commission may require for each exhibition.

§216.20 How exhibitions must be advertised. No wrestling promoter shall, without prior approval from the commission, advertise or cause to be advertised any professional wrestling exhibition as a wrestling match or a championship match.

§216.21 Preservation of advertising copy. Wrestling promoters shall preserve copies of all advertising issued in connection with wrestling exhibitions for a

period of six months after such exhibitions have been held.

§216.22 Licensing of booking agencies for wrestlers.

Any person or party operating a booking agency for wrestlers must be licensed by the commission as a matchmaker and if such agency is a corporation, an officer of such corporation must be so licensed.

§216.23 Wrestling promoter may not be a manager.

No person acting as a wrestling promoter is permitted to be a wrestling manager without prior approval from the commission.

§216.24 Wrestling manager may not be a promoter.

No person licensed as a wrestling manager is permitted to act as a wrestling promoter without prior approval from the commission.

§216.25 Wrestler's conduct toward third parties.

No wrestler shall molest, hit or abuse any spectator, referee or judge, or engage in any unsportsmanlike conduct.

§216.26 Distribution of proceeds of exhibition.

No wrestling promoter shall make any payments out of the proceeds of professional wrestling exhibitions to any other promoter or matchmaker or professional wrestlers unless such payments are made pursuant to the terms of a written contract filed with and approved by the commission.

§216.27 Filing of contracts involving wrestling exhibitions.

All contracts involving wrestling exhibitions to which any licensee of this commission is a party must contain all the terms of agreement between the parties and must be filed with the commission and submitted to the commission for its approval.

§216.28 Limitation imposed on manager's fee.

No wrestling manager is permitted to accept from a professional wrestler more than one third of the net proceeds from any wrestling exhibition.

§216.29 Physical examination of wrestler.

A physician designated by the commission shall examine all wrestlers engaging in professional exhibitions before entering the ring and no wrestler shall be permitted to wrestle who is suffering from any illness or disability which in any way interferes with or prevents such wrestler from giving a full, complete and satisfactory exhibition of his or her ability and skill, or

endangers his or her health or the health of his or her opponent.

§216.30 Concealment by wrestler of illness or injury.

No wrestlers shall conceal from the commission or a physician acting on behalf of the commission any known illness or disability.

§216.31 Time of physical examination.

All wrestlers must present themselves for such examination no later than 1½ hours prior to the commencement of the exhibition.

§216.32 Approval of contract by commission.

Whenever a wrestler enters into contract with a wrestling manager, he or she must appear with the manager before the commission for the commission's approval of such contract.

§216.33 Tag wrestling.

Tag team wrestling is an exhibition between a team of two wrestlers against another team of two wrestlers with a 60-minute time limit for either one fall or best two-out-of-three falls, with two minutes' rest between team falls. Team falls occur only when either wrestler from one team has lost a fall. Only one such event a month may be scheduled by any licensed promoting corporation without the special permission of the commission. The exhibition shall commence between one wrestler from each opposing team while their respective partners remain on the apron of the ring outside the ropes and unable to enter the ring unless his or her partner is defeated or is able to touch the outside team member's hand to relieve him or her. The outside partner must have hold of a regulation three foot double rope with a knot in one end and the other end looped over the ring post of his team's corner. At the time of a tag contact between partners, the wrestler outside of the ropes must have both feet on the apron floor and can only reach over the top rope to make the contact. The referee must see to it that the wrestler in the ring, after tagging his or her partner, retires to the outside of the ring as his or her partner enters the ring. No more than two wrestlers are permitted to be in the ring at the same time during the exhibition. When a fall occurs, team partners may relieve each other. If a wrestler is unable to continue, his or her partner must carry on alone and time out must be taken after an injury to permit the injured wrestler to be removed from the ring. If neither team has been able to win two falls at the expiration of the time limit, the team having one fall to its credit is to be declared the winner. If no falls are scored, a decision shall be rendered by the officials in charge. It shall be a

foul for a wrestler, while waiting his or her turn on the apron, to assist his or her partner or to interfere in any way with the opponent. It shall also be a foul for a wrestler, while waiting his or her turn to release his or her hold on the rope in his or her corner for any reason whatsoever until officially replaced by his or her partner or authorized by the referee. After one warning of the above infractions, the referee shall disqualify the offender. In all other instances the rules governing wrestling exhibitions shall prevail.

§216.34 Number of officials. At each wrestling exhibition, the officials shall consist of one referee, two judges, one timekeeper and one announcer. In addition, for all exhibitions, there shall be one physician in attendance.

PART 217

PUBLIC ACCESS TO RECORDS

§217.1 Applicability. The provisions of this Part shall be applicable to all records for public inspection and copying except where same are inconsistent with statutory provisions or specific rules of this Title.

§217.2 List of available records. A current list of the records available for inspection and copying shall be maintained in the general offices of the commission located at 270 Broadway, New York City,*** which list shall be available for public inspection and copying.

***Please note, the Commission is currently at 123 William Street, New York, New York.

§217.3 Location of records. All records of the commission available for inspection and copying shall be inspected and copied in the general offices of the commission located at 270 Broadway,*** New York City.

***Please note, the Commission is currently at 123 William Street, New York, New York.

§217.4 Hours of inspection. Records may be inspected and copied each business day the office is open to the public after such office hours begin and terminating 15 minutes before the close of such hours.

§217.5 To whom and where request made. The request for a particular record shall be made to the head of the division responsible for such record and at such place as he shall designate in the office of the commission in which the record is located.

§217.6 Form of request and identification. Where original or official records are requested to be examined or copied, a written signed request, on forms provided by the commission, shall be presented by the applicant showing his name and address and whom he represents, together with appropriate proof of identity when requested.

§217.7 Description of record required. A request for a record shall be specific and adequately describe and identify the record sought to be inspected or copied.

§217.8 Number of records permitted. It shall be discretionary with the head of the division responsible for the record as to the number of records of any type or types an applicant may request and receive at any one time.

§217.9 Use of pens prohibited. The use of ink pens shall be prohibited when inspecting or copying records. No marks of any kind shall be made on any record provided.

§217.10 Area restriction. Inspection or copying of records shall be permitted only in the areas designated for such purpose.

§217.11 Duplicate requests. If more than one request is received for the same record, the order of request shall determine which applicant shall first receive the record.

§217.12 Limitation of examination time. The head of the division responsible for the record or his designee may fix reasonable limitations on the time an applicant may examine any record.

§217.13 Temporary unavailability of records. Where a record is in use by the commission, or the filing or intake procedures relating thereto have not been concluded, the filling of a request for the record may be reasonably delayed until such use or procedures are completed.

§217.14 Return for department business. Whenever a record made available for inspection or copying is required for the business of the commission, the division head or his designee may require the return of the record upon demand.

§217.15 Provision of copies. (a) A copy or certified copy of an available record shall be provided to an

applicant therefor upon payment of the fee prescribed therefor in section 96 of the Executive Law.

(b) The commission, in its discretion, may permit an applicant to bring his or her own equipment on commission premises for the purpose of copying records. The terms and conditions upon which such permission is granted shall be accepted in writing by the applicant who shall pay in advance such fee for the use of space and energy as may be charged.

§217.16 Denial of access. In the event a request for a record is denied on grounds other than that the commission does not maintain such a record or no such record is found, the applicant shall be provided with a form advising him of his right to appeal the denial of the application to the chairman of the commission.

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