

BILL

To provide for the disestablishment of Boxing South Africa and for the transfer of its assets and liabilities; to repeal the South African Boxing Act 11 of 2001; and to provide for matters connected therewith.

Be it enacted by the Parliament of the Republic of South Africa, as follows: -

ARRANGEMENT OF SECTIONS

1. Definitions
2. Disestablishment of Boxing SA
3. Transitional provisions
4. Repeal of laws
5. Short title

Definitions

1. In this Act, unless the context indicates otherwise –
“**Boxing SA**” means the Boxing Commission established in terms of the South African Boxing Act, 2001 (Act no. 11 of 2001);
“**Department**” means the Department responsible for sport and recreation at national level;
“**Minister**” means the Minister responsible for Sport and Recreation in the Republic;
“**Public Finance Management Act**” means the Public Finance Management Act, 1999 (Act no. 1 of 1999).

Disestablishment of Commission

2. The Commission established in terms of section 4 of the South African Boxing Act, 2001 (Act 11 of 2001), is hereby disestablished.

Transitional provisions

3. (1) When this Act takes effect –
 - (a) All assets, rights, liabilities and obligations of the Commission are vested in the Department without formal transfer and without payment of any transfer duties, stamp duties, fees or taxes;
 - (b) all the employees of the Commission must be transferred to the Department in accordance with section 197 of the Labour Relations Act, 1995 (Act no 66 of 1995) with retrospective effect to....
 - (2) Section 42 of the Public Finance Management Act applies when the assets and liabilities referred to in subsection (1) are transferred to the Department.
 - (3) The Chief Executive Officer and the board of the Commission, as the accounting authority of the Commission, are responsible for the finalization of all matters of the Commission in accordance with the Public Finance Management Act.
 - (4) The Registrar of Deeds must make the necessary entries or endorsements for the transfer of any property contemplated in subsection (1), and no office fee or other charge is payable in respect of that entry or endorsement.

- (5) For the purposes of the Income Tax Act, 1962 (Act no. 58 of 1962), no change of employer must be regarded as having taken place when the employees contemplated in subsection (1) take up employment at the Department.

Repeal of laws

4. (1) Subject to section 3, the laws mentioned in the second column of the schedule are hereby repealed.
(2) Anything done under any provision of the law repealed and which should have been done under this Act, is deemed to have been done under this Act.

Short title

5. This Act is called the South African Boxing Act repeal act, 2010, and comes into operation on a date fixed by the President by proclamation in the Gazette.

SCHEDULE

No. and year of Act	Short title	Extent of repeal
Act no. 11 of 2001	South African Boxing Act, 2001	The whole

MEMORANDUM

It is hereby notified that the introduction of a Bill in terms of Section 73(4) read with section 76(2) of the Constitution will be made. This memorandum contains:

- Particulars of the proposed legislation;
- The objectives of the proposed legislation; and
- An indication of the financial implications of the proposed legislation and an indication of whether such implications may be a determining factor in the consideration of the proposed legislation.

The required legislation is set out herein.

PARTICULARS OF THE PROPOSED LEGISLATION

B. THE OBJECTS OF THE PROPOSED AMENDMENTS

Boxing is the only South African sporting code whose powers and functions are laid out in terms of national legislation. All other sporting codes are self-regulated, and the legislation governing the institution is therefore an anachronism.

Furthermore, the establishment of Boxing SA in terms of legislation places an obligation on the state to fund it on an ongoing basis, as well as to provide additional financial support when it encounters financial difficulties. This expenditure is unwarranted. If state money is to be provided to boxing, the state should be in a position to provide such funding on the basis of a sound decision based on financial and performance grounds, rather than being compelled to.

C. FINANCIAL IMPLICATIONS

The Bill will result in a saving to the fiscus of an amount of approximately R2.3 million a year.

NAME OF MEMBER: Donald Lee

SIGNATURE: _____