




BY-LAW REGULATING THE BEHAVIOUR OF TASMANIAN BOXERS AND BOXING OFFICIALS

Adopted: 10 July 2023



1. GENERAL

- 1.1 This By-Law is made pursuant to the power contained in clause 12.2(b)(ii) of the Constitution of Boxing Australia (Tasmania) Inc (BAT).
- 1.2 Words and terms defined in clause 1.1 of the Constitution of BAT shall have the same meaning in this By-Law as they have in clause 1.1 of the Constitution of BAT unless otherwise defined herein.

2. BINDING FORCE AND EFFECT

This By-Law shall be of binding force and effect upon and with respect to:

- (a) each boxer registered with BAT; and
- (b) each boxing official registered with BAT.

3. BEHAVIOURAL OBLIGATIONS

Each registered boxer and registered boxing official will:

- (a) at all times act for and on behalf of the interests of BAT, of Boxing Australia Limited (BAL), of participants and of the sport of boxing;
- (b) act in good faith and loyalty so as to maintain and enhance the standing of BAT, of BAL, and of the sport of boxing, its standards, quality and reputation;
- (c) not do nor, so far as it is within his or her power, permit to be done any act or thing which might:
 - (i) adversely affect or derogate from the standards, quality and reputation of the sport of boxing, or its maintenance and development or;
 - (ii) bring:
 - (A) BAT;
 - (B) BAL; or
 - (C) the sport of boxing; into disrepute;
- (d) not act in a manner unbecoming of a boxer/official, or prejudicial to the objects either of BAL or of BAT, or prejudicial to the sport of boxing;
- (e) comply with and observe the BAT Constitution and the By-Laws made there under;
- (f) insofar as the laws (written and unwritten) of the Commonwealth of Australia and the State of Tasmania permit, comply with and observe the BAL Constitution, and the Regulations made there under;

- (g) not do nor, so far as it is within his or her power, permit to be done, any of the following:
 - (i) Act in an unbecoming manner.
 - (ii) Intimidate against, harass, bully (including cyberbullying) any person or persons.
 - (iii) Engage in a sexually inappropriate relationship with a person that he or she supervised or had influence, authority or power over.
 - (iv) Verbally or physically assault another person, intimidate another person or created a hostile environment within the sport of boxing.
 - (v) Disclose to any unauthorised person or organisation any BAL or BAT information that is of a private, confidential and/or privileged nature.
 - (vi) Otherwise breach any of the provisions in the Code of Behaviour to found in Part B of BAL's Participant Protection Regulations.
 - (vii) Make a complaint that he, she, it or they knew to be untrue, vexatious, malicious and/or improper.
 - (viii) Fail to comply with a direction properly given to him, her, it or them pursuant to this By-Law.
 - (ix) Fail to comply with a penalty properly imposed on him, her, it or them pursuant to this By-Law.
 - (x) Victimise another person or persons for making a complaint pursuant to this By-Law.

4. DETERMINATION OF COMPLAINTS

4.1 Any person may make a complaint in writing against:

- (a) a boxer or boxers registered with BAT; or
- (b) a boxing official or boxing officials registered with BAT,

alleging that the same has or have breached, failed, refused or neglected to comply with the provisions in the Constitutions and/or the Regulations of BAL and/or in the Constitution and/or the By-Laws of BAT.

4.2 A complaint made in accordance with clause 4.1 hereof must be provided in writing to the Secretary of the BAT Committee.

4.3 As soon as practicable after receiving a copy of a complaint as referred to in clause 4.1 hereof, the Committee may, in the exercise of its absolute and unfettered discretion:

- (a) Seek any further particulars it may deem necessary or appropriate for assessing the complaint.
- (b) Summarily dismiss the complaint on the ground or grounds that the same is:
 - (i) specious;
 - (ii) trivial and/or
 - (iii) vexatious.

- (c) Refer the complaint to BAL for determination under the Regulations of BAL.
 - (d) Hear and determine the complaint in accordance with this By-Law.
- 4.4 In the event that the Committee determines to summarily dismiss a complaint consistent with regulation 4.3(b) then the Committee shall forthwith advise each of the parties to the complaint in writing of such determination and advise of alternative dispute mechanisms available via BAL.
- 4.5 Upon receiving a complaint, the Committee may:
- (a) to the extent that it considers it appropriate; and
 - (b) in the exercise of its absolute and unfettered discretion; immediately suspend the party or parties complained of from participating in some or all of BAT's activities, affairs and or events pending the final determination of the complaint in accordance with this By-Law.
- 4.6 In hearing and determining a complaint in accordance with clause 4.3 (d) hereof, the Committee shall:
- (a) give the parties to the complaint every reasonable opportunity to be heard, orally or in writing at the discretion of the Committee;
 - (b) ensure that natural justice and procedural fairness are accorded to the parties throughout the hearing;
 - (c) conduct the hearing, and determine the dispute, in accordance with equity and good conscience; and
 - (d) otherwise be empowered to determine its own procedures for the conduct of the hearing.
- 4.7 If, following a hearing conducted in accordance with clause 4.6 hereof, the Committee concludes that the matters alleged in the complaint have been established to its satisfaction, then the Committee may, in the exercise of its absolute and unfettered discretion, suspend the party or parties complained of until such time as either:
- (a) the party or parties concerned comply with all his, her or their obligations referred to in Clause 3 hereof; or
 - (b) the Committee otherwise determines to lift such suspension.
- 4.8 Following the determination of a complaint, the Committee shall advise each of the parties to the complaint in writing of its determination, and further advise them of their right to take the matter further pursuant to the Regulations of BAL.