

courthouse, to the General State Authority; to acquire additional property for such purposes; and to contract with and lease property from said Authority", as to counties of the third to the eighth class.

The act, approved May sixteen, one thousand nine hundred fifty-one (Pamphlet Laws 300), entitled "An act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county", as to counties of the fourth class.

Section 2902. General Repeal.—All other acts and parts of acts general, local and special are repealed in so far as they are inconsistent herewith.

APPROVED—The 9th day of August, A. D. 1955.

GEORGE M. LEADER

No. 131

AN ACT

Permitting and regulating wrestling and boxing contests and exhibitions; requiring licenses and permits; conferring powers and imposing duties upon the State Athletic Commission; providing for the granting, suspension, and revocation of licenses and permits issued by the Commission; preserving the rights of existing licensees and permittees; prescribing penalties, fines, forfeitures and misdemeanors; requiring bonds and insurance; creating a Medical Advisory Board; providing for rules and regulations; and making appropriations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

ARTICLE I

PRELIMINARY PROVISIONS

Section 101. Short Title.—This act shall be known and may be cited as the "Pennsylvania Athletic Code."

Short Title:
"Pennsylvania
Athletic Code".

Section 102. Definitions; Construction.—The following terms shall be construed when used in this act to have the following meanings, except in those instances where the context clearly indicates otherwise:

Definitions.

"Amateur" shall mean a person who has never received any purse or other article of value either for the expenses of training therefor or for participating in any boxing or wrestling contest or exhibition other than a prize which does not exceed fifty dollars (\$50.00) in value.

"Commission" shall mean the State Athletic Commission.

“Contest” shall mean an engagement in which the boxers or wrestlers strive earnestly in good faith to win.

“Exhibition” shall mean an engagement in which the participants show or display their skill without necessarily striving to win.

“Foreign Co-Promoter” shall mean a promoter who has no place of business within the Commonwealth of Pennsylvania.

“Judge” shall mean a person other than a referee who shall have a vote in determining the winner of any boxing or wrestling contest.

“Manager” shall mean a person who, directly or indirectly, directs or administers the affairs of any boxer or wrestler.

“Matchmaker” shall mean a person who brings together professional boxers or wrestlers or arranges professional boxing or wrestling contests and exhibitions.

“Participant” shall mean a boxer or wrestler who takes part in a boxing or wrestling contest or exhibition.

“Physician” shall mean an individual licensed under the Medical Practice Act to engage in the general practice of medicine and surgery.

“Professional” shall mean a person who competes in a boxing or wrestling contest or exhibition for a purse.

“Promoter” shall mean any person, and in the case of a corporate promoter shall include any officer, director, employe or stockholder thereof, who produces, arranges or stages any professional boxing or wrestling contest or exhibition.

“Purse” 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 and includes radio broadcasting, television and motion picture rights.

Not applicable to schools.

Section 103. Act Not to Apply to Schools.—No provision of this act nor any rule or regulation promulgated hereunder shall apply to any boxing or wrestling contest or exhibition conducted or sponsored by any university, college, secondary school or group of universities, colleges or secondary schools provided all the participants are students regularly enrolled in such institutions.

Status of existing licenses and permits preserved.

Section 104. Status of Existing Licenses and Permits Preserved.—All licenses and permits issued, pursuant to any act repealed by this act, shall continue with the same force and effect as if such act had not been repealed, subject, however, to the power of the Commission, as provided in this act, to suspend or revoke the license or permit of any such person for any of the causes

or reasons set forth in this act and subject to the power of the Commission to require any such person to obtain a license or permit pursuant to this act.

Section 105. Saving Clause.—The provisions of this act, so far as they are the same as those of existing law, are intended to be a continuation of such existing law and not as new enactments. The provisions of this act shall not affect any act done, liability incurred, right accrued or vested or suit or prosecution pending as of the effective date of this act, or to enforce any right or penalty or punish any offense under authority of such repealed laws. All rules and regulations made pursuant to any act repealed by this act shall continue in full force and effect.

Saving Clause.

ARTICLE II

REGULATIONS OF BOXING AND WRESTLING CONTESTS AND EXHIBITIONS

Section 201. Power of Commission to Control Wrestling and Boxing.—The Commission is hereby granted sole direction, control and jurisdiction over all amateur and professional boxing and wrestling contests and exhibitions held within the Commonwealth of Pennsylvania, except such contests and exhibitions as are hereinafter specifically exempted from the provisions of this act.

Power of Commission to control wrestling and boxing.

Section 202. Boxing and Wrestling Regulated.—Amateur or professional boxing or wrestling contests or exhibitions shall be held within the Commonwealth of Pennsylvania only in accordance with the provisions of this act and the rules and regulations promulgated hereunder. No such contest or exhibition shall be held on Sunday.

Boxing and wrestling to be regulated.

Section 203. Age of Participants.—No person under eighteen (18) years of age shall be a participant in any boxing or wrestling contest or exhibition: Provided, That any person sixteen (16) or seventeen (17) years of age may participate in amateur boxing or wrestling contests or exhibitions with other persons not over seventeen (17) years of age, under such rules and regulations as the Commission shall prescribe.

Participants shall not be under 18 years of age.

Section 204. Physician to be in Attendance.—A licensed physician shall be assigned to every boxing or wrestling contest or exhibition by the Commission. He shall observe and continue to observe the physical condition of the participants and advise the member of the Commission or deputy in charge and the referee in regard thereto. The Commission shall establish by rule or regulation a schedule of fees to be paid such physicians

Physician to be assigned, present at and observe contests and exhibitions for purpose of rendering medical advice; his fees to be scheduled by Commission and paid by promoter.

for their services. The physician's fee shall be paid by the promoter of the contest or exhibition attended by the physician.

Medical examination required within two hours prior to contest.

Section 205. Examinations.—In addition to any other examination required by this act or the rules and regulations promulgated hereunder, each boxer and wrestler must be examined by the attending physician within two (2) hours before he enters the ring. If, in the opinion of the physician, any boxer or wrestler is physically or mentally unfit to proceed, the physician shall forthwith notify any Commissioner or the deputy in charge who shall immediately cancel the contest or exhibition.

This required examination shall conform to the rules and regulations promulgated hereunder pursuant to the advice of the medical advisory board.

Results of examination required to be written, signed and filed by physician with Commission within 48 hours after contest.

The results of the examination shall be reduced to writing by the physician, signed by him and filed with the Commission within forty-eight (48) hours after the termination of the contest or exhibition.

Section 206. Weights and Classes.—The Commission shall establish classes of boxers and wrestlers by rules and regulations promulgated hereunder. Such classes shall be based upon weights.

Section 207. Limitation on Difference in Weights.—No contest or exhibition shall be lawful in which the difference in weight of the participants shall exceed ten (10) pounds. This limitation shall not apply to contests or exhibitions between participants in the light-heavyweight and heavyweight classes, as defined by the Commission nor to exhibitions held solely for training purposes.

Weight of gloves regulated to classes of fighters.

Section 208. Gloves.—Where the boxers are lightweights, as defined in the regulations, or in a lighter class, they shall wear boxing gloves weighing not less than five (5) ounces each. Where the boxers are in a heavier class than lightweights, they shall wear boxing gloves weighing not less than six (6) ounces each.

Number and duration of rounds and rest periods regulated.

Section 209. Duration of Boxing Bouts; Length of Rounds.—(a) No boxing contest or exhibition shall be more than fifteen (15) rounds in length.

(b) No round shall be more than three (3) minutes in duration.

(c) There shall be at least a one (1) minute rest between consecutive rounds.

(d) No boxer shall participate in nor be scheduled to participate in more than fifteen (15) rounds within seventy-two (72) consecutive hours.

(e) The Commission may, in respect to any contest or exhibition or in respect to any class of participants, limit the number of rounds in a contest or exhibition to less than the maximum of fifteen (15) rounds.

Section 210. Attendance of Referee and Judges; Scoring.—At each professional boxing contest or exhibition, except an exhibition held solely for training purposes, there shall be in attendance, at the expense of the promoter, a duly licensed referee designated by the Commission who shall direct and control the contest or exhibition.

Attendance, control and scoring by Referee and Judge.

There shall also be in attendance, at the expense of the promoter, two (2) licensed judges, each of whom shall, together with the referee, at the end of every boxing contest which continues for the scheduled number of rounds, render his individual decision in writing on a scorecard supplied by the Commission. Each judge and the referee shall have one (1) vote and a majority of the votes cast shall determine the winner.

The Commission shall by rule or regulation prescribe the methods of scoring.

Method of scoring to be prescribed by Commission.

Section 211. Seconds.—Before the start of any boxing contest or exhibition, the referee shall ascertain from each participant the name of his chief second. The chief second shall be held responsible for the conduct of his assistants during the contest or exhibition.

Responsibility of chief second.

Section 212. Regulation of Professional Wrestling.—The Commission shall promulgate rules and regulations regulating the length of professional wrestling contests and exhibitions and the manner in which they shall be presented. These rules and regulations shall be designed to protect the best interests of the participants and of the public, and they shall contain such safeguards and other conditions as will insure fair, sportsmanlike, scientific and genuine wrestling contests.

Regulation of wrestling.

Section 213. Wrestling Exhibitions.—Every wrestling exhibition shall be advertised as an exhibition and not as a contest. A licensed referee but no judge as such shall officiate at each exhibition, at the expense of the promoter.

Wrestling exhibitions.

Section 214. Duty of Disclosure.—Every licensee shall, immediately after learning thereof, disclose to any member of the Commission, or, if in attendance at any contest or exhibition, to the deputy in charge or the attending physician or referee, all knowledge or information in his possession concerning any mental or physical disability, injury, illness or incapacity of any boxer or wrestler.

Duty of disclosure by every licensee.

Prohibition
against sham
or collusive
contest.

Section 215. Sham or Collusive Contest Prohibited.—No licensee or other person shall knowingly conduct, give, participate in or be in anyway connected with any sham or collusive boxing or wrestling contest.

Any licensee who knows or has reason to suspect that a boxing or wrestling contest is, was or is going to be a sham or collusive contest, shall have a duty to promptly report this to the Commission or a representative thereof. Such report shall be in writing or, if oral, shall be forthwith reduced to writing and shall contain all of the reporter's reasons for the conclusions set forth in his report.

A sham or collusive contest is one in which one or both of the participants does not use his best efforts and skill and strive earnestly in good faith to win. It includes, but is not limited to, any pseudo contest, the result of which has been prearranged or any pseudo contest in which either participant does not, is not going to, or is unable to use or is prevented from using his best efforts and skill as a result of coercion, bribery, duress, threats, reward or promise thereof, physical incapacity or disability, suggestion or agreement, or any other improper or unlawful means.

A violation of this section shall constitute a misdemeanor.

Minimum purses
to boxers.

Section 216. Minimum Purses for Boxers.—No purse of less than twenty-five dollars (\$25.00) shall be paid by the promoter to any professional boxer for any contest or exhibition, other than a training exhibition.

Distribution of
purses to boxers
and written
statement re-
quirements for
the Commission.

Section 217. Distribution of Purses to Boxers; Statements.—Unless otherwise directed by any Commissioner, the deputy in charge or the referee, all boxing purses shall be distributed by the promoter not later than twenty-four (24) hours after the conclusion of the contest or exhibition for which the purse is being paid. A written statement showing the distribution of the purse including each item of receipt and each expenditure or deduction shall be furnished to the boxer and his manager, together with his share of the purse, and a copy thereof certified by the promoter to be true and correct shall be filed forthwith in the office of the Commission. Receipted vouchers for every expenditure or deduction shall be attached to the copy filed with the Commission.

Unless otherwise directed by any Commissioner, the deputy in charge or the referee, every manager shall furnish a statement of distribution to the boxer he manages, together with the boxer's share of the purse, not later than twenty-four (24) hours after he receives the purse and statement from the promoter. A copy

thereof, certified by the manager to be true and correct, shall be filed forthwith in the office of the Commission and it shall have attached to it receipted vouchers for every expenditure or deduction made by the manager.

Section 218. Withholding of Purses.—Any member of the Commission, or the referee, or in the absence of a member of the Commission, the deputy in charge shall have the power to order the promoter to withhold any purse, or any part thereof, or any receipts or other funds belonging to or payable to any contestant or for which any contestant is competing or the share thereof of any manager, if, in his judgment, it should appear that such contestant is not competing honestly, or is intentionally not competing to the best of his ability and skill, or if it should appear that the contestant, his manager or any of his seconds has violated any provision of this act or the rules and regulations promulgated hereunder.

Power to withhold purse.

Section 219. Hearing Regarding Withheld Purse.—Any purse, or portion thereof, so withheld shall be delivered by the promoter to the Commission within forty-eight (48) hours after the end of the contest.

Delivery of withheld purse to the Commission; application for hearing and fixing of time.

Within ten (10) days after the end of the contest, the licensee from whom the sum was withheld shall have the right to apply in writing to the Commission for a hearing. Upon receipt of such application the Commission shall fix a date for a hearing.

Section 220. Hearing, Disposition of Withheld Purse.—Within a reasonable time after the hearing or after the expiration of ten (10) days following the contest, if no application for a hearing is filed, the Commission shall meet and determine the disposition to be made of the withheld purse.

Hearing and disposition of withheld purse.

If the Commission finds the charge or charges upon which the withholding order was based to be true and to be sufficient lawful reason upon which to base such an order, it may, in its discretion, declare the funds withheld, or any part thereof, forfeited.

If the Commission finds the charge or charges to be untrue or not to be sufficient lawful reason upon which to base a withholding order, it shall forthwith distribute the withheld funds to the persons entitled thereto.

Section 221. Payments Regulated.—No promoter or foreign co-promoter shall pay, lend or give any money to a contestant before any boxing contest as an advance against his purse or for a similar purpose, except that a promoter may, with the prior written permission of any member of the Commission, pay or advance to a contestant necessary expenses for transportation and maintenance in preparation for a contest. The total payments shall not exceed five hundred dollars (\$500.00) for any one contest.

Payments and advances to contestants regulated.

If a contestant's purse is forfeited, the Commission may include such payments or advances as part of the forfeiture, and, if he does not forthwith forward such amount to the Commission, it may be recovered in the same manner as a debt due the Commonwealth.

Insurance re-
quirements for
contestants at
the option of
action by the
Commission.

Section 222. Insurance.—The Commission may, by rules and regulations, require licensed boxers and wrestlers to be covered by not less than one thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00) of insurance for medical, surgical and hospital care resulting from injuries sustained while preparing for or engaged in boxing or wrestling contests or exhibitions, and it may also require boxers and wrestlers to be covered by insurance within the same minimum and maximum amounts providing for payments to the estates or beneficiaries of deceased wrestlers or boxers where death was caused by injuries received while preparing for or engaged in boxing or wrestling contests or exhibitions. The premiums for such insurance shall be paid by the insured's manager.

ARTICLE III

LICENSES AND PERMITS

Power of Com-
mission over
licenses and
permits.

Section 301. Power of Commission to Issue, Withhold, Suspend or Revoke Licenses and Permits.—The Commission is hereby granted sole control, authority and jurisdiction to issue, withhold, suspend or revoke any license or permit provided for in this act.

Requirement of
license for
promoter.

Section 302. Promoters' Licenses.—No promoter shall, either directly or indirectly, conduct, hold or promote any professional boxing or wrestling contest or exhibition unless he shall have first procured a promoter's license from the Commission. A violation of this section shall constitute a misdemeanor.

Requirement of
license for
manager.

Section 303. Representative Managers' Licenses.—Before acting as such, every representative manager shall procure a manager's license. He shall file with the Commission the name of each boxer whom he represents, together with a written consent from each such boxer and his manager authorizing him to transact business for such manager or boxer or to act as or for the manager of such boxer. A violation of this section shall constitute a misdemeanor.

Every person, other than the manager of a professional boxer or wrestler, who performs any of the acts usually performed by the manager or who aids, assists, or substitutes for the manager or who uses a pseudo-manager to conceal his own actions as a manager, shall be considered a representative manager.

Section 304. Foreign Co-Promoters to Procure Permits.—No foreign co-promoter shall directly or indirectly participate in the promotion of or receive any remuneration from or render any services in connection with any professional boxing or wrestling contest or exhibition held within the Commonwealth of Pennsylvania unless he first shall have been granted a permit therefor by the Commission. No promoter shall be associated with any foreign co-promoter in promoting any contest or exhibition unless the foreign co-promoter has first secured a permit.

Requirement of permit for foreign co-promoter.

A foreign co-promoter by accepting a permit agrees to be subject to all the provisions of this act and the rules and regulations promulgated hereunder.

A violation of this section shall constitute a misdemeanor.

Section 305. Other Licenses Required.—No professional boxer, professional wrestler, manager, second, trainer, matchmaker, timekeeper, referee, judge, announcer, physician, booking agent or agency or representative of a booking agent or agency shall directly or indirectly act in such capacity in connection with any professional boxing or wrestling contest or exhibition unless he shall have first procured a license to act in such a capacity from the Commission.

Requirement of licenses for other persons engaged in professional boxing and wrestling contest or exhibition.

A violation of this section shall constitute a misdemeanor.

Section 306. Permits Required.—In addition to his promoter's license, each promoter shall be required to procure a permit for each program of contests or exhibitions before presenting such program. Each application for a permit shall specify the premises where and time when the program is to be held.

Permit required for each program of contests or exhibitions.

Section 307. Permits for Amateurs.—Except as otherwise provided in this act, no amateur boxing or wrestling contest or exhibition shall be held without a permit having been first secured from the Commission.

Permits required for amateur boxing and wrestling contests or exhibitions. Limitation of issue, and extent of permit.

Permits for amateur boxing or wrestling contests or exhibitions shall be issued only to bona fide recognized amateur athletic associations, non-profit organizations or other groups or individuals approved by the Commission.

Such permits may be issued for a single contest or exhibition, a series of contests or exhibitions, or for a period not exceeding one (1) year and the Commission may issue such permits without charging any fee or for a fee of five dollars (\$5.00) per permit.

Section 308. Restrictions.—No officer, director, stockholder or employe of a licensed promoter shall have any other interest in any professional boxer or wrestler or professional contest or exhibition except as a matchmaker.

Restrictions on licensed promoter.

Limitation on issuance of permit by prohibition of local ordinance.

Section 309. Permits Not to be Issued.—No permit shall be issued for the holding of any boxing or wrestling contest or exhibition within any political subdivision of this Commonwealth which has adopted, or which shall hereafter adopt, any local ordinance or resolution prohibiting such contests or exhibitions within its limits.

Female contestants prohibited.

Section 310. Female Contestants.—No female shall be licensed as a boxer or wrestler.

Standards for the issuance of licenses and permits.

Section 311. Standards for the Issuance of Licenses and Permits.—In determining whether to issue or renew any license or permit, the Commission shall consider the best interest and welfare of the public, the preservation of the safety and health of participants and the best interests of boxing and wrestling generally.

Before being granted any permit or license, the applicant must establish that he is—

- (a) of good moral character;
- (b) of good reputation;
- (c) physically fit and mentally sound;
- (d) skilled in his profession;
- (e) of requisite age and experience; and
- (f) is not addicted to the intemperate use of alcohol or to the use of narcotic drugs.

In the case of a corporate applicant these factors shall be considered with reference to its officers, directors, employes and principal stockholders.

Expiration date of licenses.

Section 312. Duration of License.—Each license issued hereunder shall expire on the thirty-first day of December next following the date on which it was issued.

Application for license to be in writing, verified and furnish required information.

Section 313. Applications for Licenses and Permits.—Every application for a license or a permit shall:

- (a) be in writing on a form supplied 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 this act, the rules and regulations promulgated hereunder and the form of application.

Commission may require oral examination under oath.

Section 314. Oral Examinations.—The Commission shall have the right to require any applicant for a license or permit, or in the case of a corporate applicant any officer, director, employe or stockholder thereof, to appear before the Commission for an oral examination, under oath, as to his qualifications before taking action on his application.

Fingerprints.

Section 315. Fingerprints.—The Commission shall have taken, in duplicate, the fingerprints of each applicant for a license or permit or, in the case of a

corporate applicant, of such of its officers, directors, employes or stockholders as the Commission may require. One set of fingerprints shall be filed in the Harrisburg office of the Pennsylvania State Police and the other set shall be filed in the office of the Commission.

Section 316. License Fees.—The following annual license fees shall accompany each application for a license or the renewal of a license:

Promoter's license—	fifty dollars (\$50.00)
Matchmaker's license—	thirty-five dollars (\$35.00)
Booking Agent's license—	thirty-five dollars (\$35.00)
Physician's license—	twenty-five dollars (\$25.00)
Referee's license—	twenty-five dollars (\$25.00)
Manager's license—	twenty-five dollars (\$25.00)
Judge's license—	twenty-five dollars (\$25.00)
Timekeeper's license—	fifteen dollars (\$15.00)
Announcer's license—	fifteen dollars (\$15.00)
Professional boxer's license—	ten dollars (\$10.00)
Professional wrestler's license—	ten dollars (\$10.00)
Trainer's license—	ten dollars (\$10.00)
Second's license—	ten dollars (\$10.00)

The commission may issue licenses without fees to referees and physicians authorizing them to officiate only at boxing or wrestling contests or exhibitions between amateurs.

Section 317. Permit Fees.—The following fees, based upon the seating capacity of the premises where the program is to be presented, shall accompany each application for a permit to present a program of contests or exhibitions:

Seating Capacity	Fee
Cities of the first class:	
2,000 or less,	twenty dollars (\$20.00)
2,000 to 5,000,	twenty-five dollars (\$25.00)
5,000 and over,	fifty dollars (\$50.00)
Cities of the second class:	
2,000 or less,	fifteen dollars (\$15.00)
2,000 to 5,000,	twenty dollars (\$20.00)
5,000 and over,	thirty dollars (\$30.00)
Cities of the second class A and all other political subdivisions:	
2,000 or less,	ten dollars (\$10.00)
2,000 to 5,000,	fifteen dollars (\$15.00)
5,000 and over,	twenty dollars (\$20.00)

The fee for the issuance of a foreign co-promoter's permit for each program of contests or exhibitions shall be one hundred dollars (\$100.00).

Additional
license fees.

Section 318. Additional License Fees; Misdemeanor.—(a) In addition to the payment of any other fees and moneys due under this act every promoter shall pay a license fee of five per centum (5%) of the total gross receipts of any boxing or wrestling contest or exhibition, exclusive of any Federal taxes imposed by any political subdivision of this Commonwealth paid thereon. For the purposes of this section, total gross receipts of every promoter upon which the five per centum (5%) is to be computed shall include the gross price chargeable for the sale, lease or other exploitation of broadcasting, television and motion picture rights of such contest or exhibition without any deductions whatsoever for commissions, brokerage fees, distribution fees, advertising or other expenses or charges in respect thereto. Gross receipts for the purposes of this section shall also include the face value of all tickets sold and complimentary tickets issued.

(b) The payment of the additional license fee, provided for in this section, shall be made within forty-eight (48) hours after the contest or exhibition, and shall be accompanied by a form prescribed by the Department of Revenue setting forth the gross receipts received from the contest or exhibition, together with such other information as the Department of Revenue may require.

(c) The license fees provided for in this section shall be collected by the Commission and transmitted to the Department of Revenue together with the reports filed therewith.

(d) Penalties.—(1) Any promoter who shall wilfully make a false and fraudulent report under this section shall be guilty of perjury, and, upon conviction thereof, shall be subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this act.

(2) Any promoter who wilfully fails, neglects or refuses to make a report, or to pay the license fees as herein prescribed, or who shall refuse to permit the Commission to examine the books, papers and records of any promotion shall be guilty of a misdemeanor.

ARTICLE IV

MEDICAL ADVISORY BOARD

Creation of
Medical Advisory
Board, composi-
tion, and appoint-
ment of members.

Section 401. Creation.—A Medical Advisory Board is hereby created to assist the Commission. It shall consist of nine (9) members to be appointed by the Governor, without the advice and consent of the Senate. Three (3) shall be appointed for terms of one (1) year, two (2) for terms of two (2) years, two (2) for terms

of three (3) years, and two (2) for terms of four (4) years. The Governor shall designate one of the members of the Board as its chairman. The term of a member thereafter appointed, except to fill a vacancy, shall be four (4) years.

Section 402. Qualifications.—Each member of the Medical Advisory Board shall be duly licensed to practice medicine in the Commonwealth of Pennsylvania and who, at the time of his appointment, shall have had at least five (5) years experience in the practice of his profession.

Qualifications of members of Medical Advisory Board.

Section 403. Compensation.—Each member of the Medical Advisory Board shall be paid thirty-five dollars (\$35.00) per diem, plus reasonable and necessary traveling and other expenses incurred by him in the performance of his duties.

Compensation of members of Medical Advisory Board.

Section 404. Powers and Duties.—The Medical Advisory Board shall prepare and submit to the Commission for its approval, standards for the physical and mental examination of boxers and wrestlers which shall safeguard their health. No standard shall become effective until approved by the Commission. The Board shall recommend to the Commission physicians to be licensed who are qualified to make the examinations of boxers and wrestlers required by this act. It shall further perform such other duties as the Commission may direct.

Powers and duties of Medical Advisory Board.

ARTICLE V

CONTRACTS, ADVERTISING, TICKETS AND SPECTATORS

Section 501. Commission Control of Contracts.—The Commission is hereby granted the right to promulgate rules and regulations governing the form and content of all contracts entered into between or among promoters and foreign co-promoters and professional boxers or wrestlers and managers and all contracts between managers and professional boxers and wrestlers, all of which contracts shall be in writing.

All contracts to be in writing and subject to control of the Commission.

Section 502. Contracts Subject to Law.—Every contract subject to the provisions of this article shall contain the following clause:

Required contractual provision to be inserted.

“This agreement is subject to the provisions of the Pennsylvania Athletic Code and to the rules and regulations of the Pennsylvania Athletic Commission, and to any future amendments of either of them.”

Section 503. Provisions in Contracts Between Managers and Professional Boxers or Wrestlers.—Every contract between a manager and a professional boxer or wrestler shall contain provisions governing its duration,

Required contractual provisions between manager and professional contestant.

division of the boxer's or wrestler's purses and the minimum sum to be guaranteed annually to the boxer or wrestler by the manager.

Each 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 thirty (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.

Commission approval required for validity.

Section 504. Approval of Contracts.—No contract between a manager and a professional boxer or wrestler shall be legally valid and binding, until both parties thereto have appeared before the Commission and have received its approval of the contract endorsed thereon.

Ticket requirements.

Section 505. Tickets.—(a) Every ticket of admission to a boxing or wrestling contest or exhibition shall clearly show on its face the scheduled date of the contest or exhibition and its purchase price including any taxes thereon.

(b) No ticket shall be sold by any promoter or foreign co-promoter for more than the price printed thereon.

(c) No other person shall sell any ticket for more than fifty cents (50c) in excess of the price printed on the ticket and no licensee, under this act, shall directly or indirectly receive any part of such excess price.

(d) Tickets in each price range shall be consecutively numbered and the number of each ticket shall be clearly printed on both the stub and main portion of the ticket.

(e) A schedule of the numbers of all tickets in each price range shall be furnished to the Commission.

Destruction of tickets.

Section 506. Misdemeanor to Destroy Tickets.—It shall be a misdemeanor for any promoter or person associated with or employed by any promoter to destroy any ticket or ticket stub, whether sold or unsold, within six (6) months after the date of any contest or exhibition. Tickets may be destroyed within six (6) months, only upon receipt of prior written authorization from the Commission.

Ticket refunds.

Section 507. Ticket Refunds.—(a) Upon postponement or cancellation of the main event or the entire program of contests or exhibitions, the promoter shall refund the full purchase price of each ticket to any person presenting such ticket for a refund within thirty (30) days after the scheduled date of the event. Within ten (10) days after the expiration of this thirty (30) day period, the promoter shall pay all unclaimed ticket receipts to the Commission. The Commission shall hold said funds for a period of one year for the purpose of

making additional refunds. Thereafter, the Commission shall pay all remaining moneys from such ticket sale to the State Treasurer for deposit into the General Fund, without escheat.

(b) Failure of any promoter or foreign co-promoter to comply with the provisions of subsection (a) hereof shall be sufficient cause to warrant a forfeiture of his bond, or other security, and imposition of a penalty or suspension or revocation of his license by the Commission as provided in this act.

(c) From the fund produced by the forfeiture, pro rata refunds shall be made by the Commission to persons who purchased tickets, in accordance with the provisions of subsection (a) hereof.

Section 508. Advertising Matter to State Admission Price; Penalty.—Each showcard, bill, poster, newspaper or any other advertisement of any contest or exhibition shall contain a schedule of admission prices and a conspicuous statement of whether a contest or exhibition is being presented. Failure to comply with the provisions of this section shall constitute grounds for the suspension or revocation of the promoter's license.

Schedule of admission prices and statement of contest or exhibition to be part of advertisement.

Section 509. Admissions Not to Exceed Seating Capacity.—It shall be a misdemeanor for any promoter to admit to any contest or exhibition more persons than there are seats in the place where the contest or exhibition is being held.

Section 510. Age of Spectators.—No minor under sixteen (16) years of age shall be permitted to attend any boxing or wrestling contest or exhibition unless accompanied by an adult.

Minors' attendance prohibited unless accompanied by adults.

ARTICLE VI

BONDS

Section 601. Promoters and Foreign Co-Promoters Required to File Bonds.—(a) Before any license or renewal of a license shall be issued to a promoter and before any permit shall be issued to a foreign co-promoter, he shall be required to execute and file a surety bond with the Commission in such reasonable amount, but not less than three thousand dollars (\$3,000.00), as the Commission shall determine.

Surety bond required for issuance of license.

(b) All such bonds shall be upon forms supplied by the Commission, which shall have first adopted them with the approval of the Department of Justice.

(c) The sufficiency of the sureties shall be subject to approval of the Commission and the Department of Justice.

(d) The surety bond shall be conditioned upon the faithful performance by the promoter or foreign co-promoter of his obligations under this act and the rules and regulations promulgated pursuant hereto, including but not limited to the fulfillment of his contractual obligations to contestants, managers and other licensees, the payment of all license and permit fees provided for in this act.

Section 602. Deposit in Lieu of Surety Bond.—In lieu of the surety bond required by section six hundred one, the promoter may deposit with the Commission cash, a certified check, or direct obligations of the United States or the Commonwealth of Pennsylvania acceptable to the Commission, in an equivalent amount and subject to the same conditions. Such security shall not be returned to the promoter until one (1) year after the date on which it was deposited with the Commission, unless a surety bond is substituted therefor. After the expiration of one (1) year from the date on which the security was deposited, if no claim against the deposit is outstanding, it shall be returned to the depositor.

Cost of filing bond.

Section 603. Filing Fee.—A filing fee of ten dollars (\$10.00) shall accompany each bond filed or cash or security deposited in lieu thereof, under the provisions of this act.

Recovery on bond.

Section 604. Recovery on Bond.—Recovery may be had on such bond or against such deposit of cash or security in the same manner as penalties are recoverable at law.

ARTICLE VII

*HEARINGS AND TEMPORARY SUSPENSIONS

Hearings by Commission.

Section 701. Commission Hearings.—Notwithstanding the provisions of the Administrative Agency Law, any member of the Commission may conduct a hearing. Before any adjudication is rendered, a majority of the members of the Commission shall be required to examine the record and approve the adjudication and order.

Power to issue subpoena by Commission for investigation.

Section 702. Subpoenas.—In addition to the powers of subpoena contained in The Administrative Code of one thousand nine hundred **twenty-nine, each member of the Commission may issue subpoenas and the Commission, or any member thereof, may issue subpoenas in connection with investigations requiring the attendance and testimony of or the production of books and papers by any licensee or other person whom the Commission believes to have information, books or papers of importance to it in making the investigation.

* "Headings" in original.

** "twenty-one" in original.

Section 703. Temporary Suspension of Licenses or Permits.—Notwithstanding any provision of the Administrative Agency Law, any member of the Commission shall have the power upon his own motion, or upon the verified written complaint of any person charging a licensee or permittee with violating any provision of this act or the rules and regulations promulgated thereunder, and may suspend temporarily any license or permit until final determination by the Commission, when in his opinion it is necessary to protect the public welfare and the best interests of boxing or wrestling.

Temporary suspension of licenses or permits.

The Commission shall hold a hearing within ten (10) days after the date on which the license or permit was suspended temporarily. The hearing shall be held in compliance with the provisions of the Administrative Agency Law.

Section 704. Suspension or Revocation of Licenses.—The Commission shall have the power to suspend or revoke a license or permit in any case where the Commission shall find that the licensee or permittee:

Power of suspension of licenses and permits by Commission based on certain findings.

- (1) Is guilty of gross immorality;
- (2) Is unfit or incompetent by reason of negligence, or habits;
- (3) Is guilty of violating any provision of this act or of the rules and regulations of the Commission;
- (4) Has committed fraud or deceit in securing his or another's license or permit;
- (5) Has been convicted, or pleaded guilty, or entered a plea of nolo contendere, or has been found guilty by a judge or jury of a crime in any jurisdiction;
- (6) Is an habitual drunkard, or is addicted to the use of morphine, cocaine or other drugs having a similar effect;
- (7) Is or has become mentally incompetent;
- (8) Has been guilty of unprofessional or unethical conduct, or such conduct as to require a suspension or revocation in the public interest;
- (9) Has made a misstatement of a material fact or fraudulently concealed a material fact; or induced, aided or abetted any other person in misstating or concealing any material fact in applications or other proceedings under this act;
- (10) Has failed to account for, or pay over moneys belonging to others, which have come into his possession through a boxing or wrestling contest or exhibition;

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(11) Has failed to furnish to the proper party a copy of any contract or statement required by this act or the rules and regulations promulgated, or has breached such a contract;

(12) Has paid or agreed to pay any money or article of value to any person not having a license or a permit for soliciting or for business secured or for rendering of any service or the doing of any of the acts forbidden by this act and the rules and regulations promulgated hereunder;

(13) Has loaned his license or permit to another person, or has borrowed or used the license or permit of another;

(14) Is guilty of any form of pretense which might induce the public or citizens to become a prey to professional exploitation;

(15) Has employed a person who has not been issued a license or permit when so required by law;

(16) Has failed to maintain in force the bond required by this act or has failed to deposit with the Commission the required cash, check or securities required in lieu of the bond;

(17) Has by act or omission conducted himself in a manner detrimental to the best interests of boxing or wrestling generally, or to the public interest and general welfare;

(18) Is associating or consorting with criminals, book-makers, gamblers or persons of similar ill repute, or with persons of no known or visible means of livelihood, or is himself engaged or engaging in similar pursuits or conduct;

(19) Has been disciplined in any manner by the Athletic Commission or similar agency or body of any jurisdiction;

(20) Has failed to pay a fine or any part thereof imposed by this act.

ARTICLE VIII

PENALTIES

Penalties:
Misdemeanors.

Section 801. Misdemeanors.—Any person, convicted of any misdemeanor created by or set forth in this act, shall be sentenced to pay a fine not exceeding five thousand dollars (\$5,000.00), or undergo imprisonment, either by separate or solitary confinement at labor or to simple imprisonment, for a period not exceeding three (3) years, or both.

Section 802. Fines.—The Commission shall have the right to impose a fine of not more than five thousand dollars (\$5,000.00) for any violation of this act in lieu of or in addition to any other punishment herein provided for such violation. Fines.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Section 901. Financial Interest in Boxer or Wrestler Prohibited.—No licensed physician, referee, judge or promoter shall have any direct or indirect financial or pecuniary interest in any boxer or wrestler. A violation of this section shall constitute a misdemeanor.

Section 902. Financial Interest in Opponent Prohibited.—No manager, trainer or second of any boxer or wrestler shall have any direct or indirect, financial or pecuniary interest in the opponent in any contest in which his own boxer or wrestler participates. Nor shall any boxer or wrestler have any direct or indirect, financial or pecuniary interest in his opponent in any contest. A violation of this section shall constitute a misdemeanor.

Section 903. General Fund.—All fees, fines, forfeitures and other monies collected under the provisions of this act and the rules and regulations promulgated hereunder shall be paid by the Commission to the State Treasurer through the Department of Revenue and are hereby appropriated to the Commission for the enforcement of the provisions of this act.

Section 904. Rules and Regulations.—The Commission is hereby granted the power to promulgate rules and regulations governing the presentation of professional and amateur boxing and wrestling contests and exhibitions and all matters pertaining thereto. Such rules and regulations shall include those rules and regulations specifically required by this act, together with such others as the Commission shall consider necessary in order fully to carry out the purposes of this act. All rules and regulations adopted pursuant hereto shall be adopted by majority vote of all the members of the Commission.

Section 905. Effective Date.—The provisions of this act shall become effective immediately upon final enactment. Act effective immediately.

APPROVED—The 31st day of August, A. D. 1955.

GEORGE M. LEADER