

Chapter Ath 2

LICENSES, CONTRACTS, FORFEITS AND PURSES

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Ath 2.01 Licenses. (1) APPLICATION BLANKS. (a) Blank application forms for licenses to conduct boxing and sparring matches or exhibitions shall be provided by the commission.

Note: Address: State Athletic Commission, 6054 Plankinton Building, Milwaukee 3, Wis.

(b) Application for licenses and accompanying documents required by the provisions of chapter 169, Wis. Stats., and the rules of the commission shall be written plainly, and all questions appearing on the blank forms of application shall be answered fully. Said application shall be signed by the president or secretary of the club.

(2) POWER TO EXAMINE ON OATH. Before acting upon the application for a license, the commission may, in its discretion, examine, on oath, the applicant and other witnesses.

(3) LIMIT ON LICENSES. (a) No more than 4 clubs holding \$300 license and not more than 2 clubs holding a \$50 license shall be permitted to conduct professional boxing contests or exhibitions in cities of the first class.

(b) No more than one club shall be granted a license to conduct professional boxing contests or exhibitions in cities of second, third or fourth class.

(4) LICENSE REQUIRED FOR MATCHES. No person shall compete in a boxing or sparring match or exhibition in any club, corporation, association or any other organization not licensed in accordance with the provisions of chapter 169, Wis. Stats.

(5) FORM OF LICENSE. (Form of license—omitted.)

(6) RESPONSIBILITY OF LICENSEE. All clubs holding licenses shall be held absolutely responsible to the commission for all matches or exhibitions held by said club.

(7) LICENSEE CAN OPERATE ONLY ONE CLUB. No promoter or club will be permitted or licensed to operate at any one time more than one boxing club.

(8) LICENSES FOR BOXERS, MANAGERS, MATCHMAKERS AND SECONDS.

(a) Every boxer, matchmaker, manager and second must be fully licensed and in possession of his identification card bearing his photo and license number.

(b) Boxers and all other contestants must show their identification cards to the boxing inspector in charge.

Ath 2.02 Contracts. (1) MEMORANDUM OF AGREEMENT. This form contract is published by the commission and is available to all match-

makers of professional clubs. It is used to contract a boxer for a specific bout. The commission prohibits additional writing or stamping on any part of this memorandum of agreement.

(2) **NO HIDDEN PARTIES TO CONTRACT.** The manager and fighter must certify and warrant to each other and to the commission that no other person or party in any way or in any degree shares or participates in the earnings of the fighter or in the manager's or fighter's portion of such earnings, and that no written or oral agreement exists concerning such sharing or participation.

(3) **CONTRACTS BETWEEN CONTESTANTS AND CLUBS.** (a) All clubs and contestants must enter into written contracts, signed by the parties thereto or their authorized agents, which shall state all the terms, conditions or promises agreed to between club and contestant or their representatives.

(b) This contract shall be executed in triplicate. One copy must be filed with the commission at least 5 days prior to the day of the contest.

(c) In case any such contract shall provide for the payment by the club to any contestant of any stipulated or guaranteed amount exceeding \$500, a certified check, certificate of deposit or accepted draft for said amount, payable to bearer, shall be deposited with the commission not less than 5 days prior to the day set for said contest. In case of the performance of such contract by and on behalf of such contestant, such check, certificate of deposit or draft will be delivered by the commission personally or by registered mail to such contestant, or to the person signing such contract as his agent, promptly after the contest, unless written protest or objection by the club against the delivery thereof is first served on the commission, in which event the same will be held by the commission until the parties can be heard and their rights in the matter determined by the commission, unless the parties or either of them shall appeal to a court of law, in which case the commission will deliver such check, certificate of deposit or draft in court in such action to be awarded by the court to the party found entitled thereto.

(d) Contract blanks will be furnished by the commission, which must be used for all contests or exhibitions.

(e) Violation of this rule may subject the club, matchmaker, contestant, manager or other person guilty to suspension.

(4) **BREACH BY BOXER OR MANAGER.** (a) Any boxer, or manager for boxer, who has entered into a contract with any club to participate in a boxing or sparring match who shall find that for any reason or cause he will not be able to fully carry out his contract, and does not notify the club and the commission of his incapability to do so, and the reason or cause therefor, may be penalized by the commission by a suspension for a period of not less than 30 days nor more than 8 months. Telegrams or letters showing acceptance of terms and weight agreed upon, pending the signing of the contract, if addressed to an officer of the club, will be considered as an agreement between a boxer, his manager and the club.

(b) Whenever a boxer claims any injury or inability to fulfill his contract to box for any club, he must notify the commission at once and must submit to an examination or an x-ray examination, if neces-

sary, to sustain his claim. The examining physician must be approved by the commission.

(5) **CONTRACTS BETWEEN MANAGERS AND BOXERS.** (a) Each boxer must make an affidavit of his name and manager of record.

(b) If the boxer is a minor, he shall swear such contract has been approved by his legal guardian.

Ath 2.03 Forfeits. (1) **MAY BE REQUIRED FOR WEIGHT OR APPEARANCE GUARANTEE.** (a) The commission may require that a windup or main attraction contestant or some person authorized on his behalf shall, not less than 5 days prior to the date set for the contest, deposit with the commission a certified check, certificate of deposit or accepted draft, payable to bearer, for the amount of any forfeit agreed in said contract to be posted by such contestant to secure his making the agreed weight, if any, and also a like check, certificate, or draft for the amount of any forfeit agreed in said contract to be posted by such contestant to secure his appearance and the good faith performance by him of said contract on his part.

(b) If any contract shall fail to provide for the depositing of a suitable weight forfeit, the commission may also, in its discretion, require and fix the amount of such weight forfeit in its sanction for the contest or exhibition. If the contestant by or on whose behalf such weight forfeit is deposited with the commission shall appear but fail to make the weight specified in his contract at the time and place specified and should his services and participation in said contest be agreed to by his opponent and accepted by the club or association, then said weight forfeit deposit shall be forfeited to his opponent, and said check, certificate or draft will be promptly delivered by the commission personally or by registered mail to such opponent or to his manager, unless the party who has deposited the same with the commission shall, by written notice first served on the commission, protest the forfeiting of said weight forfeit, in which event the same will be held by the commission until the parties can be heard or given an opportunity to be heard and their rights in the matter determined by the commission, unless the parties, or either of them, shall appeal to a court of law, in which case the commission will deliver said check, certificate or draft to the court in such action to be awarded by the court to the party entitled thereto.

(c) If the contestant by or on whose behalf such weight forfeit is deposited with the commission shall fail to appear so that his appearance forfeit deposit is forfeited to the club or association, or if he shall appear and shall make the weight specified, his weight forfeit deposit will be promptly returned by the commission to him or to the person who shall have deposited the same in his behalf.

Ath 2.04 Purses. (1) **POSTED WITH COMMISSION.** (a) All clubs, corporations or associations conducting professional boxing contests are to post with the commission certified checks, cash or accepted drafts covering the purses of the contestants as stipulated in the contracts between contestants and clubs.

(b) These deposits must accompany the contracts which must be submitted to the commission 5 days prior to the date of contest as provided in section Ath 2.02 (3) (b).

(2) **CONTRACTS BASED UPON PERCENTAGE OF GATE.** Contracts based on percentage of the gate receipts shall require posting of certified check, cash or accepted draft by the club the day prior to the contest. The commission or its secretary shall estimate the gate receipts and determine the amount to be deposited.

(3) **AFFIDAVIT OF PROMOTER RELEASING COMMISSION FROM LIABILITY.** The promoter shall cause to be filed with the commission an affidavit of agreement properly sworn to and signed by the managers and contestants, together with the promoter, club, corporation or association, releasing the commission from all liability for payment of any such contest where the payment to the principals shall be on a percentage basis. This requirement shall apply only to cases wherein the total guarantee posted with the commission shall not be sufficient to cover the payment of all purses and ring expense to all contestants and officials.

(4) **HOLDING UP BOXERS' PURSES.** If any bout is stopped by the referee or inspector for an infraction of the rules of the commission or for a violation of the provisions of chapter 169, Wis. Stats., the club or commission shall hold the purse of the boxer involved in said match or exhibition for a period of 48 hours, pending the decision of the commission.

Ath 2.05 Insurance on boxers. Copies of insurance policies extending the coverage hereinbefore provided for shall be filed in the office of the commission, and the failure to pay premiums on such insurance as is required by these rules or by law shall be cause for the suspension or the revocation of the license of such defaulting promoting corporation.

Note: See section 169.24, Wis. Stats.