



1927

c 261 Athletic Commission Act

Ontario

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CHAPTER 261.

The Athletic Commission Act.

Establish-
ment of
commission.

1. There shall be established a commission to be composed of five persons appointed by the Lieutenant-Governor in Council, and the commission shall be a body corporate under the name of the "Ontario Athletic Commission" hereinafter called "the commission." 1920, c. 30, s. 2.

Object of
commission.

2. The object of the commission shall be to assist, promote and encourage amateur sport and recreation in schools, community centres and through associations of amateur sportsmen. 1920, c. 30, s. 3.

Quorum.

3. The majority of the members of the commission shall form a quorum. 1920, c. 30, s. 5.

Tenure
of office.

4. The members of the commission shall hold office during pleasure, and upon a vacancy occurring owing to death, resignation or removal from office of a member, the Lieutenant-Governor in Council may appoint someone to take his place. 1920, c. 30, s. 6.

Chairman.

5.—(1) The Lieutenant-Governor in Council may from time to time appoint one of the members of the commission to be chairman of the commission. 1920, c. 30, s. 7.

Vice-
Chairman.

(2) In the absence of the chairman or in case of a vacancy in the office the members of the commission may elect from amongst themselves an acting chairman, who shall hold office during such absence or vacancy, and while holding office shall have and possess the like powers and shall perform the like duties as the chairman. 1921, c. 88, s. 2.

Commis-
sioners to
serve with-
out pay.

6. Each of the commissioners shall serve without remuneration, but shall be entitled to receive his travelling expenses and actual disbursements in transacting the business of the commission, and the Lieutenant-Governor in Council may fix a per diem allowance as a living allowance to the commissioners who are absent from home in the transaction of the business of the commission. 1920, c. 30, s. 8.

Allowance
for disburse-
ments.

Secretary
and staff.

7.—(1) The commission may appoint a secretary to the commission and such officers, clerks and servants as may be deemed requisite.

Payment
of salaries,
etc.

(2) The salaries or other remuneration of the secretary and the other persons so appointed shall be fixed by the commission, subject to ratification by the Lieutenant-Gov-

error in Council, and such salaries or other remuneration and the expenses of the commission shall be payable out of the funds collected by the commission as hereinafter provided. 1920, c. 30, s. 9.

8.—(1) For the purpose of providing a fund for the payment of the expenses of the commission and the salaries and other expenses of its officers, clerks and servants, and the general expenses incurred in carrying out the provisions of this Act every person, corporation, association or club conducting a professional contest or exhibition of any sport or game shall pay to the commission such amount not exceeding two per centum of the gross receipts taken by such person, corporation, association or club in respect of such contest or exhibition as shall from time to time be determined by the commission with the approval of the Lieutenant-Governor in Council.

Tax on gate receipts for funds of commission.

(2) The amounts so received by the commission, together with all fees received for licenses and permits issued under section 9, shall be set apart by the commission and shall constitute a fund for the payment of the salaries, remuneration and expenses mentioned in subsection 1, and any portion of such funds remaining unexpended and not required to meet the charges mentioned in subsection 1 may be used by the commission for the assistance, encouragement and promotion of sport and recreation in such a way and by such means as the commission may decide.

Fund for maintenance of commission.

(3) The commission shall furnish to the Lieutenant-Governor in Council, quarterly on the last days of January, April, July and October, a statement showing the amounts received and expended by the commission in each quarter. 1927, c. 72, s. 3.

Quarterly statement of receipts and expenditures.

9. The commission may issue a license or permit to any person, corporation or association to hold or participate or take part in holding a professional boxing or wrestling contest or exhibition, and no such boxing or wrestling contest or exhibition shall be held or participated in except by a person, corporation or association holding such license or permit. 1927, c. 72, s. 4.

Licenses or permits for boxing or wrestling competitions.

10. Every such license shall contain a condition that all professional boxing and wrestling contests and exhibitions conducted thereunder shall be in accordance with the rules, regulations and conditions from time to time prescribed by the commission and approved of by the Lieutenant-Governor in Council, and the license shall be revocable by the commission upon any violation thereof or whenever the continuance of such license shall be deemed by the commission contrary to public interest or not conducive to the interests of legitimate boxing and wrestling. 1920, c. 30, s. 12.

Conditions of licenses.

Penalty.

11. Every person, club, corporation or association who conducts or participates in conducting or holding a professional boxing or wrestling contest or exhibition without having received the license provided for in section 9, shall incur a penalty of not less than \$20, nor more than \$1,000, recoverable under *The Summary Convictions Act*. 1920, c. 30, s. 13.

Rev. Stat.
c. 121.Investigation
of charges.

12.—(1) Where it is charged that a boxing or wrestling contest or exhibition conducted under a license as hereinbefore provided or any agreement, contract or undertaking entered into with respect to such boxing or wrestling contest or exhibition is in violation of the rules, regulations and conditions from time to time prescribed by the commission, or that any person a party to or participating in such boxing or wrestling contest or exhibition has been guilty of any such violation or of any unsportsmanlike or unbecoming conduct to the prejudice of the interest of legitimate boxing or wrestling, the commission may hold an investigation into such charges, and for the purposes of such investigation shall possess all the powers which may be conferred upon a commission appointed under *The Public Inquiries Act*.

Rev. Stat.
c. 20.Impounding
and forfeiture
of moneys by
commission.

(2) The commission may order that pending the disposition of the charges so made any moneys which under the terms of any contract or agreement may be payable to any employee of the person, club or association holding such boxing or wrestling contest or exhibition or to any boxer or wrestler shall be delivered to the commission and shall be impounded pending the result of the investigation, and if such charges are held by the commission to have been proven, the commission may declare the moneys impounded to be forfeited and such money shall thereupon become the property of the commission and shall be applied for the promotion of amateur athletics. 1921, c. 88, s. 4.

Investigations
by commission
or committee.

13.—(1) Where the Ontario Branch of the Amateur Athletic Union of Canada or any other Branch of the Amateur Athletic Union of Canada operating in Ontario, requests the commission to cause investigation to be held into any matter which the Branch considers should be investigated in the interest of amateur sport in the Province, the commission may hold such investigation or may refer the matter for investigation to a committee for investigation and report.

Who may be
appointed to
committee.

(2) The committee may consist of a member or members of the commission or such other persons as the commission may designate.

Appointments.

(3) The appointment of the committee shall be in writing signed by the chairman or acting chairman of the commission.

Powers of
commission
or committee.

(4) The committee or commission for the purposes of such investigation may possess all the powers which may be con-

ferred upon a commission appointed under *The Public Inquiries Act*. Rev. Stat. c. 20.

(5) Nothing in this section contained shall authorize the commission or any other body, without a request in writing from the board of reference of the Canadian Intercollegiate Athletic Union to hold an investigation or inquiry into any matter connected with the affairs of the Canadian Intercollegiate Athletic Union or of any society, association, club or other body included in, connected with, or controlled by the said Union, or as to the standing, qualifications, conduct or discipline of the members of any such society, association, club or other body. 1923, c. 19, s. 2. Power not to extend to Canadian Intercollegiate Athletic Union.

14. Every person, club, corporation or association who conducts or participates in conducting or holding any professional contest or exhibition and who fails to comply with the provisions of section 8 shall in addition to the payment of the amounts provided in subsection 1 of section 8 incur a penalty of not less than \$20, nor more than \$100, recoverable under *The Summary Convictions Act*. 1927, c. 72, s. 5. Penalty. Rev. Stat. c. 121.

15.—(1) The books and accounts of the commission shall be audited and checked from time to time by the Provincial Auditor or by such other auditor or auditors and at such times as the Lieutenant-Governor in Council may direct, and such auditor or auditors shall make an annual report and prepare and furnish such other statements to the Treasurer of Ontario as he shall from time to time direct or request. Audit.

(2) There shall be laid before the Assembly at the opening of each session of the Legislature or so soon thereafter as it may be obtainable, a statement containing the report of the auditor for the last preceding fiscal year and the receipts and expenditures of the commission and an account of the proceedings of the commission during the said fiscal year and such further particulars as the Lieutenant-Governor in Council shall direct. 1920, c. 30, s. 14. Annual statement to Legislature.

16. Every person, club, corporation or association conducting any professional contest or exhibition shall, not later than the day following such contest or exhibition, remit to the commission at its office at Toronto, by registered mail, the amount payable under the provisions of subsection 1 of section 8. 1927, c. 72, s. 6, *part*. Payment of amount of gate receipt tax to Commission.

17. The expression "professional contest or exhibition of any sport or game" shall mean and include lacrosse, football, baseball, hockey, boxing and wrestling contests and any other sport or game from time to time designated by the Lieutenant-Governor in Council. 1927, c. 72, s. 6, *part*. Interpretation.