**18:120: Controlled Sports Bill 2018**

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| **Summary of Impacts** |
| * The Controlled Sports Bill 2018 will include measures to enhance the health, safety and integrity of combat sports contests in the ACT. In order to effectively implement these measures and allocate new resources, the existing Budget allocated for combat sports will be utilised, with the possibility of further funding commitments to be proposed as part of the ACT Budget funding cycle. |

*Key to impacts: Red – negative, Blue - neutral and Green - positive.*

**Social**

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| **Community and individual health** | | The Bill seeks to improve two aspects of health and safety related to combat sports contests:   * reducing the risk of injury and long term physical impacts to a contestant by establishing protocols to restrict or stop activities if certain injuries occur, and requiring registered medical practitioners to assess and monitor contestants before, during and after a contest; * improving the integrity of the sport by establishing provisions that limit criminal influence.   It should be noted that the legislation cannot completely eliminate risks to health and safety for either industry participants or the public; however appropriate legislative measures are likely to contribute to the mitigation and/or reduction of these risks. |
| **Human rights** | * The Bill imposes reasonable limitations on various human rights in line with the Human Rights Act 2004. For the purposes of enhancing health and safety and integrity of the sport, these limitations include privacy and reputation, equality before the law, and rights in criminal proceedings. * These matters relate to the registration process, which includes background screening with a public interest test to determine a person’s suitability for registration as either an official or contestant. Some medical limitations may apply to potential or current contestants with particular injuries or potentially disability, however these will be considered on a case by case basis in consultation with medical experts to determine suitability for participation in a particular combat sport. * There are a number of strict liability offences in the Bill, potentially impacting on rights in criminal proceedings by reversing the burden of proof and removing any intention elements. These offences relate to agreements made at the time of registration, or agreement to the code of practice. | |
| **Gender** | * The Bill has regard to the *Discrimination Act 1991* which allows for lawful discrimination on the grounds of gender in relation to the exclusion of people of one gender from participation in any competitive sporting activity in which the strength, stamina or physique of competitors is relevant. The Bill does not specify any restrictions on these elements, other than specifying the need for suitable matching of contestants. It does however lift restrictions on female participation that exists within the *Boxing Control Act* which this legislation replaces. Many combat sports allow for mixed gender contests, whereas others have rules to prevent this from taking place. These matters will be considered in more detail during the development of subordinate legislation, in particular the code of practice. | |
| **Impacts on different age groups** | * The Bill allows for limitations to be placed on children and young people’s participation in contests through subordinate legislation, based on health and safety considerations. This may include prohibiting certain age groups from participating, or requiring mandatory safeguards such as the use of protective equipment, or the prohibition of certain techniques. These matters are being considered as part of the development of subordinate legislation. | |
| **Disability** | * The Bill will have regard to the *Discrimination Act 1991* which allows for lawful discrimination on the ground of disability in relation to the exclusion of a person from participation in any competitive sporting activity if the person has a disability and the activity requires physical or intellectual attributes that the person does not possess. | |
| **Justice and crime** | * The Bill gives consideration to the most appropriate and proportionate limitations that will be placed on those participating in controlled sports contests, with regard to crime prevention and the reputation of the industry. | |
| **Competition** | | * The Bill is competitively neutral. |

**Economic**

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| **ACT Government Budget** | | * The government would be required to fund the implementation of new controlled sports legislation, and initially combat sports focussed, regulatory regime. This may take the form of payment to another jurisdiction as a service provider, or require additional internal resources in order to manage and enforce new legislative requirements. Some costs would be recoverable through application fees. The 2017-18 Budget established an ongoing commitment of $150,000 per annum, increasing by $4,000 per year to manage the reform and implementation. |
| **Small Business Impact** | * Small businesses that contribute to the combat sports industry in the ACT may benefit from up-to-date and effective legislation that imposes standardised requirements across all contests. The level of fees imposed on these businesses may increase but overall the impact would be positive. | |
| **Investment and Economic Growth** | | * Up-to-date and relevant legislation may make the ACT an attractive jurisdiction in which to stage combat sports contests; this would bring associated economic benefits from inter-state and international visitors. |

**Environmental**Nil impact