

if the person was engaging in those activities on 11 July 1980 and if the person meets the conditions of practice that applied to the person at that time.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6278

Gouvernement du Québec

O.C. 392-2004, 21 April 2004

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

**Combat sports
— Amendments**

Regulation to amend the Regulation respecting combat sports

WHEREAS, under subparagraph 2 of the first paragraph of section 55.3 of the Act respecting safety in sports (R.S.Q., c. S-3.1), the Régie des alcools, des courses et des jeux may, by regulation approved by the Government, determine, in particular, the conditions a person applying for a permit relating to a sports event must fulfil, the information and documents to be furnished;

WHEREAS, under subparagraph 4 of the first paragraph of that section, the board may, by regulation approved by the Government, determine the cases of licence cancellation or suspension, and the duration thereof;

WHEREAS, under subparagraph 7 of the first paragraph of that section, the board may, by regulation approved by the Government, establish standards relating to the equipment a person must use to engage in a combat sport at a sports event;

WHEREAS, under subparagraph 8 of the first paragraph of that section, the board may, by regulation approved by the Government, establish standards concerning the organization and holding of a sports event;

WHEREAS, under subparagraph 9 of the first paragraph of that section, the board may, by regulation approved by the Government, establish standards concerning the tenor of contracts entered into by the persons referred to in sections 40 or 41 of the Act, in particular with respect to their duration and the respective obligations of the parties, including those related to the purse and remuneration;

WHEREAS, under subparagraph 10 of the first paragraph of that section, the board may, by regulation approved by the Government, prescribe the nature and frequency of the medical examination required of contestants who participate in a combat sports event;

WHEREAS, under subparagraph 11 of the first paragraph of that section, the board may, by regulation approved by the Government, establish a health committee or any other committee necessary for the purpose of Chapter V and determine its composition and functions;

WHEREAS, under subparagraph 12 of the first paragraph of that section, the board may, by regulation approved by the Government, determine the cases in which a person authorized by the board under section 46.2.2 of the Act may take breath or urine samples from contestants participating in a sports event, and the procedure according to which the sample may be taken;

WHEREAS the Regulation respecting combat sports was approved by Order in Council 662-95 dated 17 May 1995 and it is expedient to amend it;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2003 with a notice that it could be adopted by the board, with or without amendment, and submitted to the Government for approval, on the expiry of 45 days following that publication;

WHEREAS a comment was made following that publication;

WHEREAS the board, in plenary session on 4 March 2004, adopted the Regulation to amend the Regulation respecting combat sports with amendment;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting combat sports, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting combat sports*

An Act respecting safety in sports (R.S.Q., c. S-3.1, s. 55.3, 1st par., subpars. 2, 4, 7 to 12)

1. The Regulation respecting combat sports is amended by inserting the following after section 36:

“**36.1.** The organizer shall, for a period beginning 3 hours before a sports event and ending 6 hours after the event, place at the disposal of the Régie a closed facility that is clean and sanitary and can be locked, for use in the anti-doping testing of contestants.

The facility must be situated on the premises where the sports event is to take place and be divided into two adjacent, separate rooms, namely

(1) a room with a minimum capacity of 10 persons, equipped with chairs or benches; or

(2) a closed room with a minimum capacity of 3 persons, equipped with a washbasin and a toilet.”

2. Section 56 is amended by striking out paragraph 3.

3. Section 58 is amended

(1) by replacing “the following items” in the part preceding paragraph 1 by “the following”;

(2) by replacing paragraph 3 by the following:

“(3) water, or a solution of water that may contain electrolytes, in a container made of flexible material;”

4. Section 62 is amended by adding the following paragraph at the end:

“The gloves may be put on in the ring before the bout or in the dressing room of each contestant.”

5. Section 63 is amended

(1) by replacing “18.288 m (20 yd)” in the first paragraph by “36.56 m (40 yd)”;

(2) by replacing “2.743 m (9 ft)” in the second paragraph by “3.658 m (12 ft)”;

(3) by replacing “3.353 m (11 ft)” in the second paragraph by “4.572 m (15 ft)”.

6. The following division is inserted after section 71:

“DIVISION IX.1 ANTI-DOPING TESTING

71.1. A person authorized by the president of the board under section 46.2.2 of the Act respecting safety in sports (R.S.Q., c. S-3.1) and designated to take urine samples may take urine samples from a contestant up to 3 hours before and 6 hours after a bout.

The taking of samples is intended to establish whether a contestant having taken part in a combat sports event has taken a substance, in excess of the permitted quantity, appearing on the list of Prohibited Substances and Prohibited Methods contained in the Olympic Movement Anti-Doping Code published by the International Olympic Committee (IOC) whose headquarters are located at Château de Vidy, 1007 Lausanne, Switzerland, accessible via the electronic address (<http://www.olympic.org/>), as it reads on the date of the sampling.

71.2. Each contestant shall report to the sampling facility at the place and time specified by an official and shall, in the presence of the authorized person designated to take urine samples, provide a urine sample of at least 50 ml.

The person authorized pursuant to section 71.1 shall establish security measures to ensure the integrity of the chain of custody of the sample until it is remitted to the laboratory for analysis. The person shall record the chain of custody of the sample in a report.

71.3. Unless accompanied by an inspector, the contestant may not leave the sampling facility while the urine sampling procedure is taking place. The contestant may only drink or eat what is provided or authorized by the person authorized pursuant to section 71.1.

71.4. The contestant may be accompanied by a person of his or her choice during the urine sampling procedure. The person shall identify himself or herself to the person authorized pursuant to section 71.1.

71.5. The authorized person designated to take urine samples must be of the same sex as the contestant providing the sample.

* The Regulation respecting combat sports, approved by Order in Council 662-95 dated 17 May 1995 (1995, *G.O.* 2, 1511), was last amended by the regulation approved by Order in Council 275-99 dated 24 March 1999 (1999, *G.O.* 2, 361). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

The contestant must be dressed during the sampling. In the case of a male contestant, the authorized person shall remain three metres behind the contestant. A female contestant shall provide the sample while in a cubicle and the authorized person may listen to what is taking place inside the cubicle.

71.6. Notwithstanding paragraph B of Division III of Appendix A of the Olympic Movement Anti-Doping Code, a contestant is considered to obtain a positive result when the analysis for cannabinoids indicates a concentration in urine greater than 50 nanograms per millilitre. A contestant is also considered to obtain a positive result when the analysis indicates the presence of phencyclidine (PCP)."

7. Section 73 is amended by replacing "24" by "30".

8. Section 105 is amended by inserting "following a legal blow from his opponent" after "ring mat" in paragraph 1.

9. Section 127 is amended by replacing paragraph 1 by the following:

"(1) the recurrence and power of legal blows;"

10. Section 130 is amended by replacing "7" in the second paragraph by "6".

11. Section 131 is amended by replacing paragraph 20 by the following:

"(20) indulging in any unsportsmanlike conduct or any conduct that could be detrimental to the good name of boxing;"

12. Section 137 is replaced by the following:

"**137.** Notwithstanding section 136, where circumstances described in that section occur and where the contestants have fought less than half the scheduled number of rounds for the bout, the decision shall be a "technical draw"."

13. Section 139 is amended by replacing "following" by "preceding".

14. The following section is inserted after section 148:

"**148.1.** A contestant who obtains a positive result in an anti-doping test, or who refuses or fails to submit to an anti-doping test, shall be disqualified."

15. Section 149 is amended by adding "in a men's bout, and 2 minutes in a women's bout" after "minutes".

16. Section 151 is revoked.

17. Section 159 is amended by adding the following subparagraph at the end of the first paragraph:

"(6) where a contestant is domiciled in Québec, a CAT scan of the brain when the contestant makes his professional debut and every two years thereafter."

18. Section 166 is amended by adding the following paragraph at the end:

"(6) his reflexes, physical condition and state of health."

19. Section 168 is amended by replacing "that is drawn up in the form in Schedule 2-A provided by the board." by "that is valid for a single sports event and that provides for or stipulates, in particular,

(1) the minimum amount of the purse or the percentage of the receipts from the sports event that the contestant is entitled to receive as remuneration, which shall not be less than \$100 for each round covered by the contract;

(2) the place and date of the sports event;

(3) that the organizer undertakes to pay the contestant's accommodation expenses and the remuneration to which the contestant is entitled under the contract where the contestant is present at the official weigh-in but where his opponent or a substitute opponent is unable to fight as scheduled;

(4) that, except as provided for by law or required by an organization sanctioning a championship bout, the organizer undertakes not to deduct any amount from the purse or remuneration of the contestant;

(5) that the organizer undertakes not to require the contestant to repay any amount disbursed for the contestant's benefit;

(6) that the organizer undertakes not to require the contestant to pay any amount of money for any purpose;

(7) the maximum weight that the contestant must achieve at the official weigh-in;

(8) that 20% of the purse or of the contestant's remuneration will be deducted and paid to his opponent where the contestant fails to achieve the weight specified in the contract at the official weigh-in;

(9) the number of rounds in which the contestant must take part;

(10) the name, weight, and results of the previous bouts of the contestant's opponent;

(11) that the contestant undertakes to provide the organizer with the official results of his previous bouts;

(12) the cancellation of the contract

(a) if the contestant's or organizer's licence is cancelled or suspended; or

(b) if the contestant is declared unfit to fight following a medical examination; and

(13) that the organizer undertakes not to transfer any or all of his rights and obligations to a third person.”

20. Section 169 is amended

(1) by replacing “1 year” by “2 years”;

(2) by adding “along with any amendment to the contract, no later than before the holding of the sports event” after “signing”.

21. The following section is inserted after section 169:

“**169.1.** A contract binding an organizer and a contestant for more than one sports event shall provide for or stipulate, in particular,

(1) the duration of the contract and the number of scheduled bouts;

(2) the amount of the purse for each bout;

(3) the renegotiation of the contestant's remuneration if the contestant takes part in a championship bout before the end of his contract; the renegotiation will involve, in particular, the contestant's remuneration and the expenses relating to sparring partners and training camps;

(4) that the organizer may not charge more than 10% of the contestant's purse if he provides him with the services of a trainer;

(5) that the organizer undertakes to pay all the contestant's travel expenses if a bout is to take place outside Québec;

(6) except if the contract is cancelled, that the contestant undertakes not to sign a contract with another organizer before the expiry date of the contract;

(7) that the organizer undertakes not to transfer his rights to a third person, unless the contestant agrees to the transfer and benefits from at least 80% of the difference between the consideration paid for the transfer of the rights for each bout and the amount of the purse to which the contestant is entitled for each bout; and

(8) the cancellation of the contract

(a) if the organizer's or contestant's licence is cancelled or suspended for the unexpired duration of the contract; or

(b) if the contestant is declared unfit to fight following a medical examination for the unexpired duration of the contract.”

22. Section 172 is amended by striking out “and shall not exceed \$500 or 25% of the amount of the contestant's purse or remuneration, whichever sum is greater”.

23. Section 173 is amended by replacing the second paragraph by the following:

“The contract shall provide for or stipulate, in particular,

(1) that the manager undertakes not to require the contestant to repay any amount disbursed for the contestant's benefit;

(2) that neither the manager nor the contestant may transfer his rights and obligations to a third person, except if both parties agree; and

(3) the cancellation of the contract

(a) if the manager's or contestant's licence is cancelled or suspended for the unexpired duration of the contract; or

(b) if the contestant is declared unfit to fight following a medical examination, for the unexpired duration of the contract.”

24. Section 175 is amended by replacing the second paragraph by the following:

“The contract shall provide for or stipulate, in particular,

(1) that the trainer undertakes not to require the contestant to repay any amount disbursed for the contestant's benefit;

(2) that both the trainer and the contestant undertake not to transfer their rights and obligations to a third person, except if both parties agree; and

(3) the cancellation of the contract

(a) if the trainer's or contestant's licence is cancelled or suspended for the unexpired duration of the contract; or

(b) if the contestant is declared unfit to fight following a medical examination, for the unexpired duration of the contract.”.

25. Section 195.1 is amended in the English text by inserting “submission” after “permitted”.

26. Section 195.2 is amended

- (1) by striking out “124 to 130”;
- (2) by striking out “150”;
- (3) by striking out “155 “;
- (4) by adding the following paragraph at the end:

“Paragraphs 2, 3 and 5 of section 68 apply with the necessary modifications to mixed boxing.”.

27. Chapter II.1 is amended by striking out Division IV.

28. Section 195.7 is amended

- (1) by replacing “6.85” in the first paragraph by “6.80”;
- (2) by replacing “88.45 kg (195 lbs)” in the second paragraph by “90.71 kg (200 lbs)”.

29. Section 195.8 is replaced by the following:

“**195.8.** Only 1 person may be present in a contestant's corner during a bout. Only that person is authorized to ask the referee to stop the bout by entering the ring, or to speak to the referee to obtain information between rounds.

The name of the person must be given to the referee before the bout begins.”.

30. Section 195.9 is amended

(1) by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“The referee may stop the bout and declare the opponent the winner when a contestant is no longer able to defend himself adequately.”.

31. Sections 195.10 and 195.12 are revoked.

32. Section 195.14 is amended by striking out “and the counts at knock-downs”.

33. Section 195.15 is revoked.

34. Section 195.22 is replaced by the following:

“**195.22.** Notwithstanding section 195.21, where the circumstances described in that section occur before the first round of a 3-round bout or before the second round of a 5-round bout, except during a ladder tournament, the decision shall be a “technical draw”.”.

35. Section 195.24 is amended by replacing “2 formal warnings” by “1 formal warning”.

36. Section 195.28 is amended

(1) by replacing paragraph 12 by the following:

“(12) hitting the opponent with the bent knee or bent elbow;”;

(2) by replacing paragraph 17 by the following:

“(17) indulging in any unsportsmanlike conduct or conduct which could be detrimental to the good name of boxing;”.

37. Section 195.32 is replaced by the following:

“**195.32.** A bout shall last a maximum of 15 minutes, including between 1 and 3 rounds lasting no more than 5 minutes each and including a 1-minute break between rounds.

A championship bout shall last a maximum of 25 minutes, including a maximum of 5 rounds lasting no more than 5 minutes each and including a 1-minute break between rounds.

In a ladder tournament, a contestant may not fight more than 3 bouts.

There shall be a 7-day rest period between bouts for a contestant who has fought a bout of 2 rounds or fewer. The rest period shall last 14 days for a contestant who

has fought a 3-round bout, 21 days for a contestant who has fought a 4-round bout, and 28 days for a contestant who has fought a 5-round bout.

During a rest period, a contestant shall not participate as a contestant in the program of a combat sports event.

For the purpose of determining a rest period, a ladder tournament is deemed to be a single bout.”.

38. Schedules 2-A, 2-B and 2-C are revoked.

39. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6279

Gouvernement du Québec

O.C. 393-2004, 21 April 2004

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

Combat sports licensing — Amendments

Regulation to amend the Regulation respecting combat sports licensing

WHEREAS, under subparagraph 1 of the first paragraph of section 55.3 of the Act respecting safety in sports (R.S.Q., c. S-3.1), the Régie des alcools, des courses et des jeux may, by regulation approved by the Government, determine the form and content of a permit relating to a combat sports event and the terms and conditions of its issuance;

WHEREAS, under subparagraph 2 of the first paragraph of that section, the board may, by regulation approved by the Government, determine the conditions a person applying for a permit relating to a sports event must fulfil, the information and documents to be furnished, the fees payable, the terms and conditions of payment of the fees and of the duties referred to in section 45 of the Act, the time when they must be paid and the percentage of the gross receipts derived from a sports event or the amount on the basis of which the duties referred to in the first paragraph of that section 45 are established;

WHEREAS, under subparagraph 3 of the first paragraph of that section, the board may, by regulation approved by the Government, determine the amount and nature of

the deposit and of the liability-insurance policy required of a person applying for a sports event organizer’s licence or for a licence to act as an official at a sports event;

WHEREAS, under subparagraph 4 of the first paragraph of that section, the board may, by regulation approved by the Government, determine the cases of licence cancellation or suspension, and the duration thereof;

WHEREAS, under subparagraph 6 of the first paragraph of that section, the board may, by regulation approved by the Government, fix the tariff of fees for officials at the holding of a sports event, and specify the cases where only a person designated and remunerated by the board may be an official;

WHEREAS, under the second paragraph of that section, the duties payable under section 45 of the Act may vary according to the categories or classes of licences or permits or the capacity of the premises where sports events are held, as prescribed by the regulation;

WHEREAS the Regulation respecting combat sports licensing was approved by Order in Council 663-95 dated 17 May 1995 and it is expedient to amend it;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2003 with a notice that it could be adopted by the board with or without amendments and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication;

WHEREAS the board, in plenary session on 4 March 2004, adopted the Regulation to amend the Regulation respecting combat sports licensing without amendment;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting combat sports licensing, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif