

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

CHAPTER 7
UNARMED COMBAT

SOURCE: Chapter 7 added by P.L. 30-045:3 (July 14, 2009).

- Article 1. Definitions.
- Article 2. Medical Advisory Board.
- Article 3. Guam Unarmed Combat Commission.
- Article 4. Licensing and Control of Contests and Exhibitions of Unarmed Combat.
- Article 5. Applicability of Chapter; Penalties.

ARTICLE 1
DEFINITIONS

- § 7100. Definitions.
- § 7101. Board Defined.
- § 7102. Commission Defined.
- § 7103. Contestant Defined.
- § 7104. Manager Defined.
- § 7105. Promoter Defined.
- § 7106. Purse Defined.
- § 7107. Ring Official Defined.
- § 7108. Sanctioning Organization Defined.
- § 7109. Unarmed Combat Defined.
- § 7110. Unarmed Combatant Defined.

§ 7100. Definitions.

As used in this Chapter, unless the context otherwise requires, the words and terms defined in §§ 7101 to 7108 inclusive, have the meanings ascribed to them in those Sections.

§ 7101. Board Defined.

Board means the Medical Advisory Board.

§ 7102. Commission Defined.

Commission means the Guam Unarmed Combat Commission.

§ 7103. Contestant Defined.

Contestant means any person who engages in unarmed combat for remuneration.

§ 7104. Manager Defined.

(a) *Manager* means a person who:

(1) Undertakes to represent the interests of another person, by contract, agreement *or* other arrangement, in procuring, arranging *or* conducting a professional contest *or* exhibition in which that person will participate as a contestant;

(2) Directs *or* controls the activities of an unarmed combatant relating to the participation of the unarmed combatant in professional contests or exhibitions;

(3) Receives *or* is entitled to receive at *least* ten percent (10%) of the gross purse *or* gross income of any professional unarmed combatant for services relating to the participation of the unarmed combatant in a professional contest *or* exhibition; *or*

(4) Receives compensation for services as an agent *or* representative of an unarmed combatant.

(b) The term *does not* include an attorney who is licensed to practice law in Guam *if* his participation in any of the activities described in subsection (1) is limited *solely* to his legal representation of a client who is an unarmed combatant.

§ 7105. Promoter Defined.

Promoter means any person who produces *or* stages any professional contest *or* exhibition of unarmed combat.

§ 7106. Purse Defined.

Purse means the financial guarantee *or* any other remuneration for which contestants are participating in a contest *or* exhibition and includes the contestant's share of any payment received for radio broadcasting, television *or* motion picture rights.

§ 7107. Ring Official Defined.

Ring official means any person who performs an official function during the progress of a contest or exhibition of unarmed combat.

§ 7108. Sanctioning Defined.

Sanctioning organization means an organization that sanctions professional contests of unarmed combat in Guam.

§ 7109. Unarmed Combat Defined.

Unarmed combat means boxing, wrestling, mixed martial arts, kickboxing, *or* any form of competition in which a blow is usually struck which may reasonably be expected to inflict injury.

§ 7110. Unarmed Combatant Defined.

(a) *Unarmed combatant* means any person who engages in unarmed combat in a contest *or* exhibition, whether *or not* the person receives remuneration.

(b) The term includes, without limitation:

(1) A contestant; and

(2) An amateur boxer who:

(A) Is registered with the Guam Amateur Boxing organization recognized by the Guam National Olympic Committee and the International Boxing Association (AIBA); and

(B) Any contestant who has participated in a competition promoted as a professional event *or* competes against a professional contestant regardless of remuneration *or not*, *shall not* be allowed to compete in amateur unarmed competitions.

(c) The term *does not* include a person who participates in a contest *or* exhibition that is *exempt* from the provisions of this Chapter.

**ARTICLE 2
MEDICAL ADVISORY BOARD**

§ 7200. Creation; Chairman; Terms.

§ 7201. Qualifications of Members.

§ 7202. Duties.

§ 7200. Creation; Chairman; Terms.

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

(a) The Medical Advisory Board consisting of three (3) members to be appointed by *I Maga'lahi* is hereby created.

(b) A Chairman *shall* be elected from among the members.

(c) *I Maga'lahi shall* appoint each member to a term of four (4) years. *If* the position of a member is vacated, *I Maga'lahi shall* appoint a qualified person to replace the member for the remainder of the unexpired term.

§ 7201. Qualifications of Members.

Each member of the Board must:

(a) be licensed to practice medicine pursuant to Article 2 of Chapter 12, Title 10, Guam Code Annotated; and

(b) have at least five (5) years of experience in the practice of medicine at the time of his appointment.

§ 7202. Duties.

The Board *shall*:

(a) Prepare and submit to the Commission appropriate standards for the physical and mental examination of contestants. *No* standard is effective until it is approved by the Commission. The Commission *shall* ensure that applicable tests for HIV/AIDS, TB, and other communicable diseases, and the mandatory requirement of a CT scan, are included in the standards to be promulgated and approved.

(b) Recommend to the Commission for licensing, physicians who are qualified to examine contestants.

(c) Advise the Commission as to the physical *or* mental fitness of a contestant, *if* it so requests.

(d) Prepare and submit to *I Liheslatura* and the Commission reports containing any recommendations for revisions in the law which it deems necessary to protect the health of contestants in Guam.

ARTICLE 3
GUAM UNARMED COMBAT COMMISSION

- § 7300. Creation; Number, Composition and Appointment of Members; Quorum; Prohibitions Concerning Contests and Exhibitions.
- § 7301. Chairman; Seal; Rules and Regulations; Form of Contracts.
- § 7302. Employment of Executive Secretary; Deposit of Money in Guam Unarmed Combat Commission Fund.
- § 7303. Inspectors: Appointment; Duties; Promotion or Sponsoring of Professional Contest *or* Exhibition Prohibited.
- § 7304. Compensation of Members of Commission and other Employees of Commission; Classification of Executive Secretary.
- § 7305. Authority to Affiliate with Other State *or* National Boxing Commission or Athletic Authority.

§ 7300. Creation; Number, Composition and Appointment of Members; Quorum; Prohibitions Concerning Contests and Exhibitions.

(a) The Guam Unarmed Combat Commission, consisting of seven (7) members appointed by *I Maga'lahi* and subject to confirmation by *I Liheslaturan Guåhan*, is hereby created within the Department of Revenue and Taxation. Commission members *shall* serve for a term of four (4) years. The seven (7) member Commission, at least two (2) being female, *shall* be constituted as follows: two (2) members of the general public, two (2) members with a background in the sport of boxing, two (2) members with a background in the sport of mixed martial arts, and one (1) member with a background in the visitor industry in the area of sports tourism. The Director of the Department of Revenue and Taxation, the Director of the Department of Parks and Recreation and the Chairman of the Medical Advisory Board, as provided in § 7200, *shall* serve as Ex-Officio Members. *If* the position of a member is vacated, *I Maga'lahi shall* appoint a qualified person to replace the member for the remainder of the unexpired term.

(b) Four (4) members of the Commission constitute a quorum for the exercise of the authority conferred upon the Commission, and a concurrence of at least four (4) of the members is necessary to render a choice *or* a decision by the Commission.

(c) A member *shall not* at any time during his service as a member

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

of the Commission promote *or* sponsor any contest *or* exhibition of unarmed combat, *or* combination of those events, *or* have any financial interest in the promotion *or* sponsorship of those contests *or* exhibitions.

(d) The Commission *shall* meet at least quarterly but *may* meet as often as the duties of such Commission require.

§ 7301. Chairman; Seal; Rules and Regulations; Form of Contracts.

(a) A Chairman *shall* be elected from among the members who *shall* serve in such capacity for a term of one (1) year, whereupon another member *shall* be elected as provided herein.

(b) The Commission may purchase and use a seal.

(c) The Commission shall adopt rules and regulations for the administration of this Chapter. The rules and regulations must include:

(1) number and qualifications of ring officials required at any exhibition *or* contest;

(2) procedures for obtaining police and court clearances pursuant to § 7402 to investigate the criminal history of all ring officials and employees of the Commission and any other applicant the Commission wishes to investigate;

(3) powers, duties and compensation of ring officials; and

(4) qualifications of licensees.

(5) rules of competition, weighing of contestants and scoring of decisions.

(6) age limits, weight limits, physical conditions and classification of contestants.

(d) The Commission *shall* review and approve all forms of contracts between sponsors, licensees, promoters and contestants.

§ 7302. Employment of Executive Secretary; Deposit of Money in Guam Unarmed Combat Commission Fund.

(a) The Commission may employ an Executive Secretary, who must *not* be a member of the Commission.

(b) *Except* as provided in § 7401 and § 7416, all money received by the Executive Secretary *or* the Commission pursuant to the provisions of

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

this Chapter must be deposited with the Treasurer of Guam for credit to the Guam Unarmed Combat Commission Fund.

§ 7303. Inspectors: Appointment; Duties; Promotion *or* Sponsoring of Professional Contest *or* Exhibition Prohibited.

(a) The Commission may appoint one (1) *or* more official representatives to be designated as inspectors, and may appoint one (1) Chief Inspector. The Chief Inspector *shall* supervise the work of all other inspectors appointed by the Commission. Each inspector must receive from the Commission a card authorizing him to act as an Inspector. He holds office as an Inspector at the pleasure of the Commission.

(b) An Inspector *shall not* at any time during his service as an Inspector promote *or* sponsor any professional contest *or* exhibition of unarmed combat, *or* combination of those events.

§ 7304. Compensation of Members of Commission and Other Employees of Commission; Classification of Executive Secretary.

(a) Members of the Commission, *if* authorized by the Chairman, are entitled to receive a stipend of *not more than* Fifty Dollars (\$50) for each meeting of the Commission.

(b) While engaged in the business of the Commission, each member and employee of the Commission is, upon the authorization of the Chairman, entitled to receive the per diem allowance and travel expenses provided by the Government Travel Law, Chapter 23, Title 5, Guam Code Annotated.

(c) The Executive Secretary of the Commission *shall* be a member of the unclassified service, as defined by § 4102(a) of Chapter 4, Title 4, Guam Code Annotated.

(d) Each Inspector for the Commission is entitled to receive for the performance of his duties a fee approved by the Commission.

§ 7305. Authority to Affiliate with Other State *or* National Boxing Commission *or* Athletic Authority.

The Commission *shall* have the authority to affiliate with any other State *or* National Boxing Commission *or* Athletic Authority.

ARTICLE 4
LICENSING AND CONTROL OF CONTESTS AND
EXHIBITIONS OF UNARMED COMBAT

- § 7400. Jurisdiction of Commission.
- § 7401. License for Contest *or* Exhibition Where Admission Fee Received; Application for License; Fee; Limited, Restricted *or* Conditional License; Bond *or* Deposit; Unarmed Combat Commission's Agency Account; Additional Deposit; Exceptions.
- § 7402. Licenses for Contestant, Promoter, Manager, Trainer, Ring Official and Others; Application for License; Submission of Clearances; Withdrawal of Application; Uniform Scale of Fees; Payment of Costs of Proceedings.
- § 7403. Confidentiality of Certain Information Concerning Applicant for License; Disclosure of Information; Procedure.
- § 7404. Application for License to Include Social Security Number of Applicant.
- § 7405. Permit for Promoter to Present Program; Limited, Restricted *or* Conditional Permit; Fees; Exceptions.
- § 7406. Additional Fees for License of Promoter; Exemption; Regulations.
- § 7407. Time for Report to Commission and Payment of Additional Fees by Promoter.
- § 7408. Suspension, Revocation and Other Disciplining of Contestant and Other Participants; Grounds for Refusal to Issue License.
- § 7409. Hearing by Member of Commission; Notice of Disciplinary Hearing; Approval of Adjudication and Order by Majority of Commission; Distribution of Written Report.
- § 7410. Commission May Issue Subpoenas, Administer Oaths, Appoint Hearing Examiners and Pay Certain Expenses; Penalty for Making False Oath before Commission.
- § 7411. Suspension of License *or* Permit by Member *or* Executive Secretary of Commission Pending Final Determination by Commission; Continuation of Suspension by Commission; Procedure.
- § 7412. Contract between Contestant and Licensee: Copy Provided to Contestant and Executive Secretary; Impounding Gate Receipts.

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

- § 7413. Insurance for Licensed Contestants.
- § 7414. Advance against Purse by Promoter to Licensee Prohibited; Permission of Commission for Advance to Contestant for Necessary Expenses.
- § 7415. Order to Promoter to Withhold Part of Purse *or* Other Money Due Certain Contestants *or* Manager *or* Second; Hearing; Disposition of Money.
- § 7416. Registration of Sanctioning Organization *or* Television Network; Fees, Costs and Deposit; Regulations.
- § 7417. Promoter and Network to File Copy of Contracts for Television Rights; Records of Accounts and Other Documents; Assessment of Fee for License; Confidentiality of Contract.
- § 7418. Attendance of Representative or Member of Commission at Weigh-Ins, Medical Examinations, Contests and Exhibitions.
- § 7419. Promoter to Control Seating Arrangements; Member of Commission Furnished Ringside Seat.
- § 7420. Length of Boxing Contests and Rounds; Rest Between Rounds.
- § 7421. Weighing-in of Participants in Boxing Contests.
- § 7422. Revocation of License.
- § 7423. Penalties in Lieu of *or* in Addition to Other Disciplinary Action; Payment of Costs of Proceedings.
- § 7424. Reinstatement of Revoked License: Payment of Penalty Prescribed by Commission; Payment of Costs of Proceedings.

§ 7400. Jurisdiction of Commission.

(a) The Commission has and is vested with the *sole* direction, management, control and jurisdiction over all contests *or* exhibitions of unarmed combat to be conducted, held *or* given within Guam, and *no* contest *or* exhibition may be conducted, held *or* given within Guam *except* in accordance with the provisions of this Chapter.

(b) Any boxing *or* sparring contest conforming to the requirements of this Chapter and to the regulations of the Commission *shall* be deemed to be a boxing contest and *not* a prize fight.

(c) Any contest involving a form of unarmed self-defense must be conducted pursuant to rules for that form which are approved by the Commission before the contest is conducted, held *or* given.

§ 7401. License for Contest or Exhibition Where Admission Fee Received; Application for License; Fee; Limited, Restricted or Conditional License; Bond or Deposit; Guam Athletic Commission Fund; Additional Deposit; Exceptions.

(a) The Commission may issue and revoke licenses to conduct, hold or give contests or exhibitions of unarmed combat where an admission fee is received in accordance with such terms and provisions as the Commission prescribes.

(b) Any application for such a license must be in writing and correctly show and define the applicant. The application must be accompanied by an annual fee to be fixed by the Commission, on a uniform scale.

(c) The Commission may deny an application for such a license or grant a limited, restricted or conditional license for any cause deemed sufficient by the Commission.

(d) Before any license is granted, the applicant must file a bond in an amount fixed by the Commission but *not less than* Ten Thousand Dollars (\$10,000), executed by the applicant as principal, and by a corporation qualified under the laws of Guam as surety, payable to the Treasurer of Guam, and conditioned upon the faithful performance by the applicant of the provisions of this Chapter. In lieu of a bond, the applicant may deposit with the Commission a like amount of lawful money of the United States or any other form of security, including, but *not limited to*: bonds of the United States or of Guam of an actual market value of *not less than* the amount of the required cash payment or surety bond; a letter of credit from a bank, savings bank, credit union or savings and loan association situated in Guam, which meets the requirements set for that purpose by the Treasurer of Guam; or a savings certificate, certificate of deposit or investment certificate of a bank, savings bank, credit union or savings and loan association situated in Guam, which must indicate an account of an amount *not less than* the amount of the required cash payment or surety bond and, *except* as otherwise provided by specific statute, that the amount is *not* available for withdrawal *except* by direct order of the Treasurer of Guam. *If* security is provided in the form of a savings certificate, certificate of deposit or investment certificate, the certificate must state that the amount is *not* available for withdrawal except upon order of the Commission. All money which the

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

Commission receives pursuant to this subsection must be deposited with the Treasurer of Guam for credit to the Guam Unarmed Combat Commission Fund, which *shall* be established by enactment of this Act.

(e) *If* the Commission believes the requirement for a bond is inadequate, the Commission may require the promoter to make a deposit of money in an amount fixed by the Commission. The deposit must be made *not less than* five (5) days before the contest *or* exhibition. It may be used to satisfy any obligation incurred by the promoter during the staging of the contest *or* exhibition upon order of the Commission. After satisfaction of all such obligations, the Commission *shall* release the remainder to the promoter.

(f) The provisions of subsections (d) and (e) *do not* apply to amateur athletic clubs.

§ 7402. Licenses for Contestant, Promoter, Manager, Trainer, Ring Official and Others; Application for License; Submission of Clearances; Withdrawal of Application; Uniform Scale of Fees; Payment of Costs of Proceedings.

(a) All contestants, promoters, managers, seconds, trainers and ring officials must be licensed by the Commission. *No* person may participate, directly *or* indirectly, in any professional contest *or* exhibition of unarmed combat unless he has first procured a license from the Commission.

(b) The Commission may deny an application for a license or grant a limited or license or grant a limited, restricted or controlled license for any cause deemed sufficient by the Commission.

(c) The Commission *shall* require:

- (1) each ring official and employee of the Commission; and
- (2) any other applicant the Commission wishes to investigate, to submit to the Commission, with the application, a police and court clearance.

(d) After an application has been submitted to the Commission, the application may *not* be withdrawn unless the Commission consents to the withdrawal.

(e) The Commission *shall* fix a uniform scale of license fees.

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

(f) In addition to the license fees required by subsection (e), the Commission may require an applicant for a license to:

(1) pay the costs of the proceedings associated with the issuance of the license, including, without limitation, investigative costs and attorney's fees; and

(2) deposit with the Commission such an amount of money as the Commission deems necessary to pay for those costs. *If* any amount required to be deposited pursuant to this subsection exceeds the actual cost of the proceedings, including, without limitation, investigative costs and attorney's fees, the Commission *shall* refund the excess amount to the applicant upon the completion of the proceedings.

(g) It is a violation of this Chapter for any person to participate, directly *or* indirectly, as stated in subsection (a), *unless* he has been granted a license therefor.

§ 7403. Confidentiality of Certain Information Concerning Applicant for License; Disclosure of Information; Procedure.

(a) *Except* as otherwise provided in subsection (b), the Commission *shall* keep confidential:

(1) any information that it receives concerning an applicant for the issuance of a license pursuant to this Chapter which is declared confidential by law and that is provided to the Commission by another governmental entity *or* the Association of Boxing Commissions;

(2) any information contained in a medical record of such an applicant, *if* the information is *not* relevant to the Commission in determining whether to grant a license to the applicant;

(3) any information relating to the financial records of an applicant *or* licensee; and

(4) any information required to be disclosed to the Commission and kept confidential pursuant to federal law.

(b) The Commission *shall* reveal the information set forth in subsection (a):

(1) upon the lawful order of a court of competent jurisdiction;

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

(2) to any person upon the request of the person who is the subject of the information; and

(3) in the course of the necessary administration of this Chapter.

(c) A person seeking an order of a court of competent jurisdiction for the disclosure of information described in subsection (a) must submit a motion in writing to the court requesting the information. At least ten (10) days before submitting the motion, the person must provide notice to the Commission, the Attorney General and all persons who may be affected by the disclosure of the information. The notice must:

(1) include, without limitation, a copy of the motion and all documents in support of the motion that are to be filed with the court; and

(2) be delivered in person *or* by certified mail to the last known address of each person to whom notice must be provided.

§ 7404. Application for License to Include Social Security Number of Applicant.

An application for a license issued pursuant to § 7402 must include the social security number of the applicant.

§ 7405. Permit for Promoter to Present Program; Limited, Restricted *or* Conditional Permit; Fees; Exceptions.

(a) Every promoter, in order to present a program of contests *or* exhibitions of unarmed combat, must obtain a permit from the Commission for each program.

(b) The Commission may deny an application for such a permit *or* grant a limited, restricted *or* conditional permit for any cause deemed sufficient by the Commission.

(c) The Commission *shall* charge and collect the following fees for a permit to present a program of contests *or* exhibitions:

Permit for a promoter who has *no* place of business in Guam - One Thousand Dollars (\$1,000); and

Permit for a promoter who has a place of business in Guam - Two Hundred Fifty Dollars (\$250).

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

The provisions of this subsection *do not* apply to the presentation of a program of amateur contests *or* exhibitions of unarmed combat.

§ 7406. Additional Fees for License of Promoter; Exemption; Regulations.

(a) In addition to the payment of any other fees and money due under this Chapter, every promoter, *except* as provided in subsection (2), *shall* pay a license fee of:

(1) four percent (4%) of the total gross receipts from admission fees to the live contest *or* exhibition of unarmed combat, exclusive of any federal tax *or* tax imposed by the government of Guam; and

(2) three percent (3%) of the first One Million Dollars (\$1,000,000), and one percent (1%) of the next Two Million Dollars (\$2,000,000), of the total gross receipts from the sale, lease *or* other exploitation of broadcasting, television and motion picture rights for that contest *or* exhibition, without any deductions for commissions, brokerage fees, distribution fees, advertising, contestants' purses *or* any other expenses *or* charges.

(b) A corporation organized pursuant to Part 2 of Chapter 10, Title 18, Guam Code Annotated, which promotes an amateur contest *or* exhibition of unarmed combat whose net proceeds are to be spent entirely in Guam, for the purposes for which the corporation is organized, is *exempt* from the fees payable under this Section. The corporation must retain the services of a promoter licensed pursuant to this Chapter.

(c) The Commission *shall* adopt regulations:

(1) requiring that the number and face value of all complimentary tickets be reported; and

(2) governing the treatment of complimentary tickets for the purposes of computing gross receipts from admission fees under subsection (a)(1).

§ 7407. Time for Report to Commission and Payment of Additional Fees by Promoter.

(a) Every promoter *shall*, within ten (10) days after the completion of any contest, match *or* exhibition for which an admission fee is charged and received, furnish to the Commission a verified written report

showing:

(1) the number of tickets sold and issued *or* sold *or* issued for the contest, match *or* exhibition; and

(2) the amount of the:

(A) gross receipts from admission fees;

(B) gross receipts derived from the sale, lease *or* other exploitation of broadcasting, motion picture and television rights of such contest, match *or* exhibition, without any deductions for commissions, brokerage fees, distribution fees, advertising, contestants' purses *or* any other expenses *or* charges; and

(C) such other matters as the Commission may prescribe.

(b) The promoter *shall, not later than* twenty (20) days after the contest, match *or* exhibition, pay to the Commission the license and permit fee described in § 7406.

§ 7408. Suspension, Revocation and Other Disciplining of Contestant and Other Participants; Grounds for Refusal to Issue License.

(a) The Commission may suspend *or* revoke the license of, otherwise discipline, *or* take any combination of such actions against any contestant, promoter, ring official *or* other participant who, in the judgment of the Commission:

(1) enters into a contract for a contest *or* exhibition of unarmed combat in bad faith;

(2) participates in any sham *or* fake contest *or* exhibition of unarmed combat;

(3) participates in a contest *or* exhibition of unarmed combat pursuant to a collusive understanding *or* agreement in which the contestant competes in or terminates the contest *or* exhibition in a manner that is *not* based upon honest competition *or* the honest exhibition of the skill of the contestant;

(4) is guilty of an act *or* conduct that is detrimental to a contest *or* exhibition of unarmed combat, including, but *not limited to*, any foul *or* unsportsmanlike conduct in connection with a contest *or*

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

exhibition of unarmed combat; *or*

(5) fails to comply with any limitation, restriction *or* condition placed on his license.

(b) The Commission may refuse to issue a license to an applicant who has committed any of the acts described in subsection (a).

§ 7409. Hearing by Member of Commission; Notice of Disciplinary Hearing; Approval of Adjudication and Order by Majority of Commission; Distribution of Written Report.

(a) Any member of the Commission may conduct hearings.

(b) All disciplinary hearings conducted under the provisions of this Chapter must be preceded by a written notice to be served upon the accused at least ten (10) days before the hearing.

(c) Before any adjudication is rendered, a majority of the members of the Commission *shall* examine the record and approve the adjudication and order.

(d) The Commission *shall* file a written report of its findings, adjudication and order in the record of the proceedings and send a copy to the accused.

§ 7410. Commission May Issue Subpoenas, Administer Oaths, Appoint Hearing Examiners and Pay Certain Expenses; Penalty for Making False Oath Before Commission.

(a) The Commission, *or* a quorum of four (4) members thereof, may:

(1) issue subpoenas to require the attendance and testimony of a licensee *or* other person whom the Commission believes to have information of importance to the Commission;

(2) issue subpoenas *duces tecum* to require the production of books and papers by a licensee *or* other person whom the Commission believes to have books *or* papers of importance to the Commission;

(3) administer oaths and require testimony under oath;

(4) appoint hearing examiners who may administer oaths and receive evidence and testimony under oath; and

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

(5) pay for such transportation and other expenses of witnesses, as it may deem reasonable and proper.

(b) Service of process *or* notice required pursuant to this Section must be served in the manner provided for service of process and notices in civil actions.

(c) A person making a false oath in a matter before the Commission *or* a hearing examiner is guilty of perjury, which is a felony of the third degree and *shall* be punished as provided in §80.30(c) of Chapter 80, Title 9, Guam Code Annotated.

§ 7411. Suspension of License *or* Permit by Member *or* Executive Secretary of Commission Pending Final Determination by Commission; Continuation of Suspension by Commission; Procedure.

(a) Each member of the Commission *or* the Executive Secretary of the Commission may, upon his own motion *or* upon the verified written charge of any person charging a licensee *or* the holder of a permit with violating any provision of this Chapter *or* the regulations adopted pursuant thereto, suspend for a period *not exceeding* ten (10) days any license *or* permit until final determination by the Commission *if*, in his opinion, the action is necessary to protect the public welfare and the best interests of the sports regulated pursuant to this Chapter.

(b) If a license *or* permit is suspended pursuant to subsection (a), the Commission may, upon written notice to the licensee *or* holder of the permit and after a hearing, continue the suspension until it makes a final determination of any disciplinary action to be taken against the licensee *or* holder of the permit.

§ 7412. Contract between Contestant and Licensee: Copy Provided to Contestant and Executive Secretary; Impounding Gate Receipts.

(a) Every contestant competing under the terms of this Chapter, *or* regulation of the Commission, is entitled to receive a copy of a written contract *or* agreement, approved as to form by the Commission, binding the licensee to pay the contestant a certain fixed fee *or* percentage of the gate receipts.

(b) One (1) copy of the agreement must be filed with the Executive Secretary of the Commission and one (1) copy must be retained by the licensee *or* sponsor of the contest.

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

(c) The Inspector *or* member of the Commission in attendance at the contest *shall* determine whether such an agreement has been delivered to each contestant and may require that a sufficient amount of the gate receipts be impounded to pay the contestants according to those agreements.

§ 7413. Insurance for Licensed Contestants.

The Commission *shall* adopt by regulation, and rules requirements for insurance providing coverage in the event of injury or death for persons competing in unarmed combat competitions, exhibitions and events subject to this Chapter. This insurance must comply with standards prescribed by the local Commissioner of Banking and Insurance. The minimum coverage for insurance *shall* be in an amount *no less than* Ten Thousand Dollars (\$10,000). Said insurance coverage may be covered by a Bond. The cost of such insurance premium *shall* be covered by the promoter.

2011 NOTE: Reference to the “Insurance Commissioner” changed to the “Commissioner of Banking and Insurance” pursuant to P.L. 27-088:10 (May 6, 2004).

§ 7414. Advance against Purse by Promoter to Licensee Prohibited; Permission of Commission for Advance to Contestant for Necessary Expenses.

No promoter may pay *or* give any money to a licensee before any contest *or* exhibition of unarmed combat as an advance against a contestant’s purse *or* for a similar purpose, *except* that the promoter may, with the prior written permission by a majority of the Commission members, pay *or* advance to a contestant necessary expenses for transportation and maintenance in preparation for a contest *or* exhibition.

§ 7415. Order to Promoter to Withhold Part of Purse *or* Other Money Due Certain Contestants or Manager *or* Second; Hearing; Disposition of Money.

(a) The Commission, its Executive Secretary, *or* any other employee authorized by the Commission, may order the promoter to withhold any part of a purse *or* other money belonging *or* payable to any contestant, manager *or* second *if*, in the judgment of the Commission, Executive Secretary, *or* other employee:

- (1) the contestant is *not* competing honestly *or* to the best of

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

his skill and ability *or* the contestant otherwise violates any regulations adopted by the Commission *or* any of the provisions of this Chapter, including, but *not limited to*, the provisions of subsection (a) of § 7408; *or*

(2) the manager *or* second violate any regulations adopted by the Commission *or* any of the provisions of this Chapter, including, but *not limited to*, the provisions of subsection (a) of § 7408.

(b) Upon the withholding of any part of a purse *or* other money pursuant to this Section, the Commission *shall* immediately schedule a hearing on the matter, provide adequate notice to all interested parties and dispose of the matter as promptly as possible.

(c) *If* it is determined that a contestant, manager *or* second is *not* entitled to any part of his share of the purse *or* other money, the promoter *shall* pay the money over to the Commission. Subject to the provisions of subsection (d), the money must be deposited with the Treasurer of Guam for credit to the Guam Unarmed Combat Commission Fund.

(d) Money turned over to the Commission, pending final action in any matter, must be credited to the Guam Unarmed Combat Commission Fund and must remain in that Account until the Commission orders its disposition in accordance with the final action taken.

§ 7416. Registration of Sanctioning Organization *or* Television Network; Fees, Costs and Deposit; Regulations.

(a) The Commission may require a sanctioning organization *or* a broadcasting network for television that televises professional contests of unarmed combat in Guam to register with the Commission before it participates, directly *or* indirectly, in any professional contest *or* exhibition of unarmed combat.

(b) *If* such registration is required, the Commission *shall* adopt regulations that prescribe, without limitation, the requirements for registration and any fees for registration.

(c) The Commission may require a sanctioning organization *or* broadcasting network that applies for registration to:

(1) pay the costs of the proceedings relating to the issuance of the registration, including, without limitation, investigative costs and attorney's fees; and

(2) deposit with the Commission such an amount of money as the Commission deems necessary to pay for those costs. *If* any amount required to be deposited pursuant to this subsection exceeds the actual cost of the proceedings, including, without limitation, investigative costs and attorney's fees, the Commission *shall* refund the excess amount to the sanctioning organization *or* broadcasting network upon the completion of the proceedings.

§ 7417. Promoter and Network to File Copy of Contracts for Television Rights; Records of Accounts and Other Documents; Assessment of Fee for License; Confidentiality of Contract.

(a) A promoter and a broadcasting network for television *shall* each, at least seventy-two (72) hours before a contest *or* exhibition of unarmed combat, *or* combination of those events is to be held, file with the Commission's Executive Secretary a copy of all contracts entered into for the sale, lease *or* other exploitation of television rights for the contest *or* exhibition.

(b) The promoter *shall* keep detailed records of the accounts and other documents related to his receipts from the sale, lease *or* other exploitation on the television rights for a contest *or* exhibition. The Commission, at any time, may inspect these accounts and documents to determine the amount of the total gross receipts received by the promoter from the television rights.

(c) *If* a promoter *or* a network fails to comply with the requirements of this Section, the Commission may determine the amount of the total gross receipts from the sale, lease *or* other exploitation of television rights for the contest *or* exhibition and assess the appropriate license fee pursuant to § 7406(a).

(d) Each contract filed with the Commission pursuant to this Section is confidential and is *not* a public record.

§ 7418. Attendance of Representative or Member of Commission at Weigh-Ins, Medical Examinations, Contests and Exhibitions.

A member of the Commission, the Executive Secretary of the Commission, a Chief Inspector *or* a member of the staff of the Commission must be present at all weigh-ins, medical examinations, contests, exhibitions *or* matches, and *shall* ensure that the rules are strictly enforced.

§ 7419. Promoter to Control Seating Arrangements; Member of Commission Furnished Ringside Seat.

Each promoter of a contest *or* exhibition of unarmed combat has charge of all seating arrangements but *shall* furnish to each member of the Commission who is present one (1) ringside seat.

§ 7420. Length of Boxing and Mixed Martial Arts Contests and Rounds; Rest between Rounds.

(a) *No* boxing contest, sparring match *or* exhibition may be *more than* twelve (12) rounds in length. Rounds must be *not more than* three (3) minutes. There must be a rest period of sixty (60) seconds between successive rounds.

(b) *No* mixed martial arts contest may be *longer than* three (3) rounds in length. Rounds must be *not more than* five (5) minutes. There must be a rest period of sixty (60) seconds between successive rounds.

(c) *No* mixed martial arts championship contest may be longer than five (5) rounds in length. Rounds must *not be more than* five (5) minutes. There must be a rest period of sixty (60) seconds between successive rounds.

§ 7421. Weighing-in of Participants in Boxing Contests.

Every participant in a boxing contest *shall* be present and weighed in *no later than* 7:00 p.m. on the day before the contest.

§ 7422. Revocation of License.

Any license issued under this Chapter may be revoked for cause deemed sufficient by the Commission upon a hearing as provided for in § 7409.

§ 7423. Penalties in Lieu of *or* in addition to other Disciplinary Action; Payment of Costs of Proceedings.

(a) *If* disciplinary action is taken against a person pursuant to this Chapter and the disciplinary action *does not* relate to a contest *or* exhibition of unarmed combat as provided in subsection (b), the Commission may, in lieu of revoking a license, prescribe a penalty *not to exceed* Fifty Thousand Dollars (\$50,000).

(b) *If* disciplinary action is taken against a person pursuant to this Chapter, including, but *not limited to*, a hearing for the revocation of a

11 GCA FINANCE & TAXATION
CH. 7 GUAM UNARMED COMBAT COMMISSION ACT OF 2009

license, and the disciplinary action relates to:

(1) the preparation for a contest *or* an exhibition of unarmed combat;

(2) the occurrence of a contest *or* an exhibition of unarmed combat; *or*

(3) any other action taken in conjunction with a contest *or* an exhibition of unarmed combat, the Commission may prescribe a penalty pursuant to subsection (c).

(c) A penalty prescribed by the Commission pursuant to subsection (b):

(1) must *not exceed* Fifty Thousand Dollars (\$50,000) *or* one hundred percent (100%) of the share of the purse to which the holder of the license is entitled for the contest *or* exhibition, whichever amount is greater; and

(2) may be imposed in addition to *or* in lieu of any other disciplinary action that is taken against the person by the Commission.

(d) *If* disciplinary action is taken against a person pursuant to this Chapter, the Commission may require the person against whom such action is taken to pay the costs of the proceeding, including investigative costs and attorney's fees.

§ 7424. Reinstatement of Revoked License: Payment of Penalty Prescribed by Commission; Payment of Costs of Proceedings.

(a) *Except* as otherwise provided in § 7423, upon receipt of an application and the payment of a penalty prescribed by the Commission, *not to exceed* Fifty Thousand Dollars (\$50,000), the Commission may reinstate a revoked license.

(b) In addition to the penalty required by subsection (a), the Commission may require the applicant to:

(1) pay the costs of the proceedings associated with the reinstatement of the license, including investigative costs and attorney's fees; and

(2) deposit with the Commission such an amount of money as the Commission deems necessary to pay for those costs. *If* any

amount required to be deposited pursuant to this subsection exceeds the actual cost of the proceedings, including investigative costs and attorney's fees, the Commission *shall* refund the excess amount to the applicant upon the completion of the proceedings.

ARTICLE 5
APPLICABILITY OF CHAPTER; PENALTIES

- § 7500. Amateur Contest *or* Exhibition of School, College *or* University *or* Non-Profit Unarmed Combat Organization *Exempted* from Provisions of Chapter.
- § 7501. Certain Exhibitions of Unarmed Self-Defense Exempted from Provisions of Chapter.
- § 7502. Penalty.

§ 7500. Amateur Contest *or* Exhibition of School, College *or* University *or* Non-Profit Unarmed Combat Organization *Exempted* from Provisions of Chapter.

The provisions of this Chapter *do not* apply to any amateur contests *or* exhibitions of unarmed combat *or* any combination thereof conducted by *or* participated in exclusively by any unarmed combat organization who conducts contests as a non-profit organization and is in good status with the Department of Revenue and Taxation, any school, college *or* university *or* by any association *or* organization of a school, college *or* university, when each participant in the contests *or* exhibitions is a bona fide student in the school, college *or* university.

§ 7501. Certain Exhibitions of Unarmed Self-Defense Exempted from Provisions of Chapter.

The provisions of this Chapter *do not* apply to exhibitions of unarmed self-defense in which *no* dangerous blow is intended to be struck.

§ 7502. Penalty.

Any person who *shall*, directly *or* indirectly, violate any of the provisions of this Chapter, *or* the rules *or* regulations of the Commission, *shall* be guilty of a misdemeanor.
