



Policy Title: Compliance and enforcement Policy

Created: January 2015

Approved:

Summary: The Combat Sports Authority (CSA) supervises and regulates amateur and professional combat sport in NSW. This policy details the how the CSA will undertake its responsibilities in relation to compliance and enforcement.

Policy Statement:

The objects of the *Combat Sports Act 2013* are:

- to promote the health and safety of combat sports contestants,
- to promote the integrity of combat sports contests
- to regulate combat sport contests on a harm minimisation basis.

The CSA is created by the Act as the regulator of combat sports in NSW and empowered to enable fulfilment of the objects.

The CSA outlines in this policy how it will discharge its compliance and enforcement powers fairly and credibly. The CSA commits itself to this policy and the principles it establishes.

The CSA aims to find the right balance between the use of positive initiatives and the enforcement powers available to it in order to promote the objects of the Act.

Positive initiatives include the provision of education sessions for persons required to register under the Act. Roles that have significant responsibilities under the Act, such as Promoters, will be a priority for education sessions. The CSA website will contain information relevant to persons involved in the combat sports industry. Support, guidance and assistance will be available to assist persons to understand and meet requirements.

Enforcement powers include disciplinary actions, prohibition orders, revocation of permits, directions not to hold or to end contests, penalty notices and legal proceedings.

CSA Principles of Compliance and Enforcement:

Authoritative – the CSA will be authoritative by setting clear standards and making rules, clarifying and interpreting the law and providing authoritative guidance and support on what is required to comply.

Targeted - Compliance and enforcement activities will be targeted at preventing the most serious harm to combatants and integrity issues within the industry.

Proportionate – Regulatory measures will be proportional to the problem they seek to address.

Consistent – Enforcement will be consistent and predictable. The CSA aims to ensure that similar circumstances, breaches and incidents lead to similar enforcement outcomes.

Transparent - Compliance and enforcement activities undertaken by the CSA will be reported on the CSA website.

CSA Risk Based Approach

The CSA will prioritise compliance and enforcement activities and allocate resources where it can make the biggest difference to health, safety and integrity within the combat sports industry.

The CSA adopts the standard risk assessment framework to determine its priorities.

		CONSEQUENCE LEVEL			
		Low	Medium	High	Very High
LIKELIHOOD LEVEL	Almost certain	10	11	15	16
	Likely	4	9	13	14
	Possible	3	7	8	12
	Rare	1	2	5	6

Regulatory Approach:

The CSA undertakes the following broad approach in relation to its compliance and enforcement activities.

Educate: Raise awareness of the Combat Sports Act 2013, Combat Sports Regulation 2014 and the Combat Sports Authority's rules and policies. Education will be via the CSA website, fact sheets and information sessions for targeted groups within the industry.

Support to comply: Assist and support persons with their registration and permit applications. Provide guidance and advice on compliance. This will be provided by staff administering combat sport regulation during standard office hours and Combat Sport Inspectors attending contests, where appropriate.

Monitor Compliance: Combat Sport Inspectors (CSI) will attend all permitted contests in order to monitor compliance, identify breaches and report these to the CSA.

The CSI will utilise the enforcement provisions available to them to address any serious breaches of the Act, Regulation or Rules at a contest, including issuing a direction not to hold or to stop a contest.

The CSA will determine action to be taken in relation to reports of breaches reported by CSI including the issuing of Penalty Notices.

Complaints from the industry and members of the public received will be logged and considered carefully. The CSA will investigate as appropriate, giving priority to situations that have the potential to cause serious harm, and patterns of similar incidents that may suggest ongoing or broader issues.

Enforcement of the law: The CSA will enforce the law assertively via the processes available to it under the Act.

The CSA is mindful that in 2015 a new regulatory regime is in effect and that additional efforts in regard to **education** and **support to comply** will be needed to ensure understanding and maximise compliance with the new Act, Regulation and Rules.

Regardless, the CSA will appoint a CSI to every contest for the purpose of **monitoring of compliance** and it will assertively **enforce the law** where breaches occur.

Compliance and Enforcement Measures:

Risk Levels	Risks	Potential Responses
Extreme	<ul style="list-style-type: none"> • Serious breaches of the Act, Regulation and Rules that disregard provisions that protect the health and safety of combatants • Actions and behaviour that are likely to seriously jeopardise the integrity of combat sport contests 	<ul style="list-style-type: none"> • Direction made not to hold contest or stop/end contest • Revocation of permit • Conditions placed on registration or permits • Disciplinary action leading to cancellation, suspension of registration or conditions being placed on registration. • Prohibition order • Legal proceedings
Moderate	<ul style="list-style-type: none"> • Minor breaches of the Act and Regulation that may compromise the provisions that protect the health and safety of combatants • Actions and behaviours that have potential to jeopardise the integrity of combat sport contests 	<ul style="list-style-type: none"> • Direction made not to hold contest or stop/end contest • Penalty notice • Disciplinary action leading to cancellation, suspension of registration or conditions being placed on registration. • Conditions placed on registration or permits
Low	<ul style="list-style-type: none"> • Unintentional breaches of the Act and Regulation that may increase risk to the health and safety of combatants • Minor and unintentional actions that have potential to jeopardise the integrity of combat sport contests 	<ul style="list-style-type: none"> • Combat Sports Inspector will initially advise of requirements and assist people to meet the requirements. They will report instances where they have taken action to rectify situations. • If the situation is not resolved the CSA may issue a penalty notice, take disciplinary action or place conditions on a registration or permit.

Related documents:

Combat Sports Act 2013
 Combat Sports Regulation 2014
 Combat Sport Rules
 Combat Sport Policies