

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 6 BOXING, WRESTLING, AND MARTIAL ARTS
PART 2 CONTRACTS

15.6.2.1 ISSUING AGENCY: New Mexico Athletic Commission.
[15.6.2.1 NMAC - N, 03-23-2002]

15.6.2.2 SCOPE: The provisions in Part 2 apply to licensees regulated by the commission.
[15.6.2.2 NMAC - N, 03-23-2002]

15.6.2.3 STATUTORY AUTHORITY: Part 2 of Chapter 6 of Title 15 is promulgated pursuant to the Professional Athletic Competition Act, Sections 60-2A-1 through 60-2A-30, NMSA 1978 (1980 Repl. Pamp.); specifically Sections 60-2A-4, 60-2A-8, 60-2A-10, 60-2A-13, 60-2A-16, and 60-2A-18.
[15.6.2.3 NMAC - N, 03-23-2002]

15.6.2.4 DURATION: Permanent.
[15.6.2.4 NMAC - N, 03-23-2002]

15.6.2.5 EFFECTIVE DATE: March 23, 2002, unless a later date is cited at the end of a section.
[15.6.2.5 NMAC - N, 03-23-2002]

15.6.2.6 OBJECTIVE: The objective of Part 2 of Chapter 6 is to set forth the policies and procedures for contracts.
[15.6.2.6 NMAC - N, 03-23-2002]

15.6.2.7 DEFINITIONS: [RESERVED]
[15.6.2.7 NMAC - N, 03-23-2002]

15.6.2.8 LICENSE REQUIRED: All participants in a contract must first be licensed by the commission before participating, either directly or indirectly, in any professional contest regulated by the commission.
[15.6.2.8 NMAC - N, 03-23-2002]

15.6.2.9 AGE REQUIREMENTS: The commission may require a birth certificate or equally bona fide certification of age.

- A.** Professional unarmed combatants must be at least eighteen (18) years of age at the time they execute their professional contract.
- B.** Managers must be at least twenty-one (21) years of age at the time of their licensure with the commission.
- C.** Seconds must be at least eighteen (18) years of age at the time of their licensure with the commission.

[15.6.2.9 NMAC - N, 03-23-2002; A, 08-26-2012; A, 01-15-2015]

15.6.2.10 EXECUTION OF CONTRACTS: Contracts between an unarmed combatant and a manager, or between an unarmed combatant or manager and a licensed promoter, shall be executed on printed contract forms approved by the commission. If printed contract forms are unavailable, the commission may approve notarized contracts. All contracts must at a minimum include all agreed upon terms such as weight, allowed possible ranges of weight, number of rounds, duration of rounds, named opponent and signatures of all parties to the contract including promoter and unarmed combatant or his approved management.
[15.6.2.10 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.11 [RESERVED]
[15.6.2.11 NMAC - N, 03-23-2002]

15.6.2.12 USE OF THE UNARMED COMBATANT'S TRUE NAME IN SIGNING CONTRACTS:
The commission will not approve any contract for the services of an unarmed combatant unless such contract is signed by the unarmed combatant under his true, legal and complete name.

[15.6.2.12 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.13 CONTRACT FILING: A copy of any contract entered into between a manager and an unarmed combatant must be placed on file with the commission for approval.

A. A contract becomes null and void if at any time during its term the manager or the unarmed combatant loses his license as a result of an action by the commission or by failure of the manager or unarmed combatant to renew his license.

B. A manager is not allowed to participate in more than 33-1/3 percent of the ring earnings of the unarmed combatant.

C. The commission must approve and consent to any assignment of any part of the unarmed combatant or manager's interest in a contract.

[15.6.2.13 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.14 VALIDATION OF THE CONTRACT:

A. Unless otherwise directed by the commission, both parties to the contract, the manager and the unarmed combatant, or an approved representative for either party, must appear before the commission at the same time to have the contract approved and validated by the commission.

B. No contract between a manager and an unarmed combatant will be approved for more than a three-year term.

[15.6.2.14 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.15 EXECUTION OF THE CONTRACT BY UNARMED COMBAT MANDATORY: An unarmed combatant must carry out all the terms and conditions of the contract to which he is a party. Any unarmed combatant failing to fulfill the terms of any such contract will be subject to disciplinary action by the commission.

[15.6.2.15 NMAC - N, 03-23-2002; A, 01-15-2015]

15.6.2.16 UNARMED COMBATANT DEFAULT OF CONTRACT:

A. If an unarmed combatant claims that his failure to fulfill the terms of his contract was caused by illness or injury or by conditions over which he had no control, he shall submit such claim in writing to the commission.

B. The commission may then decide whether such default requires the imposition of any penalty or disciplinary action.

C. In the event that either no claim is made, or that it is made and rejected by the commission:

(1) the commission may suspend or revoke the license of the unarmed combatant in default and award to the opponent the amount of any forfeit posed under the terms of the contract; and

(2) the commission may declare the defaulting unarmed combatant ineligible for any other unarmed combat contest in the state of New Mexico until such terms of the breached contract are fulfilled.

D. If the commission finds that the default was excusable, the defaulting unarmed combatant must fulfill the terms of the contract by an adjourned date subject to the approval of the commission. Subject to penalty of suspension or revocation of his license, the unarmed combatant shall not combat in any other unarmed combat contest or for any other promoter without the approval of the commission.

[15.6.2.16 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.17 [RESERVED]

[15.6.2.17 NMAC - N, 03-23-2002]

15.6.2.18 CONDITION FOR APPROVAL OF UNARMED COMBAT CONTEST CONTRACTS: The commission will not approve contracts for unarmed combat contest unless both unarmed combatants have signed contracts with the same licensed promoter.

[15.6.2.18 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.19 TIME LIMITS FOR FILING UNARMED COMBAT CONTEST CONTRACTS: The promoter must meet the following conditions ~~for filing boxing contest with the commission for unarmed combat. with the commission.~~ ~~for filing boxing contest to file contracts with the commission for unarmed combat.~~

A. All main events and semi-main event contracts between a promoter and any licensed unarmed combatant or ~~manager~~ approved management of a licensed unarmed combatant, effecting or calling for the services

of a main event or semi-main event unarmed combatant, shall be filed with the commission within seven (7) days after the execution of the contract, and at least seven (7) days prior to any unarmed combat contest to which the contract relates.

B. All contracts for preliminary unarmed combatants shall be filed no later than ~~ninety-six (96) twenty-four (24)~~ hours prior to any match to which they relate.
[15.6.2.19 NMAC - N, 03-23-2002; A, 08-26-2012; A, 01-15-2015]

15.6.2.20 COMPENSATION OF PROFESSIONAL UNARMED COMBAT IS REQUIRED:

A. Payment may be made only to persons set forth by the commission unless the commission has approved, in advance, all the details of payment to another party.

B. All unarmed combatants participating in a professional unarmed combat contest shall be paid, directly or through their licensed managers, who shall issue a receipt for such payment.

C. Payment shall be made only to the duly recognized manager or to the unarmed combatant himself, if he has no recognized manager.

D. Unless otherwise agreed to by the commission, all participants must be paid immediately following the conclusion of the final bout.

E. Promoters shall pay the agreed amount to the contestants.

F. No professional unarmed combatant shall be paid less than \$25.00 for each round scheduled in any contest.

G. Unarmed combatants shall not kickback any part of the amount paid them to any manager, second, promoter, or matchmaker.

H. None of the parties involved in an event or match shall accept a kickback offered to him by any unarmed combatant.

[15.6.2.20 NMAC - N, 03-23-2002; A, 08-26-2012; A, 01-15-2015]

15.6.2.21 CONTRACTS FOR BROADCAST OR TELECAST OF UNARMED COMBAT CONTEST:

A. All contracts entered into by any licensee of the commission, or any and all amendments, changes or modifications calling for or referring to any motion picture, telecast or radio broadcast of any unarmed combat contest, exhibition or match must be promptly filed with the commission for approval.

B. No person or party may announce or conduct any such broadcast or telecast of any unarmed combat contest, exhibition or match conducted under the jurisdiction of the commission without first obtaining the approval of the commission.

[15.6.2.21 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.22 PROHIBITIONS TO ENTER INTO CONTRACT: The commission prohibits any licensed matchmaker, promoter, manager, contestant, person or party employed or connected with a licensed promoter, to enter into a contract or commence negotiations for any unarmed combat contest or exhibition with any other licensee whose license is currently suspended or revoked by the commission.

[15.6.2.22 NMAC - N, 03-23-2002; A, 08-26-2012]

15.6.2.23 [RESERVED]

[15.6.2.23 NMAC - N, 03-23-2002]

~~**15.6.2.24 CONTRACTS FOR STATE CHAMPIONSHIP UNARMED COMBAT CONTESTS: All contracts for state championship unarmed combat contests must be signed at a commission meeting.**~~

~~**A. Posting forfeit monies: On the date of the contract signing, the two contestants and the licensed corporation promoting the unarmed combat contest will each post forfeit money with the commission.**~~

~~**(1) The contestants, the champion title holder and the challenger, will each deposit \$50, if their purses are not more than \$5,000.**~~

~~**(2) If the title bout purse for either contestant is more than \$5,000, that contestant must post a deposit of 10% of his guaranteed purse.**~~

~~**(3) The promoter of the title contest must deposit an amount equal to the highest amount deposited by either contestant.**~~

~~**B. Posting deposits ensures contestants' appearance: Posting of forfeit monies is to insure that each contestant will appear at the championship contest and will make the proper weight; and that the promoter will**~~

~~fulfill the promoter's obligations.~~

~~**C. Title bouts authorized by outside sanctioning body:** For championship title contests authorized by an outside sanctioning body (IBF, WBA, WBC, etc.) only the promoter shall be required to post a deposit equal to 10% of the total purse for both of the title bout contestants. The deposit may be waived or readjusted by the commission.~~

~~**D. If forfeit is declared:** In the event that a forfeit is declared, the deposit or deposits so forfeited will be distributed equally between the non-defaulting depositors and the New Mexico athletic commission.~~

[15.6.2.24 NMAC - N, 03-23-2002; A, 08-26-2012]

HISTORY of 15.6.2 NMAC:

Pre-NMAC History:

Material in the part was derived from that previously filed with the commission of public records - state records center and archives:

NMAC 80-2, Contracts, filed 9-24-80.

NMAC Rule 92-4, Contracts, filed 8-17-92.

NMAC 80-4, Conduct of Licensees, filed 9-24-80.

Those relevant portions of NMAC Rule 92-6, Conduct of Licensees, filed 8-17-92.

NMAC 80-10, Boxing Classes And Championships, filed 9-24-80.

Those relevant of NMAC Rule 92-12, Boxing Classes And Championships, filed 8-17-92.

History of Repealed Material:

NMAC Rule 92-6 (aka 15 NMAC 6.4), Conduct of Licensees, filed 8-17-92; repealed effective 03-23-2002.

NMAC Rule 92-12 (aka 15 NMAC 6.10), Boxing Classes And Championships, filed 8-17-92; repealed effective 03-23-2002.

NMAC Rule 92-4 (aka 15 NMAC 6.2), Contracts, filed 8-17-92; repealed effective 03-23-2002.

Other History:

NMAC Rule 92-6 was recompiled into the first version of the New Mexico Administrative Code as 15 NMAC 6.4 and named Conduct of Licensees.

NMAC Rule 92-12 was recompiled into the first version of the New Mexico Administrative Code as 15 NMAC 6.10 and named Boxing Classes And Championships.

15.6.2 NMAC, Contracts, replaced 15 NMAC 6.2, Contracts, effective 03-23-2002.