

## STAKEHOLDER NOTICE - PROPOSED RULES OF RACING

<b>Code of Racing</b>	Greyhound
<b>Rule</b>	Proposed new Local Rules of Racing 11A, 11B, 11C
<b>Description</b>	Rehoming of a greyhound Euthanasia of a greyhound Abandonment of a greyhound
<b>Date</b>	June 25, 2024
<b>Contact</b>	<a href="mailto:policies@racingqueensland.com.au">policies@racingqueensland.com.au</a>

Earlier this year, Racing Queensland (**RQ**), in conjunction with the Queensland Racing Integrity Commission (**QRIC**), published for stakeholder consultation a suite of proposed new greyhound Local Rules of Racing relating to rehoming, euthanasia and abandonment of greyhounds.

Following the period of consultation, which ran from March 4 to April 12, 2024, RQ and the QRIC have reviewed the submissions/feedback received and considered the matters raised at length.

### Amendments following consultation

A number of amendments have been made to the drafted rules as detailed in the following pages (clean and marked up versions provided). A summary of the amendments and the rationale for them is provided below.

- Removal of the requirement for rehoming agencies to be approved by the controlling body (LR11A).
  - There was overwhelming feedback that the proposed requirement for rehoming agencies to be approved by the controlling body would create unnecessary barriers for agencies and groups engaged in the responsible rehoming of greyhounds.
  - LR11A(4) - relating to the powers of Stewards - remains to allow for action to be taken in circumstances where greyhounds have not been appropriately rehomed.
- Addition of requirement for industry participants to accept the return of a greyhound within 28 days, provided the greyhound is returned in the state in which it was rehomed (LR11A).
  - Promotes successful long-term rehoming by enabling new owners of pet greyhounds to assess the suitability of the greyhound in their household and return the greyhound if the match is not right.
- Expand the scope of LR11B(2) to include 'attempt to permit'.
  - Provision expanded to include attempts to procure the euthanasia of a greyhound in circumstances not permitted by LR 11B.

- Clarification that serious injury is included in the grounds upon which a veterinarian may make a determination in relation to euthanasia on humane/medical grounds (LR11B(2)(a)).
  - Notwithstanding the above, RQ's Race Meeting Injury Scheme (**RMIS**) provides financial support so that dogs sustaining eligible injuries during racing or official trialing need not be denied appropriate diagnostics and treatment on financial grounds, and there is an expectation that participants will utilise the scheme in order to provide their dogs with the opportunity to be treated and recover such that they return to racing, be bred from, or retire to live out their lives as pets.
- Inclusion of provisions which describe the means by which euthanasia of a greyhound on the grounds of behavioural unsuitability for rehoming may be established, being that a veterinarian has conducted a temperament assessment and found the greyhound to display behaviour consistent with an unacceptable risk of aggression towards people or other animals, or the controlling body's Greyhound Adoption Program (**GAP**) has conducted a temperament assessment and certified that the greyhound is unsuitable for rehoming on behavioural grounds (LR11B(2)(a)(ii) and (2)(b)).
  - LR11B(2)(a)(ii) requires a veterinarian to conduct a behavioural assessment of suitability for rehoming in order to provide a participant with the necessary certification.
  - Alternatively, the necessary certification may be provided following behavioural assessment/s conducted by the GAP.
  - For the avoidance of doubt, where behavioural assessment of a greyhound results in a recommendation, by the assessing veterinarian or GAP, that a greyhound should undergo further behavioural modification, socialisation, or training before an ultimate decision can be made as to behavioural suitability, such a recommendation must not be construed as grounds upon which euthanasia is permitted for the purposes of LR11B(2)(a) or (b).
- Addition of the stipulation that a greyhound must have the benefit of a 'wind down' period following the cessation of all racing and racing-related activities prior to the conduct of a behavioural assessment upon which a determination in relation to euthanasia (on the basis of behavioural unsuitability for rehoming) may be made (LR11B(3)).
  - This does not mean that behaviorally suitable greyhounds cannot be rehomed prior to 28 days post-racing/racing-related activities, but rather that a decision that a greyhound may be euthanased on the basis of behavioural unsuitability for rehoming must not be made any earlier than 28 days after the cessation of all racing/racing-related activities.
  - The QRIC provides information on preparing dogs for retirement (from puppyhood through to the end of their careers in racing) on the GAP website: <https://gapqld.com.au-Racing-To-Retirement>.

### Clarification re operation of the rules and industry funding

Review of the submissions/feedback highlighted several areas where there was uncertainty and/or misunderstanding in relation to the operation of the rules of racing generally, and/or of the proposed new rules, and the source of funding for the GAP. The below points are designed to provide some basic background information in an effort to alleviate those uncertainties/misunderstandings.

- Queensland Local Rules of Racing - Greyhound operate alongside the nationally-applicable Greyhounds Australasia Rules (**GARs**) (together comprising the Greyhound Rules of Racing of Racing Queensland (the **Rules**)). The Rules, and any penalties made pursuant to them, are only applicable to those entities or persons taking part in any activity in connection with *greyhound racing* (as that term is defined in the GARs). Rehoming agencies, community fostering groups and members of the public who simply own a retired greyhound as a pet are not considered to



fall within this jurisdiction (without some greater connection to the greyhound racing industry). While the controlling body may determine to 'approve' bodies external to it (as was proposed in the, now removed, draft provision in relation to rehoming entities 'approved by the controlling body'), that does not operate to bring those bodies under the jurisdiction of the rules, but rather sets limits on acceptable actions for those who do fall under the jurisdiction of the rules.

- Provisions giving effect to the proposed local rules (including the powers of Stewards, and offence and penalty provisions) are contained within the GARs.
- References to 'as the controlling body or stewards think fit' appear throughout the GARs and operate within the broader context of legal and policy principles and processes to ensure such provisions are used reasonably and in accordance with the purpose and functions of the controlling body.
- The QRIC's GAP is not funded by the levy on prize money applied by RQ. The prize money levy is directed, in its entirety, to RQ's RMIS and Greyhound Retirement Readiness Scheme (**GRRS**), and is sufficient to partially fund the returns to participants made under these schemes.

RQ notes that several submissions included feedback on matters which, while important, are not relevant to the provisions of the proposed rules. While such feedback has been noted, it is beyond the scope of the current process and has not been further addressed in this notice.

## Conclusion

As previously outlined in the stakeholder Consultation Notice, the intent of the proposed rules is to:

- bring Queensland in line with all other Australian greyhound racing jurisdictions (with the exception of the Northern Territory) with respect to having provisions that set out a responsibility to rehome, and limitations on euthanasia;
- clarify the responsibilities of owners, and persons responsible for greyhounds, in relation to the rehoming of greyhounds that are domiciled in Queensland and retired from, or otherwise unsuitable for, racing or breeding;
- make clear the limited circumstances under which the euthanasia of greyhounds is permitted in the Queensland greyhound racing industry, on the basis that wherever possible suitable healthy greyhounds leaving the industry should have the opportunity to live out their natural lives as companion animals; and
- create provisions that enable a controlling body to deem a greyhound to have been abandoned by its owner in particular circumstances (similar to an existing rule in New South Wales).

RQ is now in the final stages of the process for the making of rules of racing as prescribed by the *Racing Act 2002* (the **Act**). This process involves a formal request by RQ for comment on the draft rules to the QRIC and the chief executive (of the Department responsible for administering the Act), with a 28-day notice period.

Pending the outcome of this request, RQ would intend to make the rules of racing in late July 2024, with a proposed effective date of September 1, 2024.

RQ will provide further notice to stakeholders as the process for the making of the rules of racing progresses.



## **PROPOSED NEW LOCAL RULES OF RACING - GREYHOUND**

### **LR11A Rehoming of a greyhound**

- (1) This Local Rule applies in addition to the provisions of GAR 22 and GAR 24.
- (2) Where a greyhound will no longer be utilised for racing or breeding, or has not been and will not be utilised for racing or breeding, and is not to be retained by an owner as a pet, the owner (or, in the case of a syndicate, the managing owner) must rehome the greyhound, or cause the greyhound to be rehomed, to an appropriate home, except where LR11B applies.
- (3) Where a greyhound is privately rehomed directly to an appropriate third-party person as a pet, the person responsible for the greyhound at the relevant time must accept the return of the greyhound from the third-party person within 28 days from the date of transfer of custody of the greyhound, provided that the greyhound is returned in the state in which it was rehomed.
- (4) Where, in the opinion of the Stewards, a greyhound has not been appropriately rehomed, the Stewards may impose any such conditions in relation to future rehoming on an owner, or person responsible for the greyhound at the relevant time, as they think fit.

### **LR11B Euthanasia of a greyhound**

- (1) This Local Rule applies in addition to the provisions of GAR 22.
- (2) An owner or person responsible for a greyhound at the relevant time, must not permit, or attempt to permit, the euthanasia of a greyhound unless:
  - (a) a veterinarian has recommended euthanasia on humane grounds, or determined that the greyhound is unsuitable for rehoming on medical or behavioural grounds, meaning:
    - (i) the greyhound has an intractable condition or serious injury, such that the greyhound's ongoing quality of life is likely to be poor and the veterinarian considers euthanasia to be the most appropriate course of action in the circumstances; or
    - (ii) the greyhound has been temperament assessed by the veterinarian and found to display behaviour consistent with an unacceptable risk of aggression towards people or other animals; or
  - (b) the *Controlling Body's* Greyhound Adoption Program (GAP) has temperament assessed the greyhound and certified that the greyhound is unsuitable for rehoming on behavioural grounds; or
  - (c) the greyhound is a declared dangerous or menacing dog by a relevant local government authority; or
  - (d) the greyhound has attacked or bitten a person causing significant injury requiring treatment by a medical practitioner; or
  - (e) the greyhound is required to be euthanised to comply with law (for example, a council destruction order or court order).
- (3) A temperament assessment conducted for the purposes of LR11B must not occur within 28 days of the greyhound's last start in a race, and the owner or person responsible for the greyhound at the relevant time must ensure that the greyhound has not engaged in any racing related activities, including but not limited to trialling, racing education or training, during the 28-day period.
- (4) An owner or person responsible for a greyhound at the relevant time, who permits the euthanasia of a greyhound in accordance with this Local Rule must:
  - (a) ensure that the euthanasia procedure is performed by a registered veterinarian; and

- (b) when lodging the relevant documentation following the euthanasia of the greyhound pursuant to GAR 22 (which must include the veterinary certificate of euthanasia), also submit evidence to establish:
- (i) veterinary certification as to the relevant medical or behavioural grounds pursuant to subrule (2)(a) of this Local Rule; or
  - (ii) GAP certification of unsuitability for rehoming on behavioural grounds; or
  - (iii) that the greyhound was a declared dangerous or menacing dog; or
  - (iv) that treatment by a medical practitioner was required following an attack or bite upon a person, which must include a statement from the treating medical practitioner detailing the nature and extent of the injury and the treatment required; or
  - (v) that the euthanasia was required to comply with law, whichever is applicable.
- (5) A person who breaches this Local Rule is guilty of an offence.

**LR11C Abandonment of a greyhound**

- (1) The owner of a greyhound must not abandon a greyhound.
- (2) The *Controlling Body* may deem a greyhound to be abandoned in the following circumstances:
- (a) the greyhound is registered; and
  - (b) the greyhound is in the custody of a registered participant or other person who is not the owner of the greyhound; and
  - (c) the registered participant, or other person who has custody of the greyhound, has requested the owner to resume custody of the greyhound or otherwise provide for the care of the greyhound; and
  - (d) the owner has failed to do so; and
  - (e) the *Controlling Body* has notified the owner of its intention to deem the greyhound to be abandoned if the owner does not resume custody of the greyhound within 14 days of the date of the notice; and
  - (f) the owner has failed to comply with the notice.
- (3) A greyhound deemed to be abandoned pursuant to LR11C(2) is to be retired and transferred to the Greyhound Adoption Program or other person or organisation as directed by the *Controlling Body*.

## PROPOSED NEW LOCAL RULES OF RACING - GREYHOUND

### LR11A Rehoming of a greyhound

- (1) This Local Rule applies in addition to the provisions of GAR 22 and GAR 24.
- ~~(2)~~ Where a greyhound will no longer be utilised for racing or breeding, or has not been and will not be utilised for racing or breeding, and is not to be retained by an owner as a pet, the owner (or, in the case of a syndicate, the managing owner) must rehome the greyhound, or cause the greyhound to be rehomed, to an appropriate home, except where LR11B applies.
- ~~(2)~~~~(3)~~ Where a greyhound is privately rehomed directly to an appropriate third-party person as a pet, the person responsible for the greyhound at the relevant time must accept the return of the greyhound from the third-party person within 28 days from the date of transfer of custody of the greyhound, provided that the greyhound is returned in the state in which it was rehomed.
- ~~(3)~~ Rehoming in accordance with this Local Rule means rehoming to an appropriate third party as a pet, or acceptance into the Controlling Body's Greyhound Adoption Program (GAP), or another rehoming agency approved by the Controlling Body.
- (4) Where, in the opinion of the Stewards, a greyhound has not been appropriately rehomed ~~(including in circumstances where a third party is considered to be operating as a rehoming agency, and that rehoming agency is not approved by the Controlling Body)~~, the Stewards may impose any such conditions in relation to future rehoming on an owner, or person responsible for the greyhound at the relevant time, as they think fit.

### LR11B Euthanasia of a greyhound

- (1) This Local Rule applies in addition to the provisions of GAR 22.
  - (2) An owner or person responsible for a greyhound at the relevant time, must not permit or attempt to permit, the euthanasia of a greyhound unless:
    - ~~(a)~~ a veterinarian has recommended euthanasia on humane grounds, or determined that the greyhound is unsuitable for rehoming on medical or behavioural grounds, meaning:
      - ~~(i)~~ the greyhound has an intractable condition or serious injury, such that the greyhound's ongoing quality of life is likely to be poor and the veterinarian considers euthanasia to be the most appropriate course of action in the circumstances; or
      - ~~(ii)~~ the greyhound has been temperament assessed by the veterinarian and found to display behaviour consistent with an unacceptable risk of aggression towards people or other animals; or
    - ~~(a)~~ has an intractable condition, such that the greyhound's ongoing quality of life is likely to be poor and the veterinarian considers euthanasia to be the most appropriate course of action; or
    - ~~(b)~~ the Controlling Body's Greyhound Adoption Program (GAP) has temperament assessed the greyhound and certified that the greyhound is unsuitable for rehoming on behavioural grounds; or
  - ~~(b)~~~~(c)~~ the greyhound is a declared dangerous or menacing dog by a relevant local government authority; or
  - ~~(c)~~~~(d)~~ the greyhound has attacked or bitten a person causing significant injury requiring treatment by a medical practitioner; or
  - ~~(d)~~~~(e)~~ the greyhound is required to be euthanised to comply with law (for example, a council destruction order or court order).
- ~~(3)~~ A temperament assessment conducted for the purposes of LR11B must not occur within 28 days of the greyhound's last start in a race, and the owner or person responsible for the

[greyhound at the relevant time must ensure that the greyhound has not engaged in any racing related activities, including but not limited to trialling, racing education or training, during the 28-day period.](#)

~~(3)~~(4) An owner or person responsible for a greyhound at the relevant time, who permits the euthanasia of a greyhound in accordance with this Local Rule must:

- (a) ensure that the euthanasia procedure is performed by a registered veterinarian; and
- (b) when lodging the relevant documentation following the euthanasia of the greyhound pursuant to GAR 22 (which must include the veterinary certificate of euthanasia), also submit evidence to establish:

~~(i)~~ (i) [veterinary certification as to the relevant medical or behavioural grounds pursuant to subrule \(2\)\(a\) of this Local Rule; or](#)

~~(ii)~~ (ii) [GAP certification of unsuitability for rehoming on behavioural grounds; or](#)

~~(iii)~~ (iii) that the greyhound was a declared dangerous or menacing dog; or

~~(iv)~~ (iv) that treatment by a medical practitioner was required following an attack or bite upon a person, which must include a statement from the treating medical practitioner detailing the nature and extent of the injury and the treatment required; or

~~(v)~~ (v) that the euthanasia was required to comply with law,  
whichever is applicable.

~~(4)~~(5) A person who breaches this Local Rule is guilty of an offence.

#### **LR11C Abandonment of a greyhound**

- (1) The owner of a greyhound must not abandon a greyhound.
- (2) The *Controlling Body* may deem a greyhound to be abandoned in the following circumstances:
  - (a) the greyhound is registered; and
  - (b) the greyhound is in the custody of a registered participant or other person who is not the owner of the greyhound; and
  - (c) the registered participant, or other person who has custody of the greyhound, has requested the owner to resume custody of the greyhound or otherwise provide for the care of the greyhound; and
  - (d) the owner has failed to do so; and
  - (e) the *Controlling Body* has notified the owner of its intention to deem the greyhound to be abandoned if the owner does not resume custody of the greyhound within 14 days of the date of the notice; and
  - (f) the owner has failed to comply with the notice.
- (3) A greyhound deemed to be abandoned pursuant to LR11C(2) is to be retired and transferred to the Greyhound Adoption Program or other person or organisation as directed by the *Controlling Body*.