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Kristie Johnston MP

Chair

Greyhound Racing Legislation Amendments (Phasing Out Reform) Bill 2025 Inquiry  
Joint Standing Committee on Greyhound Racing Transition  
Via email only: [greyhoundtransition@parliament.tas.gov.au](mailto:greyhoundtransition@parliament.tas.gov.au)

Dear Chair

I am writing to respond to Questions on Notice raised in your letter dated 17 February 2026. Please find my responses below.

**General**

- 1. What is the status of any recommendations or findings provided to Government from the Greyhound Racing Transition Working Group? Is the Working Group authorised to make recommendations on policy, compensation and expenditure? How is the Working Group intended to operate, by consensus or by majority determinations?**

On 10 August 2025, the Premier announced that the Tasmanian Government will phase out greyhound racing by 30 June 2029, aligning with the expiry of the Tasracing Pty Ltd (Tasracing) funding deed. Following this announcement, the Premier and I wrote to the Tasmanian Racing Integrity Commissioner (Commissioner) requesting that he prepare and oversee a comprehensive plan to deliver all operational, animal welfare and integrity components of the transition. In order to assist the Commissioner with the development of this Closure Plan, he established a working group of suitably qualified industry representatives and animal welfare experts.

The *Racing Regulation and Integrity Act 2024* provides a legislative pathway for the Commissioner to develop and oversee the delivery of this Closure Plan (s9).

*9. Functions of Commissioner*

- (1) The Commissioner has the following functions:*

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- (a) to oversee integrity in racing and the welfare of animals that are or have been involved in racing;**
- (b) to monitor the administration and regulation of racing;**
- (c) to research and investigate integrity in racing, animal welfare and related matters;**
- (d) to advise the Minister on integrity in racing, animal welfare and related matters and make policy proposals for the development of racing;**
- (e) to advise the Minister on the Rules of Racing;*
- (f) to promote compliance with this Act and integrity in racing, and to promote animal welfare and prevent animal cruelty;*
- (g) to liaise with authorities and persons responsible for integrity in racing, animal welfare and related matters in this State and, as appropriate, elsewhere;**
- (h) to facilitate cooperation, in relation to animal welfare initiatives, between Tasracing, the department responsible for the administration of the Animal Welfare Act 1993, the department responsible for the administration of the Biosecurity Act 2019, and the RSPCA;*
- (i) to review annual integrity plans for Tasracing;*
- (j) to review proposals relating to new or amended Rules of Racing and give advice and make recommendations in relation to those rules;*
- (k) to make best practice Standards that provide for any matter relating or incidental to the conduct of racing (including but not limited to integrity in the racing industry and animal welfare) and to monitor, review, and give advice and make recommendations in relation to the implementation of, and compliance with, those Standards;*
- (l) to provide oversight over Tasracing's administration and regulation of the racing industry, including Tasracing's approval of registrations and granting of licences under the Rules of Racing, and its administration, registration and regulation of racing clubs;*
- (m) to provide oversight over Tasracing's administration and registration of bookmakers and bookmakers' agents;*
- (n) to give advice and make recommendations to Tasracing and others in relation to the training of people employed or otherwise engaged in the racing industry;*
- (o) to conduct audits and reviews, and make recommendations, in relation to the functions, processes and systems of Tasracing and racing clubs, including in relation to integrity in racing, animal welfare, governance and finances;*
- (p) to investigate allegations made and other matters relating to integrity in racing and animal welfare, including with respect to Tasracing and the performance and the exercise of its functions and powers;*
- (q) to conduct own-motion investigations and inquiries, including into integrity in racing, animal welfare and systemic issues in racing;*

- (r) to inquire into any matters referred to the Commissioner by the Minister or such matters as requested by Tasracing;*
- (s) if appropriate, refer matters to a public authority, the Commissioner of Police, the DPP or any other person that the Commissioner considers appropriate;*
- (t) to make such recommendations, following the investigation of any matter or an inquiry by the Commissioner, as the Commissioner considers appropriate;*
- (u) such other functions as are prescribed.***

Section 12 of the *Racing Regulation and Integrity Act 2024* provides guidance as to recommendations that the Commissioner may make.

*12. Recommendations by Commissioner*

*(1) The Commissioner may make such recommendations to such persons in relation to racing, including (but not limited to) integrity in racing and animal welfare, as the Commissioner considers appropriate.*

All recommendations made by the Commissioner shall be reported in the Commissioner's Annual Report.

The Working Group operates under established Terms of Reference and functions in a consultative manner, providing consensus-based advice to the Commissioner, who will draft the Closure Plan for my approval.

**2. Tasracing gave evidence that the amount of funding required to fund a harness and thoroughbred racing only model in Tasmania will be 'in the order' of what the organisation is currently receiving to run three codes. Can you confirm if this is the view of the Government and if it has been indicated to the thoroughbred and harness codes that this will occur?**

Work has commenced on a new racing industry funding deed to ensure the financial sustainability of the Tasmanian racing industry. This is particularly important to provide certainty to the industry following the Government's announcement of the phase out of greyhound racing by 30 June 2029.

A project to assess options for the next deed is being conducted jointly by the Department of Treasury and Finance and the Department of Natural Resources and Environment Tasmania. This includes modelling the impacts of the Government's announcement surrounding the greyhound code.

Accordingly, it is prudent that Tasracing's ongoing funding arrangements beyond the expiration of its main funding deed be informed by the proposed greyhound racing Closure Plan and the anticipated impacts of the phase out.

This assessment work will also assess the funding requirements of the thoroughbred and harness racing codes to ensure Tasmanian racing can thrive in the future.

We remain absolutely committed to supporting our wider Tasmanian racing industry and its participants.

**3. Has Tasracing been asked to provide modelling of funding needs based on the removal of Deed funds currently allocated towards greyhound racing? That is, has Tasracing been asked to prepare a range of funding model options to the Government in light of the potential phase out of greyhound racing. Has the Minister advised Tasracing that funds for greyhound industry transition, including compensation, will need to be sourced and allocated?**

The Government has not asked Tasracing to allocate or remove funds from the deed. The Tasracing Board has commissioned a consultant to undertake a Feasibility Study as to the impacts of the policy to Tasracing and the broader racing industry. The assessment work underway will reflect that the transition out of the greyhound industry is likely to have operational and cost impacts for Tasracing.

The 2025-26 Tasmania State Budget provides \$500,000 to support the phase out implementation under the line item of Greyhound Racing Transition. This initiative underpins the Government's commitment to phase out greyhound racing by 30 June 2029 and enables the commencement of the transition under the oversight of the Commissioner.

The funding is supporting the Commissioner to develop the comprehensive plan covering all operational, animal welfare and integrity components of the transition, ensuring he is appropriately resourced to deliver this work.

**4. Can you provide the Committee with any documents, briefing notes, or the presentation you received, following the 'health check' commissioned by the Tasmanian Racing Integrity Commissioner?**

The Commissioner confirmed to this Committee in his evidence on 11 February 2026 that there is no physical report.

The Ministerial Office can confirm to the Committee that they are not in possession of any documents, briefing notes, or presentation in line with the evidence provided by the Commissioner.

**5. Have any conflicts with interstate or national laws been identified in relation to the Bill? If so, how have these been addressed in its drafting?**

No conflicts with interstate or national laws have been identified. The Bill was drafted by the Office of Parliamentary Counsel who are legislative drafting experts. Such matters were considered during the drafting process for the Bill.

## **Part 2 – Animal Welfare Act 2000 Amended**

- 6. Clause 4, Section 11C inserted, legislates the banning and regulation of greyhound racing and commercial dog racing, including the ownership, use or trade of greyhounds in Tasmania for the purposes of commercial dog racing (S 3, 4 and 5). The Committee has had concerns raised regarding the management of dual interstate ownership of greyhounds, including breeding bitches and stud dogs.**

**How will interstate dual ownership racing dogs be dealt with under the legislation? For example, if the dog is located and racing in another state, but a Tasmanian has some part-ownership of it, how will this be managed? Is this expected to be an area of consideration for compensation?**

The new Section 11c of the *Animal Welfare Act 1993* (as inserted by the Bill) does not prevent a person from owning or part-owning a registered racing dog located on the mainland, nor dealing with such a dog outside of Tasmania. These provisions do not have extra-territorial application.

That is, Tasmanian residents can continue to own racing greyhounds that are registered, kept, trained and raced in other states or internationally, provided the dogs are not raced or located in Tasmania.

A person who leaves Tasmania and relocates to the mainland with their dogs would become subject to the laws in their new State/Territory of residence. They could not be prevented from relocating or be in breach of Tasmanian legislation for conduct that occurs interstate and has no territorial nexus with Tasmania.

Tasmanian legislation will apply where a dog is kept, bred, or trained in Tasmania for the purpose of being raced (or supplied for racing) outside of Tasmania, but only to the extent that the prohibited conduct occurs in Tasmania and relates to a dog located in Tasmania.

Ultimately, determining jurisdiction and whether Tasmanian legislation applies will depend on where and when the relevant prohibited acts or omissions occurred. These are questions of fact and law that would need to be proved with admissible evidence in any Court proceedings relating to enforcement of the legislation.

## **Part 4 – Racing Regulation and Integrity Act 2024 Amended**

- 7. Numerous submitters to the Inquiry have raised concern regarding the potential unconstitutionality of the regulation of the movement and trade of greyhounds and industry participants throughout, and as a result of, the**

greyhound racing transition.<sup>1</sup> Section 92 of the Australian Constitution provides the following:

*Trade within the Commonwealth to be free*

*On the importation of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.*

*But notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of customs into any State, or into any Colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods into the Commonwealth, less any duty paid in respect of the goods on their importation.<sup>2</sup>*

**Did the Government procure any legal advice regarding this matter? If so, could you please provide the Committee with a copy of this advice.**

The Government does not comment on whether legal advice has been sought. This is a basic principle to ensure that advice, if sought, remains privileged.

The Bill was drafted in the Office of Parliamentary Counsel by lawyers with specialised legislative drafting expertise.

The framework for the Bill was developed by the Department of Natural Resources and Environment Tasmania, in consultation with the Commissioner, with the lead drafting instructor also being a lawyer with experience in the development of complex Acts – for example, the *Biosecurity Act 2019* – which involved consideration of Commonwealth, State and international laws.

Constitutional issues were carefully considered in the development of the Bill which:

- prohibits activities occurring in Tasmania to protect animal welfare and prevent harm to dogs, not to restrain trade or commerce between Australian States and Territories;
- is not protectionist of an industry in Tasmania to the detriment of another State or Territory;
- does not prohibit the movement of non-racing greyhounds to and from Tasmania; and
- in the transition period, regulates only the breeding of racing greyhounds in Tasmania to support an orderly phase out of racing, with additional welfare

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<sup>1</sup> A non-exhaustive list of submissions which raised this concern: Submission No. 78, Dr Kim Barrett, p. 3, Submission No. 87, Melbourne Greyhound Racing Club, p. 3., Submission No. 141, Greyhounds Australasia, p. 25

<sup>2</sup> Section 92, Australian Constitution, Accessed via the Federal Parliament, [https://www.aph.gov.au/About\\_Parliament/Senate/Practice\\_and\\_Procedure/Constitution/chapter4#chapter-04\\_92](https://www.aph.gov.au/About_Parliament/Senate/Practice_and_Procedure/Constitution/chapter4#chapter-04_92)

safeguards relating to the movements of greyhounds into the State for racing, and the euthanasia of racing dogs.

Post the transition period, the activity of racing dogs in Tasmania and the associated activities of keeping, breeding or supplying any dog in Tasmania for commercial dog racing will be prohibited under the *Animal Welfare Act 1993* to prevent animal cruelty, while still allowing the breeding and sale of pet dogs (including greyhounds).

State legislation legitimately restricts trade and commerce in things like fireworks, alcohol and firearms to protect public health and community safety. There are also State biosecurity laws which protect Tasmania from the importation of pests and diseases from other States and Territories. These legitimately place controls on the movement of goods between Tasmania and the mainland.

Clive Palmer's failed High Court challenge to Western Australia's border closures during the COVID-19 pandemic confirmed that the protections regarding trade and commerce in the Constitution do not confer immunity from all regulation, nor prevent States making laws which impose a different regulatory burden where it is reasonably necessary to achieve a legitimate object of the law (see *Palmer v Western Australia* (2021) 272 CLR 505).

The "legitimate object of the law" underpinning this Bill is protection of animal welfare and the prevention of cruelty to dogs in Tasmania, which is a State Government responsibility. Each State and Territory has its own specific laws governing the management of animals and animal-related industries within their jurisdiction to prevent cruelty.

#### **Part 5 – Racing Regulation and Integrity Act 2024 Further Amended**

#### **8. Does the Bill in any way duplicate, create uncertainty or inconsistently with the *Racing Regulation and Integrity Act 2024*?**

The Bill amends the *Racing Regulation and Integrity Act 2024* to ensure the greyhound racing phase out can be managed under that legislation during the three-year transition period without uncertainty or inconsistency, including through specifying the requirement for a Closure Plan to be developed by the Commissioner.

This Bill (or the Amendment Act) is repealed on the first anniversary of the day on which the last uncommenced provision of the Act commenced. After this, the management and regulation of greyhound ownership will occur through the *Animal Welfare Act 1993* and the *Dog Control Act 2000*.

#### **9. Proposed Schedule 8 (3), being clause 10 of the Bill, provides the basis for the Tasmanian Racing Integrity Commissioner to develop the greyhound racing closure plan. In the interest of providing more clarity and reassurance for industry participants, is the Government open to including more detail in this section, for example:**

- **Stating that consultation will be required in the development of the closure plan;**
- **Including a short, non-exhaustive list of areas to be included in the closure plan;**
- **Stating the closure plan will be tabled in Parliament; and**
- **Clarifying if/how future revision of the closure plan can/will occur.**

**Could you please detail any concerns or potential unintended consequences of the inclusion of these matters, or those alike them, within the Bill (Hansard).**

Subject to advice from the Office of Parliamentary Counsel, these additional details could be incorporated into the section without affecting the intent or operation of the provision. The main risk in adding more detail is it may be interpreted as expanding or limiting the scope of the Closure Plan (or the discretion of the Minister or Commissioner) in a way that was not intended or anticipated.

**10. Regarding the proposition to amend the Bill to provide that the greyhound racing closure plan be tabled in Parliament, could you please detail how this would be drafted as a simple requirement to table the report, and alternatively, how it would be drafted and managed as a disallowable instrument or other such mechanism? (Hansard)**

As above, subject to further advice from the Office of Parliamentary Counsel, the inclusion of a requirement for the Plan to be tabled in Parliament is unlikely, in itself, to present any issues. Noting that the Bill already provides that the Closure Plan approved by the Minister is to be available for public inspection during the transition period on a website maintained by or on behalf of the Commissioner.

However, prescribing that the Plan be tabled as a disallowable instrument risks treating it as a form of “regulation” or subordinate legislation which is subject to the requirements in the *Subordinate Legislation Act 1992*. This is inconsistent with the intended purpose of the Plan, which is to serve as a strategic and operational guidance document for decision-makers and stakeholders in the management of the phase out of greyhound racing.

**11. Under Proposed Schedule 8 (3), being clause 10 of the Bill, how could the greyhound racing closure plan be amended? Does the current drafting allow for this? (Hansard)**

Under the provisions of the Bill as currently drafted, the approved plan itself can provide for a review process. The Plan may also incorporate flexibility and mechanisms for adaptation to changing circumstances.

In addition, I am advised that clause 3 (4) of the new Schedule 8 clarifies that the Minister can require multiple amendments to the draft Plan prior to its approval.

Furthermore, the general review and amendment powers applying in respect of all legislative instruments in section 22 of the *Acts Interpretation Act 1931* would likely permit me, as the responsible Minister, to review, revoke, and/or amend the Plan if required.

**12. Proposed Schedule 8 (4), being clause 10 of the Bill, provides the basis for the transfer of greyhound ownership during the transition period. Does the Bill need to clarify what notification and consent requirements are to be in place for Tasracing to consent to the transfer of a greyhound to a new owner by its current legal owner? Should there be an allocated timeframe for this process to be completed?**

The proposed Schedule 8 (4) will only operate during the three-year transition period.

During that period, greyhound ownership, transfer and racing will continue to be regulated by Tasracing in accordance with the Tasmanian Greyhound Rules of Racing, which have rules governing animal welfare of greyhounds and transfers of ownership. Imposing further prescriptions and responsibilities on Tasracing could interfere with its normal functions of applying the Rules of Racing to greyhounds during the transition period.

The existing provisions of the Racing Regulation and Integrity Act 2024 enable the Commissioner to provide direction and oversight to Tasracing on greyhound racing governance, which will continue to be the case throughout the transition period.

The Commissioner can also include specific guidance and requirements relating to the transfer of racing greyhounds in the Closure Plan which will be developed in consultation with the Transition Working Group that includes Tasracing representatives.

**13. Proposed Schedule 8 (4), being clause 10 of the Bill, provides the basis for the transfer of greyhound ownership during the transition period. Evidence to the Committee has proposed that the strict limitations on the transfer of greyhounds during the transition period does not distinguish between welfare-driven transfers and commercial-transfers. This may reduce operational responsiveness and have adverse welfare outcomes. Has this issue been considered? How will it be addressed?**

Please refer to response to Q11. Clause 10 is to apply an additional check on transfers and to remove doubt about the need for Tasracing consent. However, it is not intended to interfere with or overburden Tasracing in the performance of its normal functions under the Rules of Racing.

**14. Proposed Schedule 8 (4 and 5), being clause 10 of the Bill, will place additional regulatory functions upon Tasracing relating to the transfer and**

**retirement of Tasmanian greyhounds. Is there a risk of creating an administrative bottleneck under this provision?**

Please refer to responses to Questions 11 and 12.

**15. Proposed Schedule 8 (6), being clause 10 of the Bill, places responsibility of providing written consent for the participation of interstate or overseas greyhounds in Tasmania, with Tasracing. As currently drafted, this subclause does not define what requirements will be mandated to obtain written consent to race or transfer a greyhound in Tasmania and in what timeframe this is to occur. Should, or could, these additional regulations be included in the Bill?**

Please refer to responses to Questions 11 and 12.

The intent is not to impose unnecessary prescriptions or overburden the functioning of Tasracing in its normal role of regulating this activity.

Clause 6 (4) requires Tasracing to be satisfied that adequate arrangements have been made to ensure greyhound health and welfare while in the State and to act consistently with Closure Plan approved by the Minister.

The Closure Plan can also include specific guidance and requirements relating to Tasracing consent to interstate greyhounds racing in Tasmania.

**16. Proposed Schedule 8 (7), being clause 10 of the Bill, regulates the mechanism for the destruction of greyhounds. Euthanasia decisions, including for greyhounds, are often urgent and welfare-driven, meaning that their conduct, including administrative processes must operate in real time. Has there been consideration given to the inclusion of explicit recognition of veterinary discretion in urgent circumstances to eliminate any potential adverse impact of administrative processes where euthanasia is required?**

The Government has committed to ensuring that no healthy greyhound is euthanised due to the phase-out. This is enforced through the Bill.

The amendment to the *Racing Regulation and Integrity Act 2024* requires euthanasia of a greyhound to have written consent of Tasracing and can only be for animal welfare reasons. It does not apply to the destruction (euthanasia) of a greyhound by a veterinarian in an emergency to relieve pain and suffering.

This is an added safeguard that was specifically recommended by the Commissioner. Importantly, it is in addition to, and does not affect, the existing processes and laws applying to the euthanasia of dogs under other legislation such as the *Dog Control Act 2000*, *Animal Welfare (Dogs) Regulations 2016* and the *Animal Welfare Act 1993*.

**17. Proposed Schedule 8 (8), being clause 10 of the Bill, provides restrictions on the breeding of greyhounds in Tasmania, including exemptions for breeding**

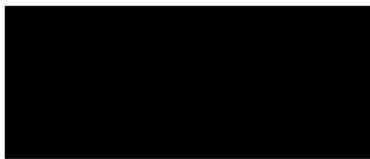
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**in specific instances, including as pets or if a litter was whelped prior to 1 January 2026. Frozen genetic material has been raised with the Committee as another area of breeding which may need to be considered. Is it anticipated that there will be any specific regulations or directions required to deal with the frozen genetic material that exists in the industry? Is this expected to be an area of consideration for compensation?**

The current and proposed restrictions around breeding are concerned with animal welfare of juvenile and mature dogs after they have been born. A need for specific provisions relating to frozen genetic material or embryos has not been identified, however there is the capacity to make regulations relating to this if needed (see clause 10 of Schedule 8). Regulations could also be made under the *Dog Control Act 2000* or *Animal Welfare Act 1993*.

I appreciate the Committee's ongoing work and trust this response supports its deliberations.

Yours sincerely



Hon Jane Howlett MP  
**Minister for Racing**

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