#### **TASMANIA**

# GREYHOUND RACING LEGISLATION AMENDMENTS (PHASING OUT REFORM) BILL 2025

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# GREYHOUND RACING LEGISLATION AMENDMENTS (PHASING OUT REFORM) BILL 2025

(Brought in by the Minister for Racing, the Honourable Jane Colleen Howlett)

#### A BILL FOR

An Act to amend the Animal Welfare Act 1993, the Dog Control Act 2000 and the Racing Regulation and Integrity Act 2024

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### **PART 1 – PRELIMINARY**

#### 1. Short title

This Act may be cited as the *Greyhound Racing Legislation Amendments (Phasing Out Reform)*Act 2025.

#### 2. Commencement

- (1) Except as provided in subsection (2), the provisions of this Act commence
  - (a) on 1 January 2026; or
  - (b) if this Act does not receive the Royal Assent on or before 1 January 2026, on

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Part 1 – Preliminary

s. 2

the day on which this Act receives the Royal Assent.

(2) Parts 2, 3 and 5 commence on 1 July 2029.

Part 2 – Animal Welfare Act 1993 Amended

s. 3

#### PART 2 – ANIMAL WELFARE ACT 1993 AMENDED

### 3. Principal Act

In this Part, the *Animal Welfare Act 1993\** is referred to as the Principal Act.

#### 4. Section 11C inserted

After section 11B of the Principal Act, the following section is inserted in Part 2:

# 11C. Greyhound racing and commercial dog racing

(1) In this section –

commercial dog race means a race, between two or more dogs in pursuit of a mechanical or electronic lure, where any one or more of the following occurs:

(a) persons who do not ordinarily reside at the premises where the race is held are allowed to attend the race, whether by paying an admission fee or under other conditions;

- (b) the organiser of the race causes or permits images of the racing to be transmitted electronically or otherwise, for display outside the premises where the race is held;
- (c) the organiser of the race causes or permits commentary on the racing, or related betting information, to be broadcast by radio, online or any other means;
- (d) payment is made or required for a dog to participate in the race;

dog means an animal of the species

Canis familiaris or Canis

familiaris dingo;

greyhound means a greyhound dog;

- greyhound race means a race in which greyhounds compete, and includes
  - (a) a greyhound trial or training race; and
  - (b) racing in a test of speed of a greyhound or of

greyhounds competing separately.

### (2) A person must not –

- (a) conduct, organise or facilitate the conduct of a greyhound race or a commercial dog race in Tasmania; or
- (b) permit the conduct of a greyhound race or a commercial dog race on premises owned or occupied by the person; or
- (c) otherwise take part in, or assist with, the organisation or conduct of a greyhound race or a commercial dog race in Tasmania.

Penalty: Fine not exceeding 100 penalty units or imprisonment for a term not exceeding 6 months, or both.

(3) The owner or person in charge of a dog must not allow the dog to participate in a greyhound race or a commercial dog race in Tasmania.

Penalty: Fine not exceeding 100 penalty units or imprisonment for a term not exceeding 6 months, or both.

Part 2 – Animal Welfare Act 1993 Amended

s. 4

(4) A person must not keep a dog for use in greyhound races or commercial dog races.

Penalty: Fine not exceeding 100 penalty units or imprisonment for a term not exceeding 6 months, or both.

- (5) A person must not
  - (a) sell or supply a dog to another person; or
  - (b) offer a dog for sale or supply to another person; or
  - (c) breed, acquire or keep a dog, for sale or supply to another person –

if the person knows, or ought reasonably to know, that the other person intends to cause or permit the dog to participate in a greyhound race or a commercial dog race.

Penalty: Fine not exceeding 100 penalty units or imprisonment for a term not exceeding 6 months, or both.

#### PART 3 – DOG CONTROL ACT 2000 AMENDED

### 5. Principal Act

In this Part, the *Dog Control Act 2000\** is referred to as the Principal Act.

# 6. Section 18 amended (Effective control of greyhounds)

Section 18 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(c)(iii) "commands; or" and substituting "commands.";
- (b) by omitting paragraph (d) from subsection (1);
- (c) by omitting "section 18A;" from the definition of approved greyhound suitability program in subsection (5) and substituting "section 18A or such other program as may be approved by the Secretary.";
- (d) by omitting the definition of *greyhound* racing from subsection (5).

\*No. 102 of 2000

Part 3 – Dog Control Act 2000 Amended

#### s. 7

#### 7. Section 18B inserted

After section 18A of the Principal Act, the following section is inserted in Division 1:

### 18B. Breeding of greyhounds

(1) A person must not breed a litter from a greyhound.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subclause (1) does not apply if all of the dogs in the litter
  - (a) are bred for the purpose of being domestic pets; and
  - (b) are not bred for the purpose of racing other greyhounds.

Part 4 – Racing Regulation and Integrity Act 2024 Amended

s. 8

# PART 4 – RACING REGULATION AND INTEGRITY ACT 2024 AMENDED

### 8. Principal Act

In this Part, the *Racing Regulation and Integrity Act 2024\** is referred to as the Principal Act.

#### 9. Section 194A inserted

After section 194 of the Principal Act, the following section is inserted in Part 12:

### 194A. Further savings and transitional provisions

Schedule 8 has effect.

#### 10. Schedule 8 inserted

After Schedule 7 to the Principal Act, the following Schedule is inserted:

# SCHEDULE 8 – FURTHER SAVINGS AND TRANSITIONAL PROVISIONS

Section 194A

### 1. Interpretation

In this Schedule –

commencement day means the day on which this Schedule commences;

\*No. 16 of 2024

- former legislative scheme means the provisions of this Act and the Rules of Racing, as in force before the greyhound racing closure date;
- greyhound means a greyhound dog bred for the purposes of racing;
- greyhound race means a race between greyhound dogs in pursuit of a mechanical or electronic lure;
- greyhound racing closure date means 1 July 2029;
- new legislative scheme means the provisions of this Act and the Rules of Racing, as in force on and after the greyhound racing closure date;
- owner, in relation to a greyhound, includes any person entitled to possession of it;
- registered greyhound means a greyhound that
  - (a) is registered by Tasracing under the Rules of Racing; or
  - (b) was registered by Tasracing under the former legislative scheme

- immediately before the greyhound racing closure date; or
- (c) is born to a greyhound referred to in paragraphs (a) or (b);

transfer, in relation to a greyhound, means transfer ownership of the property in the greyhound by any means, including by sale, gift or surrender;

#### transition period includes –

- (a) the period commencing on the commencement day and ending immediately before the greyhound racing closure date; and
- (b) such other period on or after the greyhound racing closure date as may be prescribed for the purposes of this definition;

veterinary surgeon means a person registered as a veterinary surgeon pursuant to Part IV of the Veterinary Surgeons Act 1987.

### 2. Exercise of powers during transition period

(1) In this clause –

specified premises means any land, premises or vehicle at or on which greyhounds are kept, trialled, transported, trained or raced.

- (2) In conducting, during the transition period, an investigation under Division 3 of Part 2, in relation to the keeping, care, management or use of greyhounds, the Commissioner may, in addition to any other powers conferred by this Act, issue a person with a notice directing the person to allow the Commissioner, or any person assisting the Commissioner, to enter, search and inspect specified premises.
- (3) If a notice is issued under subclause (2) in respect of specified premises, the Commissioner or any person assisting the Commissioner may, at any reasonable time
  - (a) search and inspect the specified premises; and
  - (b) inspect, take copies of or seize any records, documents or other matter kept at the specified premises; and

- (c) take such photographs, film or audio or visual recordings at the specified premises as the Commissioner or person assisting the Commissioner considers necessary.
- (4) A person must not, without reasonable excuse, fail to comply with a notice issued to the person under subclause (2).

Penalty: Fine not exceeding 50 penalty units.

### 3. Greyhound racing closure plan

- (1) The Commissioner is to prepare and submit to the Minister a draft plan for the closure of greyhound racing as soon as practicable after the commencement day.
- (2) The Minister may
  - (a) approve the draft closure plan as submitted under subclause (1); or
  - (b) require the Commissioner to amend the draft closure plan submitted under subclause (1).
- (3) The Commissioner, as soon as practicable after being required to do so under subclause (2)(b), is to submit to the Minister under subclause (1) the draft

- closure plan as amended in accordance with the requirement.
- (4) For the avoidance of doubt, the Minister's power under subclause (2)(b) may be exercised more than once in respect of the draft closure plan.
- (5) If the closure plan has been approved by the Minister under subclause (2)(a), the Commissioner is to, in performing and exercising the Commissioner's functions and powers under this Act, implement the closure plan.
- (6) The Commissioner is to ensure that the closure plan approved by the Minister under subclause (2)(a) is available for public inspection during the transition period on a website maintained by or on behalf of the Commissioner.

# 4. Transfer of greyhounds

(1) In this clause –

external greyhound racing body means a body in another State or a Territory that performs functions in relation to the administration and control of greyhound racing;

# greyhound adoption program means a greyhound adoption program that is approved by Tasracing.

- (2) During the transition period, the owner of a registered greyhound must not transfer, or purport to transfer, ownership of the greyhound unless
  - (a) in the case of a transfer, or purported transfer, to any of the following persons, the owner has first notified Tasracing of the proposed transfer:
    - (i) a person registered or licensed as a greyhound owner under the Rules of Racing;
    - (ii) a person authorised to own greyhounds by an external greyhound racing body;
    - (iii) a person or organisation that manages a greyhound adoption program; or
  - (b) in the case of a transfer or purported transfer, to a person other than a person referred to in paragraph (a)(i), (ii) or (iii), the owner has obtained the written consent of Tasracing.

Penalty: Fine not exceeding 50 penalty units.

#### 5. Retirement of greyhounds

- (1) The owner of a registered greyhound must, within 30 days after the occurrence of any of the following events, notify Tasracing of that occurrence:
  - (a) the greyhound has not raced for a continuous period of 12 months;
  - (b) the greyhound attains the age of 6 years.

Penalty: Fine not exceeding 50 penalty units.

- (2) Subject to subclause (3), a greyhound in respect of which a notification has been received under subclause (1)
  - (a) is taken not to be registered under the Rules of Racing; and
  - (b) may not be reregistered under the Rules of Racing.
- (3) A greyhound that has not raced for a continuous period of 12 months may be reregistered under the Rules of Racing if
  - (a) the greyhound did not race due to an injury; and

Part 4 – Racing Regulation and Integrity Act 2024 Amended

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(b) a veterinary surgeon is satisfied that the greyhound has recovered adequately from the injury.

### 6. Use of interstate and overseas greyhounds

(1) In this clause –

*interstate greyhound* means a greyhound that –

- (a) is ordinarily kept in another State or a Territory or outside Australia; and
- (b) is not registered under the Rules of Racing.
- (2) The owner of an interstate greyhound must not allow the greyhound to participate in a greyhound race in Tasmania without the written consent of Tasracing.

Penalty: Fine not exceeding 50 penalty units.

(3) A person who holds a greyhound race must not permit an interstate greyhound to participate in that race in Tasmania unless the person is satisfied that Tasracing has consented to that participation under subclause (2).

Penalty: Fine not exceeding 50 penalty units.

- (4) Tasracing must not consent to the participation of an interstate greyhound in a race under subclause (2) unless Tasracing is satisfied that
  - (a) adequate arrangements have been made to ensure the health and welfare of the greyhound whilst the greyhound is in Tasmania; and
  - (b) the giving of the consent is consistent with any requirements specified in the plan approved by the Minister under clause 3(2)(a).

### 7. Destruction of greyhounds

(1) Subject to subclause (2), the owner of a registered greyhound must not, during the transition period, cause or allow the greyhound to be destroyed without first obtaining the written consent of Tasracing.

Penalty: Fine not exceeding 100 penalty units.

- (2) Subclause (1) does not apply to the owner of a registered greyhound if
  - (a) the greyhound is destroyed by a veterinary surgeon in an emergency, to relieve the

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greyhound of suffering or distress due to illness or injury; or

- (b) the destruction of the greyhound is authorised under another Act.
- (3) Tasracing may only consent to the destruction of a greyhound for the purposes of subclause (1) if satisfied that the destruction of the greyhound is to be carried out humanely and the destruction is necessary on animal welfare grounds.

### 8. Breeding of greyhounds

(1) A person must not, during the transition period, breed a litter from a greyhound.

Penalty: Fine not exceeding 50 penalty units.

- (2) Subclause (1) does not apply if all dogs in the litter were
  - (a) bred for the purpose of being domestic pets; and
  - (b) not bred for the purpose of racing other greyhounds.
- (3) Subclause (1) does not apply in the following circumstances:
  - (a) if the litter was whelped by the greyhound from a pregnancy in existence on 1 January 2026;

(b) such other circumstances as may be prescribed for the purposes of this subclause.

#### 9. Authorisations in relation to greyhound racing on closure date

In this clause – (1)

> authorisation means any permit, certificate, entitlement, approval, permission or other authorisation issued under the former legislative scheme.

- (2) An authorisation under the former legislative scheme in force immediately before the greyhound racing closure date is of no effect under this Act on and after that closure date to the extent that it authorises, or purports to authorise –
  - (a) the holding of greyhound race meetings; or
  - (b) the use of racecourses for the purpose of greyhound racing; or
  - the registration of a club for the purpose of holding greyhound races; or
  - (d) the racing of greyhounds in Tasmania; or

(e) the betting on contingencies relating to greyhound races.

### 10. Regulations

- (1) The Governor may make regulations of a savings and transitional nature consequent on the enactment of the Greyhound Racing Legislation Amendments (Phasing Out Reform) Act 2025 to effect, and facilitate, the transition from the old legislative scheme to the new legislative scheme.
- (2) Regulations made under subclause (1) may
  - (a) specify that they take effect on
    - (i) the day on which any particular provision of the Greyhound Racing Legislation Amendments (Phasing Out Reform) Act 2025 commences; or
    - (ii)a day after the day on which particular any provision of the Greyhound Racing Legislation Amendments (Phasing Out Reform) Act 2025 commences, whether day the specified is before, on or

Part 4 – Racing Regulation and Integrity Act 2024 Amended

s. 10

after the day on which the regulations are made; and

- (b) be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations; and
- (c) authorise any matter to be from time to time determined, applied or regulated by any person or body specified in the regulations.

Part 5 – Racing Regulation and Integrity Act 2024 Further Amended

s. 11

# PART 5 – RACING REGULATION AND INTEGRITY ACT 2024 FURTHER AMENDED

### 11. Principal Act

In this Part, the *Racing Regulation and Integrity Act 2024\** is referred to as the Principal Act.

### 12. Long title amended

The long title of the Principal Act is amended by omitting "thoroughbred, harness and greyhound" and substituting "thoroughbred and harness".

### 13. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended as follows:

- (a) by omitting "or greyhound races" from paragraph (a) of the definition of *betting*;
- (b) by omitting "or" from paragraph (b) of the definition of *code of racing*;
- (c) by omitting paragraph (c) from the definition of *code of racing*;
- (d) by omitting the definitions of *greyhound* and *greyhound* race;

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#### s. 14 Part 5 – Racing Regulation and Integrity Act 2024 Further Amended

- (e) by omitting "or greyhound" from paragraph (b) of the definition of *minor appeal*;
- (f) by omitting "or greyhound racing" from the definition of *racing*;
- (g) by omitting "or greyhound" first occurring from the definition of *Tasmanian race field information*;
- (h) by omitting "or greyhound" from paragraph (a) of the definition of *Tasmanian race field information*;
- (i) by omitting "or greyhound" from paragraph (b) of the definition of *Tasmanian race field information*.

# 14. Section 53 amended (Integrity and Animal Welfare Standards)

Section 53 of the Principal Act is amended as follows:

- (a) by omitting from subsection (4)(f) "greyhounds and";
- (b) by omitting from subsection (4)(g) "greyhounds and";
- (c) by omitting from subsection (4)(h) "greyhounds and";
- (d) by omitting from subsection (4)(i) "greyhounds and";

Part 5 – Racing Regulation and Integrity Act 2024 Further Amended

s. 15

(e) by omitting from subsection (5)(a) "and racing greyhounds".

### 15. Section 57 amended (Racing Integrity Committee)

Section 57(3) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (d) "greyhounds or";
- (b) by omitting from paragraph (e) "greyhound or" twice occurring.

# 16. Section 59 amended (General functions and powers of Tasracing)

Section 59 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(d) "and greyhound";
- (b) by omitting paragraph (g) from subsection (2).

# 17. Section 62 amended (Rules of Racing)

Section 62(4)(d) of the Principal Act is amended as follows:

(a) by omitting from subparagraph (iii) "or greyhound";

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(b) by omitting from subparagraph (v) "or greyhound".

# 18. Section 68 amended (Appointment of stewards and other racing officials)

Section 68(1) of the Principal Act is amended by omitting paragraph (f).

# 19. Section 71 amended (Tasmanian Racing Appeal Board (TRAB))

Section 71(10)(b) of the Principal Act is amended by omitting "or greyhound".

# 20. Section 76 amended (Persons may appeal to TRAB about certain matters)

Section 76 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(b)(ii) "or greyhound";
- (b) by omitting from subsection (2) "or greyhound race".

# 21. Section 77 amended (Other rights of appeal to TRAB)

Section 77(1) of the Principal Act is amended as follows:

Part 5 – Racing Regulation and Integrity Act 2024 Further Amended

s. 22

- (a) by omitting from paragraph (a) "or greyhound";
- (b) by omitting from paragraph (b) "or greyhound".

### 22. Section 79 amended (Procedure on appeals)

Section 79(7) of the Principal Act is amended by omitting "or greyhound race" from the definition of *race patrol film*.

### 23. Section 99 amended (Determination of appeals)

Section 99(3) of the Principal Act is amended by omitting "or a greyhound".

# 24. Section 120 amended (Prohibition of proprietary racing)

Section 120(4)(c) of the Principal Act is amended by omitting "or greyhounds".

# 25. Section 122 amended (Stewards may regulate betting in certain cases)

Section 122 of the Principal Act is amended by omitting "or greyhound".

### 26. Section 131 amended (What is bookmaking?)

Section 131(a) of the Principal Act is amended by omitting "or greyhound races".

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# 27. Section 181 amended (Evidentiary provisions)

Section 181(3)(b) of the Principal Act is amended by omitting "or greyhound".

# 28. Section 192 amended (Regulations)

Section 192(5)(a) of the Principal Act is amended by omitting "or greyhound races".

Part 6 – Repeal of Act

s. 29

#### PART 6 – REPEAL OF ACT

# 29. Repeal of Act

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.