



Last Revised: 24 May 2021

TABLE 1 - NEW AND/OR SUBSTANTIALLY AMENDED RULES

Rule No. [and existing comparable provision]	Part, Division, rule or provision	Consideration/Comment/Description
New or substantially amended rules		
	Aims of the Greyhounds Australasia Rules	Five specific aims of the GA Rules have been set out at the front of the document. They clearly state the aims of the GA Rules up front. The existing rules have no equivalent to this.
	Part 1 Interpretation, Definitions, and Application of the <i>Greyhounds Australasia Rules</i>	
8(2) [NP] ¹	The Interpretation of <i>the Rules</i>	Defined words or phrases within the rules are in <i>italics</i> . The meanings of defined words or phrases are set out in rule 9, which is the new rule containing definitions.
8(3)(g) [NP]	The Interpretation of the	Rule 8(3)(g), which is a new provision, introduces the concept of “Notes” to the rules – these “Notes” typically

¹ where used, “[NP]” means “new provision”, and indicates a provision which is not in the current version of the GA Rules, or has no equivalent in the current version of the GA Rules.

	Rules	give some explanatory information, and can be utilised for the purpose of interpreting a rule. They are to be found at several points of the draft new GA Rules.
9 [R1]	Definitions	<p>Rule 9 contains the defined words or phrases that appear in the rules. Some new definitions have been added. All defined words or phrases are now italicised throughout the GA Rules.</p> <p>The phrase used to refer to the whole of the GA Rules is “<i>these Rules</i>”, and the phrase used to refer to National Rules together with the Local Rules of each controlling body is “<i>the Rules</i>”.</p> <p>New definitions are extensive and should be read in full but include definitions for: <i>administration, possession, approved laboratory</i>, the concept of a “<i>clear day</i>” (which means a 24 hour period from 12.00am to 11.59pm), <i>Digital Footprint</i> (which refers to any part of a <i>greyhound’s identification record</i> which is stored electronically or digitally), and <i>document</i>. There is a new definition for <i>greyhound</i>, there is the concept of an “<i>identification record</i>” (which is one or more identifying documents or records in relation to a <i>greyhound</i>, whether stored in hard copy or electronically), there is a new definition for <i>prohibited method</i> (and provisions in Part 8 in relation to it – see below), it is made plain that a <i>registered person</i> means the same as a <i>licensed person</i>, the concepts of <i>residue limit</i> and <i>residue substance</i> are new, <i>sample</i> is defined, <i>screening limit</i> is defined, <i>stand-down period</i> is the phrase used for periods of incapacitation and, <i>therapeutic substance</i> is a new concept, and <i>C3</i> and <i>C5 vaccination</i> are defined.</p>
11 [R89]	Giving notice	Rule 11 formally now provides that sending an email is a proper way of giving a document to or serving a document on any <i>person</i> pursuant to <i>the Rules</i> .
	Part 2: The Powers and Functions of Controlling Bodies	<p>The structure of Part 2 is that it starts by setting out “General Powers” of <i>Controlling Bodies</i> (Division 1), then goes into three sub-categories of powers. Those are:</p> <ul style="list-style-type: none"> - Powers in relation to registration of <i>persons</i> and <i>greyhounds</i> (Division 2) - Powers in relation to <i>Events</i> and <i>meetings</i> (Division 3) and - Powers of entry, search, inspection and taking of <i>possession</i> (Division 4)
13(1)(d) [NP]	General powers	The power in 13(1)(d) is new and it is for a <i>Controlling Body</i> to “require that a <i>sample</i> be taken, or inspection, investigation or inquiry take place, for purposes consistent with <i>the Rules</i> ”.
13(1)(h) [NP]	General powers	The power in 13(1)(h) is new and it is for a <i>Controlling Body</i> to “require <i>persons</i> associated with <i>greyhound racing</i> to supply information relevant to the health, welfare, and/or whereabouts of a <i>greyhound</i> , and impose

		penalties if any such requirement is breached”.
13(1)(j) [NP]	General powers	This provision clarifies that a <i>Controlling Body</i> can “warn off” any person.
14(b) [NP, compare with existing 15]	Powers in relation to registration of <i>persons</i> and <i>greyhounds</i>	Rule 14(b) gives a <i>Controlling Body</i> a new express power to “make decisions in relation to the registration of any <i>person</i> connected to <i>greyhound racing</i> , including as to whether a person is a fit and proper person to hold the relevant registration.”
16(4)(a) [18(4)(a)]	Powers of entry, search, inspection and taking of <i>possession</i>	This subrule provides that a <i>Controlling Body</i> (or <i>officer of the Controlling Body</i>) may take <i>possession</i> of any greyhound found on premises referred to in subrule (2) of that rule and detain the <i>greyhound</i> for a “reasonable period of time that they think fit and as allowed under a <i>relevant Act</i> ”. The existing rule only allows the relevant detention for a maximum period of 72 hours.
16(5) [NP]	Powers of entry, search, inspection and taking of <i>possession</i>	This is a new offence provision which creates an offence “if a <i>person</i> does not, within a reasonable time of a request by a <i>Controlling Body</i> or <i>officer of a Controlling Body</i> provide access to information or records, or provide passwords or access codes required to access information, held by that <i>person</i> ” – it is directed at facilitating access to digital and/or electronic records, and recognises that sometimes information held electronically will require a password or access code to access it.
	Part 3: The powers and functions of Stewards	Part 3, dealing with “The powers and functions of <i>Stewards</i> ”, follows logically after the part (Part 2) dealing with the powers and functions of <i>Controlling Bodies</i> . The positioning of Part 3 confirms the importance of <i>Stewards</i> to the regulation and control of <i>greyhound racing</i> .
19(3)(a) [NP]	<i>Stewards’</i> powers in connection with <i>meetings</i>	19(3)(a)[NP] gives <i>Stewards</i> a new power to “make orders so as to further the fulfilment of their functions as <i>Stewards</i> ”.
	Part 4: Animal welfare	This part contains many, but not all, of the provisions in the proposed new GA Rules which relate to <i>greyhound</i> welfare. Its content is consistent with animal welfare being paramount in <i>greyhound racing</i> . Several suggested new rules appear within Part 4.



Last Revised: 24 May 2021

<p>21 [compare with 106(1), NP, compare with 106(2) and NP similar to GRV LR 42.2]</p>	<p>Proper care for and welfare of <i>greyhounds</i></p>	<p>This rule contains the fundamental requirements about treating greyhounds properly. In relation to it:</p> <ul style="list-style-type: none"> - subrule 21(1)(e) is new; - the references that were to “registered person” in 106(1) and 106(2) (now 21(1) and 21(2)) are now to “<i>person</i>” – thereby ensuring the provision captures anyone mistreating or inappropriately caring for a greyhound; - subrule 21(3), is new, is based on GRV LR 42.2 and provides: “A <i>person</i> shall not cause or permit, on any premises owned or occupied by that <i>person</i>, any condition that is likely to be dangerous to the health, welfare or safety of that <i>greyhound</i>.”
<p>22 [compare with parts of 106 and NPs]</p>	<p>Notification by an <i>owner</i> of, retirement, euthanasia, or other death of a <i>greyhound</i></p>	<ul style="list-style-type: none"> • Some of the notification requirements currently in rule 106(3) (e.g. re retirement as a pet, and re euthanasia) are now in subrule 22(1). Note that the notification period for 22(1)(a) (compare with existing rule 106(3)(a) is now “ten days”, not “ten working days”. Note also that the relevant notification requirements in this rule are placed on “the <i>owner</i> or <i>person</i> responsible for the <i>greyhound</i>,” rather than the “last registered owner”. • 22(1)(c) is new and requires immediate notification where a “<i>greyhound</i> otherwise becomes deceased (including suddenly or unexpectedly) . • subrule (2) is new and facilitates the release of a <i>greyhound</i> for the purpose of a necropsy in certain circumstances including where there has been sudden or unexpected death of a <i>greyhound</i>. • subrule 22(3) is new, and provides: “A <i>Controlling Body</i> may require a <i>person</i> to provide information it thinks fit in relation to the health, location, transfer, lifecycle, and/or death of a <i>greyhound</i>.” • there is a substantial addition to subrule 22(4) (compare with existing rule 106(5)), with the words “or provides false or misleading information in relation to any aspect of” being new such that subrule 22(4) reads: “An offence is committed and a <i>person</i> may be penalised if an <i>owner</i> of <i>person</i> responsible for a <i>greyhound</i> at the relevant time fails to comply with any provision of this rule, rule 34 or rule 37, or provides false or misleading information in relation to any aspect of this rule, rule 34 or rule 37.” • subrule 22(5) is new and deals with when a <i>greyhound</i> may be allowed to return to <i>greyhound racing</i> after it has been retired. • subrule 22(6)(a) is a new subrule which provides a power of suspension pending provision of relevant information, or until some other time.
<p>23 [compare with 106(3)]</p>	<p>Notification in relation to <i>greyhounds</i> to be used for</p>	<p>This new stand alone rule deals with notification in relation to the situations where a <i>greyhound</i> is to become involved in breeding, and also when it ceases to be used for breeding purposes. The obligations in this rule</p>

	breeding purposes or to cease being used for breeding purposes	are on “the owner”.
24 [NP]	Mandatory sterilisation of <i>greyhounds</i> retired as pets	This is a new rule about sterilisation of <i>greyhounds</i> retired as pets being a usual mandatory requirement. It provides in subrule (1) that: “Unless a <i>greyhound</i> is being accepted by an adoption agency approved by a <i>Controlling Body</i> that undertakes sterilisation, the <i>owner</i> or <i>person</i> responsible for the <i>greyhound</i> at the time of such retirement as a pet must ensure that the <i>greyhound</i> has been surgically sterilised by a <i>veterinarian</i> before allowing the <i>greyhound</i> to leave their care and custody, except where a <i>veterinarian</i> certifies after examining that <i>greyhound</i> , to the satisfaction of a <i>Controlling Body</i> , that being surgically sterilised will be detrimental to its welfare.”
25 [NP]	Minimum vaccination requirements	This is a new rule which contains a clear expression of the minimum vaccination requirements for <i>greyhounds</i> at several different ages.
26 [NP; similar to GRV LR 26.2]	Positive obligation to provide information about the health of a racing <i>greyhound</i>	This is a new provision, similar to GRV LR 26.2. It provides that: “A <i>trainer</i> must notify a <i>Steward</i> prior to <i>presentation</i> for an <i>Event</i> if any <i>greyhound</i> being <i>presented</i> for that <i>Event</i> has an injury or illness which may affect the <i>greyhound’s</i> fitness to compete in that <i>Event</i> , including (without limitation) injuries sustained at a previous <i>Event</i> that were not recorded by the <i>Stewards</i> .” This may be used to allow for a more thorough veterinary examination on course or monitoring of the performance or condition in the future and is intended to improve racing safety.
30 [NP] Similar to WA LR105A	Barking Muzzles prohibited	This is a new provision which, except for a <i>veterinarian</i> using a Barking Muzzle for the sole purpose of examination or treatment, and except in circumstances approved by a <i>Controlling Body</i> , makes it an offence for a <i>person</i> to use a Barking Muzzle on a <i>greyhound</i> .
32 [111]	Appointment and duties of marking, microchipping and ear tattooing officials	There is a terminology change made in this provision (which also applies throughout the balance of the GA Rules) – that is that the phrase “ear brand” is replaced by “ear tattoo”.
34 [105 and	Requirements in relation to notification of control	This rule contains important notification requirements presently in rule 105 of the GA Rules. The “3 working days” allowed to a person to give notice of a <i>greyhound</i> coming into or leaving a <i>person’s</i> care (see existing

NP]	and location of a <i>greyhound</i>	105(4)(i)) has in the new drafting, been changed to “immediately”: see proposed new rule 34(5). This change has been made to underpin the continued integrity of racing, ensuring that <i>Stewards</i> know where <i>greyhounds</i> are at all times. This rule also provides [see 34(4)] that it is an offence to train a <i>greyhound</i> without a licence to do so.
35 [NP] Similar to WA LR105	Offence of using an unregistered or unauthorised training venue	This is a new offence provision similar to the current WA local rule, which makes it an offence for a <i>person</i> to use any unregistered or unauthorised training venue. It reduces the regulatory risk of unregistered properties that may not be the subject of routinely monitoring by controlling bodies, being used for improper activities.
36 [NP]	<i>Greyhound</i> off its lead in a public place not an offence in certain circumstances	For clarity, this rule provides that it will not be an offence under the new GA Rules for a <i>person</i> to allow a <i>greyhound</i> to be off its lead in a public place if that is allowed by relevant legislation or regulation. It should however be read with rule 29 which, among other things, provides that normally a <i>greyhound</i> must be under the effective control of a competent person in a public place.
40(1) and 40(2),(3)(c) and (3)(d) [NP and 105(A)]	<i>Reportable disease</i>	The words “including whenever... location/premises” are added to subrule (1) so that it reads: “A <i>Controlling Body</i> may declare an infectious or contagious animal disease or condition to be a <i>reportable disease</i> from the date the declaration is published, including whenever there are multiple unexplained deaths or an outbreak of serious illness from <i>greyhounds</i> connected to the same location/premises.” Subrule (2) is new and contains a list of seven named and identified <i>reportable diseases</i> in addition to the list of notifiable diseases that are already required to be reported under relevant legislation (e.g. rabies). Subrule 40(3)(c) and (3)(d) are new and place two important obligations on a <i>person</i> who owns and/or is charge of, or has in the <i>person’s possession</i> or control, a <i>greyhound</i> which the person suspects or should reasonably suspect is infected with a <i>reportable</i> disease. These are to: <ul style="list-style-type: none"> • seek appropriate veterinary advice and if necessary treatment for the <i>greyhound</i>: subrule 40(3)(c); and • upon the request of an <i>officer of a Controlling Body</i> provide appropriate evidence to the <i>Controlling Body</i> once the condition no longer exists: subrule 40(3)(d).
41 [NP and	<i>Greyhound</i> suffering injury	There are new provisions dealt with in subrules (2) and (3) of this rule. Under subrule (2): An officiating

73]	during an <i>Event</i>	<i>veterinarian</i> is able to order a <i>stand-down period</i> for things that are not an injury such as a condition or illness. An example of such as a condition is a cramp, heart issue or seizure. Subrule (3) provides that the “ <i>Stewards</i> may upon application of the <i>trainer</i> reduce a <i>stand-down period</i> made under subrule (2) to 10 <i>days</i> if a <i>veterinarian</i> certifies the <i>greyhound</i> is free of the illness or condition and is fit to start.”
45 [NP]	Other rules in relation to export	This is a new rule relevant to further regulating the export of <i>greyhounds</i> and follows on from R44 regarding <i>greyhound passports</i> issued by <i>Greyhounds Australasia</i> .
	Part 5: Registration requirements for <i>persons</i> and <i>greyhounds</i>	
46 [15]	Registration of <i>persons</i> and <i>greyhounds</i>	This rule deals with registration of <i>persons</i> and <i>greyhounds</i> subject to the rules. The “Note” immediately after rule 46(3) reminds the reader that further requirements of registration in relation to breeding are referred to in Part 6 of the GA Rules.
	Part 6: Breeding and identity	The definitions at rule 125 of the existing GA Rules have been moved to the definitions provision towards the front of the new rules (see at rule 9).
55 [126]	Authority for breeding purposes	The terminology “breeding female” replaces “brood bitch”. Also, “female <i>greyhound</i> ” replaces “bitch”.
64(2) [compare with 137(3)]	Registration of a litter	In subrule (2), the words “or a <i>greyhound</i> appears to be unwell” are new, so that 64(2) now reads: “An <i>authorised person</i> may refuse to record the sex and colour of a <i>greyhound</i> , microchip and/or ear tattoo a <i>greyhound</i> if they are of the view that the condition of the premises where a <i>greyhound</i> is present are unsatisfactory, or a <i>greyhound</i> appears to be unwell.”
67(5) [132(5)]	<i>Breeding unit of semen</i> collection and registration	Subrule (5) has been reworded to make it clearer. It now reads: “Within 14 days of the collection of semen a <i>studmaster</i> , <i>sire owner</i> or a <i>person</i> approved by <i>Greyhounds Australasia</i> or the relevant <i>Controlling Body</i> must lodge with <i>Greyhounds Australasia</i> the prescribed form and fee notifying of the <i>registered person</i> that owns each <i>breeding unit of semen</i> referred to in subrule (4), which

		may be the <i>studmaster</i> or <i>sire owner</i> .”
	Part 7: Events and meetings	This part contains rules in relation to practical things that occur at <i>Events</i> and <i>meetings</i> . The rules in the part have been ordered to chronologically step through the various things that occur at an <i>Event</i> or <i>meeting</i> .
75(6)(d) [104(6)]	Suitability, availability and restrictions on conduct of <i>Stewards</i> and other <i>officials</i>	Subrule 75(6)(d) is a new subrule and provides that a person officiating in a capacity that has the potential to affect the result of an <i>Event</i> must not: “provide information not publicly available.”
75(7)(d) [104(7)(d)]	Suitability, availability and restrictions on conduct of <i>Stewards</i> and other <i>officials</i>	The prohibition on <i>Stewards</i> betting has been made stricter. The rule now has broader application and is tougher from an integrity perspective. It provides that a <i>Steward</i> must not: “directly or indirectly engage in any betting transaction on any <i>meeting</i> .”
90(1) [35(2)]	<i>Gear</i> to be approved and application for use	In this rule, the words “or applied to the satisfaction of a <i>Steward</i> ” are new– this reflects the reality that decisions in relation to <i>gear</i> are typically made by the <i>Stewards</i> . The provision now reads: “Any <i>gear</i> to be applied to a <i>greyhound</i> in connection with kennelling, preparation for racing or competing in an <i>Event</i> must be of a type approved by a <i>Controlling Body</i> or applied to the satisfaction of a <i>Steward</i> .”
95 [45]	Person not in a condition to handle a <i>greyhound</i> properly	Subrule (2) creates a new offence, in relation to handling of a <i>greyhound</i> , and reads as follows: “An offence is committed if a <i>person</i> handles, or attempts to handle a <i>greyhound</i> when incapable of doing so by reason of intoxication, illness or any other cause.”
110(5)[new subrule and compare with 56]	<i>No Race, False Start</i> and <i>Non-starter</i>	Subrule 110(5) is new and provides extra guidance in relation to where an <i>All Clear, Non-starter</i> or <i>No Race</i> decision is to apply. This would encourage consistent decision making by <i>Stewards</i> on a national basis.
122(1) [75(1)]	Obligation to report a matter affecting performance or health or welfare	The words “or health or welfare of a <i>greyhound</i> ” are added to this subrule so that it reads: “The <i>trainer</i> or person in charge of a <i>greyhound</i> must inform the <i>Stewards</i> as soon as practicable about anything that might have affected the running or health or welfare of a <i>greyhound</i> in an <i>Event</i> . This must be done whether the issue becomes known either on or off the <i>racecourse</i> .”

126 [NP]	<i>Greyhounds failing to pursue and marring during an Event</i>	Rule 126 is a new rule directing that if a <i>greyhound</i> has both <i>failed to pursue</i> and <i>marred</i> during the same <i>Event</i> , the offence of <i>marring</i> must be preferred by the <i>Stewards</i> .
127 [69, 69A]	Period of suspension to be imposed for <i>marring</i> or <i>failing to pursue</i>	<p>Rule 127 is a new rule that deals with the period of <i>suspension</i> to be imposed for <i>marring</i> or <i>failing to pursue</i>. The rule reads:</p> <p>“Subject to rule 125 [69B], where, in the opinion of the <i>Stewards</i>, a <i>greyhound</i> is found to have <i>marred</i> or <i>failed to pursue</i> the <i>lure</i> during an <i>Event</i> the <i>Stewards</i> must impose a period of <i>suspension</i> in respect of the <i>greyhound</i>, which is to be recorded as part of the identification record as follows:</p> <p>(a) in the case of a first offence, 28 days at the <i>track</i> where the offence occurred and until the completion of a <i>satisfactory trial</i>; or</p> <p>(b) subject to rule 128[70], in the case of a second offence, 28 days at all <i>tracks</i> and until completion of a <i>satisfactory trial</i>; or</p> <p>(c) in the case of a third or subsequent offence, three months at all <i>tracks</i> and until the completion of two <i>satisfactory trials</i>.”</p> <p>This is a substantial change to the <i>marring</i> and <i>failing to pursue</i> penalty structure. Previously, a first offence was a suspension for 28 days (at the <i>track</i> where the offence occurred) and the completion of a <i>satisfactory trial</i>, a second offence a suspension for three months (at all <i>tracks</i>) and the completion of a <i>satisfactory trial</i>, and a third or subsequent offence was 12 months suspension (at all <i>tracks</i>) and until the completion of a <i>satisfactory trial</i>. The new rule proposes that the first offence be a <i>suspension</i> of 28 days at the <i>track</i> where the offence occurred and the completion of a <i>satisfactory trial</i>. A second offence is a <i>suspension</i> of 28 days at all <i>tracks</i> and the completion of a <i>satisfactory trial</i>. The third or subsequent offence is a three month <i>suspension</i> at all <i>tracks</i> and the completion of <i>two satisfactory trials</i>.</p> <p>The rationale behind this amendment is to enable <i>greyhounds</i> a better opportunity to continue racing should the <i>greyhound</i> be a repeat offender under these rules.</p> <p>Failing to pursue by reason of injury (Rule 125 [rule 69B]) will still apply if applicable for the first <i>failing to pursue</i> offence only. The term ‘suspension’ (in Rule 125 [rule 69B]) has been replaced with the term ‘stand-down’.</p> <p><i>Marring</i> and <i>failing to pursue</i> penalties are no longer dealt with separately, they are now combined. A <i>greyhound’s</i> first penalty may be for <i>failing to pursue</i>, its second for <i>marring</i>, and third for <i>failing to pursue</i>, or any combination of the two.</p>

	Part 8: Prohibited substances and prohibited methods	<p>In this part, the following provisions are set out:</p> <ul style="list-style-type: none"> • powers in relation to testing and collection of <i>samples</i>; • the meaning of the terms “<i>prohibited substance</i>”, “<i>exempted substance</i>” and “<i>permanently banned prohibited substance</i>” • offences in relation to <i>prohibited substances</i> and <i>prohibited methods</i> are identified in a logical order; and • there are some evidentiary rules in relation to <i>prohibited substances</i> or <i>prohibited methods</i>.
136(1) [79(1)]	Testing and collection of <i>samples</i>	<p>The words “examination or inspection” have been added to this subrule, so that it reads:</p> <p>(1) [79(1)] A <i>Controlling Body</i> or the <i>Stewards</i> may carry out or cause to be carried out any test, examination or inspection they think necessary in relation to a <i>greyhound</i> at any time, including:</p> <p>(a) a <i>greyhound</i> which has been <i>nominated for</i> or has competed in an <i>Event</i>;</p> <p>(b) a <i>greyhound</i> presented for a <i>satisfactory trial</i> or such other trial as provided for pursuant to <i>the Rules</i>;</p> <p>(c) a <i>greyhound</i> which has been <i>presented</i> for any test or examination for the purpose of ascertaining its fitness to take part in an <i>Event</i> and/or for the purpose of having removed or varied any <i>stand-down period</i> issued pursuant to <i>the Rules</i>.</p>
137 [NP as a stand alone rule]	Meaning of <i>prohibited substance</i>	The existing GA Rules have the definition of <i>prohibited substance</i> set out in the definitions section of the rules. Now, the rule which sets out what a <i>prohibited substance</i> is, is set out in a specific stand-alone provision, within Part 8.
138 [NP]	Meaning of <i>exempted substance</i>	This is a new stand-alone provision dealing with the meaning of “ <i>exempted substance</i> ”. In the existing rules, there is a definition of “ <i>exempted substance</i> ” in the definitions section, but there is no stand-alone provision in relation to it.
140 [83(6) to (12)]	<i>Prohibited Substances</i> subject to a threshold	This is a new stand-alone provision which clearly sets out the thresholds that apply in relation to some <i>prohibited substances</i> in respect of certain <i>prohibited substances</i> offences.

<p>142(1)(b) and (1)(c) [83(1A)]</p>	<p><i>Administration of a prohibited substance established in a sample taken from a greyhound in connection with an Event</i></p>	<p>Subrules (1)(b) and (1)(c) of this rule now have a new “attempt to administer” limb, such that:</p> <ul style="list-style-type: none"> • subrule (1)(b) reads: “An offence is committed if a <i>person</i>: aids, abets, counsels or procures the <i>administration</i> of or an attempt to <i>administer a prohibited substance</i> to a <i>greyhound</i> which is established in any <i>sample</i> taken from a <i>greyhound presented</i> for an <i>Event</i> or when subject to any other contingency pursuant to <i>these Rules</i>.” • subrule (1)(c) reads: “An offence is committed if a <i>person</i>: has prior knowledge of a <i>prohibited substance</i> being <i>administered</i> or attempted to be <i>administered</i> to a <i>greyhound</i>, which is established in any <i>sample</i> taken from a <i>greyhound presented</i> for an <i>Event</i> or when subject to any other contingency pursuant to <i>these Rules</i>.” <p>It is noted that these offence provisions are subject to subrule (2) which reads: “It will not be a breach of subrule (1) of this rule if there is established in a <i>sample</i> referred to in subrule (1) a <i>prohibited substance</i> at or below a level stated in rule 140[83(6) to 83(12)].”</p>
<p>143(1)(b) and (1)(c) [83(1)(b) and (1)(c)]</p>	<p><i>Administration of a prohibited substance for the purpose of affecting condition, behaviour or performance, or preventing a greyhound from starting in an Event</i></p>	<p>Subrules (1)(b) and (1)(c) now include an “attempt to administer” limb, whereas in the existing rule there is no “attempt to administer” limb in subrules 83(1)(b) and 83(1)(c).</p>
<p>144 [compare with 84A(4)(a)]</p>	<p><i>Administration, acquisition or possession of permanently banned prohibited substances</i></p>	<p>What is currently in 84A(4)(a) is now in 144(1)(a) and 144(1)(d) however, 144(1)(d) also contains an extra limb; it makes “possession” of any <i>permanently banned prohibited substance</i> an offence. Further, 144(1)(b) and 144(1)(c) are new and provide that an “offence is committed if a <i>person</i>: ...</p> <ul style="list-style-type: none"> (b) aids, abets, counsels or procures the <i>administration</i> of or an attempt to <i>administer a permanently banned prohibited substance</i> to a <i>greyhound</i>; (c) has prior knowledge of a <i>permanently banned prohibited substance</i> being <i>administered</i> or attempted to be <i>administered</i> to a <i>greyhound</i>; ...”
<p>145(1) [83A(1)]</p>	<p>Treatment prior to an <i>Event</i></p>	<p>Compared to existing rule 83A(1), proposed rule 145(1) contains an additional “attempt to <i>administer</i>” limb, so that it reads:</p> <p>“An offence is committed if, without the permission of the <i>Stewards</i>, a <i>person administers</i>, causes to be</p>

		<i>administered</i> , or attempts to <i>administer</i> any treatment to a <i>greyhound</i> at any time on the <i>day</i> of a <i>meeting</i> until that <i>greyhound</i> is no longer <i>presented</i> for an <i>Event</i> .”
145(3) [83A(3)]	Treatment prior to an <i>Event</i>	Rule 145(3) uses the terminology used in other racing codes of “ <i>clear day</i> ” (which the relevant definition in rule 9 defines as “a 24 hour period from 12.00am to 11.59pm”) as opposed to “day prior to the day of an <i>Event</i> ” (see existing 83A(3)), so that rule 145(3) reads: “No <i>person</i> without the permission of the <i>Stewards</i> may <i>administer</i> or cause to be <i>administered</i> any injectable substance to a <i>greyhound</i> at any time during the one <i>clear day</i> prior to 12.00am on the day of an <i>Event</i> that it is <i>nominated</i> to compete in.”
146 [NP]	<i>Therapeutic substances</i> and <i>screening limits</i>	This is a new rule which specifically makes provision for the classification of substances as “ <i>therapeutic substances</i> ” with “ <i>screening limits</i> ”.
147[NP]	<i>Residue substances</i> and <i>residue limits</i>	This is a new rule which specifically makes provision for the classification of substances as “ <i>residue substances</i> ” with “ <i>residue limits</i> ”.
148 [Compare with 84(2) but NP as much more detailed, compare with 84A(4)(b), 84A(4)(c), and 85]	<i>Possession of a prohibited substance, exempted substance</i> or other substance and other rules in relation to certain substances	The provisions in rule 148 as they relate to <i>possession</i> are more detailed than the currently existing provisions in relation to possession.
150 [NP]	<i>Prohibited methods</i>	This is a new provision which prohibits certain identified methods, such as any method of artificially enhancing the uptake, transport or delivery of oxygen (see rule 150(1)(b)) and any method of intravascular manipulation of the blood or blood components by physical or chemical means (see rule 150(1)(c)). Performing, causing to be performed, or attempting to perform a <i>prohibited method</i> all constitute an offence.

152 [NP]	Evidentiary provisions	<p>This new rule contains provisions designed to clarify and assist in the process of proving offences in relation to <i>prohibited substances</i>. Among other things, the rule provides that:</p> <ul style="list-style-type: none"> • when there is a prohibited substance charge, the person or body bringing the charge does not have to prove that a <i>person</i> charged with an offence knew that a <i>prohibited substance</i> was in fact a <i>prohibited substance</i>: rule 152(3)(a); • the person or body bringing a charge does not need to prove that a <i>prohibited substance</i> was a <i>prohibited substance</i> of a particular kind or name: rule 152(3)(b); • the person or body bringing the charge does not need to prove that a <i>prohibited substance</i> has a particular effect on a <i>greyhound</i>, such as a particular performance or behaviour effect: rule 152(3)(c); and • the person or body bringing a charge does not need to prove that a <i>prohibited substance</i> has been scientifically proven to enhance the performance of either a <i>greyhound</i> or other mammal: rule 152(3)(d).
153 [NP]	Methods of establishing facts or presumptions in relation to an offence under Part 8 of <i>these Rules</i>	<p>This rule provides that certain prohibited substance offences can be proved through a concept known as “reliable means”. “Reliable means” includes scientific analysis or testing, but may also include proof by admissions, through witness statements, documentary evidence and other analytical information which of itself does not satisfy all the requirements to scientifically establish a <i>prohibited substance</i> being in a <i>sample</i>.</p>
154 [80 and 81]	Testing procedures, and the evidentiary value of <i>certificates of analysis</i>	<p>New provisions have been added which include:</p> <ul style="list-style-type: none"> • subrules 154(5) and 154(8) – which provide that one signed <i>certificate of analysis</i> from an <i>approved laboratory</i> (in relation to an “A” <i>portion</i>) contains <i>prima facie</i> evidence of the matters contained in it regarding the presence of a <i>prohibited substance</i> (unless the certification, testing or analysis process which preceded the production of the certificate was “materially flawed”); and • subrules 154(6) and 154(8) – which provide that the result of two analyses contained in two signed <i>certificates of analyses</i> from one or more <i>approved laboratories</i> (in relation to an “A” <i>portion</i> and a <i>reserve “B” portion</i>) constitutes “conclusive evidence” of the matters contained in them regarding the presence of a <i>prohibited substance</i> (unless the certification, testing or analysis process which preceded the production of the certificate was “materially flawed”). <p>This can be compared with the existing regime (see rule 80(3) and rule 81), which is to the effect that the</p>

		<p>results set out in a signed <i>certificate of analysis</i> from an <i>accredited laboratory</i> constitute <i>prima facie</i> evidence of the matters contained in it - there is no existing provision which facilitates two certificates constituting conclusive evidence (unless the certification, testing or analysis process which preceded the production of the certificate was “materially flawed”.)</p> <p>This new approach is the same in substance as that taken by harness racing (for some years), and provides a more streamlined way to establish the presence of a <i>prohibited substance</i> in a <i>sample</i>.</p>
	Part 9: Misconduct/Offences	
156(w) [86(ag)]	General offences	<p>The words “or code of practice” have been added so that the provision now reads:</p> <p>“An offence is committed if a <i>person</i> (including an <i>official</i>): fails to comply with a policy or code of practice adopted by a <i>Controlling Body</i>”.</p> <p>This is an important change because it is likely that an increased number of requirements and standards are contained in codes of practice adopted by <i>Controlling Bodies</i>.</p>
159(1)(d) [86B(1)(d)]	Offences relating to <i>luring</i> and baiting	<p>The word “all” has been added before “reasonable endeavours”, so as to make the requirement tougher – the provision now contains an offence where a <i>person</i>, in the opinion of a <i>Controlling Body</i> or the <i>Stewards</i>:</p> <p>“fails to use all reasonable endeavours to prevent a <i>greyhound</i> pursuing or attacking any live animal, animal carcass or any part of an animal”.</p>
159(1)(e) [NP]	Offences relating to <i>luring</i> and baiting	<p>This is a new subrule which contains a new offence - it makes it an offence for someone to advertise, promote, or organise live baiting.</p>
159(2)[86C(4)]	Offences relating to <i>luring</i> and baiting	<p>Rule 159(2) sets out a rule the substance of which is also contained in a later provision (see below) and provides that:</p> <p>“Any person who commits an offence under subrule (1) of this rule shall not be entitled to make any future applications for any licence or registration to a <i>Controlling Body</i>, or to be an <i>owner</i> of any registered <i>greyhound</i>.”</p> <p>The substance of this rule is also provided for in rule 161(1) (and is in current rule 86C(4)).</p>

159(5) [NP]	Offences relating to <i>luring</i> and baiting	<p>This new provision, provides that the baiting offences contained in subrules 159(1)(a) to (1)(e) are “absolute liability” offences, such that the references to “live animal”, “animal carcass”, or “any part of an animal” refer to the fact of the existence of each of those conditions, whether or not the charged person knew or believed of the applicable condition. Absolute liability offences <u>do not</u> permit a defence of “honest and reasonable mistake of fact” being relied on. The offence in rule 159(1)(h) is also now expressed to be an absolute liability offence, such that it is the fact of the relevant conviction, without anything more, which constitutes the offence.</p> <p>Absolute liability for these offences is consistent with a stronger regulatory approach for these extremely serious matters that have the ability to significantly damage the reputation and ongoing longevity of <i>greyhound racing</i>.</p>
162(a) [NP]	Other animal welfare offences	<p>This is a new provision which makes it an offence if a <i>person</i> (including an <i>official</i>): “pleads guilty or is found guilty of any offence provided for by legislation directed at the prevention of cruelty to animals”.</p>
162(b) [86(ad)]	Other animal welfare offences	<p>The offence set out in 162(b) [86(ad)] has now been expressly made an absolute liability offence – that means the offence will be committed if the relevant animal is alive, whether or not a charged person knew or believed that it was alive.</p>
162(d) [86(ae)(i)]	Other animal welfare offences	<p>The word “undue” has been removed from the subrule before “suffering”, so that the rule now reads: “An offence is committed if a <i>person</i> (including an <i>official</i>): by use of any <i>gear</i>, equipment, device, substance or by any other means inflicts suffering on a <i>greyhound</i>”.</p>
162(e) [86(ae)(ii)]	Other animal welfare offences	<p>The word “undue” has been removed from the subrule before “suffering” so that the rule now reads: “An offence is committed if a <i>person</i> (including an <i>official</i>): has in their <i>possession</i> any <i>gear</i>, equipment, device, substance or any other thing capable of inflicting pain or suffering on a <i>greyhound</i>”.</p>
162(f)[86(af)]	Other animal welfare offences	<p>The coverage of existing rule 86(af) is expanded by the insertion of “or is involved in the use of”; also, the words “in the opinion of the <i>Stewards</i>” are new. The rule now reads: “An offence is committed if a <i>person</i> (including an <i>official</i>): uses or is involved in the use of an animal for any purpose connected with <i>greyhound racing</i> or training in a manner which, in the opinion of the <i>Stewards</i>, amounts to maltreatment of an animal, or which is improper or illegal.”</p>

164(a) and 164(b) [compare with 86(d) and 86(e)]	Offences in relation to investigations and inquiries	Rules 164(a) and 164(b) (compare with [86(d) and 86(e)]) are relevantly broadened so that it is an offence to make a false or misleading statement, or refuse to give evidence (or fail to attend to give evidence), at any “hearing” or “appeal proceeding” (as well as in the other circumstances identified).
168 [NP; compare with GRV LR 11.2A, which the new provision is similar to and based on]	Obligations of <i>registered persons</i> to report certain offences and circumstances	This is a new provision which makes it mandatory for a <i>registered person</i> to notify the <i>Controlling Body/ies</i> by whom they are registered within seven days of: having committed an offence punishable by fine or imprisonment (other than a fine for a traffic offence); having their registration with a racing body or <i>approved controlling authority suspended, disqualified</i> or cancelled; becoming a <i>defaulter</i> , being <i>warned off</i> or fined in excess of \$250 in connection with <i>greyhound</i> , harness, or thoroughbred racing, other than by a <i>Controlling Body</i> with whom they are registered; and being the subject of any action under legislation directed at the prevention of cruelty to animals.
	Part 10: Disciplinary processes and penalties	
170(6) [NP]	Inquiries	This new rule specifically makes it clear that if a <i>person</i> is served with a notice of an inquiry but does not appear at the inquiry, the inquiry may proceed in the absence of the <i>person</i> , as has been practice.
174 [NP and 95]	<i>Penalties</i>	This rule specifically provides that a “reprimand (sometimes known as a warning or caution)” is a specific type of <i>penalty</i> which can be imposed by a <i>Controlling Body</i> or the <i>Stewards</i> .
178(3)(b) [compare with 99(3)(c)]	Effect of <i>disqualification, suspension, warning off</i> or being declared a <i>defaulter</i>	This subrule now provides that unless a <i>Controlling Body</i> orders otherwise, a <i>person</i> who is <i>disqualified, warned-off</i> or declared a <i>defaulter</i> is not: “to enter any enclosure or other part of a <i>racecourse</i> or any property occupied or used in connection with a <i>racecourse</i> whether acting as agent or in any other capacity;” The current rule prevents access to the relevant “enclosure or other portion of a racecourse or any lands occupied or used in connection with a <i>racecourse</i> , <u>during any Event</u> , whether acting as agent or otherwise” (emphasis added in underline).



Last Revised: 24 May 2021

182 [NP and compare with 103]	Reciprocity of <i>penalties</i> as between Australian and New Zealand <i>Controlling Body</i> jurisdictions	This rule now makes it clear that except in the case of fines and reprimands, a penalty imposed in the jurisdiction of one <i>Controlling Body</i> automatically applies in the jurisdiction of the other <i>Controlling Bodies</i> .
183 [NP and compare with 103]	<i>Penalties</i> imposed by <i>approved controlling authorities</i> to apply in <i>Controlling Body</i> jurisdictions	This rule makes it clear that except in the case of fines, reprimands and in certain circumstances, <i>suspensions</i> , the normal position is that a penalty imposed in the jurisdiction of an <i>approved controlling authority</i> automatically applies in the jurisdiction of a <i>Controlling Body</i> .