

Greyhound Transfer Policy

(Participants under investigation or subject to disciplinary action)

<p>Purpose</p>	<p>The purpose of this Policy is to:</p> <ul style="list-style-type: none"> • Ensure that Greyhound Racing Rules restricting the transfer of greyhounds by participants who are under investigation or subject to disciplinary action are enforced; • Protect the welfare of greyhounds kept by participants who are under investigation or subject to disciplinary action; • Detail the process for applying for an exemption from Rules restricting transfer of greyhounds by participants who are under investigation or subject to disciplinary action; and, • Explain the requirements for making an application for exemption from Rules restricting the transfer of greyhounds.
<p>Scope</p>	<p>This Policy applies to all greyhound racing industry participants registered with the Commission, and to transfer of any greyhounds owned or kept by these participants.</p>
<p>Relevant Rules</p>	<p>The following Rules restrict transfer of greyhounds by participants who are under investigation or subject to disciplinary action:</p> <ul style="list-style-type: none"> • LR155A (Restrictions on owners and trainers notified of positive analysis) • LR 178C (Restrictions on defaulters and persons disqualified, suspended or warned off)
<p>Breach</p>	<p>A failure to comply with the terms of this Policy may result in:</p> <ul style="list-style-type: none"> • The Commission directing that the greyhound be returned to its original location; • The scratching of any greyhound transferred contrary to this Policy if the greyhound is nominated to race; and/or • Disciplinary action under the <i>Greyhound Racing Act 2017</i>.

Policy

1. Definitions

“**Close associate**” includes a person with whom the participant:

- shares the same kennel address; and/or
- is in an employee-employer relationship; and/or
- is in a personal relationship.

“**Personal relationship**” includes the following:

- Married couples;
- De-facto couples;
- Persons who are in any way related to each other.

“**Conditions**” means one or more conditions imposed by the Commission when granting an exemption from Rules restricting transfer of greyhounds.

“**Exceptional circumstances**” means circumstances which are out of the ordinary, are unusual, uncommon or not regularly or routinely encountered.

“**Greyhound**” means any greyhound owned or kept by a greyhound racing industry participant, whether named or unnamed.

“**Subject to disciplinary action**” means that the participant is currently:

- Disqualified (interim or final);
- Warned off (interim or final);
- Suspended (interim or final); or
- Declared as a defaulter under LR178C.

“**Participant under investigation**” means:

- A participant who has been issued with a Notice of Proposed Disciplinary Action by the Commission; or
- A participant who has been issued with an ‘A Sample Notification’ letter relating to a positive swab by the Commission or by a controlling body in another jurisdiction.

“**Transferee**” means the participant who receives a greyhound that is transferred to them

“**Transferor**” means the participant who transfers a greyhound to another participant.

2. Policy principles

- The Commission will enforce Rules restricting transfer of greyhounds by participants who are under investigation or subject to disciplinary action.
- The Commission will ensure that the intent of Rules restricting the transfer of greyhounds is not compromised by transfer of greyhounds to a close associate of the transferor.
- Participants may apply for an exemption from Rules restricting the transfer of greyhounds.
- An exemption will be granted where the Commission is satisfied that

	<p>exceptional circumstances exist and/or the transfer is necessary to protect the welfare of greyhounds.</p> <ul style="list-style-type: none"> The Commission will not grant an exemption where the effect of the proposed transfer would compromise the intent of the relevant Rule restricting transfer of greyhounds.
<p>3. Restrictions on transfer of greyhounds – participants under investigation or subject to disciplinary action</p>	<p>A participant who is under investigation or subject to disciplinary action must not:</p> <ul style="list-style-type: none"> Transfer a greyhound to a different owner; Transfer a greyhound to a different trainer; Use an online system to remove themselves as the trainer of a greyhound; or, Transfer a greyhound into their custody (note: this restriction applies only to participants who are subject to disciplinary action).
<p>4. Restrictions on receiving greyhounds from participants who are under investigation or subject to disciplinary action</p>	<p>A participant must not buy, train, or otherwise keep a greyhound that is owned, trained or otherwise kept by a participant who is under investigation or subject to disciplinary action, unless the greyhound is named in an exemption granted by the Commission.</p>
<p>5. Applying for an exemption from Rules restricting transfer of greyhounds by participants under investigation or subject to disciplinary action</p>	<p>A participant who is under investigation or subject to disciplinary action may apply for an exemption from Rules restricting the transfer of greyhounds (i.e. under LR 155A and LR 178C).</p> <p>An application for an exemption must:</p> <ul style="list-style-type: none"> Be made in writing by the participant who is under investigation or subject to disciplinary action or the owner of the greyhound (if the owner is not the participant) and emailed to registration@gwic.nsw.gov.au; Nominate a new owner and/or trainer that the greyhound is to be transferred to; and, Explain why the Commission should allow the transfer. <p>An application for exemption cannot be made retrospectively (that is, after the greyhound has already been transferred).</p>
<p>6. Approval of applications for exemption</p>	<p>The Commission will consider the application for exemption within five (5) business days of receiving it.</p> <p>If the Commission is satisfied that exceptional circumstances exist, or that the proposed transfer is necessary to protect the welfare of the greyhound, the application for exemption will be approved.</p>

	<p>The Commission may request further information from the participant in order to assess the application.</p> <p>Where an application for exemption is approved, the Commission may attach conditions to the exemption (for example, that the greyhound be kept at a particular address, or that the greyhound be taken to a veterinarian).</p> <p>The applicant will be advised of the outcome of their application in writing.</p> <p>If the exemption is approved, the Commission will process the transfer.</p>
7. Ongoing effect of Policy	Any participant who receives a greyhound transferred under this Policy is subject to the same restrictions imposed on the original transferor. This means that the greyhound must not be transferred to a close associate while the transferor remains under investigation or subject to disciplinary action.
8. Appeal rights	A participant who is refused an exemption under LR 155A or LR 178C may seek a One Review of the decision. Information about how to apply for a OneReview can be found here .
Effective Date	7 April 2021
Review Date	6 April 2022
Last amended:	1 June 2022
Review	This policy will be reviewed annually.
	This policy was the subject of consultation with GRNSW, GBOTA and GIPAC.