



STATUTORY INSTRUMENTS.

S.I. No. 440 of 2016



GREYHOUND INDUSTRY (RACING) (AMENDMENT)
REGULATIONS 2016

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Bord na gCon, in exercise of the powers conferred on it by sections 25 and 48 of the Greyhound Industry Act 1958 (No. 12 of 1958), and also by sub-section (3) of section 5 of the said 1958 Act, hereby makes the following regulations, that is to say:-

1. These regulations may be cited as the Greyhound Industry (Racing) (Amendment) Regulations, 2016.

2. The Greyhound Industry (Racing) Regulations, 2007 (S.I. No. 302 of 2007), the Greyhound Industry (Racing) (Amendment) Regulations, 2015 (S.I. No. 350 of 2015), the Greyhound Industry (Racing) (Amendment) (No. 2) Regulations, 2015 (S.I. No. 396 of 2015) and these regulations may be cited together as the Greyhound Industry (Racing) Regulations, 2007 to 2016.

3. Article 2 of the Greyhound Industry (Racing) Regulations, 2007 is amended by the insertion of the following definitions:

“Animal Remedy” has the same meaning as in the Animal Remedies Act 1993 (No. 23 of 1993);

“Bedding” means any material solely used for providing a layer inside the kennel for the comfort of the greyhound;

“Identity Card of the Irish Greyhound Studbook” means an identification card issued in accordance with Part 5 of the Irish Coursing Club Rules;

“Kennelhand Authorisation” means an authorisation required by any person who is appointed to handle greyhounds in the charge of a registered owner or licensed trainer and who acts as the greyhound’s handler and/or parader at any stage of a race meeting;

4. Article 3 of the Greyhound Industry (Racing) Regulations, 2007 is amended by the insertion of the following sub-article after sub-article (1)—

“(1A) A greyhound which is prohibited from racing in accordance with paragraph (a) of sub-article (3C) of article 29 of these regulations shall not be eligible for entry in any trial or race.”

5. Article 4 of the Greyhound Industry (Racing) Regulations, 2007 is hereby amended—

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 9th August, 2016.*

(1) by the substitution of the following paragraph for paragraph (*e*) of sub-article (1)—

“(e) The person making the entry shall state on the entry form or inform the race track executive where the greyhound may be inspected. By entering a greyhound to race or trial at a track licensed by the Board, the owner, trainer and/or agent of the greyhound consents to the inspection of the greyhound, and to samples being taken from the greyhound, by an authorised officer of the Board wherever the greyhound is kennelled (whether at the registered premises at time of entry or not) and whether before or after such race. Where such a greyhound is determined not to be present at the registered premises at the time of entry by an authorised officer of the Board, or where an owner, trainer or agent of the greyhound does not provide reasonable facilities, including access to the registered kennels and greyhounds contained therein, any such greyhound shall be immediately withdrawn from any trial or race in which the greyhound happens to be entered;”, and

(2) by the insertion of the following paragraphs after paragraph (*f*) of sub-article (1)

“(g) A greyhound in respect of which an analysis of a sample has been reported as positive for a prohibited substance by a laboratory approved by the Board (whether such sample was taken under these regulations or otherwise) shall not be eligible for entry unless a subsequent analysis has been carried out in accordance with sub-article (3C) of article 29 of these regulations with negative results.

(h) A greyhound in respect of which an owner, trainer, agent or other person attending to such greyhound has obstructed the taking of a sample by a steward, a control steward, a veterinary surgeon or an authorised officer under the Act, or who has otherwise refused to permit the sampling of such greyhound by a steward, a control steward, a veterinary surgeon, or an authorised officer under the Act, shall not be eligible for entry, and any such greyhound shall be immediately withdrawn from any trial or race in which the greyhound happens to be entered, unless, at a time subsequent to such obstruction or refusal, an analysis has been carried out in accordance with sub-article 3C of article 29 of these regulations with negative results.

(i) Without prejudice to paragraph (*a*) of sub-article (3C) of article 29 of these regulations, and in respect only of samples taken at the premises of the owner, trainer or agent of the greyhound which has been sampled, paragraphs (*g*) and (*h*) of this article shall not apply in relation to any substance (other than an anabolic steroid) which has been lawfully administered to a greyhound for bona-fide therapeutic purposes, proof of which shall lie on the owner or trainer of such greyhound or their agent, and

the result of any test on any such sample as regards any such substance shall not be regarded as an adverse analytical finding for the purposes of sub-articles (3B), (3C), (4), (7), and (8) of Article 29 of these regulations.

- (j) For the purposes of paragraph (i) a substance which is an animal remedy within the meaning of the European Communities (Animal Remedies) (No.2) Regulations 2007 (S.I. No. 786 of 2007) shall be regarded as having been lawfully administered to a greyhound only if it has been administered in compliance with the provisions of Part VI of those regulations.
- (k) A greyhound must be in compliance with the Microchipping of Dogs Regulations 2015 (S.I. No. 63 of 2015) in order to be eligible for entry in any trial or race.
- (l) A person who is eligible to keep a greyhound for entry into racing shall-
 - (i) maintain a record (in these Regulations referred to as “the record”) of all animal remedies administered to the greyhound, or treatment provided by a veterinary practitioner to the greyhound, such record to be made within 24 hours of the administration or treatment and to be maintained thereafter for a period of not less than one year.
 - (ii) On the request of an Authorised Officer the record must be made available by an owner or trainer of any greyhound entering a race or presenting a greyhound at the track for inspection by such Officer.
- (m) Each record must contain at least the following information:
 - (i) name, greyhound tattoo and microchip identification code of the greyhound as contained in the Identity Card of the Irish Greyhound Studbook;
 - (ii) (I) name of the animal remedy as authorised in accordance with the European Communities (Animal Remedies) (No. 2) Regulations 2007 (S.I. No. 786 of 2007), or
(II) nature of the treatment provided by a veterinary practitioner where no animal remedy was administered;
 - (iii) date of treatment provided by a veterinary practitioner or the administration of an animal remedy;
 - (iv) route and dosage per day quantity of the administration of the animal remedy;

- (v) name of the person administering the treatment or animal remedy;
- (vi) where appropriate, name and registration details of the person authorising or prescribing the animal remedy or treatment provided by a veterinary practitioner.”

6. Article 5 of the Greyhound Industry (Racing) Regulations, 2007 is hereby amended by the insertion of the following sub-articles after sub-article (12)—

“(13) (a) Any person appointed to handle a greyhound in the charge of a registered owner or licensed trainer and who acts as the greyhound’s handler and/or parader at any of the stages of a race meeting other than the registered owner, licensed trainer or registered agent, shall before taking up any duties, obtain a kennelhand authorisation from the Board.

(b) No person, other than an appointed race track official, or the registered owner, licensed trainer, registered agent, or authorised kennelhand of a kennelled greyhound, shall be admitted to the kennel area or its enclosure at any time during which any greyhound is kennelled for a race or a trial.

(c) An authorised kennelhand shall comply in all respects with the racing regulations for the time being in force and satisfy the Board that they are—

(i) a fit and proper person to hold such an Authorisation;

(ii) are not subject to any breach or investigation pursuant to the Welfare of Greyhounds Act 2013;

(iii) are not subject to any investigation or disciplinary action under the Greyhound Industry Act, 1958 or regulations made thereunder.

(d) A decision to grant, to refuse to grant or renew, or to revoke, an Authorisation may be made at any time as the Board deems necessary to protect the integrity of the industry. Such decisions to refuse, renew or revoke a licence may be appealed by the applicant to the Control Committee within 21 days.

(14) No person other than an authorised officer of the Board may use a mobile telephone in the kennel or kennels enclosure or during parading. This includes any appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

(15) (a) The owner, trainer, agent or kennelhand shall make bedding used in kennels available for inspection by the authorised officers of the race track if so requested;

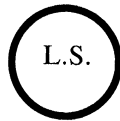
(b) All items except for bedding, a racing muzzle, kennel muzzle, racing sheet and kennel cover are prohibited in kennels.”

7. Article 32 of the Greyhound Industry (Racing) Regulations, 2007 is hereby amended by the insertion of the following paragraph after paragraph (i) of sub-article (1)—

“(j) who acts in a violent or improper manner towards any official, authorised officer, board member or any other member of staff employed at any race track or stadium licensed or operated by the Board.”

8. (1) Subject to sub-article (2) of this article, these regulations shall come into effect on the 1st day of August, 2016.

(2) The insertion by article 5 of these regulations of paragraphs (l) and (m) into sub-article (1) of article 4 of the Greyhound Industry (Racing) Regulations, 2007 shall come into effect on the 1st day of September, 2016.



Given under the Seal of Bord na gCon,
14 July 2016.

PHILIP MEANEY,
Chairman of the Board.

GERALDINE LARKIN,
Chief Executive of the Board, an Officer Authorised by the
Board to Authenticate the Seal of the Board.

An officer authorised by the Board to authenticate the Seal of the Board.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

The effect of these regulations is to:

- I. provide that a greyhound prohibited from racing in accordance with paragraph (a) of sub-article (3C) of article 29 of Greyhound Industry (Racing) Regulations, 2007 shall not be eligible for entry in any trial or race;
- II. provide for out of competition inspection and sampling of racing greyhounds, and, where a positive result is obtained, requires a negative sample to be returned before the greyhound can participate in trials or racing again. It also prohibits any greyhound from participation where an owner or trainer has obstructed the sampling of the greyhound. Certain exemptions are provided in cases where the positive result was as a consequence of an animal remedy lawfully administered to a greyhound for bona-fide therapeutic purposes;
- III. require that all racing greyhounds are in compliance with the Micro-chipping of Dogs Regulations 2015 (S.I. No. 63 of 2015) in order to be eligible for entry in any trial or race;
- IV. require that a record be kept of all animal remedies administered to a greyhound, and any treatment provided by a veterinary practitioner to a greyhound, and establish a condition of entry that such record must be produced on the request of an authorised officer;
- V. require a person, other than the registered owner, licenced trainer or registered agent of a greyhound, who handles or parades a greyhound at any of the stages of a race meeting to obtain a Kennelhand Authorisation;
- VI. provide that no person, other than an appointed race track official, or the registered owner, licensed trainer, registered agent, or authorised kennelhand of a kennelled greyhound, shall be admitted to the kennel area or its enclosure at any time during which any greyhound is kennelled for a race or a trial;
- VII. prohibit the use of mobile phones in the kennels or kennel enclosure;
- VIII. prohibit all items other than bedding, a racing muzzle, kennel muzzle, racing sheet and kennel cover are prohibited in kennels;
- IX. ensure that bedding only includes material solely used for providing a layer inside the kennel for the comfort of the greyhound;

- X. allow an Exclusion Order to be applied to any person who acts in a violent or improper manner towards any official, authorised officer, board member or any other member of staff employed at any race track or stadium licensed or operated by the Board.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€3.05



Wt. (B32300). 285. 8/16. Essentra. Gr 30-15.