



COMMISSIONER FOR
BETTER REGULATION

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3 March 2017

Ms Sally Fensling
Executive Director, Domestic Animals, Forestry and Game Branch
Department of Economic Development, Jobs, Transport and Resources
475 Mickleham Road
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Dear Ms Fensling

REGULATORY IMPACT STATEMENT FOR THE PROPOSED CODE OF PRACTICE FOR THE KEEPING OF RACING GREYHOUNDS 2017

I would like to thank the staff of the Domestic Animals, Forestry and Game Branch within the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) for working with my team on the preparation of the Regulatory Impact Statement (RIS) for the *Proposed Code of Practice for the Keeping of Racing Greyhounds 2017*.

Under section 10 of the *Subordinate Legislation Act 1994* (the Act), the Commissioner for Better Regulation is required to provide independent advice on the adequacy of all RIS prepared in Victoria. The Commissioner's role is to advise on the adequacy or otherwise of the analysis presented in the RIS, rather than the merits or otherwise of policy or regulatory proposals. A RIS is deemed to be adequate when it contains analysis that is logical, draws on relevant evidence, is transparent about assumptions made, and is proportionate to the proposal's expected effects. The RIS also needs to be clearly written so that it can be a suitable basis for public consultation.

I am pleased to advise that the final version of the RIS received on 23 February 2017 meets the adequacy requirements of the Act.

The proposed Code prescribes and enforces requirements for greyhound owners, rearers and trainers, including health management plans, independent veterinarian checks, fencing and housing requirements, and socialisation requirements. Greyhound Racing Victoria (GRV) will administer and enforce the proposed Code.

The RIS states that the Department's objectives in regard to the proposed Code are:

"To increase (improve) the quality of life and welfare of greyhounds, throughout their lifecycle and provide consistent management which will alleviate stress and therefore enable an easy, smooth and rapid, transition to a pet at any time point in its lifecycle."

To achieve this, the RIS explains that the proposed Code covers a range of matters related to:

"management practices that impact on animal welfare and quality of life (excluding the issues of live baiting and wastage), and the transition to rehoming."

The RIS notes that:

"The issue of wastage (oversupply of dogs) and euthanasia is not addressed specifically in this RIS" but that "Although the proposed Code does not address wastage in itself, GRV strategies and policies (running in conjunction with the proposed Code) will."

The RIS analyses 6 options to achieve the Department's objectives which are variations of the preferred option – the proposed Code with GRV enforcement. These include adjusting elements of the proposed Code that have more significant compliance costs (health management plans and rearing requirements), and options based around the instruments or enforcement tools used to influence compliance (including voluntary compliance with the proposed Code supported by an information campaign; adopting the proposed Code in local rules; or using local councils to enforce the proposed Code). The RIS uses a multi-criteria analysis to examine options against the criteria of animal welfare, rehoming potential, and net cost to industry and government. The Department concludes that the proposed Code achieves the best welfare and rehoming outcomes, while also considering the costs.

The Department estimates that the proposed Code will impose a net cost of around \$118 million over 10 years, which will affect greyhound breeders and trainers, and GRV in administering and enforcing the Code. The Department notes that many of these costs will be passed on to owners, which is likely to increase the "cost by \$1,550 per dog over their lifetime ... a 7.8% increase from the average estimated costs of ownership. It is unclear if this will reduce involvement in the industry."

The Department expects that "small industry participants are not likely to face significantly different or disproportionate costs in complying with the proposed Code", as the costs that breeders and trainers will face 'per dog' are likely to be similar, and driven by existing levels of compliance rather than size of operation.

In regard to the costs for hobby breeders, the proposed Code exempts hobby breeders (defined as 2 adult greyhounds and 1 litter) from complying with housing pen/yard requirements, but that "all record keeping requirements, vet agreements, health plans etc. however, would still need to be undertaken."

In terms of evaluation, the Department notes that the proposed Code will be evaluated in the context of GRV's "broad-based animal welfare evaluation strategy" from mid-2019. The stated aims of this evaluation strategy include:

- *"Preventing excessive breeding (reducing litter numbers);*
- *Reducing the premature death of racing greyhounds;*
- *Optimising the use of the racing greyhound populations;*
- *Improving outcomes for rehoming greyhounds;*
- *Informing GRVs infrastructure investments into greyhound welfare; and*
- *Providing training to industry participants to improve greyhound welfare at every stage of the dog's lifecycle."*

The Department notes the high level of cooperation it has received from GRV in preparing the RIS, especially in regard to the provision of data, and relevant information.

Should you wish to discuss any of the issues raised in this letter, or the implications of new information or policy options identified through the public consultation process for your proposal, please do not hesitate to contact our office on (03) 9092 5800.

Yours sincerely



Anna Cronin

Commissioner for Better Regulation

