

# 2023 Local Rules



Risk & Compliance Department  
Greyhound Racing SA Limited  
2/3/2023

**LOCAL RULES OF GREYHOUND RACING SA LIMITED 2022**  
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## **PART 1 INTERPRETATION, DEFINITIONS AND APPLICATION OF THE LOCAL RULES**

### **Division 1 Application of the Local Rules and transitional provisions**

#### **1 The Application of these Local Rules**

- (1) These *Local Rules* apply from the date of their commencement, as directed by Greyhound Racing SA Limited, the *Controlling Body (Relevant Body)*, to any person who takes part in any activity in connection with *greyhound racing* in South Australia.
- (2) Unless the contrary intention appears in these *Local Rules*, the *Greyhounds Australasia Rules (the Rules)* apply to any person who takes part in any activity in connection with *greyhound racing* in South Australia.
- (3) Unless the contrary intention appears in these *Local Rules*, *the Rules* applying to the *Relevant Body* have effect under these *Local Rules*.
- (4) The *Relevant body* may amend these *Local Rules* from time to time and publish these amendments electronically.

#### **2 Transitional Provisions**

- (1) Rule 2 (Transitional provisions), of *the Rules* applies to these *Local Rules*, in so far as they apply to these *Local Rules*.
- (2) Where the intention appears, these *Local Rules* apply regardless of whether the acts, omissions, conduct, or events took place before or after the commencement date of these *Local Rules*.
- (3) Unless the contrary intention appears in these *Local Rules*, *the Rules*, and these *Local Rules*, as they relate to the powers and functions of the *Relevant Body*, applies to offences whether the inquiry or other proceedings were started before, on or after the commencement of *the Rules* or *these Local Rules*.
- (4) Where a *document* of the *Relevant Body* refers to any rule effective before the commencement of *the Rules* or these *Local Rules*, the rule to be applied from the commencement is the comparable rule listed in *Schedule 1: Tables of Comparative Provisions – New Rules (these Rules) Compared to Old Rules, and Old Rules Compared with New Rules (these Rules), Greyhounds Australasia Rules (effective from the date of commencement)*.

*Example – GAR 106 from the date of commencement is GAR 21-23*

### **Division 2 Local Rules of Controlling Bodies**

#### **3 Cross Vesting**

- (1) The *Relevant Body* recognises the jurisdictions of the *Controlling Bodies* for the purposes of -
  - (a) *greyhound racing*;
  - (b) the *digital footprint* (formally, the *greyhound register*);
  - (c) *registered persons*;
  - (c) conducting *meetings* and *satisfactory trials*;
  - (d) *warning off* any person;
  - (e) declaring any person a *defaulter*;
  - (f) imposing any *disqualification*;
  - (f) any *penalty* imposed on any person or greyhound;
  - (g) imposing any *suspension*.
- (2) The *Relevant Body* recognises the jurisdictions of the *approved controlling authorities* for the purposes of:
  - (a) making decisions in relation to the registration of any person connected to *greyhound racing*;
  - (b) any *penalties* imposed on a *person*.

### **Division 3 Interpretation**

#### **4 The interpretation of the *Local Rules***

- (1) Rule 8 (Interpretation), of *the Rules* applies to these *Local Rules*, in so far as they apply to these *Local Rules*.
- (2) Subject to express provision in the *Rules* or these *Local Rules*, the *Acts Interpretation Act 1915* (SA) and the *Acts Interpretation Act 1901* (Cth) may be considered to aid the interpretation of the *Rules* or these *Local Rules*.

### **Division 4 General offence to contravene direction or requirement**

#### **5 Offence to contravene requirement**

- (1) In this rule, a *requirement* includes a –
  - (a) condition;
  - (b) direction;
  - (c) notice;
  - (d) order; or,
  - (e) any other directive,under *the Rules* or these *Local Rules*.
- (2) This rule applies to a *requirement* and where no other penalty is expressly provided for a contravention of the *requirement*.
- (3) A person must not contravene a *requirement* given by the *Relevant Body* unless the person has a reasonable excuse.  
*Penalty* – pursuant to rule 174 of *the Rules*.
- (4) It is not a reasonable excuse for a person not to comply with a *requirement* that complying with the *requirement* would tend to incriminate the person or another person.

### **Division 5 Transitional *Local Rules***

#### **6 Transitional *Local Rules* to apply**

Schedules 1 to 4 to these *Local Rules* prescribes, in addition to these *Local Rules*, the rules that apply after the commencement of these *Local Rules* or separately under a Stewards' Notice.

## **PART 2 (OLD SCHEDULE 1) (OLD) LOCAL RULES OF GREYHOUND RACING SA LIMITED**

### **Division 1 Definitions**

#### **7 (LR1) Dictionary**

In the interpretation of these *Local Rules* the headings and any marginal notes shall not be deemed to be part of the said *Local Rules* and shall not affect their construction and the following words shall, unless the context or subject matter otherwise indicates or requires, have or include the following meanings: -

<b>Act</b>	means the <i>Authorised Betting Operations Act 2000</i> (SA);
<b>Appeal</b>	means an appeal as provided for under these <i>Local Rules</i> ;
<b>Authority</b>	means Greyhound Racing SA Limited, a <i>Controlling Body</i> ; and has the corresponding meaning as <i>Relevant Body</i> ;
<b>Commonwealth</b>	means the Commonwealth of Australia;
<b>Grader</b>	means a person appointed to that office by the Authority;

<b>Grounds</b>	means the enclosed area or any portion thereof where an admission fee is normally charged to gain entry and includes the area, if any, set aside as a trainer's carpark;
<b>Integrity Hearing Panel</b>	("IHP") means the sub-committee appointed by the Board of Greyhound Racing SA to hear and determine matters referred to it under these <i>Local Rules</i> .
<b>Judge</b>	means a person appointed to officiate as judge in any race or trial;
<b>Juvenile</b>	means a greyhound from the date of its whelping and including the last day of the month corresponding to its whelping occurring in the second year thereafter and shall continue to be classified as a juvenile for any race which was programmed to be run within that period but was postponed to a subsequent date and, where a greyhound is classified as a juvenile for a heat of any event, it shall continue to be classified as a juvenile for all races leading to and including the final of that event;
<b>Kennel</b>	means any area, enclosure or place used for the accommodation of greyhounds"
<b>Maiden</b>	means in relation to a flat race, a greyhound which, at the time of starting has never won or been awarded first place in any flat race where greyhounds race behind an artificial lure except where such meeting is held under the coursing ties method by clubs registered with the Authority for the purpose of conducting Coursing meetings otherwise than by way of a "walkover";
<b>Official draw</b>	means the draw after the completion of the box draw;
<b>Secretary</b>	includes a person who is designated as, or who performs executive acts as, the Secretary or manager of the Authority or a Club;
<b>Serious Offence</b>	means a breach of these Rules which is deemed to be a serious offence for the purposes of these Rules, prescribed under L116.
<b>Support Person</b>	means a person approved by the Chair or Deputy Chair of the <i>IHP</i> to attend an inquiry to determined charges laid by the <i>Relevant Body</i> , to provide support before the IHP, noting that such approval should not be unreasonably withheld. They are not an advocate and may not represent the person at the hearing or during any other associated activity other than as directed by the Chair or Deputy Chair during those proceedings.
<b>The Prescribed Act</b>	means the <i>Authorised Betting Operations Act 2000 (SA)</i> . Additional definitions also appear in the Act, <i>Greyhounds Australasia Rules</i> and <i>Greyhound Coursing Rules</i> and unless the context or subject matter otherwise indicates or requires, those additional definitions also apply in the Local Regulatory Rules.

## **Division 2      Variation of Rules**

### **8 (LR2)      Variation of the Rules**

Subject to the Act, the *Local Rules* and *Greyhound Coursing Rules* may from time to time be amended or revoked and new Rules may be made by the Authority.

### **Division 3 Powers of the *Relevant Body***

#### **9 (LR3) Delegation to *Authority Officers***

- (1) Whereby these *Local Rules* any act is authorised or required to be done or any decision is authorised or required to be taken by the Authority that act may be done or that decision may be taken by any person authorised by the Authority either generally or in the particular case.
- (2) Any such delegation may be varied, revoked or suspended by the Authority.
- (3) Except where it may be expressly provided to the contrary, any such delegation shall not prevent the Authority from exercising its powers or performing its duties.

#### **10 (LR4) Approved Registration Authorities**

- (1) The Authority may from time to time declare that a body responsible for the registration for the purpose of greyhound racing, of persons or greyhounds in any State or Territory of the Commonwealth shall be an Approved Registration Authority for the purpose of these Rules and may revoke or amend any such declaration.
- (2) A person registered with an Approved Registration Authority and resident outside South Australia is deemed to be registered with the Authority for the purpose of these Rules and if they take part in any activity in South Australia over which the Authority has control or which is subject to the regulation of the Authority is deemed thereby to consent to be bound by these Rules and is subject to the authority of the Authority as though they were registered by the Authority.
- (3) A greyhound registered with an Approved Registration Authority is deemed to be registered with the Authority for the purpose of these Rules.
- (4) For the purpose of imposing a penalty upon a person or a greyhound convicted of an offence under these Rules any prior conviction of an offence of similar nature under the Rules of an Approved Registration Authority shall be deemed to be a prior conviction for the offence under these Rules.

#### **11 (LR5) General authority**

- (1) The Authority is authorised to control and regulate greyhound racing in South Australia.
- (2) In the exercise of its power, and without derogating from the generality of that power the Authority may –
  - (a) register greyhound racing clubs and greyhound trial tracks, owners, trainers, attendants, and other persons, lease agreements and training agreements, syndicates and other documents;
  - (b) register greyhounds, and the breeding, weight, identity and characteristics of greyhounds;
  - (c) prohibit persons or greyhounds from participating in greyhound racing;
  - (d) license racecourses and the conduct of race meetings, and allot dates for meetings;
  - (e) conduct race meetings and operate a racecourse and its facilities;
  - (f) prescribe from time to time standards in relation to the type, nature and quality of facilities, equipment and any borrowings relating thereto for the conduct of greyhound racing;
  - (g) refer any matters to Stewards or other persons for investigation and report, and inquire into the nomination, training, handling, and running of any greyhound whether or not the subject of any report or decision;
  - (h) quash or mitigate any disqualification or other penalty, however incurred or imposed;
  - (i) generally, implement these Rules and the objects, purpose and intent of the Act;
  - (j) Refuse to authorise any person to conduct any activity associated with the greyhound racing industry at the premises of a person who is disqualified, warned off or declared to be a Defaulter under these Rules without permission of the controlling body.

## **12 (LR6) Conditions may be imposed**

- (1) The Authority, on the grant of any certificate, permit or license under these Rules, may impose any condition in respect of the registration or other matter to which that document relates and may by notice in writing from time to time amend or revoke any existing condition or impose a further or new condition.
- (2) The breach or non-observance of a condition imposed under this Rule shall be deemed to be a breach of these Rules.
- (3) Any new, varied, or revoked condition imposed under this rule is not a penalty for the purposes of the rules of racing, and can be imposed at any time if it is in the interests of greyhound racing to do so.

## **Division 4 Clubs**

### **13 (LR7) Clubs to be registered**

A Club shall not conduct any meeting for greyhound racing unless the Club is registered by the Authority.

### **14 (LR8) Registration may be refused, suspended, or cancelled**

- (1) The Authority may refuse to register any Club if the Authority is of the opinion that the refusal would be in the interests of greyhound racing.
- (2) The Authority may, after due inquiry held in accordance with these Rules, suspend, cancel or refuse to renew the registration of any Club which is found-
  - (a) to have committed a breach of any of the terms or conditions of its registration by the Authority;
  - (b) to have committed a breach of these Rules or of any order or direction of the Authority;
  - (c) to have failed to act upon, implement or give effect to any decision of, or lawfully made on behalf of, the Authority notified in writing to the Secretary or other executive officer of the Club;
  - (d) to have committed a breach of the constitution or rules of the Club;
  - (e) to be in default in respect of the payment of any moneys payable to the Authority;
  - (f) to have impeded the Authority, or a person lawfully acting on behalf of the Authority, in the discharge of any duty or the exercise of any power or authority, or to have refused or failed to render such assistance as the Authority considers to have been appropriate and necessary; or
  - (g) to have done or omitted to do, or to have permitted any person subject to its direction or control to do or omit, any act or thing contrary to the best interests of greyhound racing.

### **15 (LR9) Applications**

An application for the registration or renewal of registration of a Club shall be made to the Authority on a form approved by the Authority, and shall be accompanied by a copy of the registered constitution and Rules of the Club.

### **16 (LR10) Rules may require approval**

It shall be a condition of the registration or renewal of registration of a Club that the Club adopts and uses only such Rules as are approved by the Authority, and that any further or other proposed Rules or any amendment to the Rules shall be approved by the Authority before coming into effect.

### **17 (LR11) Terms of registration**

- (1) The registration of a Club shall, unless sooner cancelled by the Authority, remain in force from the day upon which it was granted by the Authority until the 30 June next following or where the circumstances require it, for such other period of time as the Authority may in its absolute discretion determine.

- (2) A Club registered by the Authority shall be furnished with a certificate of registration.  
(3) The certificate of registration shall be displayed in the office of the Club.

#### **18 (LR12) Renewal**

An application for the renewal of the registration of a Club shall be made on or before the first day of July in the current year of registration, but the Authority may grant an application made after that date on such terms and conditions as it thinks fit.

#### **19 (LR13) Register of clubs**

The Authority shall keep a register in which shall be recorded the names of all Clubs registered by the Authority.

#### **20 (LR14) Fees**

- (1) The fee payable by a Club on the registration or renewal of registration of the Club with the Authority shall be as determined by the Authority from time to time.  
(2) The Authority may adjust a fee pro rata where the registration relates to part only of a year.

#### **21 (LR15) Non-payment of committee members**

A member of the committee of a Club shall not receive any remuneration for that office.

#### **22 (LR16) Control of grounds and access**

- (1) The committee of a Club shall, subject to these Rules, have the entire control and supervision of the grounds of the Club.  
(2) The committee may refuse to admit any person to the racecourse or its grounds and may cause any person to be removed there from.

### **Division 5 Registration of persons and names**

#### **23 (LR17) Registers**

- (1) The Authority shall prepare and maintain the following Registers of licences –  
(a) Owner;  
(b) Tier 1 trainer;  
(c) Tier 2 trainer;  
(d) Tier 3 trainer;  
(e) Attendant;  
(f) Handler;  
(g) Breeder;  
(h) Provisional breeder;  
(i) Trial track manager;  
(j) Trial track assistant manager;  
(k) Membership of a syndicate (including syndicate manager),  
and however such roles are variously described.  
(2) The licence fee must be paid on or before the 30<sup>th</sup> day of June each year or the person ceases to be entitled to the benefits of registration.

#### **24 (LR18) Right of refusal and cancellation**

The Authority may refuse an application for registration or for the renewal of a registration or may cancel an existing registration if the person or syndicate registered or applying for registration is involved in greyhound racing other than under the control and regulation of the Authority or if it is in the opinion of the Authority in the interests of greyhound racing.

**25 (LR19) Property in certificates, permits and licences**

- (1) A person registered by the Authority shall be furnished with a certificate of registration.
- (2) All certificates, permits or licences issued by the Authority remain the property of the Authority and no right of property or other interest of any kind passes to or in any way becomes vested in any person to whom the document has been issued or who may for the time being have the custody of a document.
- (3) A certificate, permit or licence shall be returned to the Authority on request.

**26 (LR20) Certificates to be produced**

Every registered person shall produce their certificate of registration when demanded at any time by a Steward, a member, officer or employee of the Authority or by an official of the Club where they are operating.

**27 (LR21) Duplicate certificates**

- (1) Where any person has lost, misplaced or destroyed their current certificate of registration they may make application in writing to the Authority for a duplicate certificate, accompanied by a Statutory Declaration as to the circumstances surrounding the loss, misplacement or destruction and the efforts that have been made to recover the certificate.
- (2) On payment of the prescribed fee the Authority may issue a duplicate certificate of registration.

**28 (LR22) Applications**

- (1) A person who desires to register with the Authority as –
  - (a) Owner;
  - (b) Tier 1 trainer;
  - (c) Tier 2 trainer;
  - (d) Tier 3 trainer;
  - (e) Attendant;
  - (f) Handler;
  - (g) Breeder;
  - (h) Provisional breeder;
  - (i) Trial track manager;
  - (j) Trial track assistant manager;
  - (k) Membership of a syndicate (including syndicate manager),and however such roles are variously described, shall make application to the Authority on the approved form and shall pay the prescribed fee.
- (2) A person who applies to the Authority for registration-
  - (a) Owner;
  - (b) Tier 1 trainer;
  - (c) Tier 2 trainer;
  - (d) Tier 3 trainer;
  - (e) Attendant;
  - (f) Handler;
  - (g) Breeder;
  - (h) Provisional breeder;
  - (i) Trial track manager;
  - (j) Trial track assistant manager;
  - (k) Membership of a syndicate (including syndicate manager),and however such roles are variously described, shall produce to the Authority (at the cost in all things of the person applying), a statement, certificate or other evidence of a national police check provided by a police force in Australia, or an accredited body authorised by the Australian Criminal Intelligence Commission (ACIC) to provide such evidence and dated within three (3) calendar months preceding the date the application is lodged with the Relevant Body.
- (3) The Authority may refuse to register a person who –
  - (a) makes a false or misleading statement on their application for registration;

- (b) has been found guilty of an offence that relates to the welfare of animals (and includes, but is not limited to, a person who has been found guilty under Rule 86(q) of the *Greyhound Australasia Rules* or a similar provision relating to the welfare of animals);
- (c) on any other grounds that the person is not a *fit and proper person* (including *suitability matters*).

**29 (LR23) Period of registration**

Unless cancelled by the Authority or an Approved Registration Authority, the registration of a person under these Rules, the registration of a Syndicate Name, or the registration of a trial track remains in force from the date upon which it was granted or renewed by the Authority until the thirtieth (30<sup>th</sup>) day of June in the year of expiry.

**30 (LR24) Renewal**

- (1) An application for renewal of registration shall be made on or before the thirtieth (30<sup>th</sup>) day of June of the current year of registration, but the Authority may grant an application made after that date on such terms and conditions as it thinks fit.
- (2) An application for Renewal of registration shall be made to the Authority in such form as may from time to time be specified by the Authority and shall be accompanied by the prescribed fee.

**31 (LR25) Owner, trainer or attendant**

- (1) A person who desires to be registered as an owner, trainer, or attendant of a greyhound shall make application to the Authority on the approved form for registration as an owner, trainer, or attendant and shall pay the prescribed fee.
- (2) The Authority shall issue certificates of registration under this Rule in the following categories-
  - (a) Owner;
  - (b) Tier 1 trainer;
  - (c) Tier 2 trainer;
  - (d) Tier 3 trainer;
  - (e) Attendant,
 and however such roles are variously described.
- (3) The Authority may register a person as an owner-trainer (Tier 3 trainer) if they train greyhounds which they own or of which they are a part owner, but a Tier 3 trainer is not authorised to train any other greyhound.
- (4) An owner shall be entitled to own or lease a greyhound wholly or in part or as a member of a registered syndicate.
- (5) A Tier 1 or 2 trainer shall be entitled to own and train any greyhounds.
- (6) An attendant shall be entitled to handle greyhounds at a registered meeting or trial.
- (7) The Authority may require that any agreement for the training of a greyhound be entered into in a form approved by the Authority.
- (8) The Authority may suspend any trainer registered under this Rule and may cancel any registration.
- (9) Upon application under this Rule the Authority may issue a certificate of registration subject to such conditions, if any, as it may deem fit.
- (10) The Authority may further regulate registration requirements under a policy issued by the Authority and amended from time to time.

**32 (LR26) Notice of training**

- (1) A registered trainer shall not commence training any greyhound or continue the training of any greyhound unless they have notified the Authority or the Stewards, in writing, that they are the trainer of that greyhound.
- (2) A registered trainer shall ensure that their name is indicated as trainer on every nomination form submitted for a greyhound of which they are the trainer.



## **Division 6            Syndicates**

### **33 (LR27)            Syndicates**

- (1) Any combination of four (4) or more persons owning or leasing a greyhound shall, for the purposes of these Rules, be deemed to be a Syndicate.
- (2) No greyhound shall be registered in the name of a Syndicate and no lease of a greyhound to a Syndicate shall be effective unless the Syndicate has been registered with the Authority.
- (3) A person who desires to register a Syndicate must ensure that the approved form is signed personally by every member of the Syndicate and that it contains or is accompanied by-

  - (a) the proposed name of the Syndicate;
  - (b) the full address to be registered as that of the Syndicate;
  - (c) the full names, addresses and occupations of all the members;
  - (d) the names of not more than four of the members who are to act as the authorised representatives of the Syndicate.
- (4) At the time of registration each Syndicate shall nominate a registered person (other than an attendant) as manager and in lieu of such nomination the first named authorised representative shall be deemed to be the manager of the Syndicate.
- (5) Only the manager of a Syndicate or the trainer is authorised to nominate or withdraw a greyhound in the name of the Syndicate, and their receipt for any prize money or trophy shall be a complete discharge to any Club.
- (6) The authorised representatives of a Syndicate shall be deemed to be authorised to act for and represent the Syndicate and to be responsible for the observance of these Rules and all matters in relation to greyhound racing for and on behalf of the Syndicate.
- (7) The Authority, without assigning any reason, may refuse to accept any application for the registration subject to such conditions as the Authority thinks fit and may cancel any registration.
- (8) It shall not be necessary to notify any person other than the manager of the Syndicate that the Registration of a Syndicate has been cancelled.
- (9) No Syndicate name shall be registered or used which has not been approved by the Authority.
- (10) No Syndicate may be registered or continue to be registered in which any member is a company or other corporate entity, except where the company or other corporate entity is acting as the executor or administrator of a deceased member or as the statutory committee or manager of the member.
- (11) No Syndicate may be registered or continue to be registered if and while any of the members is a person whose interest in any greyhound would, under these Rules, operate to prohibit the greyhound from being nominated for or started in any race.
- (12) A Syndicate is required to notify the Authority if any member is disqualified or suspended, in writing within seven (7) days, and upon receipt of that notification that member shall be deemed by the Authority not to be a member of the Syndicate for the period imposed.
- (13) Every change in the membership of a Syndicate, including the death of a member, and every change in the authorised representatives or registered address of a Syndicate is required to be notified in writing to the Authority within seven (7) days of the change.
- (14) Any member of a Syndicate may at any time make application in writing to the Authority to cancel the registration of the Syndicate, and if the Authority is satisfied that it is reasonable and proper to cancel the registration the Authority may cancel that registration.
- (15) In the event of the termination of a Syndicate by the members, notice of the termination shall be given in writing to the Authority by all members forthwith.
- (16) No notice is required to be given where a Syndicate terminates by effluxion of time.
- (17) Any notice to be given or communication to be made to any Syndicate by the Authority shall be deemed to have been duly given or made if given or made in writing to the Manager of the Syndicate or left at or sent by prepaid post to the registered address of the Syndicate.
- (18) The Authority has no responsibility for the due observance by the persons concerned of the constitution or rules of any Syndicate.

## Division 7 Registration of greyhounds

### 34 (LR28) Greyhound registered outside South Australia and purchase by South Australia resident

- (1) Where a greyhound is registered by an Approved Registration Authority and the greyhound is, or has been, purchased by a person resident in South Australia, the purchaser shall cause registration of the greyhound to be transferred to the register maintained by the Authority.
- (2) For the purpose of this Rule, registration with the Authority may be effected by forwarding to the Authority the original registration certificate of the greyhound together with an application on the approved form and the prescribed fee.

### 35 (LR28A) Registered greyhound must be with registered person

- (1) A registered greyhound must –
  - (a) be kept at a registered address, that address being –
    - (i) approved by the Authority;
    - (ii) compliant with the Rules and these Local Rules (including policies issued by the Authority); and,
  - (b) with a registered person licenced to have custody and control of that registered greyhound.
- (2) Any greyhound to be transported between premises must be done so by –
  - (a) a registered person; or,
  - (b) a freight carrier authorised under law to transport live animals,in such conditions that are in the best interests of the greyhound and in accordance with *the Rules* and these *Local Rules* (including any relevant policy) of the Authority.
- (3) A registered person unlawfully in possession of a greyhound contrary to this rule commits an offence and is liable to a penalty.
- (4) An owner of a greyhound who knowingly allows their greyhound to be kept (including transported) contrary to this rule commits an offence and is liable to a penalty.

### 36 (LR28B) Deceased registered person – dealing with greyhound

- (1) If a registered person dies–
  - (a) any member of the deceased person's family of or over the age of eighteen years;
  - (b) with the approval of the *Relevant Body*, some other person on behalf of the family, may take custody and control of the greyhounds that were in the care and control of the deceased person for a period not exceeding 90 days from the date of the death of the registered person.
- (2) Prior to taking custody of the greyhounds under this rule the member of the family or other person shall notify the *Relevant Body* of the death and shall furnish such other particulars as the *Relevant Body* may from time to time require.
- (3) The *Relevant Body* may at any time withdraw an approval conferred under this rule.
- (4) Within the period of 90 days from the date of death of the registered person, the person approved under this rule or any other person who claims preference over that person may apply to the *Relevant Body* for the endorsement of their name on the certificate of registration as agent of the deceased estate pending transfer of the certificate of registration of the greyhound.
- (5) The *Relevant Body* may in its absolute discretion endorse on the certificate the name of such of the applicants as the *Relevant Body* thinks fit.
- (6) Upon the grant of probate of the will of the deceased or of letters of administration of the deceased's estate, the executor or administrator shall forthwith make application to the *Relevant Body* for a transfer of the certificate of registration either to himself or to some other person nominated by him.

### 37 (LR29) Unregistered and inactive greyhounds

- (1) Where a person is the owner of a greyhound which is not registered, they may make application to the Authority on the approved form, accompanied by the prescribed fee, for the registration of that greyhound by the Authority.
- (2) The Authority may require an applicant under this Rule to produce evidence satisfactory to the Authority of the identity and breeding of the greyhound, of the applicant's title to or interest in the greyhound, and of any other matter the Authority considers desirable in the interests of greyhound racing.
- (3) Where a greyhound has not –
  - (a) had any change to its registration;
  - (b) been trained;
  - (c) has not been nominated in any Event or satisfactory trial; or,
  - (d) after notification of retirement for breeding, has not been *serviced*, (a *recordable event*), for the period of six (6) months from the date of the last *recordable event*, the Authority may require the owner or trainer of that greyhound (the *inactive greyhound*) to provide forthwith to the Authority –
    - (i) the location of that greyhound; and,
    - (ii) evidence, to the satisfaction of the Authority, of the status and intentions for that greyhound.
- (4) The Authority may require the owner or trainer to show cause why that greyhound should not be deregistered.
- (5) Any greyhound that is deregistered must be retired pursuant to L114 by the last responsible person.
- (6) Any person who has dealt with, or otherwise deals, with a greyhound other than pursuant to L114, commits an offence pursuant to L114.

### 38 (LR30) Litters to be registered

- (1) Unless the Authority in special circumstances otherwise decides, no greyhound whelped in South Australia shall be eligible to be registered for any purpose under these Rules unless the litter in which it was produced was registered with the Authority.
- (2) Any notice of whelping must include all greyhounds whelped (alive or deceased).
- (3) The application for the registration of a litter shall be-
  - (a) lodged with the Authority within four (4) months of the whelping date;
  - (b) accompanied by a certificate of *C3 vaccination*, issued by a veterinary Surgeon that indicates that such vaccinations were performed on each greyhound in the litter between the age of six (6) and eight (8) weeks;
  - (c) accompanied by a certificate of *C5 vaccination*, issued by a veterinary Surgeon that indicates that such vaccinations were performed on each greyhound in the litter between the age of ten (10) and sixteen (16) weeks; and,
  - (d) in the approved form.

### 39 (LR30A) Registration of breeding female – subsequent litters

- (1) This local rule applies only to a "*breeding female*" who is proposed to be serviced/inseminated in South Australia, with the resultant litter whelped in South Australia; otherwise, GAR127(11) applies.
- (2) The requirement of GAR127(10) remains in force despite this local rule.
- (3) Notwithstanding GAR127(11):
  - (a) A breeding female cannot be used for breeding more than three (3) litters without:
    - (i) Veterinary certification in writing and no less than 120 days prior to the date of that additional service, of the appropriate health and fitness for both that breeding female and that further litter; and,
    - (ii) Approval in writing of the Controlling Body and no less than 7 days prior to the date of that additional service; and,in any event, before that additional service of that breeding female.
  - (b) The approval granted by the Controlling Body under this local rule will only be to allow two (2) additional and separate, services/inseminations only, irrespective of the result of the said services/inseminations.

- (c) The requirements under sub-rule (3)(a)(i) and (ii) are required, separately, for each additional service/insemination under sub-rule (3)(b).
- (4) The requirement of GAR127(12) remains in force despite this local rule.
- (5) Approval from the Controlling Body includes consideration of, but is not limited to:
  - (a) the overall welfare of both the breeding female and the future litter;
  - (b) the history of the greyhound as kept by the greyhound register;
  - (c) the history of the applicant as kept by the greyhound register and the Controlling Body;
  - (d) any other factor that the Controlling Body considers appropriate and what is in the best interests of greyhound racing.
- (6) The owner of a breeding female, and any other registered person with authority to breed that female, who fails to comply with any provision of this local rule, is guilty of an offence and is liable to a penalty in accordance with GAR95.
- (7) This rule comes into effect on and from 1 April 2022.

*Examples -* A breeding female over the age of 8 years old, may only be serviced/inseminated upon veterinary certification and approval from the Controlling Body.

A breeding female, irrespective of her age, may only be serviced/inseminated for a 4<sup>th</sup> or 5<sup>th</sup> time and upon veterinary certification and approval from the Controlling Body for each, proposed service/insemination.

Irrespective of her age or litters, a breeding female must not be caused to whelp over two litters in any 18-month period.

**40 (LR31) Ear marking**

Every greyhound registered shall be ear marked by an officer of the Authority or an Approved Registration Authority.

**41 (LR32) Intentionally left blank**

**Division 8 Change of ownership and leasing**

**42 (LR33) Application for registration of transfer of ownership**

The Authority may require the applicant to produce a receipt for the purchase money or some other evidence satisfactory to the Authority to establish their ownership.

**Division 9 Stewards**

**43 (LR34) Appointment**

When more than one Steward is appointed, the Authority may appoint one of the Stewards to be Chief Steward.

**44 (LR35) Stewards**

- (1) Only Stewards appointed by the Authority pursuant to GAR 4(2)(a) shall act at a meeting or qualifying trial conducted by a Club, and any Club official shall be subject to the Stewards' direction in relation to the conduct of the meeting or trial but not in relation to proceedings before the Stewards.
- (2) The Chief Steward may be the Steward in charge (the Chair) of any meeting or trial attended by the Chief Steward.
- (3) The Authority, including the Chief Steward, may delegate to a Steward the role Steward in charge of any meeting or trial in the absence, or otherwise, of the Chief Steward.

#### **45 (LR36) Duration of powers**

Except as otherwise provided in these Rules the powers of the Stewards with respect to the conduct of a meeting or qualifying trial shall commence on the morning of the day of the meeting or qualifying trial and shall continue for all purposes until all matters connected with or arising out of that meeting or trial are finalised.

#### **46 (LR37) General powers as to the conduct of meetings and trials**

- (1) Without derogating from the generality of their powers the Stewards may inquire into or investigate or cause to be inquire into or investigated any act, matter, thing or omission which or person whom they suspect to be or to have been or to be intended to be negligent, dishonest, corrupt, fraudulent or improper in connection with a greyhound or greyhound racing or which in their opinion is or may be detrimental to the proper regulation, control promotion of the sport of greyhound racing or the conduct of greyhound races.
- (2) The powers exercisable by the Stewards with respect to the conduct of a meeting may also be exercised by the Stewards with respect to the conduct of a qualifying trial.
- (3) Stewards may exercise any power that is conferred upon them by the Authority or by the Committee of a Club, and may delegate any such power and their authority under these Rules to any person officiating at a meeting or qualifying trial in connection with matters affecting the conduct and supervision of greyhound racing.

#### **47 (LR37A) Intoxication and behaviors of persons**

- (1) A person who acts in a disorderly manner at any racecourse or premises of a club commits an offence and is liable to a penalty.
- (2) Stewards at any meeting may order any person to submit to a breath test on a breath testing device.
- (3) Any person who has a concentration of alcohol in the person's breath that is, or is more than, 0.050g of alcohol in 210L of breath (0.05%) shall be guilty of an offence and shall be liable to a penalty.
- (4) A person required under this Rule to submit to a breath test who –
  - (a) refuses or fails to comply with the directions of a Steward to submit to a breath test; or,
  - (b) fails to adequately exhale into the device by which the breath test is conducted in accordance with the directions of the Stewards,shall be guilty of an offence and shall be liable to a penalty.
- (5) Any person in the opinion of the Stewards affected by alcohol is not permitted to enter the racetrack (including kennel area) for any reason (including to handle any greyhound).
- (6) Where an order given pursuant to this Rule is not complied, notwithstanding other penalties, the Steward in charge of the meeting may order the greyhound to be withdrawn from the Event.

#### **48 (LR38) Stewards' conduct at events**

No Steward shall directly or indirectly engage in any betting transaction at any meeting at which they officiate or on any greyhound race conducted in South Australia.

#### **49 (LR39) Powers of Stewards – exclusion**

- (1) A steward may –
  - (a) exclude and cause to be removed from all places under their control –
    - (i) All persons who are required by these Rules to be excluded and removed from any racecourse;
    - (ii) All persons and greyhounds whose names for the time being appear on a list of disqualifications of the Authority or in any other list mentioned in these Rules;

- (iii) All persons who have been declared by an Approved Registration Authority to have been guilty of any corrupt or fraudulent practice so long as the sentence in respect of any such person remains in force;
- (iv) All persons whose presence the Authority, Club Committee or Stewards may deem undesirable;
- (v) All persons warned off its racecourses by the Authority or by any Club duly registered under these Rules or by the Stewards.

**50 (LR40) Excluded persons – generally**

Notwithstanding that any person who shall be liable to be excluded or removed under the last preceding Rule may have paid to enter a racecourse or any enclosure therein they shall not by reason of such payment be deemed to have acquired an irrevocable licence to go into or remain in such racecourse or enclosure and the Stewards, their officers or agents may remove such a person from such racecourse or enclosure without being liable to any action or damages in respect of any such removal.

**51 (LR41) Stewards’ decisions final**

The decisions of the Stewards shall be, subject to the provisions in these Local Rules about rights of review or appeal, final.

**52 (LR42) Powers of Stewards – inquiry into undesirable persons and associations**

Stewards may of their own volition and at their entire discretion or at the discretion of the Authority institute and pursue to conclusion any inquiry for the purpose of ascertaining whether or not any disqualified or undesirable person has any connection with or influence upon greyhound racing and/or any licensed trainer of a nature capable of proving in their opinion detrimental to greyhound racing and if such connection or influence is established to their satisfaction the Stewards may fine, suspend or disqualify any person and/or licensed trainer involved or recommend to the Authority that such person be warned off.

**Division 10 Allotment, postponed and program of meetings**

**53 (LR43) Allotment of dates to be applied for**

A Club shall apply annually in writing to the Authority for allocation of dates for the conduct of race meetings for the coming year.

**54 (LR44) Authority may approve or refuse application**

The Authority may grant or refuse any application for approval of a meeting or series of meetings or may grant the application for a date or time other than that applied for but in dealing with any application pay due regard to the following considerations:

- (a) whether on the date or dates specified in the application a meeting will be conducted by any other Club within a contiguous area which in the opinion of the Authority would materially endanger the success of the meeting for which approval is sought;
- (b) the merit of any rival claims of Clubs which propose to conduct a meeting on the date specified in any application; and
- (c) the interests of greyhound racing generally.

**55 (LR45) Certificate of approval**

Should the Authority grant approval in respect of a meeting or series of meetings the Authority shall provide written approval to the Club concerned.

**56 (LR46) Cancellation of approval**

The Authority may cancel or withdraw or vary the approval to any allotment of day or days previously approved if, in the opinion of the Authority, the cancellation or withdrawal or variation is desirable in the interests of greyhound racing.

**57 (LR47) Program and conditions to be approved**

- (1) The Authority may require a Club to alter the proposed programme or to vary the conditions of a race, or may reject the proposed conditions and substitute such conditions as the Authority considers necessary.
- (2) The maximum number of races at any one meeting shall be determined by the Authority.

**58 (LR48) Substituted and postponed meetings**

- (1) An application to conduct a meeting in substitution for a meeting abandoned, or to conduct a meeting postponed on a later date, shall be made to the Authority as though it were an original application to conduct a meeting, and shall be accompanied by an application for approval of the proposed conditions of racing and the proposed programme.
- (2) No person shall have any claim for loss or damage by reason of the postponement or abandonment of a meeting.

**59 (LR49) Change in official program particulars**

In the event of there being any variation between the particulars both in the official programme for any meeting or qualifying trial and the particulars indicated on the registration certificate in relation to any greyhound owner or trainer, notice of the variation shall be posted on the Club's Public Notice board or in any other prominent position at the racecourse and shall be announced over the public address system prior to the commencement of the meeting or trial, or at such other time as will ensure that the public is made aware of the variation prior to the betting commencing on the race in which the greyhound is to compete.

**Division 11 Grading**

**60 (LR50) Graders**

The Authority may from time to time appoint any number of persons to act as Graders.

**61 (LR51) Grading by the Authority**

- (1) The Authority shall formulate and may from time to time vary, the system for the grading of races and, when directed so to do, all Clubs and persons employed as Graders shall give immediate effect to that system.
- (2) Graders shall be subject to the Authority and shall be answerable to the Authority for the proper drawing up of fields.

**62 (LR52) Fields may be graded**

The Authority may direct any registered Club to submit all nominations of greyhounds received for a meeting or series of meetings to the Authority for the purpose of enabling the drawing up of fields to be carried out by one or more Graders.

**63 (LR53) Effect on Clubs**

Subject to these Rules, the appointment of Graders to carry out the drawing up of fields for races at a meeting does not-

- (a) prevent the Club conducting the meeting from deciding the order in which the races shall appear on the programme;
- (b) interfere with the right of a Club to decide what class or classes of races shall appear on the programme;

- (c) interfere with the right of a Club to promote special races;
- (d) prevent a Club from declining to receive a nomination, or thereafter rejecting any nomination for any greyhound.

**64 (LR54) Maiden status**

- (1) Where races for maiden greyhounds are held consisting of heats and a final, and the final is to be held on a date subsequent to the heats, a greyhound which has qualified for the final and competes in and wins a race before the final is held, is not eligible to compete in the final.
- (2) Maiden class greyhounds shall not be allowed to compete in races above the Maiden grade with the exception of events as determined by the Authority.

**65 (LR55) Juvenile status**

A greyhound is a juvenile until and including the last day of the corresponding month of its whelping in the second year thereafter and shall remain a juvenile for any race which was programmed to be run within that period but postponed to a date after that period, and where a greyhound is a juvenile for a heat of an event, it shall remain a juvenile after that period for all races leading to and including the final of that event.

**66 (LR56) Nomination forms**

- (1) The nomination form by which a greyhound is nominated for any race meeting or qualifying trial conducted by a Club shall be in a form approved by the Authority, shall be signed as nominator by the owner or trainer of the greyhound nominated and by no other person provided however that a nomination may be lodged by electronic means in a form and manner approved by the Authority.
- (2) A Club shall not accept a nomination for any race or qualifying trial unless the nomination is in writing on the form approved by the Authority or lodged by electronic means in a form and manner approved by the Authority.

**67 (LR57) Nominations necessary**

A greyhound shall not be graded or drawn in any race unless the greyhound has been nominated in accordance with these Rules.

**68 (LR57A) Conditions of acceptance of nomination**

It shall be a condition of the acceptance by the Authority of a nomination in respect of a greyhound for any Event that no liability shall lie against the Club, the Authority, or their respective servants and agents, for any loss or damage (including but not limited to economic and consequential loss or damage) howsoever sustained directly or indirectly resulting from or arising out of any illness or injury sustained by a greyhound while the greyhound is on any ground controlled by the Club or the Authority, including where such illness or injury is caused, in whole or in part, by any negligent act or omission by the Club, the Authority or their respective servant and agents.

**69 (LR57B) Nominations – generally**

- (1) It shall be a condition of the acceptance by the Authority of a nomination in respect of a greyhound for any Event that:
  - (a) only the following persons may submit a nomination:
    - (i) a person registered with the Authority as the Trainer of the greyhound; or
    - (ii) a person registered with the Authority as the Owner of the greyhound;
  - (b) at the time of submitting the nomination:
    - (i) all persons associated with the greyhound and required pursuant to these Rules to be registered are the holders of current registration certificates;
    - (ii) all particulars in the nomination are correct;
    - (iii) the greyhound is eligible to be nominated for the Event in accordance with these Rules; and



- (c) The person submitting the nomination agrees to be bound by the rules, regulations, by-laws or other constituent documents of the Club and the conditions applicable to the Event;
  - (d) should the greyhound be selected to start in any Event, then if afterwards in any circumstances whatsoever:
    - (i) the conditions of entry to the Event are changed;
    - (ii) the Event does not take place;
    - (iii) the greyhound is not permitted to compete in the Event for any reason including (without limitation) disqualification, suspension, or being subject to any order pursuant to these Rules; or
    - (iv) the greyhound is unable to compete in the Event for any reason including injury or illness of any kind and however caused;
 no liability shall lie against the Club, the Authority, or their respective servants and agents for any direct or indirect or consequential loss or damage howsoever sustained; and
  - (e) there shall be no entitlement to any Prize Money until its payment has been authorised by the Stewards in accordance with GAR 68.
- (2) The Authority may permit a person submitting a nomination to withdraw that nomination prior to the box draw.

**69A Racing and trialling frequency**

- (1) In this rule:
  - Race** has the same meaning given to this term in R9 of the GAR.
  - Trial** means a satisfactory trial, or a qualifying trial as defined in R9 of the GAR.
- (2) A greyhound will only be permitted to start in –
  - (a) No more than a combined total of 2 race and trial starts in any 7-day period; and,
  - (b) No more than a combined total of 7 race and trial starts in any 28-day period.
- (3) This sub-rule commences on a date to be fixed by Stewards' Notice.

**70 (LR58) Where syndicate member disqualified**

No greyhound owned or leased by any Syndicate shall be nominated in any race if and while any member of the Syndicate is a person under suspension or disqualification.

**71 (LR59) Death of owner or trainer – effect on nomination**

The death of an owner, owner-trainer or public trainer-owner shall only affect the nomination of a greyhound registered in their name if it occurs before the draw, in which case the nomination shall be void and any moneys received for forfeits or stakes shall be returned.

**Division 12 Alterations**

**72 (LR60) Alterations by officials**

An official shall not in any circumstances alter or make any addition to the particulars furnished on a nomination form.

**73 (LR61) Liability for fees**

The person liable for the payment of any moneys due to a Club in respect of the nomination of any greyhound is the nominator.

**74 (LR62) Sale, lease or transfer after drawn for a meeting**

- If a greyhound is sold, leased or transferred after the draw for a meeting or trial has been published-
- (a) it shall be sold, leased or transferred with its engagements;
  - (b) any withdrawal from any engagement may only be made with the approval of the Chair of Stewards or their delegate.

**75 (LR63) Nominations subject to Authority approval**

- (1) All nominations shall be subject to the approval of the Authority which may for a period of one (1) month after receipt of the nomination reject the nomination without assigning any reason and refund the fee, but not in the circumstances where a penalty is provided for in these Rules.
- (2) The Steward in Charge, in the name and on behalf of the Authority, may direct any Club or all Clubs to refuse the nomination of any greyhound for a period of one (1) month, and a Club shall give effect to the direction.

**76 (LR64) Nomination forms to be retained**

All nomination forms received by the Authority in respect of a meeting shall be retained by the Authority for a period of not less than one (1) month.

**77 (LR65) Time and place for nomination**

- (1) The time and place or places for the nomination of greyhounds for every race or qualifying trial shall be advertised by the Club conducting the meeting or trial and no nomination shall be received thereafter.
- (2) The Authority or Club may extend the time of closing nominations from time to time according to circumstances prevailing.

**Division 13 Rules relating to the box draw and reserves**

**78 (LR66) Box draw**

- (1) The draw for the box positions at any meeting shall be advertised and shall be carried out in the presence of the public at the offices of the Authority or at a place approved by the Authority under the supervision of the Authority or Stewards.
- (2) The official box draw shall be displayed in the offices of the Authority and the Club conducting the meeting or trial to which the draw relates.

**79 (LR67) Reserves**

If a panel of reserve greyhounds is drawn, the reserve greyhounds shall be added by ballot to the events for which they are required.

**Division 14 Rules relating to the running of races**

**80 (LR68) Release timing**

The Starter shall not allow the greyhounds to be released from the starting boxes-

- (a) before the lure draws level with the boxes; or
- (b) later than when the lure is one (1) metre past the boxes, or in the case of a handicap race before the lure has drawn level with the limit box or later than when the lure is one (1) metre past the box.

**Division 15 Judging prizemoney and objections**

**81 (LR69) Appointment of judges**

- (1) The Judge for any meeting, any race, or any qualifying trial may be appointed by the Authority.
- (2) Where no appointment has been made by the Authority, the Steward in Charge of a race or qualifying trial shall appoint a Judge for that event.

**82 (LR69A) Prizemoney for races**

- (1) In all races conducted in South Australia, any prize money that a greyhound wins will, subject to L69A(4), be allocated to the owner and registered trainer as follows:

Recipient	Allocation
Owner	50%
Registered trainer	50%

- (2) Any prize money of the owner will be paid to the registered trainer as agent for the owner unless GRSA or the Club decides otherwise.
- (3) All prize money will be paid by means of electronic funds transfer into the recipient's nominated account, unless GRSA or the Club believes that special circumstances exist which justify a contrary payment method.
- (4) The owner and registered trainer may nominate a different percentage allocation in accordance with procedures to be approved and notified by the Authority.
- (5) The payment of any prize money or the delivery of any trophy awarded in relation to a greyhound to either the registered trainer or the owner of that greyhound shall be a complete and sufficient discharge to the Club conducting a greyhound race meeting.

**83 (LR70) Prizemoney of races abandoned**

- (1) Where a meeting is abandoned within two (2) hours prior to or after the advertised commencement of kennelling the Trainers fee shall be distributed.
- (2) Where a meeting or race is abandoned after the advertised commencement of kennelling time the Prize money shall be distributed evenly among the owners of the greyhounds eligible to compete at the time of the abandonment of that race or those races, except where the race or races are postponed.

**84 (LR71) Grounds for objection**

An objection may be made in relation to any greyhound on one or more of the following grounds –

- (a) That there was a misstatement or omission in the particulars furnished at the time of nomination.
- (b) That the greyhound purporting to compete is not the greyhound nominated.
- (c) That the greyhound is or was not qualified under the conditions for that event.
- (d) That the greyhound is or was not eligible to compete.
- (e) That the greyhound is or was disqualified.
- (f) That a person having an interest in the greyhound is or was disqualified or a defaulter, or
- (g) In the case of an objection lodged by the Stewards, in the interest of greyhound racing.

**85 (LR72) Lodging objections**

- (1) An objection may be lodged-
- (a) by the Stewards, by or on behalf of the Authority, or by an official of a Club; or
  - (b) by the owner or trainer of any other greyhound nominated for the same event, on payment of a deposit.
- (2) The objection may be lodged with the Authority, or the Secretary of the Club conducting the event at any time after nomination of the greyhound concerned or within fourteen (14) days of the conclusion of the meeting at which the event took place.
- (3) An objection shall be made in writing signed by the person lodging it, and shall specify the ground upon which it is made and particulars of the incident or facts alleged as giving rise to the objection as determined by the Authority.

**86 (LR73) Forfeit of deposit and withdrawal**

- (1) If an objection is found to be frivolous or vexatious, or if it is not prosecuted, the deposit may be forfeited.

- (2) No objection shall be withdrawn except by leave of the committee of the Club conducting the meeting or trial, or the Stewards of the meeting or trial, or the Authority.

**87 (LR74) Consequences of successful objection**

- (1) Whereas the result of an objection a greyhound or person is disqualified and another greyhound thereby becomes the winner or is placed in the event in respect of which the objection was lodged, the owner or trainer of the greyhound so winning or placed is entitled to recover and receive from the owner or trainer of the greyhound so disqualified all moneys received by him from the Club conducting the event in relation to that event.
- (2) A Club is not responsible for any money paid over or prize awarded before the objection is lodged in relation to the event concerned.

**88 (LR75) Grading variation**

Where an objection has been lodged and the result of any event is in dispute both the greyhound which finished first and the greyhound in respect of which the event is claimed shall be liable to any grading variation that would be attached to the winner of the event until the matter is decided.

**Division 16 Detection of prohibited substances – representation**

**89 (LR76) Assistance by legal practitioner**

- (1) At any inquiry by the Stewards into any matter in relation to the administration to, or finding of a prohibited substance in any greyhound, it shall be permissible for the Stewards to second the services of a legal practitioner to give counsel to and/or appear as a member of their Authority or inquiry and such person shall assist the Stewards in any way that the Stewards shall require, provided that such person shall not take part in any matter after the closing of evidence when the Stewards shall deliberate upon evidence received and hand down their findings.
- (2) At any inquiry mentioned in sub-rule (1) of this Rule, it shall be permissible for any person summoned by the Stewards to attend such inquiry to be similarly represented.
- (3) In this rule, an inquiry by Stewards includes a hearing by the Integrity Hearings Panel.

**Division 17 Inquiries and related matters**

**90 (LR77) Related powers of inquiry or other decisions and determinations**

- (1) Without limiting the powers and functions of the *Controlling Body* conducting an inquiry or any other decision or determination about matters relating to *greyhound racing*, the *Controlling Body* may *require* a person to –
- (a) provide further information, either orally or in writing about the matters;
  - (b) provide documents and records about the matters,
  - (c) provide documents and records about a greyhound, including known veterinary records for the greyhound;
  - (d) give evidence,
- as directed, about matters subject to the inquiry or other matters.
- (2) The requirements under this rule can be given at any stage of the inquiry.
- (3) For L77(1)(a) to (c), a requirement relating to any other decision or determination about matters relating to greyhound racing includes any function of the Authority that is preparatory to a decision whether to hold an inquiry.

**91 (LR78) Right to appear, call evidence and cross examine at hearing by inquiry**

- (1) Where an allegation is made in respect of which a liability arises under these Rules that a penalty or prohibition may be imposed on any person or Club, or in relation to any greyhound, any person or Club –
- (a) against whom the allegation is made;
  - (b) directly concerned in the circumstances giving rise to the allegation,

at the inquiry to hear and determine the matter, has the right to be present at the inquiry into the circumstances, to call evidence and to cross examine any witness called by any other person or Club.

- (2) In this rule, an inquiry to hear and determine the matter includes a hearing before the Integrity Hearings Panel, or Stewards sitting as an inquiry to hear and determine a matter of a charge under the Rules or these Local Rules.

## **92 (LR78A) Facilitation of proof**

- (1) In this rule, **rules of racing** means, collectively, the Greyhounds Australasia Rules, the Local Regulatory Rules and the Greyhound Coursing Rules of Greyhound Racing SA Limited.
- (2) In any proceeding under, or for the purposes of, the rules of racing, following apply –
- (a) A document purporting to be signed by the chief executive officer or delegate, and stating that at any stated time there was or was not in force a licence under the rules of racing as described therein issued to a stated person, or in respect of a stated greyhound, or for a stated purpose; or, in the case of the document as aforesaid, stating that any such licence was or was not issued subject to terms, conditions, or restrictions, or was or was not issued subject to the terms, conditions, and restrictions set out in that document shall, upon its production in evidence, be evidence of the matter or matters in that document, and in the absence of evidence in rebuttal thereof shall be conclusive evidence of such matter or matters;
- (b) The allegation or averment in any proceedings that—
- (i) Any person is or is not or was or was not at any time or date mentioned in the complaint—
- (A) The owner, trainer or other responsible person or custodian of any greyhound;
- (B) The holder of a licence or any particular class or description of licence;
- (C) The holder of a licence issued under the rules of racing.
- (ii) Any greyhound is or was a greyhound;
- (iii) Any race referred to therein is or was a race;
- (iv) Any stake or prizemoney won was the stake or prizemoney;
- (v) Any person who purports to be an authorised person, officer of the controlling body, official or Steward, was duly designated.
- (vi) Any Stewards' Notice or other policy, procedure, order or proscribed form was issued or given under the lawful order of a Steward or other person or body having official duties in relation to greyhound racing;
- (vii) A substance referred to in any document purporting to be an analysis of a sample taken from a greyhound and whose identity satisfies the definition of a prohibited substance under the rules of racing, is a prohibited substance;
- (viii) Any document from a verifiable and reputable source about the pharmacological constitution or effect of a prohibited substance, shall be evidence of the matter or matters so averred or alleged, and in the absence of evidence in rebuttal thereof shall be conclusive evidence of such matter or matters and shall apply to any matter alleged or averred thereunder although—
- (I) evidence in support of such matter or of any other matter is given; or
- (II) any matter so alleged or averred is a mixed question of law and fact, but in that case the allegation or averment shall be evidence of the fact only.
- (3) Where the Controlling Body intends to rely on any of the matters mentioned in sub-rule (2), it must give notice to the person charged.
- (4) Where a person who intends to challenge the notice of reliance on any of the matters mentioned in sub-rule (2), at the hearing and determination of the matter under the rules of racing, they must give notice of the challenge to the Controlling Body.
- (5) Any notice under this sub-rule must –
- (a) Be in writing;
- (b) State the matters to be relied upon or challenged;

- (c) Be given to the –
  - (i) By the Controlling Body to the person charged – no later than six (6) weeks before the hearing of the matter; and,
  - (ii) By the person charged to the Controlling Body – no later than four (4) weeks before the hearing of the matter.
- (6) This rule applies to proceedings commenced before the commencement of this rule.

### **93 (LR79) Penalties under GAR95 and additional penalties**

- (1) Unless the contrary intention appears in a rule, the fine pursuant to GAR95 is not to exceed \$20,000.00.
- (2) A fine ordered as penalty may include, as part or whole of the fine, or in addition to a fine, the reasonable costs associated with the Inquiry.  
*Examples – The fine may include the costs of scientific testing of samples and an expert report or the transcription of evidence.*
- (3) This rule applies in conjunction with GAR95 and applies to offences committed before the commencement of this rule.
- (4) Subject to this rule or a rule where the contrary intention appears, GAR95 otherwise applies to penalties under *the Rules* or these *Local Rules*.
- (5) In these Local Rules, the term “licence category” means any type or class of licence; and, any certificate or permit under a registration; and includes the categories in L28(1).
- (6) In addition to the penalties prescribed under R174, the Controlling Body may, as part or whole of the penalty, or in addition to any other penalty –
  - (a) revoke, vary or suspend a licence category;
  - (b) order a restriction or condition on a licence category.

*Example – The person may be restricted to a maximum number of greyhounds they can have in their possession.*

*Example - The person may have their licence category of breeder revoked.*
- (7) For the purposes of R169(5), the Controlling Body may specify when the direction commences, ends, or pre-conditions for the removal of the direction.  
*Example – A Notice of Inquiry may specify the commencement date of a suspension (if, for example, the registered person needs time to make arrangements for the welfare of greyhounds in their custody.*  
*Example - A Notice of Inquiry may specify that a restriction on nominations will cease once the registered person provides proof, to the satisfaction of the Controlling Body, that they have complied with an Order in a non-compliance notice.*
- (8) The Controlling Body should not make an order requiring a person to pay a fine if the Controlling Body is satisfied that the means of the person, so far as they are known to the Controlling Body, are such that—
  - (a) the person would be unable to comply with the order; or
  - (b) compliance with the order would unduly prejudice the welfare of dependants of the person, (and in such a case the Controlling Body may, if it thinks fit, order the payment of a lesser amount).

### **93A Principles and factors to be considered on penalty**

- (1) In this rule, a “**property to train greyhounds**” means a property or premises at which a registered person keeps (unless retired as a pet), trains or races greyhounds and, for the avoidance of doubt, includes rearing farms, whelping and breaking-in facilities.
- (2) Unless otherwise approved by the Controlling Body, no registered person may train, keep (unless retired as a pet) or race any greyhounds at any property or premises which are deemed by the Controlling Body as being or as having been the *property to train greyhounds* of a person who has had their registration ceased as a result of having been disqualified, warned off, suspended or declared to be a defaulter for a breach or potential breach of the Greyhounds Australasia Rules or Local Rules (of any Controlling Body).

## 94 (LR79A) Principles and factors to be considered on penalty

- (1) In this rule:
- (a) A “**penalty**” is a penalty for a breach of the Greyhound Racing Rules of Greyhound Racing SA Limited (“**the rules**”), but does not include other decisions by the Authority with respect to:
    - (i) the control of, and exercising powers over a Registered Person or greyhound, with respect to race meetings;
    - (ii) exercising powers over a Registered Person or greyhound, pending the decision or outcome of an inquiry;
    - (iii) applications for registration with respect to a person or a greyhound.
  - (b) the Authority includes the Integrity Hearings Panel.
  - (c) “**Penalty guidelines**” means publications (including guidelines or standards) from a Controlling Body, published from time to time, about the range of penalties recommended for breaches of the rules of racing;
- (2) The Authority, in determining penalty, may apply the following principles:
- (a) proportionality;
  - (b) parity;
  - (c) totality;
  - (d) that a registered person may not be penalised on the basis of having committed a breach of the rules of which the person was not found guilty;
  - (e) comparable penalties of *Controlling Bodies*, courts and tribunals exercising review and appellate jurisdiction.
- (2A) The Authority, in determining penalty, must consider and follow penalty guidelines, unless special circumstances exist.
- Explanatory note* – Where a penalty guideline recommends a range of penalties for a breach of the rules of racing, the Authority will, unless finding special circumstances exists, order a penalty that is consistent with the penalty range recommended in that guideline. Where more than one penalty guideline from Controlling Bodies recommends a range of penalties (except guidelines published from Greyhound Racing SA Limited which will be preferred), the appropriate penalty will consider the facts and circumstances relevant to the breach of the rules of racing in so far as they apply to those penalty guidelines.
- (3) In determining penalty, including a finding that a special circumstances exists, the Authority, in addition to *Greyhounds Australasia Rule 92*, may take into account such of the factors as are known to the Authority that relate to the following matters as may be relevant:
- (a) The likelihood of the registered person re-offending;
  - (b) The registered person’s age and physical and mental condition (including any cognitive impairment);
  - (c) Where relevant, the extent to which the registered person took, or is taking, steps to avoid or correct the breach from reoccurring.
  - (d) Any other circumstance which the Authority considers *appropriate*.
- (4) In considering such of the factors as are known to the Authority, the Authority may consider one, some or all of the factors considered appropriate, and can consider the overall weight the factors, in isolation or together, in determining penalty.

*Explanatory note* – The Authority binds itself with respect to the principles discussed in *Greyhound Racing SA v Shadow & Shadow* (RAT 8/20) (16/10/2020) heard by the Racing Appeals Tribunal, South Australia.

## 95 (LR80) Where service cannot be effected

- (1) Where the Authority is satisfied that every reasonable effort has been made to effect service of the notice of inquiry and that service cannot be effected by any means provided by these Rules, the Authority may direct that the inquiry proceed as if service has been so effected, subject to any conditions which the Authority may think fit to impose.
- (2) Any notice of an inquiry under these Rules shall be served not less than six (6) days before the date on which the person or Club so served is required to appear.

**96 (LR81) Representation at an inquiry**

- (1) Where a Club is a party to or is likely to be affected by the decision taken at, any inquiry the Club may be represented by the Chairman or Secretary of the Club or any other person authorized by a resolution of the committee of the Club.
- (2) A registered person required by the Rules to attend an inquiry to be heard before the Integrity Hearings Panel may make application to the Chair or Deputy Chair of the Integrity Hearing Panel for a support person to be present.

**97 (LR82) Transcript may be obtained**

- (1) On application to the Authority, any person aggrieved by the decision made as a result of an inquiry which adversely affected that person, may obtain a transcript of the proceedings at the inquiry on payment of the *prescribed fee*.
- (2) The *prescribed fee* is that fee paid by the Authority to the transcription service, for the tax invoice for that transcription.

**98 (LR83) Proof of ownership of greyhound**

The Authority, Stewards, or the committee of a Club may call on a person in whose name a greyhound is nominated, or on any other person, to prove that the greyhound is not the property either wholly or in part of any other person and in default of such proof being given the greyhound may be withdrawn or disqualified from any race or qualifying trial.

**99 (LR84) Power to withdraw**

Subject to these Rules, the Authority Stewards conducting a meeting or trial may withdraw any greyhound from any event.

**100 (LR85) Disqualified or suspended greyhound ineligible**

A greyhound disqualified or suspended under and in accordance with these Rules shall not be eligible to race at any meeting or in any qualifying trial held under these Rules.

**101 (LR86) Removal of greyhound from disqualified person**

- (1) Where a greyhound is trained for fee or reward, the disqualification of the trainer of the greyhound does not extend to the greyhound if it is removed from their care, control and possession as soon as practicable, unless-
  - (a) that greyhound is specifically disqualified; or
  - (b) the trainer is proved to have an interest in that greyhound other than solely as its trainer.
- (2) Where a disqualified person is the owner of a greyhound in their possession, that person will be given a reasonable opportunity to transfer that greyhound from their possession to another registered person; otherwise, the Authority may disqualify or deregister the greyhound.

**102 (LR87) Surrender of certificates**

- (1) A person who is disqualified or warned off under these Rules or whose name appears on the list of defaulters shall forthwith deliver to the Authority all certificates of registration, permits or licences held by him under these Rules, including the registration certificate of any greyhound registered in their name.
- (2) Where a person is disqualified or warned off for a specified period for so long as that person fails to deliver to the Authority any certificate of registration, permit or licence held by him under these Rules or the registration certificate of any greyhound registered in their name that time shall not be taken into account in calculating the expiry date of any period of disqualification or warning off and the period shall be deemed to have been extended accordingly.



### **103 (LR88) Grounds for disqualification or suspension of greyhound**

- (1) A greyhound may be suspended from participation in greyhound racing or may be disqualified if:
- (a) it is not registered in accordance with the requirements of the Authority or an Approved Registration Authority;
  - (b) it has been nominated for or run in any race or qualifying trial under a fraudulently false description;
  - (c) for an improper purpose any apparatus, or any prohibited substance, stimulant or deleterious substance has been used on or administered to it;
  - (d) any dishonest or improper practice has been used in connection with the running of that greyhound at any meeting or trial;
  - (e) it has been used as a medium for the contravention of these Rules or in connection with any dishonourable action, negligence, dishonest, corrupt, fraudulent or improper practice in relation to greyhound racing;
  - (f) it has marred another greyhound or failed to pursue the lure during a race or qualifying trial;
  - (g) it is not submitted to examination when required in accordance with these Rules; or
  - (h) any person connected with the nomination, training or racing of the greyhound, or who is the owner, part owner or lessee, is guilty of a breach of these Rules or fails to comply with these Rules or is guilty of a breach of the Rules of a Club or a Syndicate, or is a defaulter.
- (2) Where a greyhound is brought to compete or has competed in a race or a qualifying trial and, in the opinion of the Stewards, any apparatus has been used on it or any prohibited substance, stimulant or deleterious substance administered to it for an improper purpose and on the day of the meeting or trial it was under the care or control of a registered trainer the Stewards shall not disqualify the greyhound on that day but shall adjourn the inquiry for the purpose of ascertaining whether the owner of the greyhound was in their opinion implicated in the matter.

### **104 (LR89) Defaulters**

- (1) Where a person is in default in the payment of any money payable to the Authority or a Club in respect of greyhound racing, the Authority or the committee of the Club may declare him to be a defaulter.
- (2) The Authority and the committee of every Club shall compile and cause to be maintained a list of the names of all persons declared to be defaulters.
- (3) Where a person-
- (a) is declared to be a defaulter by the committee of a Club; or
  - (b) ceases to be in default in the payment of any money,
- the fact shall be reported to the Authority by the committee of the Club.
- (4) The Authority may notify any Club of the inclusion of the name of a person in the list of defaulters and shall notify that Club if the person is reported to the Authority as no longer being in default.
- (5) Until the receipt of the money in respect of which the default in payment occurred has been acknowledged by the Authority or the Club concerned the name of a person listed as a defaulter shall not be removed from the list.

### **105 (LR89A) Effect of disqualification, suspension, warning off or being declared a defaulter**

A person who is disqualified, warned off, suspended or declared to be a defaulter shall, during the period of the penalty, forfeit all Breeders Bonuses. In the event of joint or multiple persons the percentage of Breeder Bonus payable to the disqualified, warned off, suspended or defaulter will be forfeited.

### **106 (LR90) Clubs to give effect to penalties imposed on persons**

Where a Club is notified by the Authority that a person has been disqualified or declared to be a defaulter or has been warned off whether by the Authority, Stewards or the committee of a Club, the Club so notified, its committee, Stewards, officials and employees –

- (a) shall not permit that person to enter or remain on the grounds or any enclosure or other portion of the racecourse or lands occupied or used by the Club in connection with greyhound racing; and
- (b) shall give effect to the penalty as if it has been imposed by the committee of the Club or Stewards appointed by the Club.

**Division 18 Re-hearing of inquiry**

**107 (LR91) Rehearing – generally**

If after the Stewards have given their decision on any matter, new evidence touching such matter is produced to them within fourteen (14) days after having given such decision, they may, subject to any law to the contrary, re-hear the matter.

**108 (LR92) Notice of re-hearing**

The Stewards, if intending to conduct any such re-hearing shall, in reasonable time before the date fixed for such re-hearing notify the Authority and any other person directly affected of the time and place of such re-hearing.

**109 (LR93) Order to re-hear inquiry**

The Authority may order or direct the Stewards to re-hear or re-consider any matter determined by them and in such event such Stewards shall within fourteen (14) days after such order or direction has been notified by the Authority re-hear the matter.

**110 (LR94) Appearance at re-hearing of inquiry**

If any person whose evidence is desired resides away or is absent from the place where such re-hearing shall be heard then their evidence shall be taken in such manner as the Steward conducting the re-hearing shall, with the approval of the Authority arrange.

**111 (LR95) Determination of re-hearing of inquiry**

Upon any re-hearing, the Stewards may confirm reverse or vary the decision originally given.

**112 (LR96) Effect of appeal on re-hearing**

If before any re-hearing held under the provisions in this part contained, any appeal shall have been lodged, then-

- (a) if the appeal is lodged pursuant to these Rules, the Authority shall notify the President of the Racing Appeals Tribunal in writing of the proposed re-hearing together with all relevant particulars of the same;
- (b) if the appeal is lodged under any other provision of these Rules, such appeal shall be held in abeyance pending the proposed re-hearing and shall upon determination of such re-hearing be deemed to be withdrawn.

**113 (LR97) Right of appeal of re-hearing decision**

Subject to the provisions of these Rules, the same rights of appeal shall apply in respect of the decision given upon any re-hearing as exist in respect of the decision given upon the first hearing.

**114 (LR98) Costs on re-hearing**

On any application to the Authority for a re-hearing being granted, it may as a condition of granting such application direct that the person, Club or other body making application for the re-hearing shall pay such fees or costs of the re-hearing as the Authority may deem reasonable.

**Division 19      Offence relating to live game**

**115 (LR99)      Repealed (offence under Greyhounds Australasia Rules)**

**Division 20      Greyhound trial tracks**

**116 (LR100)      Interpretation of this division**

- (1) The Authority may register greyhound trial tracks on such terms and conditions as it may deem necessary.
- (2) In this part of the Rules –

***trial track*** means any registered trial track other than a trial track conducted by a registered club used and maintained solely for the purpose of educating and training greyhounds.

***Licensee*** means a person or association or any other body in whose name a greyhound trial track is registered with the Authority.

***Manager*** means a person registered with the Authority as having the management or control of the greyhound trial track and includes a person approved by the Authority as acting manager of the track during any leave of absence granted by the Authority to the manager.

**117 (LR101)      Application for registration of trial track**

- (1) An application for the registration of a greyhound trial track shall be made to the Authority in a form approved by the Authority and shall be accompanied by the prescribed fee and a copy of the plans and specifications of the track, including the construction of the track, appurtenances and surrounds.
- (2) An application for the renewal of the registration of a greyhound trial track shall be made to the Authority in a form approved by the Authority and accompanied by the prescribed fee.

**118 (LR102)      Information**

The Authority may require any applicant for registration of a greyhound trial track and any proposed manager to appear before the Authority and to supply such information in respect of the application as the Authority may consider necessary.

**119 (LR103)      Managers and assistance managers**

- (1) Every application for the registration or renewal of the registration of a greyhound trial track shall specify one natural person who it is proposed shall be the manager of the track and shall be signed by him.
- (2) The licensee may also be the manager.
- (3) Where a licensee desires to appoint one or more assistant managers of a greyhound trial track they shall notify the Authority to that effect and nominate the person or persons on a form approved by the Authority.
- (4) A proposed manager or assistant manager, shall make application to the Authority for registration in accordance with the provisions of these Rules relating to the registration of persons.
- (5) A person who takes any part in the management of a greyhound trial track, and is not registered with the Authority as the manager or as an assistant manager of that track commits a breach of these Rules.

**120 (LR104)      Undertakings**

The Authority may require a person applying for registration, or for the renewal of registration as–

- (a) a licensee; or
  - (b) manager or assistant manager, of a greyhound trial track
- to enter into a written undertaking to comply with these Rules and any condition imposed or direction given by the Authority.

**121 (LR105)      Manager to be present**

- (1) No greyhound trial track shall be used or open for use unless the person registered as the manager of that track, or where the manager is absent pursuant to leave of absence granted by the Authority, a person approved by the Authority as acting manager, is personally present at that trial track.
- (2) If a greyhound trial track is used or is open for use at a time contrary to the provisions of this rule the Authority may after due inquiry, cancel the registration of the track.

**122 (LR106)      Transfer of ownership**

Where the licensee of a greyhound trial track registered with the Authority wishes to transfer ownership to another person, that person shall apply to the Authority for a transfer of the registration and any such application shall be subject to these Rules and in the sole and absolute discretion of the Authority.

**123 (LR107)      Insolvent licensees**

- (1) If a licensee becomes bankrupt their trustee shall forthwith apply to the Authority for the endorsement of their name on the certificate of registration or the name of some other person nominated by the trustee as agent for the trustee.
- (2) Between the time of filing the application and the determination of the application by the Authority the business may be carried on by the trustee in bankruptcy or some other person authorised in writing by the trustee.
- (3) A person who carries on the business of a greyhound trial track under this rule is subject to the same duties, liabilities, obligations, disqualifications and penalties as if they were the licensee.

**124 (LR108)      Deceased licensees**

- (1) If the licensee of a trial track dies—
  - (a) any member of their family of or over the age of eighteen years; or
  - (b) with the approval of the Authority, some other person on behalf of the family, may carry on the business of the greyhound trial track for a period not exceeding one month from the date of the death of the licensee.
- (2) Prior to commencing to carry on business under this rule the member of the family or other person shall notify the Authority of the death and shall furnish such other particulars as the Authority may from time to time require.
- (3) The Authority may at any time withdraw an approval conferred under this rule.
- (4) Within the period of one month from the date of death of the licensee the person carrying on the business or any other person who claims preference over that person may apply to the Authority for the endorsement of their name on the certificate of registration as agent of the deceased estate pending transfer of the certificate of registration.
- (5) The Authority may in its absolute discretion endorse on the certificate the name of such of the applicants as the Authority thinks fit.
- (6) Upon the grant of probate of the will of the deceased or of letters of administration of their estate, the executor or administrator shall forthwith make application to the Authority for a transfer of the certificate of registration either to himself or to some other person nominated by him.

**125 (LR109)      Cancellation or suspension of registration**

Where the Authority is satisfied that it is in the best interests of greyhound racing so to do, and in particular, without limiting the generality of the foregoing—

- (a) if a person registered as the licensee, manager or assistant manager of a greyhound trial track fails to comply with these Rules or any condition attached to their or the track's certificate of registration;
- (b) if a person knowingly permits, or knowingly fails to take all necessary steps to prevent, the occurrence at that track of a breach of these Rules;
- (c) if a person is convicted of an offence under the Racing Act;

- (d) if the manner of conduct, management or control of that track is in the opinion of the Authority detrimental to greyhound racing; or
  - (e) if the condition of that track or the surrounds is dangerous to persons frequenting the track or unsuitable for the trialing or training of greyhounds,
- the Authority may after due inquiry, cancel or suspend the registration of the track and the registration of any person as the licensee, manager or assistant manager of that track.

#### **126 (LR110) Notice of refusal or cancellation**

- (1) Where an application for the registration of a greyhound trial track is refused or where a certificate of registration of a greyhound trial track is cancelled by the Authority, notice of the refusal or cancellation shall be served on the applicant or licensee, as the case may be, within a period of seven (7) days commencing from the day on which the Authority decided on refusal or cancellation unless the applicant or licensee before the Authority at the time when the decision was made.
- (2) In the case of the cancellation of the registration of a greyhound trial track the order of cancellation shall come into effect on the day specified by the Authority which shall not be sooner than fourteen (14) days after the day on which the Authority made the order.

#### **127 (LR111) Use of unregistered tracks**

A person who—

- (1) takes any greyhound; or
- (2) permits or allows any greyhound of which they are the registered owner or trainer or which is under their control to be taken,

on to a greyhound trial track which is not registered by the shall be guilty of a breach of these Rules.

#### **128 (LR112) Power to enter and inspect**

A Steward or an officer authorised by the Authority, may, at all reasonable times enter on and inspect any registered greyhound trial track and any appurtenances thereto, not being a dwelling house, and may require any person registered with the Authority to supply him with such information as they may consider reasonably necessary for the purpose of administering these Rules.

#### **129 (LR113) Offences related to trial tracks**

A person who-

- (a) bets or wagers on any greyhound trial or training race track;
- (b) awards, in respect of any greyhound trial or training race, any money; or
- (c) commits any act in connection with a greyhound trial track which in the opinion of the Authority is or may be detrimental to the best interests of greyhound racing,

commits a breach of these Rules.

### **Division 21 Greyhound welfare and rehoming**

#### **130 (LR114) Greyhound rehoming obligations**

- (1) Local Rules 1-7 are in addition to the provisions of GAR106 and set out the obligations of registered persons in respect of all greyhounds (as defined in GAR1) which are in that person's care, custody or control where that greyhound:
  - (i) is unraced and it has been decided will not at any time in the future be raced as a greyhound; or
  - (ii) is to be retired from greyhound racing;and, despite the best prior endeavours of the Responsible Person, is unable to be rehomed to the care and control of a suitable third party.
- (1A) Where a greyhound has been retired in accordance with GAR 106(3)(a), a registered person shall be guilty of a Serious Offence if the person, either directly or indirectly, sells or otherwise transfers ownership or custody of a greyhound to a third party into circumstances where they

- are aware, or ought to be aware, that the greyhound will be, or is likely to be euthanised or exist under conditions that are to its detriment.
- (1AA) Where a registered person has care, custody or control of a retired greyhound, and that person –
- (i) intends to transfer ownership from that registered person to any other person; or,
  - (ii) euthanise that greyhound for any reason (other than in an emergency and in the best interests of the greyhound, the proof of which lies with the person),
- the registered person must notify the Controlling Body no less than 3 business days before the intended transfer or euthanasia procedure, in addition to any other requirement to notify the Controlling Body under the Rules.
- (1B) Unless a greyhound is being accepted by a recognised adoption agency that undertakes sterilisation –
- (a) the last registered owner or person responsible for the greyhound at the time of such retirement as a pet must ensure that the greyhound has been surgically sterilised by a veterinarian before allowing the greyhound to leave their care and custody.
  - (b) In submitting the required notification prescribed by GAR 106, a certificate of sterilisation by a veterinarian must be supplied for any retired greyhound to which this rule applies.
  - (c) This sub-rule commences on 1 August 2021.
- (1C) Unless the greyhound is being accepted by a recognised adoption agency that undertakes dental treatment consisting of at least a complete dental scale and polish by a veterinarian –
- (a) the last registered owner or person responsible for the greyhound at the time of such retirement must ensure the greyhound has undergone a dental treatment consisting of a complete scale and polish by a veterinarian before allowing the greyhound to leave their care and custody.
  - (b) In submitting the required notification in GAR106, a certificate of dental treatment from a veterinarian must be supplied for any greyhound retired to which this rule applies.
  - (c) This sub rule commences on a date to be fixed by the Controlling Body.
- (2) For the purposes of Local Rules 1-7:
- (i) *Greyhounds As Pets SA (“GAPSA”)* is a program run by GRSA and under the auspices of GRSA for assessing greyhounds to ensure that where possible and reasonably practicable all unraced and retired greyhounds are afforded the opportunity of finding a suitable permanent home.
  - (ii) *Responsible Person* is a person who –
    - (a) at the time(s) contemplated by this Local Rule; and
    - (b) after the time specified in GAR136,
 has the care, custody or control of a Relevant Greyhound and includes the Responsible Person’s agents; delegates, employees; contractors; partners or assigns and any corporate entity through which the Responsible Person may operate.
  - (iii) *Relevant Greyhound* is a greyhound as described in Local Sub Rule 1.
  - (iv) For the purposes of Local Rules 1–8, the *Prescribed Form* is the Notification of Retired Greyhound / Euthanised Greyhound Form, or similarly described and amended from time to time by the Controlling body.
- (3) A *Relevant Greyhound* must first be assessed by GAPSA for suitability to be rehomed before any other action is taken by the *Responsible Person*, or any other registered persons, as to the future of that *Relevant Greyhound*. This GAPSA assessment must not take place until the expiration of ten (10) days from that *Relevant Greyhound*’s last start in an event (if applicable).
- (4) If the GAPSA assessment referred to in Local Rule 3 is that the *Relevant Greyhound* is suitable for rehoming, the Responsible Person must re-home the *Relevant Greyhound* with GAPSA or with a third party as far as reasonably practicable, in accordance with GAPSA’s recommendations.
- (5) If upon initial assessment pursuant to Local Rule 3, GAPSA has identified a *Relevant Greyhound* as requiring, and suitable for, further assessment, that *Relevant Greyhound* must be again presented to GAPSA for further testing and assessment at the time, place and in the circumstances specified by GAPSA and, in the event that *Relevant Greyhound* is then assessed as suitable for rehoming, the *Responsible Person* must rehome that *Relevant Greyhound* with GAPSA or with a third party as far as reasonably practicable in accordance with GAPSA’s recommendations.

- (5A) In the event that a *relevant greyhound* –
- (i) is assessed by GAPSA as –
    - (a) suitable for rehoming; or,
    - (b) suitable for re-assessment,
 and six (6) months elapses without that greyhound being entered into a GAPSA program, that greyhound must be reassessed unless otherwise directed by the Controlling Body;
  - (ii) is assessed by GAPSA as not suitable for rehoming but is subsequently nominated for an Event – that greyhound must be reassessed.
- (6) In the event that a *Relevant Greyhound* –
- (i) is assessed by GAPSA as not suitable for rehoming on medical or behavioural grounds such that euthanasia is the only course having regard to the best interests of the Relevant Greyhound; or
  - (ii) in a particular case, after taking all reasonably practicable steps to comply with the GAPSA recommendations referred to in Sub Rules 4 or 5, suitable rehoming is not achievable in all the circumstances and no other reasonable alternatives exist, the Responsible Person must ensure that that euthanasia procedure is humanely performed by a registered Veterinary Surgeon and comply with GAR106(3).
- (6A) Where a person intends to euthanise a greyhound pursuant to LR114(6), that person must notify the Controlling Body no less than 10 working days before the intended euthanasia procedure.
- (6B) The Controlling Body may make such orders reasonably necessary, and in the best interests of the greyhound, before the person does any act specified in LR114(6).
- (7) Where a *Relevant Greyhound* has been euthanised by a Veterinary Surgeon in accordance with Rule 6 above:
- (i) the veterinary certificate of euthanasia; and
  - (ii) the prescribed form;
- each to the satisfaction of the Stewards must be lodged by the Responsible Person with the Controlling Body within two (2) working days of that euthanasia procedure.
- (8) In the event that any greyhound (including a *Relevant Greyhound*) is at any time so seriously ill or injured as to be, in the expert opinion of a registered veterinary surgeon:
- (i) beyond reasonable and practicable veterinary treatment and such that euthanasia is the only course having regard to the best interests of that greyhound; and
  - (ii) prior assessment by GAPSA is not practicable,
- in addition to complying with GAR106(3), the registered person(s) who has the care, custody or control of that greyhound at the relevant time, must ensure that the euthanasia procedure is humanely performed by a registered Veterinary Surgeon.
- (9) Where a greyhound has been euthanised by a Veterinary Surgeon in accordance with Local Rule 8 above:
- (i) the veterinary certificate of euthanasia (including certification as to the matters in Local Sub Rules 8.1 and 8.2); and
  - (ii) the prescribed form;
- each to the satisfaction of the Stewards must be lodged with the Controlling Body by the registered person who has the care, custody or control of that greyhound at the relevant time within two working days of that euthanasia procedure.
- (10) A Responsible Person or a registered person who has the care, custody or control of a greyhound at the relevant time (other than a *Relevant Greyhound*) (as the case may be) who fails to comply with any provision of Local Rules 1-9 above is guilty of a serious offence and liable to a penalty in accordance with GAR95.

### **131 (LR114A) III treatment of a greyhound**

- (1) If –
- (a) a person ill treats a greyhound; and,
  - (b) the ill treatment causes the death of, or serious harm to, the greyhound; and,
  - (c) the person intends to cause, or is reckless about causing, the death or, or serious harm to, the greyhound,
- the person is guilty of a serious offence.
- Minimum penalty – 5 years' disqualification (with or without any other penalty) or warning off, that cannot be mitigated or varied by the Controlling Body.*

- (2) A person who ill treats a greyhound is guilty of a serious offence.  
*Minimum penalty – 2 years’ disqualification (with or without any other penalty) or warning off, that cannot be mitigated or varied by the Controlling Body, unless special circumstances are found.*
- (3) Without limiting the generality of sub-rule (1) or (2), a person ill treats a greyhound if the person –
- (a) intentionally, unreasonably, or recklessly causes the greyhound unnecessary harm; or,
  - (b) being the owner or last responsible person for the greyhound –
    - (i) fails to provide it with appropriate, and adequate, food, water, living conditions (whether temporary or permanent) or exercise; or
    - (ii) fails to take reasonable steps to mitigate harm suffered by the greyhound;
    - (iii) abandons the greyhounds; or,
    - (iv) neglects the greyhound so as to cause it harm; or
  - (c) having caused the greyhound harm (not being a greyhound of which that person is the owner or last responsible person), fails to take reasonable steps to mitigate the harm;
  - (d) causes the greyhound to be killed or injured by another animal (including another greyhound);
  - (e) kills the greyhound in a matter that causes the greyhound unnecessary pain;
  - (f) unless the greyhound is unconscious, kills the greyhound by a method that does not cause death to occur as rapidly as possible; or
  - (g) carries out a medical or surgical procedure on the greyhound not being a registered veterinary surgeon (or suitably qualified person under the direction or guidance of a registered veterinary surgeon); or, under the direction or advice of a registered veterinary surgeon (the proof of which lies with the person charged to show they were acting under such direction or advice).
- (4) A person charged with an offence against sub-rule 1 (the aggravated offence) may be convicted of an offence against sub-rule (2) (the lesser offence) if the Controlling Body is not satisfied that the aggravated offence has been established to the requisite standard but is satisfied that the lesser offence has been so established.
- (5) It is a defence to a charge of an offence against sub-rule (2) if the person charged proves that the offence did not result from any failure on the part of the person to take reasonable care to avoid the commission of the offence.
- (6) In this rule –
- Cause** means a person’s act or omission causes the death of, or harm to, a greyhound if the act or omission substantially contributes to the death or harm.
- Harm** means any form of damage, pain, suffering or distress (including unconsciousness) whether arising from an injury, disease or other condition.
- Serious harm** means –
- (a) harm that endangers the greyhound’s life;
  - (b) harm that results in a greyhound being so severely injured, so diseased or in such physical condition that it would be cruel not to euthanise the greyhound; or
  - (c) harm that consists of, or results in, seriously or protracted impairment of a physical or mental function;
- (7) Proceedings under this rule is not a bar to proceedings under section 13 of the Animal Welfare Act 1995, nor are proceedings under that Act a bar to proceedings under this rule.
- (8) Proceedings under this rule is not a bar to proceedings under Local Rule 114, or any other rule (including a breach of policy) of the Controlling Body relating to greyhound retirement or euthanasia; nor are proceedings under those other rules a bar to proceedings under this rule.
- (9) A conviction for an offence under this sub-rule will deem the person not fit and proper to hold registration with the Controlling Body for 10 years from the date of conviction.



### **132 (LR114B) Threats to greyhound welfare**

- (1) A registered person must not threaten, either orally, in a document or in any other way, to cause detriment (including euthanasia) to any greyhound with intent to –
  - (i) hinder any other person from doing any act which the other person is lawfully entitled to do;
  - (ii) compel any other person to do any act which the other person is lawfully entitled to abstain from doing,
  - (iii) cause public alarm or anxiety;
  - (iv) induce another to do an act or make an omission they would not have done, but for the threat.
- (2) In this rule “*public*” includes officers of, or other persons performing duties with, the Controlling Body.

## **Division 22 Integrity Hearings Panel**

### **133 (LR115) Appointments and functions**

- (1) The Board of Greyhound Racing SA Limited may:
  - (a) appoint up to four persons to constitute the Integrity Hearings Panel (“IHP”);
  - (b) appoint from amongst the persons appointed under L133(1)(a), a Chair and Deputy Chair of the IHP; and,
  - (c) define the office and remuneration of persons appointed to constitute the IHP.
- (2) The function of the IHP is to hear and determine:
  - (a) charges laid by the Stewards pursuant to L134(3) and other charges if determined to be Serious Offences;
  - (b) other matters for which a charge has been laid by the Stewards and is deemed by the Chair or Deputy Chair of the IHP to be sufficiently serious, by their nature or impact, as to require the charge to be heard by the IHP;
  - (c) notwithstanding L134(1) or any other rule, any matter referred to it by the Chair of the Board, either of the Chair’s or Deputy Chair’s own motion or upon a recommendation from Stewards, and,
  - (d) Appeals of internal review decisions of the Controlling Body.
- (3) Subject to contrary intention in any rule, to hear and determine any of the matters referred to in L133(2)(a) and (b), the IHP must be constituted by the full panel or, in particular circumstances determined by the Chair of the IHP or the Board, at least one member being the Chair or Deputy Chair.
- (4) Subject to contrary intention in any rule, to hear and determine any of the matters referred to in L133(2)(c) and (d), the IHP must be constituted by at least one member of the IHP being the Chair or Deputy Chair, as determined by the Chair or Deputy Chair of the IHP or the Board.

### **134 (LR116) Charges for hearing and determination by the IHP**

- (1) Notwithstanding anything else to the contrary in the Rules, the Committee of any Racing Club or the Stewards or the Directors in exercising any power conferred on the Stewards must not hear or determine any matter or penalise any person relating to a Serious Offence, unless –
  - (a) allowed under these Local Rules; or,
  - (b) having been delegated that responsibility as expressly directed by the IHP Chair or Deputy Chair.
- (2) The Stewards or the Board may charge a person or Club with a Serious Offence.
- (3) The following Rules and GAR’s, if breached are deemed to be Serious Offences under these Rules:
  - (i) R21;
  - (ii) R75(7);
  - (iii) R140,
  - (iv) R141,
  - (v) R142;
  - (vi) R143;
  - (vii) R156(c);

- (viii) R156(d) and (e), where such conduct relates to a Serious Offence under the Rules or these Local Rules;
  - (ix) R156(i);
  - (x) R156(j)
  - (x) R156(k)
  - (xii) R156(o),
  - (xiii) R156(s);
  - (xiv) R156(t);
  - (xv) R156(x);
  - (xvi) R156(y);
  - (xvii) R157;
  - (xviii) R159
  - (xix) R160;
  - (xx) R161;
  - (xxi) R162(b);
  - (xxii) R162(f);
  - (xxiii) R163(a);
  - (xxiv) R163(b);
  - (xxv) R163(c);
  - (xxvi) R163(d);
  - (xxvii) R164(a), where the Inquiry is hearing only serious offences;
  - (xxviii) R164(b), where the Inquiry is hearing only serious offences;
  - (xxix) R166;
  - (xxx) R167;
  - (xxxi) R171;
  - (xxxii) R178;
  - (xxxiii) such other offences under the Rules or these Local Rules expressly stated as being Serious Offences; and,
  - (xxxiv) any other offence under the Rules or these Local Rules deemed by the Board to be a Serious Offence (as the Board may declare in writing from time to time).
- (4) Any conduct of a greyhound which gives rise of an offence under the Rules, or these Local Rules is deemed to be an Offence applicable to the Owner and/or Trainer of that greyhound.
  - (5) In any case where the Stewards have decided to lay a charge pursuant to L134(3), the Stewards must provide to the person a notice of charge specifying:
    - (i) the offence; and
    - (ii) the particulars of the facts and circumstances relating to the alleged commission of the offence.
      - (a) In conjunction with the notice of charge referred to in L134(5)(i), the Stewards must provide to the person charged by the Stewards copies of any complaint, report, videotape evidence, witness statements and other evidence which will be relied upon to support the charge.
      - (b) The Stewards must provide the Chair and Deputy Chair of the IHP a copy of the notice of the charge and any material that accompanied the notice referred to in L134(5)(ii) as soon as reasonability practicable after the notice of charge has been provided to the person charged by the Stewards.
  - (6) Upon receipt of the materials referred to in L134(5)(b), the Stewards must as soon as reasonably practicably notify both the person charged and the IHP of the date of the hearing.
  - (7) If in relation to a charge pursuant of L134(3), the Stewards are of the opinion that there is no reasonable prospect of a conviction being secured, then the Stewards must:
    - (a) provide a notice of withdrawal of the charge to the Chair and Deputy Chair of the IHP accompanied with the reasons supporting the withdrawal; and,
    - (b) provide a copy of those reasons to the person charged by the Stewards.
  - (8) If more than one charge has been laid against a person arising out of the same set of circumstances and any of those charges have been laid pursuant to L134(3), all of the matters the subject of the charges must be heard and determined by the IHP.
  - (9) If a charge has been laid against more than one person arising out of the same set of circumstances and any of those persons has been charged pursuant to L134(3), all of the matters the subject of the charges must be heard and determined by the IHP.
  - (10) Where L134(6) or (7) applies, the requirements of L134(5), (6) and (7) will apply with respect to all charges to be heard and determined by the IHP.

- (11) The fact that an offence under the Rules or these Local Rules is not a Serious Offence does not affect the factors relating to, or consideration of, the seriousness of the offence for the purposes of R169(4) and L94.

### **135 (LR117) Conduct of proceedings**

- (1) The IHP must follow the principles of natural justice.
- (1A) The IHP may sit as a single member or full panel, as required by the *Local Rules* or otherwise determined by the Chair or Deputy Chair of the IHP or the *Board*.
- (2) Hearings by the IHP in the first instance will be conducted in accordance with the Rules of Racing and in accordance with any other procedures as specified by the IHP.
- (3) Subject to the principles of procedural fairness, the IHP may:
- (a) if the parties to a proceeding have been advised of the date, time and venue of a hearing, conduct the hearing in the presence of the parties, or with only some of the parties or without any of the parties.
  - (b) hear evidence by telephone, closed circuit television or video links;
  - (c) allow the evidence of a Steward or officer of the Controlling Body to be given on the notes of evidence taken by the Steward or officer of the Controlling Body;
  - (d) conduct a proceeding on the case stated by the parties to the proceeding;
  - (e) conduct the re-hearing of a matter by affidavit, statutory declaration or oral evidence.
- (4) The IHP is not required to conduct a hearing as a *de novo* hearing.
- (5) A party to a proceeding before the IHP who seeks legal representation must comply with the provisions of L81.
- (6) The IHP may dismiss a proceeding without a hearing if it is satisfied that the proceeding is frivolous, vexatious, misconceived or lacking substance.
- (7) The IHP must give reasons for any decision made in relation to a matter before it, and whether oral or written, such reasons form part of the record of the proceedings in which the decision is made.
- (8) If the IHP gives oral reasons, a party may, within 7 days of the decision, request the IHP to give written reasons in which case, the IHP must comply with the request within 7 days after the request was made.
- (9) Except as otherwise required by these Rules, the IHP may regulate its own procedure in respect of any proceedings before it.

## 136 (LR118) Powers of the IHP

- (1) The IHP may in the hearing and determination of any matter:
  - (a) draw inferences of fact;
  - (b) penalise any person, and for that purpose a reference in the Rules to any penalty by the Directors, the Stewards or Committee of a Racing Club which includes a penalty by the IHP;
  - (c) order the refund of any Prize Money paid;
  - (d) make any order as to the registration, breeding or kennelling of any greyhound; and
  - (e) give any judgement or decision or make such order as in the IHP's opinion the justice of the case requires.
- (2) The powers of the IHP may be exercised against all or any other person or persons considered by the IHP to be in breach of the Rules notwithstanding that he or she or they may not be party to any proceedings or may not have been dealt with by such Stewards, Committee of a Racing Club or the Board of Directors provided that due notice is given to him or her by the IHP of its intention to investigate and deal with the matter in relation to him or her.
- (3) The IHP may make any interim orders it thinks fit in any proceedings before the IHP.
- (4) The Chair or Deputy Chair of the IHP may give directions in relation to the operation or procedure of the IHP.
- (4A) Any direction made by the Chair or Deputy Chair of the IHP must not be inconsistent with the Rules.
- (5) Any person guilty of improper or insulting behaviour at any time towards the IHP or any member thereof or person in attendance at a hearing of the IHP may be penalised by the IHP as it thinks fit.
- (6) Any person who fails to abide by any decision of the IHP, including any order imposing a Penalty or requiring a refund of any Prize Money paid, shall be guilty of a Serious Offence.
- (7) All decisions of the IHP are final subject only to any further rights of appeal provided for by the Racing Appeals Tribunal.

## Division 23 Greyhound Coursing Rules

### 137 (L119) (CR1) Dictionary

In this Division unless the context or subject matter otherwise indicates or requires:

<b><i>all aged</i></b>	means greyhounds of any age;
<b><i>bye</i></b>	means where in accordance with these Rules a greyhound races alone;
<b><i>class</i></b>	in relation to a class stake means greyhounds that have previously competed, but not won more than a specified sum of money or number of races in any one stake;
<b><i>classic</i></b>	means the Oaks, Derby, St. Leger, Champion Puppy, Rising Star which shall be run during such period as prescribed by the Authority;
<b><i>enclosure</i></b>	means an area where greyhounds compete according to race ties method;
<b><i>guard</i></b>	means where under these Rules greyhounds are reallocated positions in the draw;
<b><i>handler</i></b>	means a registered person responsible for the care and well-being of the greyhound on the day of the event;
<b><i>Juvenile</i></b>	means a greyhound from the date of its whelping and including the last day of the month corresponding to its whelping occurring in the second year thereafter and shall continue to be classified as a juvenile for any race which was programmed to be run within that period but was postponed to a subsequent date and, where a greyhound is classified as a juvenile for a heat of any event, it shall continue to be classified as a juvenile for all races leading to and including the final of that event;
<b><i>maiden</i></b>	means a greyhound which has never won a stake;
<b><i>season</i></b>	means the period between 1 April and 20 October of each year;
<b><i>slipper</i></b>	is a person appointed at the commencement of the meeting by the committee of the promoting Club, who shall, in conjunction with the Steward in Charge, have the discretion as to the length of each slip, provided however that the various slips shall be as far as possible of uniform length;
<b><i>slips</i></b>	means the leash by which the slipper holds both greyhounds prior to releasing them for the course;

- steward** is a person appointed at the commencement of the coursing meeting by the Committee of the promoting Club whose duty shall be to see that:
- (a) the description of each greyhound competing shall agree with the description on the card;
  - (b) the greyhound is brought to slips without delay and in proper turn, wearing its right collar and put on its designated side;
  - (c) where there are breaches to these Rules, they shall report forthwith the matter to the Steward in Charge;
- slipping** means the act of releasing both greyhounds competing in one course at the same point of time;
- stake** means a number of courses which when combined comprise an event.

Additional definitions also appear in the Act, Local Regulatory Rules and Greyhound Australasia Rules and unless the context or subject matter otherwise indicates or requires, those additional definitions also apply in these Rules.

### **138 (L120) (CR2) Nominations**

- (a) The nomination form by which a greyhound is nominated for any Coursing meeting shall be in the form approved by the Authority.
- (b) The time and place or places for the entry of greyhounds and for the acceptance in every stake, shall be advertised and nominations or acceptances shall not be received thereafter unless the stated closing time for acceptance of nominations is extended by the Authority.
- (c) If an hour is not fixed for the closing of nominations, the hour for closing shall be 9.00am on the advertised day.
- (d) Paragraphs (b) and (c) of this Rule shall not apply for nominations in Consolation Stakes.
- (e) Nominations may be accepted for more than one greyhound from any one nominator.
- (f) In all other circumstances, the Rules with respect to nomination for track racing shall apply to coursing meetings.

### **139 (L121) (CR3) Draw and prizemoney**

- (a) Before the draw, an official of the Club shall declare particulars of the Stake, names of the Judge and Slipper and how the prizes are to be divided. All prize money shall be shown "net" on the card.
- (b) Immediately before the greyhounds are drawn at any meeting on every subsequent evening during the continuance of such meetings, the time and place of putting the first pair of greyhounds into the slips on the following morning shall be determined and declared
- (c) The draw shall be carried out as follows:
  - (i) A marble or counter bearing a corresponding number shall be assigned to each entry.
  - (ii) The numbered marbles or counters shall then be placed together and drawn indiscriminately.
  - (iii) The first marble or counter drawn being placed on the left or red side, and the next on the right or white side of the card.
  - (iv) This classification once made shall not be disturbed throughout the meeting except for the purposes of guarding, or on account of byes.
- (d) The draw for any meeting shall be advertised and shall be carried out in the presence of the public at the offices of the Authority or at a place approved by the Authority under the supervision of the Stewards or at least one Committee member of the Club conducting the meeting.
- (e) The original draw shall be displayed in the office of the Authority.
- (f) The Authority may cancel any draw previously conducted if in the opinion of the Authority it is desirable in the interests of greyhound racing, and may order a new draw to be conducted in relation to any meeting or any race.

### **140 (L122) (CR4) Stakes**

- (a) No juvenile stake of more than 16 entries shall be contested in South Australia in any season until the Derby and Oaks for that year have been decided.
- (b) Where, in a Class Stake, a limit has been named either in respect of moneys or courses won or both, such limit shall apply.

#### **141 (L123) (CR5) Guarding**

When two or more nominations are entered by the same nominator, the greyhounds if owned by the nominator shall only be guarded during courses which do not carry prize money.

- (a) Guarding shall be arranged where possible by bringing greyhounds up from below to meet those which are to be guarded.
- (b) Guarding shall not deprive any greyhound of a natural bye to which it may be entitled either in a draw or running through the Stake.
- (c) Where a greyhound's position on the card has been altered in consequence of guarding or byes, the greyhound shall return to its original position in the next round providing that guarding does not prevent it.
- (d) Where there are two greyhounds entitled to a guard and one of them for some cause has to be withdrawn, the other greyhound shall no longer be guarded, and that greyhound shall be retained in its original position on the card and run the bye.

#### **142 (L124) (CR6) Arranging guarding**

Where a greyhound which is to be guarded is on the bottom of the card, the guarding may be arranged by bringing greyhounds from above prior to the commencement of the round.

#### **143 (L125) (CR7) Intentionally left blank**

#### **144 (L126) (CR8) Absent greyhound from start**

Where a greyhound is absent from the Start for longer than three minutes after a final call has been made by the Stewards then the Stewards may fine the handler of such greyhound or withdraw the greyhound from the stake.

#### **145 (L127) (CR9) Competing greyhounds to wear collars**

Each greyhound competing shall wear a collar not less than 5cm in width.

- (a) Colour of the collar shall be red for the left side of the slip as viewed from behind, and white for the right side.
- (b) If the greyhound is wearing the wrong collar it may, at the discretion of the Steward in Charge, be disqualified from the course; otherwise, the race shall be awarded to the greyhound which actually wore the collar corresponding in colour to the flag, hoisted by the Judge.

#### **146 (L128) (CR10) Taking greyhounds to the slips**

Where a greyhound is not brought to the slips in its proper turn, the handler of that greyhound shall be liable to a penalty.

#### **147 (L129) (CR11) Greyhound absent from slips**

Where in the opinion of the Stewards, a greyhound is absent from the slips for more than three (3) minutes, its opponent shall be entitled to claim the course and shall in this case run a bye.

#### **148 (L130) (CR12) Both greyhounds absent from slips**

Where both greyhounds are absent from the slips at the expiration of three (3) minutes, the Stewards shall have the power to disqualify both greyhounds or to permit them to run and the handlers of those greyhounds shall be liable to a penalty.

#### **149 (L131) (CR13) Wrong greyhounds compete**

Where the wrong greyhounds have competed in any round and the mistake is not discovered until another round has been run, no objection can be made and the course shall stand as run.

#### **150 (L132) (CR14) Control of greyhounds in slips**

- (a) The slipper shall have control of all matters connected with slipping the greyhounds.
- (b) Where a greyhound is in the opinion of the stewards beyond control and mischievous in slips or refuses to leave the slips or pursue the lure the stewards may at their discretion order the greyhound to be taken out of the slips and disqualified from the stake.

#### **151 (L133) (CR15) Greyhound escaping from the slips**

Where one (1) greyhound escapes from the slips, the slipper shall not release the other greyhound.

#### **152 (L134) (CR16) Time interval in which greyhounds are to be re-entered in another course**

- (1) Where a greyhound has escaped from the slips, the handler may claim a rest period of four courses before the greyhound shall again be put in to the slips.
- (2) If a similar incident occurs before a final of a course, 15 minutes shall elapse before the greyhounds are again put into the slips.

#### **153 (L134) (CR17) Time a greyhound can be put in slips**

No greyhound shall, unless with the consent of its handler, be put into the slips until 30 minutes after its course in the previous round.

#### **154 (L135) (CR18) Lure placement and position during course**

Prior to the commencement of each course, the lure shall be placed not less than 10 metres directly in front of the slipper.

#### **155 (L136) (CR19) Distance of lure**

During the running of a course the lure shall be maintained as near as practicable at a distance of not less than 3 metres and not greater than 15 metres from the leading greyhound at all times.

#### **156 (L137) (CR20) Method of judging**

- (1) The Judge, their assistant or the Steward in Charge of the meeting or their nominee, as the case may be, shall record the placings of all greyhounds in a course according to the order in which their noses have reached the finishing line.
- (2) The Judge shall decide the race and indicate their decision by a flag corresponding with the collar worn by the winning greyhound.
- (3) The decision of the Judge shall be final and shall not be altered except upon the request of the Steward in Charge and with the Judge's concurrence.

#### **157 (L138) (CR21) Interpretation of flags**

For the purposes stated, the stewards and/or the Judge may hoist the following flags:

- (a) white flag to note that the greyhounds are ready to commence their course.
- (b) Yellow flag to note that a "no course" or an "undecided course" has occurred.
- (c) Red or white flag corresponding to the collar of the winner of each course.

#### **158 (L139) (CR22) Bye**

- (a) A natural bye shall be run by the lowest greyhound in each round of a stake when odd numbers occur and in every case the greyhound shall run under the red collar.
- (b) In the case of an accidental bye the greyhound running the bye shall wear a collar corresponding with its position on the card.

- (c) The withdrawal of a greyhound at any time from a stake shall not deprive another greyhound of a bye either natural or accidental.
- (d) The handler of a greyhound which is to run a bye may run with another greyhound in that course.
- (e) No greyhound shall run a bye earlier than its position on the card warrants.
- (f) The requirements governing the slip and as to what shall constitute a course shall be of a like nature to those in a race where a decision is required to be given and the Steward in Charge shall decide whether it shall be run again, and in the latter case, the Steward in Charge shall give the order.
- (g) If, at the commencement of any round in a stake, one greyhound in each course of that round has a bye, those byes shall not be run, but the greyhounds shall take their place for the next round as if the byes had been run.
- (h) A bye shall be run before a greyhound can claim the advantage of it except in the case of a division.
- (i) No greyhound shall run a second natural bye in any stake unless it becomes unavoidable.
- (j) Byes or participation in winnings through being entitled to byes shall count as courses won.
- (k) If a greyhound is entitled to a bye and is then withdrawn because of injury or inability to continue, stake money shall be paid as if the bye had been run.

#### **159 (L140) (CR23) No course**

- (1) The Stewards may declare a race to be a “no course”-
  - (a) Where in their opinion any mechanical or other defect occurs, which has or might have the effect of preventing the race being completed after the start; or
  - (b) Where other circumstances occur which in the opinion of the Stewards warrant that decision.
- (2) The Steward in Charge may at their discretion request the greyhounds slipping in a “no course” to be returned to the slips immediately.
- (3) Where the Stewards permit the withdrawal of a greyhound for a rerun resulting from a “no course”, its opponent shall run a bye, unless the Steward in Charge on being appealed to shall decide it has done enough work to constitute the course.

#### **160 (L141) (CR24) Undecided course**

An “*undecided course*” may be declared if upon the greyhounds being tied together in a course, the Judge considers the merits of the greyhounds to be equal.

- (1) Where after an “undecided course” the Stewards permit the withdrawal of one of the greyhounds, the remaining competitor shall be declared the winner of that course.
- (2) Where an “undecided course” is the last course in a session of coursing, then 15 minutes shall be allowed to pass prior to the re-run.

#### **161 (L142) (CR25) Permission to withdraw greyhound**

- (1) Where a handler of a greyhound withdraws a greyhound from any stake, notice shall be given forthwith to the Secretary of the Club promoting the meeting who shall report the matter to the Stewards.
- (2) A greyhound shall not be permitted to be withdrawn from a stake after it has commenced, unless the Stewards satisfy themselves that the greyhound is incapacitated.

#### **162 (L143) (CR26) Intentionally left blank**

#### **163 (L144) (CR27) Prizemoney obtained wrongfully**

Where any prize money has been given wrongfully, through fraud or error, the prize money shall forthwith be returned to the Secretary of the Club or the Stewards.

- (1) If a person refuses or fails to return the said prize money, they together with any other person implicated shall be guilty of an offence against these Rules and shall be disqualified along with the greyhound concerned until such demand has been complied with.
- (2) The prize money when returned shall be awarded to the party justly entitled.



## PART 3 (OLD SCHEDULE 2) PENALTY NOTICES

### 164 (Schedule 2 L1) Definitions

In these *Local Rules* –

<b>authorised person</b>	means an <i>officer of a controlling body</i> , being the <i>Relevant Body</i> .
<b>penalty notice</b>	means a notice under rule 3;
<b>penalty notice fine</b> (and <b>fine</b> )	for a <i>penalty notice</i> , means the amount prescribed to be the fine payable for the offence under a <i>penalty notice</i> and not more than \$499.00;
<b>penalty notice offence</b>	means an offence, prescribed under notice of the <i>Relevant Body</i> to be an offence to which <i>the Rules</i> and these <i>Local Rules</i> apply.

### 165 (Schedule 2 L2) Service of penalty notices - generally

- (1) If an *authorised person* reasonably believes a *registered person* has committed a *penalty notice offence*, the authorised person may serve a *penalty notice* on the person for the offence.
- (2) The *authorised person* may serve the *penalty notice* before, during or after the opening of any inquiry into matters that may relate to the *penalty notice offence*.
- (3) A *penalty notice* for an offence must not be served on a person after 3 years from the date the person committed the offence.
- (4) A *penalty notice* may be served on a *registered person* for a *penalty notice offence* that was committed before the commencement of this rule but subject to rule 2(3).

### 166 (Schedule 2 L3) Penalty notices

- (1) A *penalty notice* must be in the form approved by the *Relevant Body*.
- (2) The notice must state the following—
  - (b) the date of the *penalty notice*;
  - (c) in relation to the *registered person*, that person's name.
  - (d) in relation to the offence, particulars that are enough to show clearly the nature of the offence, including the following—
    - (i) the date or period over which the offence was committed;
    - (ii) the place the offence was committed and, subject to subparagraph (2)(d)(i), the time and date of the offence;
    - (iii) if the offence involves a greyhound—the identifying particulars of the greyhound;
  - (e) the fine for the offence and how and where the fine may be paid;
  - (f) that the *registered person* must, within 14 days after the date of the notice—
    - (i) pay the fine in full to the *Relevant Body*; or
    - (ii) make to the *Relevant Body* an election to have the matter of the offence determined by an inquiry conducted by the *Relevant Body*; or
  - (g) that the notice may be withdrawn before or after the fine is paid.
- (3) The *penalty notice* must also state—
  - (a) the *registered person* may, within 14 days after the date of the *penalty notice*, apply to the *Relevant Body* to pay the fine by instalments of not less than the minimum instalment that is calculated by –  
*The fine divided by the number of weeks applied for in instalments (to a maximum of 10 weeks)*  
*Example – a fine of \$300 can be paid over a maximum of 10 weeks at \$30.00 per week.*
  - (b) if the *Relevant Body* approves the application and the *registered person* pays the first instalment, the *registered person* may pay all remaining instalments to the *Relevant Body* in any way acceptable to the *Relevant Body*; and
  - (c) that if the *registered person* defaults, the registered person will be declared a *defaulter* by the *Relevant Body*.

**167 (Schedule 2 L4) Effect of penalty notices on inquiries**

- (1) The fact that a *penalty notice* has been, or could be, served on a *registered person* for an offence, does not –
- (a) require the serving of a *penalty notice* on a *registered person* for an offence, as opposed to proceeding against the person in another way;
  - (b) affect the starting or continuation of a proceeding against the person or anyone else by an inquiry for the offence; or,
  - (c) limit or otherwise affect the penalty that may be imposed by the *Relevant Body* for an offence.

**168 (Schedule 2 L5) Payment of fine by instalments**

- (1) This rule applies if—
- (a) a *registered person* is served with a *penalty notice* for an offence; and
  - (b) the *registered person* elects to pay the fine by instalments.
- (2) Within 14 days after the date of the *penalty notice*, the *registered person* may apply to the *Relevant Body* for approval to pay the fine by instalments of not less than the minimum instalment.
- (3) The application must be made in—
- (a) the approved form; or
  - (b) another way acceptable to the *Relevant Body*.
- Examples of other ways an application may be made that may be acceptable to the administering authority—*
- *by telephone*
  - *by use of the internet*
- (4) The application must be accompanied by the first instalment, unless the application authorises the payment of the instalment by direct debit from an account the *registered person* holds with a financial institution.
- (5) The *Relevant Body* must approve the application if—
- (a) the application complies with this section; and
  - (b) the *Relevant Body* is satisfied the application was made by the *registered person*.
- (6) If the *Relevant Body* approves the application, the *registered person* may pay all remaining instalments to the *Relevant Body* in any way acceptable to the *Relevant Body*.
- (7) The *Relevant Body* must, at the time the *registered person* makes the application, inform the *registered person* of the consequences of failing to pay the instalments.
- (8) Sub-rule (4) only requires a *Relevant Body* to accept payment of an instalment by direct debit if the *Relevant Body* is capable of accepting it.

**169 (Schedule 2 L6) Registered person who pays cannot be prosecuted**

- (1) This section applies if—
- (a) a *penalty notice* is served on a *registered person* for an offence; and
  - (b) the *registered person* pays the fine for the offence as required by the penalty notice or the *registered person* begins to otherwise discharge the fine.
- (2) The *registered person* must not be prosecuted under an inquiry for the offence.
- (3) Subsection (2) applies even though more than 1 *penalty notice* has been served on the *registered person* for the offence.

**170 (Schedule 2 L7) When the registered person cannot elect to have offence decided by inquiry**

- (1) This section applies if a *registered person* served with a *penalty notice* for an offence—
- (a) pays the fine for the offence to the *Relevant Body*; or
  - (b) applies to the *Relevant Body* to pay the fine for the offence by instalments.
- (2) The *registered person* may not elect to have the matter decided by an inquiry.

**171 (Schedule 2 L8) When penalty notice offence is to be decided by inquiry**

- (1) If, within 14 days after the date of a *penalty notice*, a *registered person* —
  - (a) elects to have the matter of the offence decided by an inquiry; or
  - (b) takes no action to pay the fine;a proceeding for the offence may be started by a notice of inquiry.

**172 (Schedule 2 L9) Relevant Body may withdraw penalty notice**

- (1) the *Relevant Body* may withdraw a *penalty notice* at any time before the fine is satisfied in full.
- (2) For the withdrawal to be effective, the *Relevant Body* must—
  - (a) serve on the *registered person* a notice of the withdrawal; and
  - (b) repay to the *registered person* any amount paid to the *Relevant Body* for the offence.
- (3) On complying with subrule (2)—
  - (a) these *Local Rules*, other than this Schedule, stops applying to the *penalty notice offence*; and
  - (b) a proceeding for the offence by inquiry may be taken against any *registered person* as if the notice had not been served on the *registered person*.
- (4) No compensation is payable to a person because of the *Relevant Body's* refusal to withdraw a *penalty notice*.

**173 (Schedule 2 L10) Effect of cancellation of penalty notice**

- (1) This section applies if a *penalty notice* is withdrawn under rule 9.
- (2) If, because of the *penalty notice*, another penalty has been allocated against the *registered person* for a *penalty notice offence* -
  - (a) the penalty is cancelled; and
  - (b) the *Relevant Body* must make a note on any record it keeps in relation to the person clearly indicating that the penalty allocated against the person has been cancelled.
- (3) Further, if, because of the *penalty notice*, a licence or other authority has been suspended or cancelled, the suspension or cancellation stops having effect, unless the *registered person's* licence or authority would still be suspended, cancelled or no longer in force for another reason.

**PART 4 (OLD SCHEDULE 3) SUITABILITY MATTERS FOR LICENCING AND REGISTRATION**

**174 (Schedule 3 L1) Registration functions of the Relevant Body—general**

- (1) The *Relevant Body* is to exercise its registration functions so as to ensure that any individuals registered by the *Relevant Body* are persons who, in the opinion of the *Relevant Body*, are fit and proper persons to be so registered (having regard in particular to the need to protect the public interest as it relates to *greyhound racing*).
- (2) In determining if a person is fit and proper, the *Relevant Body* must take into account *suitability matters*.
- (3) This rule does not limit any provisions of *the Rules* or these *Local Rules* relating to the exercise of the registration functions of the *Relevant Body*.
- (4) In this rule, the *relevant period* is 5 years preceding the date of any application, unless the contrary intention appears in this or another rule.
- (5) In this rule, applications for registration include —
  - (a) Owner;
  - (b) Tier 1 trainer;
  - (c) Tier 2 trainer;
  - (d) Tier 3 trainer;
  - (e) Attendant;
  - (f) Handler;
  - (g) Breeder;
  - (h) Provisional breeder;
  - (i) Trial track manager;

- (j) Trial track assistant manager;
- (k) Membership of a syndicate (including syndicate manager), and however such roles are variously described.

**175 (Schedule 3 L2) Suitability matters - fit and proper person**

- (1) In deciding new or changed registrations (including renewals, variations, suspensions, or revocations), the *Relevant Body* must consider, among other things, these *suitability matters* –
- (a) If applicant is a natural person -
    - (i) whether the person is currently of good fame and character;
    - (ii) whether the person is or has been in the *relevant period* insolvent under administration;
    - (iii) whether the person has been convicted, in the *relevant period*, of an offence in Australia or a foreign country, and if so—
      - (A) the nature of the offence; and
      - (B) how long ago the offence was committed; and
      - (C) the person’s age when the offence was committed;
    - (iv) whether the person is currently subject to an unresolved complaint, investigation, charge or order under any of the following—
      - (A) a relevant law;
      - (B) an Inquiry by a *Controlling Body*.
    - (v) whether the person—
      - (A) is the subject of current disciplinary action, however expressed, by a *Controlling Body* for *greyhound racing* or another racing code in Australia or a foreign country; or
      - (B) has been the subject of disciplinary action, however expressed, in the *relevant period*, relating to *greyhound racing* or another racing code that involved a finding of guilt;
    - (vi) whether the person has been declared a *defaulter* or *warned off* at any time.
    - (vii) whether the person currently is able to satisfactorily carry out the inherent requirements of a *registered person*.
    - (viii) whether there is any criminal intelligence or other information (including non-compliance of *the Rules* and these *Local Rules*), to which the *Relevant Body* has access that indicates –
      - i. the person is a risk to public safety;
      - ii. the person is a risk to the welfare of any *greyhound*
      - iii. the person is a risk to the image of *greyhound racing*,
- (2) A matter under subsection (1) is a *suitability matter* even though it happened before the commencement of this section.
- (3) The *Relevant Body* may, at any time, require the applicant, unless the applicant is under 18 years of age, to supply to the *Relevant Body* (at the cost in all things of the person applying), a statement, certificate or other evidence of a national police check provided by a police force in Australia or an accredited body authorised by the Australian Criminal Intelligence Commission (ACIC) and dated within three (3) calendar months preceding the date of the requirement by the *Relevant Body*.
- (4) With respect to applications for registration, the person applying for registration, unless the person is under 18 years of age, must:
- (i) For all new applications, and,
  - (ii) For renewal applications, every 4<sup>th</sup> year thereafter,
- produce to the *Relevant Body* (at the cost in all things of the person applying), a statement, certificate or other evidence of a national police check provided by a police force in Australia, or an accredited body authorised by the Australian Criminal Intelligence Commission (ACIC) and dated within three (3) calendar months preceding the date the application is lodged with the *Relevant Body*.
- (5) *Registered persons* must notify the *Relevant Body* within 14 days if the *registered person* is:
- (a) charged with any criminal offence in any jurisdiction;
  - (b) convicted of any criminal offence in any jurisdiction;

- (c) experiences a material or significant change in the person's financial affairs which may adversely affect the capacity of the person to pay their debts when they fall due; or,
  - (d) ceases to meet any condition stipulated in the registration (or licence) condition.
- (6) A person is deemed not fit and proper if, in the preceding 5 years before the application, the person has been convicted of, or discharged from custody on sentence after the person has been convicted of, any of the following offences –
- (a) Any offence relating to unlawful drugs where the maximum penalty for the offence is over 2 years imprisonment (regardless of the sentence imposed);
  - (b) Any offence relating to unlawful possession of a weapon where the maximum penalty for the offence is over 2 years imprisonment (regardless of the sentence imposed);
  - (c) An offence against the *Animal Welfare Act 1985* (SA) or a corresponding law of another State, Territory or foreign country.
  - (d) An offence against the *Dog and Cat Management Act 1995* (SA) or a corresponding law of another State, Territory or foreign country.
  - (e) An offence whereby the person is a registerable offender under the *Child Sex Offenders Registration Act 2006* (SA) or a corresponding law of another State, Territory or foreign country.
  - (f) An offence against the *Emergency Management Act 1994* (SA) or *Public Health Act 2011* (SA) or a corresponding law of another State, Territory or foreign country.
- (7) A person is deemed not fit and proper if, in the preceding 5 years before the application, the person has been *warned off*.
- (8) A person is deemed not fit and proper if, in the preceding 2 years before the application, the person has been -
- (a) sentenced by the *Relevant Body*, or resentenced on appeal by the Racing Appeals Tribunal for an offence against *the Rules* or these *Local Rules* and the penalty was, or included, disqualification of 12 months or more (whether or not that penalty was mitigated or varied by the *Relevant Body* or the *Racing Appeals Tribunal*);
  - (b) refused an application (in which case, if the application is for a particular licence, the person will not be fit and proper for that licence).
- (9) A person is deemed not fit and proper if, at the time of their application, the person is –
- (a) *disqualified or warned off*,
  - (b) a *defaulter*,
  - (c) on bail for any of the offences prescribed under rule 2(6);
  - (d) not compliant, or not willing to comply with, *the Rules* and these *Local Rules*, including any policy of the *Relevant Body*.

#### **176 (Schedule 3 L3) Suitability matters – competence to handle greyhounds**

- (1) The *Relevant Body* may determine standards, amended from time to time, to ensure that *registered persons* are able to satisfactorily carry out the inherent requirements of a *registered person* and demonstrate their ability and competence to participate in *greyhound racing*.
- (2) The *Relevant Body* may require the person satisfy the *Relevant Body*, or provide proof acceptable to the *Relevant Body*, that the person meets the standards determined for the registration of the person.

### **PART 5 (OLD SCHEDULE 4) RIGHT OF REVIEW**

#### **177 (Schedule 4 L1) What is an original decision**

- (1) An *original decision* is a decision by the *Relevant Body* (not being the *Integrity Hearings Panel* or the Chair of the Board (*the Board*) for Greyhound Racing SA Limited) to do any of the following -
  - (a) refuse to grant, vary or renew a registration (or licence) (*registration decision*);
  - (b) impose a penalty on a *registered person* by way of a race day fine (other than a penalty that has a right of appeal directly to the Racing Appeals Tribunal);
  - (c) impose a penalty on a *greyhound* (*greyhound penalty*);
  - (d) seize a *greyhound* or other thing, unless the seizure was at the direction of a person authorised at law (*seizure*);
  - (e) give an *animal welfare direction* or other *requirement* for *greyhound racing* (*order*).

- (2) Nothing in this rule affects or limits the powers or functions of *the Board* or any corporate officer of Greyhound Racing SA Limited, in performing their duties under the Constitution of Greyhound Racing SA Limited or at law.
- (3) However, the following decisions are not *original decisions*—
- (a) a decision relating to the eligibility of a *greyhound* to *race* or the conditions under which a *greyhound* can *race*;
  - (b) a decision cancelling or suspending a registration for a *greyhound*, unless the cancellation or suspension relates to a decision relating to the registration of the person having direct interest in the *greyhound*;
  - (c) a decision about an incident (not being a *greyhound penalty*) that happened during a race or trial;
  - (d) any decision about the conduct, or requirements with respect to, an *event*, *satisfactory trial* or any other operation of a *racecourse*;
  - (e) the service of a *penalty notice*;
  - (f) a *penalty* imposed on a *registered person* that has a right of appeal directly to the Racing Appeals Tribunal;
  - (g) an inquiry;
  - (h) any decision made by the Racing Appeals Tribunal.

**178 (Schedule 4 L2) No retrospectivity**

Any decision by the *Relevant Body* (including by the Board, an *officer of the Relevant Body* and the *Integrity Hearings Panel*) before the commencement of this rule is deemed to be a final decision that has no rights of review or appeal under this rule.

**179 (Schedule 4 L3) Who is an interested person for an original decision**

An *interested person* for an *original decision* is –

- (a) For the *registered person* – the person directly, adversely affected by the *original decision*; or,
- (b) For the *greyhound* – any one of the owners, syndicate manager or trainer to be determined by the *interested persons*.

**180 (Schedule 4 L4) Review of original decisions**

- (1) An *interested person* may apply for an *internal review* of an *original decision* to the delegated officer of the *Relevant Body* being -

Internal review for -	Licensing decision	Race day fine	Greyhound penalty	Seizure	Order
Review to -	Chief Steward	Chief Steward	Chief Steward	General Manager, Integrity & Welfare	General Manager, Integrity & Welfare
Alternative -	General Manager, Integrity & Welfare	General Manager, Integrity & Welfare	General Manager, Integrity & Welfare	Chief Executive Officer	Chief Executive Officer
Appeal to -	IHP single member	No further appeal	<i>Only for marring and fail to pursue</i> -IHP single member	No further appeal	No further appeal

- (2) The application must—
- (a) be in the approved form;
  - (b) be accompanied by payment of a lodgement fee and bond, prescribed by the *Relevant Body* and amended from time to time;
  - (c) include enough information to enable the *Relevant Body* to decide the application; and,
  - (d) be made to the *Relevant Body* within 7 days after—
    - (i) the day the person is given notice about the decision; or,
    - (ii) the day the person otherwise becomes aware of the decision.

- (3) The *Relevant Body* may, at any time, extend the time for making an *internal review* application.
- (4) The application for an *internal review* does not stay the *original decision*.
- (5) However, the applicant, except for a *greyhound penalty*, may immediately apply for a stay of the *original decision* to the *Relevant Body*.
- (6) The *Relevant Body* may stay the *original decision* to secure the effectiveness of the *internal review* and a later review to the *Integrity Hearings Panel* (if provided for).
- (7) The *Relevant Body* may stay the operation of the *internal review decision* on conditions the *Relevant Body* considers appropriate.
- (8) The stay operates for the period decided by the *Relevant Body*.
- (9) The period of the stay must not extend past the time when the *Relevant Body* makes an *internal review decision* about the *original decision* and any later period the *Relevant Body* allows the applicant to enable the applicant to appeal against the *internal review decision*.
- (10) An *internal review* application affects the *original decision*, or carrying out of the decision, only if the decision is stayed.
- (11) A *greyhound penalty* cannot be stayed.

#### **181 (Schedule 4 L5)                      Reviewing original decision**

- (1) The *Relevant Body* must, within 20 business days after receiving an application for *internal review* of an *original decision*—
  - (a) review the *original decision*; and
  - (b) make a decision (the *internal review decision*) to—
    - (i) confirm the *original decision*; or
    - (ii) amend the *original decision*; or
    - (iii) substitute another decision for the *original decision*; and
  - (c) give the applicant a notice advising of the *internal review decision*.
- (2) The application may be dealt with only by a person who—
  - (a) did not make the *original decision*; and
  - (b) holds a similar or more senior office than the person who made the *original decision*.
- (3) If the *original decision* maker was the person delegated to review the decision, the review rests with the *alternative decision maker*.
- (4) If the person delegated to review the decision is not available, the review rests with the *alternative decision maker*.
- (5) If the *internal review decision* is not the decision sought by the applicant, the notice must state the following information —
  - (a) the day the notice is given to the applicant;
  - (b) the decision;
  - (c) the reasons for the decision;
  - (d) any further appeal rights; and,
  - (e) (if applicable) how, and the period within which, the applicant may appeal against the decision;
- (6) If the *Relevant Body* does not give the applicant notice within 20 business days after receiving the application, the *Relevant Body* is taken to have confirmed the *original decision*.
- (7) The *Relevant Body* may determine the disbursement of the bond.

#### **182 (Schedule 4 L6)                      Appeal to Integrity Hearings Panel**

- (1) This rule applies to a person who is adversely affected by an *internal review decision* and that decision relates to -
  - (a) A *licencing decision*; or,
  - (b) A *greyhound penalty* but only with respect to marring and fail to pursue (the *appellant*).
- (2) The *appellant* may apply to the *Relevant Body* to appeal against the *internal review decision* to the *Integrity Hearings Panel*, constituted by at least one member.
- (3) The application must—
  - (a) be in the approved form; and
  - (b) be accompanied by payment of a non-refundable lodgement fee and bond, prescribed by the *Relevant Body* and amended from time to time;
  - (c) include enough information to enable the *Relevant Body* to decide the application; and,

- (d) be made to the *Relevant Body* within 7 days after—
  - (i) the day the person is given the notice about the decision; or,
  - (ii) the day the person otherwise becomes aware of the decision.
- (3) The *Relevant Body* may, at any time, extend the time for making an appeal application.
- (4) The application for appeal does not stay the *internal review decision*.
- (5) However, the *appellant* may, except for a *greyhound penalty*, immediately apply for a stay of the *internal review decision* to the *Relevant Body*.
- (6) The *Relevant Body* may stay the *internal review decision* to secure the effectiveness of the appeal to the *Integrity Hearings Panel*.
- (7) The *Relevant Body* may stay the operation of the *internal review decision* on conditions the *Relevant Body* considers appropriate.
- (8) The stay operates for the period decided by the *Relevant Body*.
- (9) The period of the stay must not extend past the time when the *Integrity Hearings Panel* hears and determines the appeal.
- (10) An appeal application affects the *internal review*, or carrying out of the decision, only if the decision is stayed.
- (11) A *greyhound penalty* cannot be stayed.
- (12) The *Integrity Hearings Panel* must, within 40 business days after receiving an application for appeal of the *internal review decision* —
  - (a) review the *internal review decision*; and
  - (b) make a decision (*appeal decision*) to—
    - (i) confirm the *internal review decision*; or
    - (ii) amend the *internal review decision*; or
    - (iii) substitute another decision for the *internal review decision*; and
  - (c) cause the *Relevant Body* to give the appellant notice advising of the appeal decision.
- (13) The *Integrity Hearings Panel* may determine the disbursement of the bond only in relation to the *appellant's* application.
- (14) The appeal decision of the *Integrity Hearings Panel* is final.
- (15) Any decision by the *Relevant Body* made by *the Board, an officer of the Relevant Body* (including the *Integrity Hearings Panel*) before the commencement of this rule is deemed to be a final decision of the decision of the *Integrity Hearings Panel* under this rule.

### **183 (Schedule 4 L7) Appeals to the Racing Appeal Tribunal**

This rule does not affect the rights of a person to appeal a decision of the *Relevant Body* to the Racing Appeals Tribunal, where that decision is a decision that is subject to appeal to the Racing Appeals Tribunal.



## TABLE OF AMENDMENTS

(Reprint 5 onwards)

Date effective	Rule	Amendment
2 <sup>nd</sup> March 2023 & as directed by Stewards' Notice (Reprint 5)	93(8)	Insert new sub-rule (8)
	94(1)(c)	Insert new Sub-rule (1)(c)
	94(2)(e)	Delete " <i>and penalty guidelines</i> " and " <i>other</i> "
	94(2A)	Insert new sub-rule (2A)
	175(5)(c) to (d)	Insert new sub-rules (5)(c) to (d)
	175(6)(f)	Insert " <i>or Public Health Act 2011 (SA)</i> "
	93A	Insert new rule 93A
	180(1), table	Columns 2, 5 & 6, change " <i>Risk &amp; Compliance Manager</i> " to " <i>General Manager, Integrity &amp; Welfare</i> "; columns 3 & 4, change " <i>Steward delegated by the Chief Steward</i> " to " <i>General Manager, Integrity &amp; Welfare</i> "; and, columns 5 & 6, change " <i>Chief Steward</i> " to " <i>Chief Executive Officer</i> "
	133(1)(a)	Change " <i>not less than</i> " to " <i>up to</i> "
	133(1)(b), 134(5) & (7)	Insert " <i>and Deputy Chair</i> "
	7 " <i>support person</i> ", 96(2) 133(2)(b) & (c), (3) & (4), 134(1), 135(1A), 136(3) & (4A)	Insert " <i>or Deputy Chair</i> "
3 <sup>rd</sup> April 2024 (Reprint 6)	175	(6) insert "fit" between "not" and "proper"; (7) insert "fit" between "not" and "proper"; and, (8) insert "fit" between "not" and "proper".