



AN BILLE UM LEAS CÚNNA, 2011
WELFARE OF GREYHOUNDS BILL 2011

EXPLANATORY MEMORANDUM

Following the enactment of the Dog Breeding Establishments Act 2010 it was agreed to introduce separate legislation to regulate the greyhound industry to provide a regime for greyhound welfare.

The policy objective is to improve the level of welfare in the greyhound industry. While the objective is similar to that of the Dog Breeding Establishments Act, the approach taken differs due to the distinct nature of, and controls applying to, the keeping of greyhounds. The greyhound industry already has a system of self regulation which this Bill uses as a starting point. The greyhound industry already registers and identifies all animals so as to ensure the integrity of the racing system. However, this can be readily adapted for welfare purposes. Therefore the scope of this Bill extends to all greyhounds in the racing and coursing industry and not only those found on the premises of an establishment registered under this Bill. Greyhounds are defined as all animals entered in the Irish Greyhound Stud Book.

The Dog Breeding Establishments Act 2010 on the other hand provides for an unregulated industry (“puppy farming”) with no existing system so that Act started with the registration of premises and applied welfare standards to animals on such premises only. Greyhounds within the meaning of this Bill shall on enactment of this Bill be covered by the welfare provisions of this Bill whether or not they are in a registered breeding premises. These welfare requirements on animal keepers to safeguard animals in their care are in addition to the general provisions relating to cruelty in the Protection of Animals Acts 1911 and 1965.

It is worth noting that it is not possible to legislate for a single breed of dog. Dogs can cross breed without difficulty and therefore breeds are essentially an artificial distinction that could not be tackled legally. Consequently unregistered greyhounds, such as those owned as pets, cannot be covered by the scope of this Bill but will continue to be covered by general animal welfare legislation as well as the Dog Breeding Establishments Act 2010 where relevant.

Part 1 of the Bill covers preliminary issues and contains the short title and commencement as well as the definitions and provides for the service of notifications, notices and documents, expenses and the making of regulations.

Part 2 concerns welfare generally. It allows for the publication of codes of practice for the industry as well as setting out specific welfare standards and the powers to make regulations regarding welfare. This Part also provides for Regulations for the identification of greyhounds and the requirement to notify sale or transfer of greyhounds which is important to allow for traceability and responsibility to attach to owners.

Part 3 concerns breeding. This restricts the number of times a female greyhound can be bred as there are welfare concerns with greyhounds carrying excessive numbers of litters. The minimum breeding age will be 15 months. This is considerably higher than the minimum breeding age in the Dog Breeding Establishments Act 2010. The Irish Coursing Club (ICC) will not be permitted to register litters born to greyhounds under 15 months of age who will as a consequence not be permitted to race or be used in coursing events.

Part 3 also provides that establishments with four or more bitches over fifteen months of age that have been or are being used for breeding will be registered as a greyhound breeding establishment. There will be a grace period following commencement of the Act to allow existing establishments to register. This Part further provides for procedures where the ICC may refuse or withdraw the registration of a breeding establishment and allows for such decisions to be appealed to the District Court.

Part 4 concerns enforcement and allows for the appointment of welfare officers by local authorities, the Greyhound Board and the ICC and gives these officers powers of inspection and to issue welfare notices. Such notices may require a wide range of actions in the interests of the welfare of greyhounds. These powers are circumscribed by the right of appeal and the need for a search warrant in certain instances. The powers allowed include those for the destruction of greyhounds which are in pain, distress or acute state of neglect. There are related enforcement matters concerning forgery and obstruction. This section also specifies proceedings, penalties and the possibility of fixed payment notices.

Part 5 contains miscellaneous provisions relating to the exercise of functions by the secretary of the ICC. It also specifies the non-application of the Dog Breeding Establishments Act 2010.

*Department of Agriculture, Fisheries and Food,
Bealtaine, 2011.*