



Australian Government

**Department of Agriculture,
Fisheries and Forestry**

**Department of Agriculture,
Fisheries and Forestry
Submission: Bill Inquiry into
Customs Legislation
Amendment (Commercial
Greyhound Export and Import
Prohibition) Bill 2021**

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Contents

Introduction.....	3
Current Legislative requirements relating to export of companion animals.....	3
Customs Legislation Amendment (Commercial Greyhound Export and Import Prohibition) Bill 2021	3
Statistics	4

Introduction

The Department of Agriculture, Fisheries and Forestry (the department) plays an important role in live animal exports through regulation, partnership and engagement.

The department achieves this through the administration of legislation to ensure exporters and others involved in the live export trade meet regulatory requirements.

The department also regulates the import of animals into Australia to protect our agriculture and environment from biosecurity risks and to protect the health of humans, cats, dogs, and other animals.

This submission addresses the proposed amendments to the Customs legislation in the Customs Legislation Amendment (Commercial Greyhound Export and Import Prohibition) Bill 2021 (the Bill). This submission outlines the department's position on the appropriateness and understood ability to implement any changes to the legislation resulting from the Bill for the purpose of prohibiting the export and import of greyhound dogs (greyhounds) for breeding, racing or any other commercial purpose, including a ban on the export or import of greyhound reproductive material.

Current Legislative requirements relating to export of companion animals

Under the *Export Control Act 2020*, companion animals—including greyhounds—are certified for export based on species and not breed. Greyhounds are a breed within the species dog.

For the export of dogs, the role of the Department of Agriculture, Fisheries and Forestry's (the department) is to issue export permits and health certificates that assures the animal meets the importing country requirements. For greyhounds, the documents are issued in the same manner as for any other breed of dog.

Australia has no regulatory powers to control the use of greyhounds once they have been exported to another country (including further export to third countries) and enforcing any requirements would pose significant challenges.

Customs Legislation Amendment (Commercial Greyhound Export and Import Prohibition) Bill 2021

On 1 September 2021, Senator Faruqi tabled a Bill in the Senate which would prohibit the export or import of greyhounds for breeding, racing or any other commercial purpose—including a ban on the export or import of greyhound reproductive material.

The Bill proposes that this prohibition be given effect under the Customs (Prohibited Exports) Regulations 1958 and the Customs (Prohibited Imports) Regulations 1956 (Customs Regulations).

The Customs Regulations prohibit the importation and exportation of certain goods that pose a safety risk to the Australian community or environment.

- Greyhounds do not pose a safety risk to the Australian community.

- The Customs Regulations is not the appropriate legislation to prohibit the importation or exportation of animals or any other type of good based on the intended end-use, such as the purposes stated for the proposed Bill.
- The Australian Border Force has advised the department that it does not possess the appropriate expertise nor resources required to examine dog breeds and determine if the purposes for which dogs are being imported or exported are lawful or not.

Under the *Biosecurity Act 2015* (BA) it is feasible to prohibit the import of goods that pose a biosecurity risk to Australia.

- Biosecurity risk as it relates to proposed dog imports is assessed on a case-by-case basis.
- Greyhounds pose no greater or lesser biosecurity risk than any other dog by virtue of their breed, and therefore it would not be reasonable to attempt to prohibit their import under the BA on the basis of breed without supporting scientific evidence.
- The health and welfare of any imported greyhounds would fall under the jurisdiction of the relevant Australian State or Territory authority.

It would be feasible to prohibit export of any goods such as greyhounds absolutely under the *Export Control Act 2020* (ECA) with a primary legislation change.

- To ensure no greyhounds were exported for breeding, racing or any other commercial purpose it would be necessary to prohibit the export of all greyhounds.
- A prohibition would also mean anyone moving overseas would not be able to take their pet greyhound.

There is currently no regulatory power to control the use of greyhounds once they have been exported to another country, irrespective of any assertions made by the exporter. To do this would require the development of a legislated framework, which for example may require licencing of any individuals intending to export a greyhound or greyhound reproductive material and requiring the licenced exporter to develop an assurance system to ensure any exported greyhounds, or progeny derived from exported reproductive material, were not used for breeding, racing or any other commercial purpose. The assurance system would need to be independently audited by competent auditors to verify its ongoing compliance with the framework's requirements.

It would also require a change to the department's role to enable certification of greyhounds by breed in addition to its current role to issue export permits and health certificates that assures the animal meets the importing country requirements. This may require additional testing by the exporter and/or development of expertise and additional resources by Australian regulatory authorities to examine dog breeds and determine if the purposes for which dogs are being imported or exported are lawful or not by one or more Government agencies.

Statistics

There were 888 greyhounds exported from Australia between January 2019 and April 2023. Table 1 shows greyhound exports as a percentage of total dog exports by calendar year for the period 2019 to April 2023.

Table 1

Greyhound exports 2019 - April 2023 as a percentage of total dog exports						
Year	2019	2020	2021	2022	2023	Grand Total
Dog	8,333	5,588	6,332	7,855	2,553	30661
Greyhound	214	154	122	215	183	888
Percentage	2.6%	2.8%	1.9%	2.7%	7.2%	2.9%

New Zealand is the major destination country for greyhound exports, with 492 greyhounds exported between January 2019 and April 2023.

Nine greyhounds were been exported to China between January 2019 and April 2023.

The department has responded to 15 greyhound related Freedom of Information requests since May 2020. The department publishes¹ a list of documents we have released in response to Freedom of Information (FOI) requests as required by the *Freedom of Information Act 1982*.

Greyhound exports have been increasing since 2022 as seen in Table 2: Greyhound exports 2019 – April 2023 by country and number of dogs.

The number of greyhounds exported to the United States of America (US) has doubled over the reporting period from 63 dogs in 2022 to 126 dogs in 2023 (to April 30). The increase in greyhound exports is understood to be the result of a Greyhounds Australasia program to rehome retired greyhounds into a Post Traumatic Stress Disorder (PTSD) support program in the US².

¹ <https://www.agriculture.gov.au/about/reporting/freedom-of-information/disclosure-log>

² <https://galtd.org.au/2023/05/15/united-states-police-greyhound-rehoming-partnership/>

Table 2

Greyhound exports 2019 - April 2023 by country and number of dogs						
Destination Country	2019	2020	2021	2022	2023	Grand Total
New Zealand	172	125	93	82	20	492
United States of America	7	2	1	63	126	199
Canada	17	11	3	30	26	87
United Kingdom	4	5	13	25	4	51
Ireland	1	3	2	3		9
China			5	1	3	9
Singapore	2	1	1	2	1	7
Italy	1	2	1	2		6
Netherlands	2					2
Malaysia			1	1		2
Scotland		1	1			2
Thailand				1	1	2
Japan	2					2
United Arab Emirates				1	1	2
South Africa		1				1
Sweden					1	1
Spain	1					1
Finland	1					1
France				1		1
Portugal	1					1
South Korea		1				1
Republic of Ireland	1					1
Sri Lanka				1		1
Republic of Korea			1			1
Taiwan				1		1
Fiji				1		1
Denmark		1				1
Belgium		1				1
Austria	1					1
Philippines	1					1
Grand Total	214	154	122	215	183	888

The department regularly publishes information about live animal exports on it's website³.

³ <https://www.agriculture.gov.au/biosecurity-trade/export/controlled-goods/live-animals/live-animal-export-statistics>