

Dog and Cat Management Board

Approval of Greyhound Muzzle Exemptions



Government of South Australia

Dog and Cat Management Board

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Title	Approval of Greyhound Muzzle Exemptions
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Description	The Policy provides information to applicants for a greyhound muzzle exemption and sets out the process for application assessment and decision by the Board.
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Coverage	Greyhound Ownership
Associated Documents	Greyhound Muzzle Exemption Application Form

Authorisation:

Dog and Cat Management Board

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Policy

1. Background

Section 45C of the *Dog and Cat Management Act 1995* requires that Greyhounds which are not on private property:

- have a muzzle securely fixed on their mouths so as to prevent them from biting any person or animal and;
- must be on a leash of not more than 2 metres in length

The requirement to muzzle greyhounds was not introduced because the breed displays instinctive aggression, but because greyhounds generally have a strong prey drive that may cause them to chase, harass or attack. The instinct to chase is encouraged in a greyhound racing environment through reward and training. For a greyhound to be considered a suitable companion animal, a reversal of that training is required to desensitise the dog to the stimulus to chase. This can be achieved through training. Under Section 45E of the Act, the Dog and Cat Management Board may exempt a greyhound owner from Section 45C (1) (a) of the Act. Exemptions are not available for Section 45C (1) (b).

2. Legislative Context

45C—Specific duties relating to greyhounds

- (1) *A person who owns or is responsible for the control of a greyhound is guilty of an offence if, while not effectively confined to premises of which the person is the occupier, the greyhound—*
- (a) *does not have a muzzle securely fixed on its mouth so as to prevent it from biting any person or animal; or*
- (b) *is not under the effective control of a person by means of physical restraint.*

Maximum penalty: \$250.

Expiation fee: \$80.

- (2) *Subsection (1) does not apply if the greyhound—*
- (a) *is being raced, exercised or trained on land with the consent of the owner or occupier of the land; or*
- (b) *is participating in an organised activity (being a show, trial or class) and is under the effective control of a person by command, the greyhound being in close proximity to the person and the person being able to see the greyhound at all times.*

45E—Board may exempt persons from specific duties under this Division

- (1) *The Board may, on application or of its own motion, exempt a person or class of persons from having to comply with a specified specific duty under this Division.*
- (2) *An exemption is subject to the conditions (if any) imposed by the Board.*
- (3) *The Board may, at the Board's discretion, vary or revoke an exemption.*
- (4) *The Board must give written notice of a grant, or a variation or revocation, of an exemption to the applicant.*

3. Policy Statement

Under the *Dog and Cat Management Act 1995* (the Act), the Dog and Cat Management Board may provide an exemption to Section 45C (1) (a) of the Act. This exemption was introduced to allow owners of pet greyhounds, which are not engaged in greyhound racing, to un-muzzle their dogs. This policy sets out the requirements and conditions that must be met for the Board to grant a 'muzzle exemption'. Any breaches of the requirements of the policy or the Act, by a greyhound or its owner, may result in the muzzle exemption being revoked.

4. Purpose of the Policy

This policy sets out the requirements that must be met for the Board to grant an exemption to Section 45C (1) (a) of the Act. The policy establishes:

- The conditions relating to Board approval of an exemption to Section 45C (1) (a) of the Act.
- Identification of greyhound owners that are exempted from Section 45C (1) (a) of the Act.
- Condition for the Board to revoke a muzzle exemption.

5. Definitions

The Act	<i>Dog and Cat Management Act 1995</i>
AMO	Animal Management Officer, authorised by a Council under the <i>Dog and Cat Management Act 1995</i>
Attack/harass	A dog attacks, harasses, chases or otherwise endangers a person or an owned animal (whether or not actual injury is caused).
Board	<i>Dog and Cat Management Board</i>
Class of person	For the purpose of Section 43E (1) of the Act and the application of this Policy, the Board has declared that persons authorised by the registered owner to have care and control of the greyhound are exempt from the provision of Section 45C (a) (b)
Registered Owner	the person in who's name the greyhound is registered
Greyhound Muzzle Exemption Register	Record maintained by the Board of Registered Owners that are exempt from section 45C (1)(a) of the Act (Form 4)

Policy Implementation

6. Assessment

For a greyhound to be eligible for a muzzle exemption, it must successfully complete a Board approved behaviour assessment procedure. Organisations that offer approved assessment procedures include:

- Greyhound Adoption Program SA
- Royal Society for the Prevention of Cruelty to Animals
- Any other provider/trainer that demonstrates to the Board that a behaviour program meets requirements under the 'Greyhound Behaviour Assessment Guideline'

Greyhounds that successfully complete a Board approved behavioural assessment must be provided with a 'Greyhound Muzzle Exemption Safety Certificate' that:

- Includes the organisation/trainers contact information
- Is signed by the trainer that conducted the behaviour assessment
- Includes the date that the assessment was conducted
- Identifies the dog including its name, age, markings and microchip and registration owner
- Identifies the registered owner of the dog

An example of the 'Greyhound Muzzle Exemption Safety Certificate' (safety certificate) is at Attachment A.

The format and appearance of the safety certificate can be amended so it is branded by the issuing organisation, however it must retain all of the information in the Board approved form.

All greyhounds must remain muzzled, whilst not on land where the registered owner is the occupier, until written exemption has been granted under Section 45E of the *Dog and Cat Management Act 1995*.

a) Application

An application for a muzzle exemption must be submitted by the registered owner on the Greyhound Exemption Application Form (the application) which is at Attachment B. The safety certificate must be attached to the application. A photo of the greyhound wholly in focus, of the dog's head in profile on a blank background must be provided (physical or electronic format).

b) Approval

An application that has all of the required documentation will be recommended to the Board Secretary for Board approval in accordance with the Board's Greyhound Muzzle Exemption Approval Procedure.

c) Identification card

The registered owner will be supplied with an Identification Card (Attachment C). The Identification card must be available for inspection by council Authorised Officers. Failure to provide the identification card when requested may result in an expiation being issued under Section 45C of the Act.

d) Register

The Board will maintain a register of registered owners and greyhounds that have been exempted from Section 45(1) (a) of the Act. The information that will be included in the register is as follows:

- Dog – name, microchip number, ear brand, sex, colour and Greyhound Adoption Program South Australia (GAPSA) collar if available
- Owner – name, address, telephone
- Date exemption approved
- Trainer name
- Council area

The register will be kept in the form of a computer record, and be available for public inspection without fee as required under Section 21A (5) of the Act.

e) Requirements for greyhound owners

It is a condition of granting an exemption to the registered owner that they must notify the Board if the greyhound:

- attacks, chases or otherwise harasses a person or owned animal,
- endangers the health of a person or an animal or bird owned by or in the charge of another person (whether or not actual injury is caused).

In addition, registered owners' of greyhounds or a 'class of person' responsible for a greyhound must:

- ensure they carry the approved exemption identification when accompanying the exempted greyhound off of the owner's property,
- produce the approved exemption identification upon request from a Dog Management Officer,
- notify the Board of any change of address.

f) Revocation of Muzzle Exemption

The Registered Owner, a person nominated within the class, as defined by the owner, and an AMO must notify the Board if the accredited greyhound attacks, harasses, chases or otherwise endangers the health of a person or an animal or bird owned by or in the charge of another person (whether or not actual injury is caused).

On receipt of information regarding an attack/harassment Board staff will follow the process identified in the Greyhound Muzzle Exemption Approval and Revocation Procedure. A letter confirming the revocation will be sent to the registered owner and the identification card destroyed. Revocation of an exemption requires the registered owner to comply with Section 45C of the Act.

g) Change of registered owner

If the greyhound is sold or given away to a new owner the muzzle exemption is not valid and the new registered owner must apply for a muzzle exemption as identified in section 6(a) of this policy.

The owner of a previously accredited greyhound is not required to present a new safety certificate if there are no recorded incidents of the greyhound attacking, harassing or chasing a human or owned animal while unmuzzled. The Board will retain a copy of all Greyhound Muzzle Exemption Safety Certificates received and cross reference them with new applications if advised that the greyhound has transferred ownership.

7. Attachments

Attachment A: Greyhound Muzzle Exemption Application

Attachment B: Greyhound Muzzle Exemption Safety Certificate

Attachment C: Exemption Identification



Greyhound Muzzle Exemption Application

Applicant's Name _____

Address _____

Postcode _____

Contact Details

(p) _____ (m) _____ (e) _____

What is the best way to contact you in relation to this application?

Greyhound Description

Greyhounds Name: _____

Registration no. _____ Council _____

Microchip _____ Ear tattoo (M) present [] Yes [] No

Sex _____ Age _____ (years) _____ (months)

Colour _____ Markings _____

Greyhound Adoption Program SA Green Collar Number (if applicable) _____

I request that the above identified greyhound is exempted from Section 45(1) (a) of the Dog and Cat Management Act 1995. I will provide the following in support of my application:

[] Greyhound Muzzle Exemption Safety Certificate (required)

[] Profile photo* of the greyhound (required)

Signed _____ Date ____/____/____

Address all correspondence to:

The Board Secretary
Dog and Cat Management Board
P O Box 1047
ADELAIDE SA 5001

Official use only
Application granted
Yes / No

*electronic images can be sent to dcmb@sa.gov.a



Greyhound Muzzle Exemption Safety Certificate

Approved Organisation/Trainer: _____

(p) _____ (m) _____ (e) _____

Greyhound Details

Registered Owner _____

Dog age _____ (years) _____ (month) Markings _____

Microchip # _____ Registration # _____

Date Assessment conducted ____/____/____ Location _____
(Assessment is not to be conducted in a kennel facility)

I recommend to the Dog and Cat Management Board that the above greyhound is exempted from Section 45C (1) (a) of the Dog and Cat Management Act 1995.

I confirm that the greyhound has passed the following assessment and has no prior history that is of concern, and will be homed in a suitable environment.

Assessment

- 1. Small dog test (suitable for eliciting a predator response)
2. Cat test
3. Social interaction
4. Handling – stroke, pinch, stare test
5. Safe hug test
6. Food aggression

Trainer / Assessor Comments

Signed _____ Date ____/____/____



Registered Owner Declaration

I _____ (registered owner's name) confirm that the above information in relation to _____ (greyhound's name) is correct and I understand that the greyhound must continue to wear a muzzle while not effectively confined to a property where I am the occupier until I receive a letter from the Dog and Cat Management Board stating that the exemption to Section 45(1) (a) of the Dog and Cat Management Act 1995 has been approved.

Signed _____ Date ____/____/____

Attachment C

Exemption Identification

 <p>Greyhound Name</p> <p>Green Collar # ***</p>	<p>Registered Owner: Name</p> <p>Authorised By: Mr Andrew Lamb Board Secretary Dog and Cat Management Board</p> <p>Date of issue: dd/mm/yyyy</p>	 <p>Government of South Australia Dog and Cat Management Board</p> <p>An Exemption pursuant to section 45E (1) of the <i>Dog and Cat Management Act 1995</i> has been granted to the holder of this card.</p> <p>The dog depicted on this card can be un-muzzled whilst in public places but MUST remain under effective control by a leash not exceeding 2 metres in length.</p> <p>If this card is found, please hand into a police station, or post to: Dog and Cat Management Board, GPO Box 1047, Adelaide, SA, 5001</p>
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