



Australian Government

Australian Government response to the
Rural and Regional Affairs and Transport Legislation
Committee report:

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

July 2025

Introduction

On 1 September 2021, Senator Mehreen Faruqi, Australian Greens Senator for New South Wales, tabled the Customs Legislation Amendment (Commercial Greyhound Export and Import Prohibition) Bill 2021 in the Senate. This Bill sought to 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).

There are no Australian Government regulations specifically governing the export or import of greyhounds for commercial purposes, or otherwise (e.g. companion animals).

The Department of Agriculture, Fisheries and Forestry (department) provides oversight of the export and import of live animals and animal reproductive materials under the *Export Control Act 2020* (Export Control Act) and the *Biosecurity Act 2015* (Biosecurity Act), and their relevant instruments.

The exportation and importation of all goods entering or leaving Australia are subject to the *Customs Act 1901*. This Act enables the Australian Government to manage the export and import of all controlled (prohibited) goods.

The requirements for the export and import of controlled goods are enacted through the *Customs (Prohibited Exports) Regulations 1958* and the *Customs (Prohibited Imports) Regulations 1956* (Customs Regulations), which the Bill seeks to amend.

The Australian Border Force, as an operationally independent body within the Home Affairs portfolio, is responsible for enforcing the Customs Regulations at the Australian border.

The current Bill seeks to amend the Customs Regulations to include greyhounds as a prohibited good for export and import. The Bill would allow a mechanism for exemption at the discretion of the minister responsible, or a relevant authorised person. Authorised persons would be permitted to request further information from applicants to assess and mitigate animal welfare concerns due to export or import of greyhounds (and greyhound reproductive materials) for racing, breeding, and commercial activities. To maintain procedural fairness, the Bill would facilitate a mechanism to request an exemption for companion greyhound export.

Response

Recommendation 1

The Committee recommends that the Senate does not pass the Bill.

Response

The Australian Government **agrees** with this recommendation.

The Customs Regulations prohibit the exportation and importation 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 or environment.

The Customs Regulations are not the appropriate legislation to prohibit the exportation or importation of live animals, or their reproductive material, based on the intended end-use, such as the breeding, racing or any other commercial purposes stated for the proposed Bill.

Australian Greens Senators' Dissenting Report

Recommendation 1

The Senate should pass the Bill.

Response

The Australian Government **does not agree** with this recommendation.

The Customs Regulations prohibit the exportation and importation 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 or environment.

The Customs Regulations are not the appropriate legislation to prohibit the exportation or importation of live animals, or their reproductive material, based on the intended end-use, such as the breeding, racing or any other commercial purposes stated for the proposed Bill.

Recommendation 2

If the Bill is not passed, implement a requirement that all greyhounds are desexed before export, which is independently and expertly assessed, monitored and enforced.

Response

The Australian Government **does not agree** with this recommendation.

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

For the export of dogs, the legislated role of the department is to issue export permits and health certificates that assure the animal meets the importing country requirements, as they relate to animal health status.

Broad consultation, government agreement and a change to the department's legislated role would be required to enable certification of dogs (greyhounds) by breed, as well as verification that the dog was desexed. This would be different to the department's current legislated role to ensure importing country requirements are met, in relation to animal health status.

Identification of breeds may require additional testing, including DNA testing, by the exporter and verification of that testing by the department. This may also require development of expertise and additional resources for both this department and the Australian Border Force, who would then also be required to determine if the purposes for which dogs are being exported was lawful. These additional requirements would result in increased lead times and costs for exporting non-livestock species more broadly due to increased regulatory activity.

The Australian Government notes the peak industry body, Greyhounds Australasia, is pursuing better practice animal welfare standards for commercial greyhound racing. The membership of Greyhounds Australasia is generally limited to bodies that are authorised by statute to control or regulate greyhound racing, in the states and territories of Australia and New Zealand.

Greyhounds Australasia's Rule 24 stipulates a retiring greyhound must be surgically sterilised by a veterinarian prior to leaving the custody of the owner or person responsible for the greyhound.

Greyhounds Australasia's Rule 44 requires a greyhound passport for export purposes. Prior to export, a greyhound passport and certified pedigree must be obtained from Greyhounds Australasia. Where Greyhounds Australasia does not have a formal association with a recognised racing or breeding regulatory authority in the intended destination country or jurisdiction, the passport will not be issued.

The Australian Government is committed to collaborating with states and territories and relevant stakeholders to support improved animal welfare outcomes for greyhounds. In accordance with the *Export Control Act 2020*, the department has established information sharing agreements with 4 of the controlling state government bodies of Greyhounds Australasia. These agreements enable the department to share the pre-export information about greyhounds with Greyhounds Australasia, which supports the administration of state-based animal welfare legislation.

Recommendation 3

If the Bill is not passed, impose a ban or limit on the export and import of greyhound semen, which is independently and expertly assessed, monitored, and enforced.

Response

The Australian Government **does not agree** with this recommendation.

The Customs Regulations prohibit the exportation and importation 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 or environment.

The Customs Regulations are not the appropriate legislation to prohibit the exportation or importation of live animals, or their reproductive material based on the intended end-use, such as the breeding, racing or any other commercial purposes stated for the proposed Bill. This recommendation relates to the Australian Government's statutory responsibilities and functions under the Export Control Act and the Biosecurity Act.

The intention of the Biosecurity Act is to provide for the assessment and management of biosecurity risks (pests and diseases). To impose a ban or limit on the import of greyhound semen is outside of the Biosecurity Act's objectives.

Under the Export Control Act, reproductive material, including dog semen, is certified for export based on species and not breed. Greyhounds are a breed within the dog species. For the export of dog reproductive material, the legislated role of the department is to issue export permits and health certificates that assure the material meets the importing country requirements related to animal health status.

To impose a ban or limit on the export of greyhound semen, broad consultation, government agreement and a change to the department's legislated role would be required to enable certification of reproductive material by breed.

This may require additional testing, including DNA testing, by the exporter and verification of that testing by the department. This may also require development of expertise and additional resources for the department and the Australian Border Force to examine dog breeds and their reproductive material. These government agencies would then be required to determine if the purposes for which dogs are being exported was lawful.

This would result in increased lead times for exporting and importing non-livestock species more broadly, as well as increased regulatory activity and associated costs.

Recommendation 4

If the Bill is not passed, implement a requirement that all greyhounds exported for medical or service purposes satisfy appropriate behavioural assessment or training before export, which is independently implemented, monitored, and enforced.

Response

The Australian Government **does not agree** with this recommendation.

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

For the export of dogs, the legislated role of the department is to issue export permits and health certificates that assure the animal meets the importing country requirements. A change to the Export Control Act and the department's legislated role would be required to enable certification of dogs (greyhounds) by breed, and verification of any training requirements.

This may require additional testing by the exporter and verification of that testing by the department. This may also require development of expertise and additional resources for this department and the Australian Border Force to examine dog breeds, verify any training accreditation and to determine if the export was lawful. This would involve increased lead

times for exporting non-livestock species more broadly, increased regulatory activity and associated costs.

The Australian Government notes, that under the Disability Discrimination Act 1992, an assistance animal is trained and accredited under a state or territory law to assist people with a disability to:

- alleviate the effect of the disability
- meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

There is no Australian standard for the assessment or accreditation of medical, assistance or service animals. Currently only Queensland, Western Australia, South Australia and the Australian Capital Territory have legislation to govern full assistance animal accreditation systems.