

## MEMORANDUM OF UNDERSTANDING

between

Racing Integrity Board

and

Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated

and

Ministry for Primary Industries Animal Welfare and NAIT Compliance

### 1. Parties to this Memorandum of Understanding

#### 1.1. The New Zealand Racing Integrity Board (RIB)

The Racing Integrity Board (RIB) was established under section 42 of the Racing Industry Act 2020 (the Act) as the independent body to oversee the racing integrity system in respect of the conduct of racing in New Zealand. The RIB's role covers the racing rule framework applicable to the racing codes – Greyhound Racing New Zealand, New Zealand Thoroughbred Racing and Harness Racing New Zealand. The codes are responsible for setting the rules by which racing is conducted.

The RIB's jurisdiction is determined by the Act and the rules of the racing codes. The RIB has adjudicative functions and compliance/enforcement powers, and its statutory objective is to promote and ensure high standards of animal welfare, integrity, and professionalism by participants in the racing industry. Section 44 of the Act describes the RIB's functions and in relation to animal welfare as being: *"To support and monitor the operation and effectiveness of each racing code's animal welfare policies and initiatives"*.

There are approximately 1050 Race Meetings each year: approximately 300 Thoroughbred Race Meetings, 250 Harness Racing Meetings, and 500 Greyhound Race Meetings.

#### 1.2. Royal New Zealand Society for the Prevention of Cruelty to Animals Incorporated (SPCA)

SPCA is an incorporated society and 'approved organisation' pursuant to the Animal Welfare Act 1999. SPCA Inspectors have the power to enforce the Animal Welfare Act and regulations, including investigating animal welfare incidents involving the racing industry. The SPCA are primarily interested in animal welfare incidents relating to non-race days.

#### 1.3. Ministry for Primary Industries Animal Welfare and NAIT Compliance (MPI)

This group sits within the Compliance Services Directorate of the Ministry for Primary Industries. Its core role is to investigate non-compliance with the Animal Welfare Act 1999, and associated regulations. MPI Animal Welfare Inspectors can investigate animal welfare incidents involving the racing industry, and MPI is primarily interested in animal welfare incidents relating to race days.

## **2. Purpose**

The purpose of this Memorandum of Understanding (MOU) is:

- To recognise the commitment of these parties to animal welfare in the racing industry.
- To improve information sharing between the parties so that animal welfare incidents involving racing animals are investigated by the appropriate party and avoid duplication of effort.

## **3. Collaboration**

### **3.1. Commitments**

The parties commit to:

- a 'no surprises' communication approach.
- regularly share high level summaries of animal welfare related cases.
- notify and involve other parties as necessary for individual cases.
- meet, preferably in person, twice a year. Senior representatives from all three organisations will be present at the meeting.

### **3.2. Significant Race Day Incidents**

Race day incidents will be investigated and enforced by the RIB.

Significant race day welfare incidents will be notified to MPI by email, to the contacts listed in paragraph 3.4.

Matters of high public or ministerial interest (including animals testing positive to controlled drugs under the Misuse of Drugs Act 1975) will be notified to MPI within 48 hours of the incident. Other matters, including incidents of significant injury, including broken limbs or death (including euthanasia directed by veterinarian or Steward) during racing or competition, will be reported to MPI monthly. Details of what information will be included in the notification will be agreed between MPI and RIB outside of this MOU.

On receiving a notification, MPI may also decide to investigate.

If parties cannot agree who will investigate an incident, contacts named in paragraph 3.4 will convene a panel to discuss and agree arrangements, with escalation to CEO RIB and Director Compliance Services MPI if required.

### **3.3. Significant Non- Race Day Incidents**

Non-race day welfare incidents may be investigated by either SPCA or RIB. The agency that is alerted to the incident shall either attend the incident or transfer the investigation to the other agency in accordance with an independent transfer process between SPCA and RIB.

Where RIB attends a non-race day welfare incident involving registered racing animals and believes the incident requires investigation under the Animal Welfare Act, it will notify SPCA to discuss transfer of the investigation.

Where SPCA attends a non-race day welfare incident involving registered racing animals and believes the incident requires investigation under the Rules of Racing, it will notify the RIB to discuss transfer of the investigation or information as appropriate to enable an RIB investigation.

Non-race day incidents of significant concern, or those that may have high ministerial or public interest, will be notified to the other parties within 48 hours of detection of the incident, by email, to the contacts listed in paragraph 3.4. Details of what information will be included in the notification will be agreed between parties outside of this MOU. Support can also be requested through this process.

If parties cannot agree who will investigate an incident, contacts named in paragraph 3.4 will convene a panel to discuss and agree arrangements, with escalation to CEO RIB, CEO SPCA and Director Compliance Services MPI if required.

### 3.4. Key Contacts

	RIB	SPCA	MPI
<b>General Business point of contact</b>	Neil Grimstone <a href="mailto:Neil.Grimstone@Racingintegrityboard.org.nz">Neil.Grimstone@Racingintegrityboard.org.nz</a>	Alan Wilson <a href="mailto:alan.wilson@spca.nz">alan.wilson@spca.nz</a>	Peter Hyde <a href="mailto:peter.hyde@mpi.govt.nz">peter.hyde@mpi.govt.nz</a>
<b>Non-Race day incidents</b>	Neil Grimstone <a href="mailto:Neil.Grimstone@Racingintegrityboard.org.nz">Neil.Grimstone@Racingintegrityboard.org.nz</a>	Alan Wilson <a href="mailto:alan.wilson@spca.nz">alan.wilson@spca.nz</a>	<a href="mailto:awinvestigations@mpi.govt.nz">awinvestigations@mpi.govt.nz</a>
<b>Race day incidents</b>	Nigel McIntyre <a href="mailto:nigel.mcintyre@riu.org.nz">nigel.mcintyre@riu.org.nz</a>	-	<a href="mailto:awinvestigations@mpi.govt.nz">awinvestigations@mpi.govt.nz</a>
<b>Issues of Ministerial Interest</b>	Mike Clement <a href="mailto:Mike.Clement@Racingintegrityboard.org.nz">Mike.Clement@Racingintegrityboard.org.nz</a>	Andrea Midgen <a href="mailto:Andrea.midgen@spca.nz">Andrea.midgen@spca.nz</a>	Gary Orr <a href="mailto:Gary.orr@mpi.govt.nz">Gary.orr@mpi.govt.nz</a> and <a href="mailto:awinvestigations@mpi.govt.nz">awinvestigations@mpi.govt.nz</a>

## 4. Information Sharing

To fulfil any statutory duties and discharge their responsibilities pursuant to this MOU, the parties may share information relating to the maintenance of the law and the investigation of offending under the Animal Welfare Act and Rules of Racing. The parties acknowledge their obligations in relation to the handling of personal information, in accordance with the Privacy Act 2020, and Official Information Act 1982.

In addition to the notification process for significant incidents, parties will share statistics and anonymised information every six months, in relation to racing related cases:

- The number of complaints received
- A synopsis of the animal welfare concern
- The outcome of the investigation

## 5. Lifespan of the MOU

This MOU will remain in force until terminated by one of the parties, or a revised MOU is signed by all parties. This MOU is intended to be a living document and can be altered by written agreement between the parties at any time.



Signed on behalf of MPI by  
Gary Orr,  
Director Compliance Services

Date 9.11.21



Signed on behalf of SPCA by  
Andrea Midgen  
CEO

Date 10 November 2021



Signed on behalf of the Racing  
Integrity Board by  
Mike Clement  
CEO

Date 10 November 2021