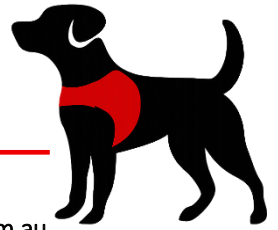


ASSISTANCE DOGS

TOWNSVILLE



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Assistance Dog Legislation in Australia

A Guide for Handlers, Trainers and Business Owners

Key Terminology

DDA (Disability Discrimination Act 1992)

The overriding federal legislation governing assistance dogs in Australia.

Handler

The disabled owner of an assistance dog, or a trainer in charge of the dog, or the parent or guardian of a disabled handler.

Assistance Dog / Assistance Dog in Training (AD / ADiT)

Referred to as "Assistance Animal" under the DDA. In practice, assistance animals are dogs.

Public Access Test (PAT)

A test to assess whether a dog meets the standard of behaviour and training needed for public access. While it is an accepted benchmark, it is not a requirement of proof under the DDA.

Federal Law — The Disability Discrimination Act 1992

The DDA is the foundation of assistance dog access rights in Australia. The key sections are 8, 9 and 54A.

Section 8 — Discrimination

In simple terms, the assistance animal is considered part of the person. Any discrimination against the animal is discrimination against the person because of their disability.

Section 9 — Definition of an Assistance Animal

An assistance animal is a dog or other animal that is trained to assist a person with a disability to alleviate the effects of their disability, and meets standards of hygiene and behaviour appropriate for an animal in a public place.

Section 54A — Access and Control

Key points to know:

- Someone can ask that an assistance animal be kept under control, but that control does not have to be direct physical control
- A handler may designate a secondary handler to maintain control of the animal
- An assistance animal may be excluded if the handler fails to provide evidence of training or if the animal poses a threat to public safety
- The handler can be liable for damage caused by the animal

Federal law overrides state law. Under Section 109 of the Constitution, valid federal laws prevail over inconsistent state laws.



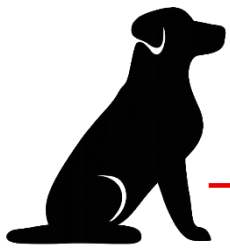
OUR CREDENTIALS

Certificate IV In Dog Behaviour And Training (Specialising In Assistance Dogs)

Approved Trainer And Assessor For mindDog

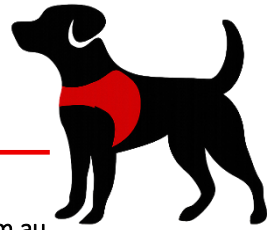
Animal First Aid Course

Mental Health First Aid Accreditation



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State Legislation at a Glance

Victoria — Equal Opportunity Act 2010

Defines an Assistance Dog (not animal) as a dog trained to perform tasks that assist a person with an impairment. A disability aid forms part of the person for discrimination purposes. It is unlawful to refuse service or charge extra because someone has an assistance dog.

South Australia — Dog and Cat Management Act 1995

Defines an assistance dog and includes dogs undergoing approved training. Covers accreditation, registration fee exemptions, exclusions from public place restrictions, and penalties for falsely claiming a dog is an assistance dog.

New South Wales — Companion Animals Act 1998

Adopts the DDA definition of assistance animal. Excludes assistance animals from public place restrictions. Handlers cannot be excluded from places or services or charged extra because of their assistance dog.

Queensland — Guide, Hearing and Assistance Dog Act 2009

This is Queensland's dedicated assistance dog legislation. It is considered by many to be the benchmark for assistance dog laws in Australia. Many airlines use the GHAD PAT test as a standard for confirming the legitimacy of an assistance dog before allowing cabin access.

Western Australia — Dog Act 1976

The state's primary legislation governing dogs, including provisions relevant to assistance dogs.

This guide is for informational purposes only and does not constitute legal advice. Always consult the relevant legislation or a legal professional for your specific situation.

Links:

- DDA: <https://www.legislation.gov.au/Details/C2013C00022>
- QLD GHAD Act: <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2009-004>



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