



# Legislation and public access

## *Guide, Hearing and Assistance Dogs Act 2009*

There are several pieces of legislation that support the rights of people with a disability to have the same access to public places, public passenger vehicles and places of accommodation:

- The Commonwealth *Disability Discrimination Act 1992* makes it unlawful to discriminate against a person on the grounds of that person's disability.
- The Queensland *Guide Dogs Act 1972* stated that a blind or deaf person may be accompanied by a guide dog into or on any place that the public is entitled to use, is open to the public, or is used by the public, whether or not on payment of money – and also onto a public passenger vehicle – but this Act has been repealed by the ***Guide Hearing and Assistance Dogs Act 2009***.

This Act assists people with a disability who rely on guide, hearing or assistance dogs for independent access to the community and places of accommodation. It also ensures the quality and accountability of guide, hearing and assistance dog training services. This is achieved by:

- protecting the right of people with a disability who rely on guide, hearing or assistance dogs to be accompanied by their dog in public places, public passenger vehicles and places of accommodation
- protecting the right of trainers of these dogs to be accompanied by them in public
- providing a simple and consistent means of identifying properly trained dogs
- providing for the approval of guide, hearing and assistance dog training services.

### **Public access**

Despite any other Act, an approved trainer, employee trainer or puppy carer may be accompanied by a guide, hearing, assistance or trainee support dog in public places, public passenger vehicles and places of accommodation – this includes cafes, restaurants, clubs, sports venues, buses and taxis, a private rental arrangement and holiday accommodation.

There are some exceptions. A guide, hearing, assistance or trainee support dog may not enter:

- certain parts of a health service facility, namely:
  - an in-patient ward
  - a labour ward
  - a procedure room
  - a recovery area
  - areas where standards of hygiene are maintained at a significantly high level for the purpose of preventing infection or the spread of disease
  - an ambulance.
- a part of a public place or public passenger vehicle where food is ordinarily prepared.

Approved trainers, employee trainers or puppy carers must not be separated from their dog, denied service or charged an extra fee because they are accompanied by a guide, hearing, assistance or trainee support dog.

### **Lawful presence at a place or on a vehicle**

The Act does not prevent a person in control of a public place, public passenger vehicle or place of accommodation from performing their normal duties. They may still lawfully refuse entry to a person accompanied by a guide, hearing, assistance or trainee support dog – as long as the reason for refusal is not because the individual is accompanied by a guide, hearing, assistance or trainee support dog.

They may lawfully ask a person accompanied by a guide, hearing, assistance or trainee support dog to leave a place or vehicle for any reason other than that the individual is accompanied by a guide, hearing, assistance or trainee support dog. For example, a person accompanied by a guide dog may be required to leave a shopping centre because the centre is closing or unable to rent a place of accommodation because it is fully booked.

#### **For further information:**

Phone: 13QGOV (13 74 68)

TTY: 133677

Email: [ghadogs@communities.qld.gov.au](mailto:ghadogs@communities.qld.gov.au)

Postal: GPO Box 806, Brisbane QLD 4001

Website: [www.qld.gov.au/ghadogs](http://www.qld.gov.au/ghadogs)

