

Queensland



GUIDE DOGS ACT 1972

**Reprinted as in force on 2 December 1994
(includes amendments up to Act No. 16 of 1984)**

Reprint No. 1

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 2 December 1994. The reprint—

- shows the law as amended by all amendments that commenced on or before that day
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind.

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in Endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- express gender specific provisions in a way consistent with current legislative drafting practice (s 24)
- use standard punctuation consistent with current legislative drafting practice (s 27)
- use aspects of format and printing style consistent with current legislative drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the enacting words (s 42A).

Also see Endnotes for information about—

- **when provisions commenced**
- **provisions that have not commenced and are not incorporated in the reprint**
- **editorial changes made in the reprint, including—**
 - **Table of obsolete and redundant provisions.**

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GUIDE DOGS ACT 1972

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GUIDE DOGS ACT 1972

[as amended by all amendments that commenced on or before 2 December 1994²]

An Act to make provision to allow dogs guiding blind persons or aiding deaf persons to be admitted to certain places and vehicles and for related purposes

Short title

1. This Act may be cited as the *Guide Dogs Act 1972*³⁻⁵.

Commencement of Act

2. This Act shall come into operation on a date appointed by proclamation.

Interpretation

3. In this Act—

“**approved institution**” means an institution declared by order in council to be an approved institution for the purposes of this Act.

“**blind person**” includes a person who is partially blind.

“**deaf person**” includes a person who is partially deaf.

“**guide dog**” means a dog trained at an approved institution and used as a guide by a blind person or as an aid by a deaf person.

“**vehicle**” means any construction used for the carriage of passengers by land, sea or air.

Crown bound

4. This Act binds the Crown.

Right of blind or deaf persons to be accompanied by guide dogs

5.(1) This section applies in respect of any place open to or used by the public, whether as of right or on the invitation of the occupier or the payment of a charge or fee, and in respect of any vehicle used for the carriage of passengers for hire or reward save such places and vehicles as are excluded from the application of this section by order in council.

(2) Notwithstanding any provision of any Act, regulation, ordinance or by-law, a blind or deaf person is entitled to be accompanied by a guide dog into or on any place or vehicle in respect of which this section applies and that person does not commit an offence by reason only that the person takes a guide dog into or on or permits a guide dog to enter or be in or on a place or vehicle in respect of which this section applies while the person is using the dog as a guide or an aid, as the case may be.

Offences by persons in charge

6.(1) A person having the charge of a place or vehicle in respect of which section 5 applies shall not—

- (a) fail to permit a blind or deaf person accompanied by a guide dog to enter or be in or on that place or vehicle;
- (b) deny accommodation or service in or on that place or vehicle to a blind or deaf person accompanied by a guide dog;
- (c) fail to permit a blind or deaf person to take a guide dog into or on that place or vehicle.

Maximum penalty—\$50.

(2) It is a defence to a charge of an offence against subsection (1) to prove that the defendant in terms of that subsection did not fail to permit or did not deny, as the case may be, by reason only that the blind or deaf person concerned was accompanied by a guide dog.

Powers of Governor in Council

7. The Governor in Council may by order in council—

- (a) declare any institution that trains dogs as guides for blind persons or as aids for deaf persons to be an approved institution for the

purposes of this Act;

- (b) exclude from the application of section 5 any place or vehicle specified therein.

Evidentiary provisions

8.(1) A document purporting to be a certificate issued on behalf of an approved institution and containing particulars as to the identification, training and registration in respect of a guide dog shall, upon its production on any occasion, be taken as evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained therein and that the document pertains to the dog in respect of which it is produced.

(2) In any proceeding for an offence against section 6 it shall be presumed that the place material to the charge, being a place open to or used by the public, is a place in respect of which section 5 applies or that the vehicle material to the charge, being a vehicle used for the carriage of passengers for hire or reward, is a vehicle in respect of which section 5 applies, until the contrary is proved.

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 2 December 1994. Future amendments of the Guide Dogs Act 1972 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation

Guide Dogs Act 1972 No. 8

date of assent 15 December 1972

commenced 1 March 1973 (proc pubd Gaz 24 February 1973 p 822)

as amended by—

Guide Dogs Act Amendment Act 1984 No. 16

date of assent 5 March 1984

commenced on date of assent

4 List of annotations

Key to abbreviations in list of annotations

amd	=	amended
Ch	=	Chapter
cl	=	clause
def	=	definition
Div	=	Division
exp	=	expires/expired
hdg	=	heading
ins	=	inserted
om	=	omitted
prec	=	preceding
pres	=	present
prev	=	previous
(prev)	=	previously
prov	=	provision
Pt	=	Part
RA	=	Reprints Act 1992
renum	=	renumbered
Sdiv	=	Subdivision
sub	=	substituted

Provisions not included in reprint, or amended by amendments not included in reprint, are underlined

Long title amd 1984 No. 16 s 2

Interpretation

s 3 def **“deaf person”** ins 1984 No. 16 s 3(a)
def **“guide dog”** amd 1984 No. 16 s 3(b)

Right of blind or deaf persons to be accompanied by guide dogs

prov hdg amd 1984 No. 16 s 4(a)
s 5 amd 1984 No. 16 s 4(b)

Offences by persons in charge

s 6 amd 1984 No. 16 s 5

Powers of Governor in Council

s 7 amd 1984 No. 16 s 6

5 Table of obsolete and redundant provisions

TABLE OF OBSOLETE AND REDUNDANT PROVISIONS under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A

