

Queensland



GUIDE DOGS ACT 1972

**Reprinted as in force on 30 January 1996
(includes amendments up to Act No. 58 of 1995)**

Reprint No. 2

**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 30 January 1996. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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—

- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 37).

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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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 30 January 1996]

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*

Interpretation

3. In this Act—

“approved institution” means an institution that—

- (a) trains dogs as guides for blind persons or aids for deaf persons; and
- (b) is declared under a regulation to be an approved institution for 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.

Blind or deaf persons may be accompanied by guide dogs

5.(1) This section applies to—

- (a) places open to or used by the public, whether as of right or on the invitation of the occupier or on payment of a fee; and
- (b) vehicles used to carry passengers for hire or reward.

(2) However, this section does not apply to places and vehicles excluded from its application under a regulation.

(3) Despite any Act to the contrary, a blind or deaf person may be accompanied by a guide dog into or on any place or vehicle to which this section applies.

(4) The person does not commit an offence merely because the person takes the guide dog into or on, or permits the guide dog to enter or be in or on, the place or vehicle while the person is using the dog as a guide or an aid.

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—1 penalty unit.

(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.

Evidentiary provisions

7.(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 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.

Regulation making power

8. The Governor in Council may make regulations under this Act.

ENDNOTES

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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 30 January 1996. Future amendments of the Guide Dogs Act 1972 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

Reprint No.	Amendments included	Reprint date
1	to Act No. 16 of 1984	2 December 1994

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Obsolete and redundant provisions	1

6 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

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

7 List of annotations

Long title amd 1984 No. 16 s 2

Commencement of Act

s 2 om R2 (see RA s 37)

Interpretation

s 3 def “**approved institution**” sub 1995 No. 58 s 4 sch 1
 def “**deaf person**” ins 1984 No. 16 s 3(a)
 def “**guide dog**” amd 1984 No. 16 s 3(b)

Blind or deaf persons may be accompanied by guide dogs

- prov hdg** amd 1984 No. 16 s 4(a)
s 5 amd 1984 No. 16 s 4(b)
sub 1995 No. 58 s 4 sch 1

Offences by persons in charge

- s 6** amd 1984 No. 16 s 5; 1995 No. 58 s 4 sch 1

Evidentiary provisions

- s 7** prev s 7 amd 1984 No. 16 s 6
om 1995 No. 58 s 4 sch 1
pres s 7 (prev s 8) amd 1995 No. 58 s 4 sch 1
renum 1995 No. 58 s 4 sch 1

Regulation making power

- s 8** prev s 8 renum as s 7 1995 No. 58 s 4 sch 1
pres s 8 ins 1995 No. 58 s 4 sch 1