



Queensland

Guide Dogs Act 1972

Reprinted as in force on 8 December 1997

Reprint No. 2A*

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

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2009 Act No. 4 s 119

* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This Act is reprinted as at 8 December 1997. 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. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

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

Also see endnotes for information about—

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

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



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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 8 December 1997]

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

Part 1 Preliminary

1 Short title

This Act may be cited as the *Guide Dogs Act 1972*.

3 Definitions

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.

approved Queensland institution means an institution—

- (a) with facilities in the State for training dogs as guides for blind persons or aids for deaf persons; and
- (b) that is declared under a regulation to be an approved Queensland 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.

guide dog trainee means a dog—

- (a) owned by an approved Queensland institution; and
- (b) being trained for use as a guide by a blind person or as an aid by a deaf person; and
- (c) identified as being owned by the institution by a distinctive coat or harness.

public passenger vehicle means a vehicle used to transport members of the public.

public place means a 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.

trainer means a person authorised, under section 6A, to train dogs for use as guides for blind persons or aids for deaf persons.

4 Crown bound

This Act binds the Crown.

Part 2 Guide dogs

5 Blind or deaf persons may be accompanied by guide dogs

- (1) This section applies to public places and public passenger vehicles.
- (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.

6 Offences by persons in charge

- (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.

Part 3 Guide dog trainers and trainees**6A Authorisation of trainers**

An approved Queensland institution may, in writing, authorise a person the institution is satisfied has the necessary training, or knowledge and experience, to train dogs for use as guides for blind persons or aids for deaf persons.

6B Identity cards

- (1) The institution must issue an identity card to the trainer.
- (2) The identity card must—
 - (a) be in a form approved by the institution; and
 - (b) be signed by the trainer.
- (3) A person who ceases to be a trainer must, as soon as practicable, return the person's identity card to the institution.

6C Proof of authority

- (1) This section applies if a trainer is accompanied by a guide dog trainee in or on a public place or public passenger vehicle.
- (2) The trainer must—
 - (a) if asked by a person in charge of the place or vehicle, produce his or her identity card for inspection by the person; or
 - (b) have his or her identity card displayed so that it is clearly visible.¹

6D Trainers may be accompanied by guide dog trainees

- (1) Despite any other Act, a trainer does not commit an offence merely by taking a guide dog trainee into or on, or permitting a guide dog trainee to enter or be in or on, a public place or public passenger vehicle.
- (2) However, this section does not apply to—
 - (a) a trainer accompanied by more than 1 guide dog trainee; or
 - (b) places and vehicles prescribed under a regulation for this paragraph.

6E Obligations of persons in charge of public places and public passenger vehicles

- (1) A person in charge of a public place or public passenger vehicle to which section 6D applies must not deny a trainer, accompanied by a guide dog trainee—
 - (a) permission to enter or be in or on the place or vehicle; or
 - (b) accommodation or service in or on the place or vehicle.Maximum penalty—1 penalty unit.
- (2) However, subsection (1) does not apply if the trainer contravenes section 6C.

¹ A trainer contravening this section does not commit an offence, but may under section 6E, for example, be lawfully denied entry to the place or vehicle.

- (3) It is a defence to a charge of an offence against subsection (1) to prove the defendant contravened subsection (1) for a reason other than that the trainer was accompanied by a guide dog trainee.

Part 4 Miscellaneous

7 Evidentiary provisions

- (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.
- (1A) A certificate purporting to be issued on behalf of an approved Queensland institution stating any of the following matters is evidence of the matter—
- (a) a stated dog is or was—
 - (i) a dog owned by the institution at a stated time or during a stated period; and
 - (ii) being trained for use as a guide by a blind person or as an aid by a deaf person at the time or during the period;
 - (b) a stated person is or was a trainer at a stated time or during a stated period.
- (2) In any proceeding for an offence against section 6 or 6E it shall be presumed that the place material to the charge is a place in respect of which section 5 or 6D applies or that the vehicle material to the charge is a vehicle in respect of which section 5 or 6D applies, until the contrary is proved.

8 Regulation making power

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 8 December 1997. 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfcd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Reprint date
1	1984 Act No. 16	5 March 1984	2 December 1994
2	1995 Act No. 58	28 November 1995	30 January 1996
2A	1997 Act No. 56	5 December 1997	8 December 1997

5 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)

amending legislation—

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

Guide Dogs Amendment Act 1997 No. 56

date of assent 16 October 1997

ss 1–2 commenced on date of assent

remaining provisions commenced 5 December 1997 (1997 SL No. 415)

7 List of annotations

Title amd 1984 No. 16 s 2; 1997 No. 56 s 4

Commencement of Act

s 2 om R2 (see RA s 37)

PART 1—PRELIMINARY**pt hdg** ins 1997 No. 56 s 5**Definitions****prov hdg** sub 1997 No. 56 s 6(1)

- s 3** def “**approved institution**” sub 1995 No. 58 s 4 sch 1
 def “**approved Queensland institution**” ins 1997 No. 56 s 6(3)
 def “**deaf person**” ins 1984 No. 16 s 3(a)
 def “**guide dog**” amd 1984 No. 16 s 3(b)
 def “**guide dog trainee**” ins 1997 No. 56 s 6(3)
 def “**public passenger vehicle**” ins 1997 No. 56 s 6(3)
 def “**public place**” ins 1997 No. 56 s 6(3)
 def “**trainer**” ins 1997 No. 56 s 6(3)
 def “**vehicle**” om 1997 No. 56 s 6(2)

PART 2—GUIDE DOGS**pt hdg** ins 1997 No. 56 s 7**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
 amd 1997 No. 56 s 8

Offences by persons in charge

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

PART 3—GUIDE DOG TRAINERS AND TRAINEES**pt 3 (ss 6A–6E)** ins 1997 No. 56 s 9**PART 4—MISCELLANEOUS****pt hdg** ins 1997 No. 56 s 10**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
 amd 1997 No. 56 s 11

Regulation making power

- s 8** ins 1995 No. 58 s 4 sch 1