



Queensland

Guide, Hearing and Assistance Dogs Act 2009

Guide, Hearing and Assistance Dogs Regulation 2009

Reprinted as in force on 1 July 2010

Reprint No. 1A

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 regulation is reprinted as at 1 July 2010. 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.

This page is specific to this reprint. See previous reprint 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 reprint.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised 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 an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



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Guide, Hearing and Assistance Dogs Regulation 2009

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Guide, Hearing and Assistance Dogs Regulation 2009

[as amended by all amendments that commenced on or before 1 July 2010]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Guide, Hearing and Assistance Dogs Regulation 2009*.

2 Commencement

This regulation commences on 1 July 2009.

3 Dictionary

The dictionary in the schedule defines particular words used in this regulation.

4 Certificate of disability

- (1) A *certificate of disability*, for a person, is a document—
 - (a) stating that the person has a disability; and
 - (b) signed by a registered health practitioner.
- (2) A document made by an approved training institution stating that the institution is satisfied a person has a vision or hearing impairment is also a *certificate of disability* for the person if—
 - (a) the institution was approved under section 122 of the Act; and

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- (b) the person relies on a guide or hearing dog certified by the institution under section 123 of the Act.

Part 2 Guide, hearing and assistance dogs in public places and public passenger vehicles

5 Requirements for identifying coats—Act, s 12(4)

- (1) The requirements for an identifying coat are that the coat have an approved badge attached to, and prominently displayed on, the coat.

- (2) In this section—

approved badge means a badge, for a guide, hearing or assistance dog, issued by the chief executive.

Part 3 Trainers of guide, hearing and assistance dogs

6 Definition for pt 3

In this part—

trainer means an approved trainer or an approved training institution.

7 Records to be kept—Act, s 31(2)(b)

- (1) For each dog being trained by a trainer, the trainer must keep a record of the following—
 - (a) the name and breed of the dog;

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- (b) the date of birth or the approximate age of the dog;
 - (c) the training history of the dog, including—
 - (i) whether a public access test has been conducted for the dog; and
 - (ii) if a public access test has been conducted—whether the dog has passed each element of the test;
 - (d) the veterinary history of the dog;
 - (e) the name, if known, of the person for whom the dog is being trained;
 - (f) whether the dog is being trained as a guide, hearing or assistance dog (the dog's *classification*).
- (2) For each dog certified by a trainer, the trainer must keep a record of the following—
- (a) the name and breed of the dog;
 - (b) the date of birth or the approximate age of the dog;
 - (c) the training history of the dog, including—
 - (i) a record of the public access test conducted for the dog; and
 - (ii) whether the dog has passed each element of the test;
 - (d) the veterinary history of the dog;
 - (e) the name of the person for whom the dog was certified;
 - (f) the classification for which the dog was certified.
- (3) A trainer must also keep a copy of the following—
- (a) all documents sent to, and received from, the department by the trainer;
 - (b) any written complaints about the provision of a training service by the trainer;
 - (c) a certificate of disability for the handler of each guide, hearing or assistance dog certified by the trainer.

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- (4) A trainer must keep the records and copies required under this section for 7 years.

8 Requirement to prepare, maintain and implement policy—Act, s 31(2)(c)

A trainer must prepare, maintain and implement a policy about—

- (a) the confidentiality of personal information held by the trainer about employee trainers and persons being provided with a training service by the trainer; and
- (b) the handling of complaints about the provision of a training service by the trainer.

9 Insurance cover for trainers—Act, s 31(2)(d)

A trainer must ensure the trainer has in force public liability insurance cover of at least \$10000000.

Part 4 Identity cards for handlers

10 Documents to accompany applications—Act, s 41(2)(a)

- (1) The documents to accompany an application under section 41 of the Act are—
- (a) a certificate of disability for the applicant; and
- (b) a certified copy of 1 of the following for the applicant—
- (i) a birth certificate;
- (ii) a current driver's licence;
- (iii) a current 18 plus card;
- (iv) a current Medicare card;
- (v) a current passport.

- (2) A copy of a document mentioned in subsection (1)(b) may be certified by a person before whom a statutory declaration may be made under the *Statutory Declarations Act 1959* (Cwlth), section 8(b).

11 Requirements for photos to accompany applications—Act, s 41(2)(b)

- (1) The requirements for a photo of an applicant are that the photo—
- (a) clearly show the face, head and top of the shoulders of the applicant; and
 - (b) show the applicant looking directly at the camera; and
 - (c) comply with the quality requirements stated in subsection (3).
- (2) The requirements for a photo of a guide, hearing or assistance dog are that the photo—
- (a) clearly show the head of the dog; and
 - (b) show the dog looking directly at the camera; and
 - (c) comply with the quality requirements stated in subsection (3).
- (3) The quality requirements are that the photo—
- (a) be printed in high resolution on photo paper; and
 - (b) have been taken no more than 6 months before the application is made; and
 - (c) be between 45mm and 55mm high and between 35mm and 40mm wide; and
 - (d) show skin tones and have appropriate brightness and contrast; and
 - (e) not contain a flash reflection or red eye effect.

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12 Notice of application—Act, s 42(1)

The requirements for a written notice under section 42(1) of the Act are that the notice include the following—

- (a) the name of the applicant;
- (b) the name, breed and classification of the dog for the applicant;
- (c) a reference to the obligations under section 13 of the Act;
- (d) the date the notice was issued;
- (e) a statement that the notice expires 28 days after the date it was issued.

Part 5 Identity cards for employee trainers and puppy carers

13 Requirements for identity cards—Act, s 56(2)(b)

The requirements for an identity card issued to an employee trainer or puppy carer are that the card—

- (a) include the following information—
 - (i) the name of the employee trainer or puppy carer;
 - (ii) the name of the approved training institution that employs the employee trainer or puppy carer;
 - (iii) whether the person is an employee trainer or a puppy carer;
 - (iv) the date the card was issued;
 - (v) the date the card expires; and
- (b) include a photo of the employee trainer or puppy carer; and
- (c) be approximately 60mm high and 100mm wide.

Schedule Dictionary

section 3

certificate of disability see section 4.

classification, of a dog, see section 7(1)(f).

registered health practitioner means—

- (a) a person registered under the Health Practitioner Regulation National Law to practise, other than as a student, in any of the following—
 - (i) the medical profession;
 - (ii) the physiotherapy profession;
 - (iii) the psychology profession; or
- (b) a person registered under any of the following Acts or under similar legislation of another State—
 - (i) *Occupational Therapists Registration Act 2001*;
 - (ii) *Speech Pathologists Registration Act 2001*.

trainer, for part 3, see section 6.

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 1 July 2010. Future amendments of the Guide, Hearing and Assistance Dogs Regulation 2009 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
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

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	Notes
1	none	1 July 2009	
1A	2010 SL No. 108	1 July 2010	

5 List of legislation

Guide, Hearing and Assistance Dogs Regulation 2009 SL No. 126

made by the Governor in Council on 25 June 2009

notfd gaz 26 June 2009 pp 831–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2009 (see s 2)

exp 1 September 2019 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Health and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 108 pts 1, 9

notfd gaz 11 June 2010 pp 459–61

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2010 (see s 2)

6 List of annotations

SCHEDULE—DICTIONARY

def “**registered health practitioner**” sub 2010 SL No. 108 s 22