

Queensland



ANNO VICESIMO PRIMO

ELIZABETHAE SECUNDAE REGINAE

No. 8 of 1972

**An Act to Make Provision to allow dogs guiding blind persons to be admitted to certain places and vehicles and for related purposes**

[ASSENTED TO 15TH DECEMBER, 1972]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. **Short title.** This Act may be cited as the *Guide Dogs Act 1972*.
2. **Commencement of Act.** This Act shall come into operation on a date appointed by Proclamation.
3. **Interpretation.** In this Act, save where a contrary intention appears—
 

“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;  
 “ guide dog ” means a dog trained at an approved institution and used as a guide by a blind person;  
 “ vehicle ” means any construction used for the carriage of passengers by land, sea or air.

**4. Crown bound.** This Act binds the Crown.

**5. Right of blind persons to be accompanied by guide dogs.** (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 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 he 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 he is using the dog as a guide.

**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 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 person accompanied by a guide dog;
- (c) fail to permit a blind person to take a guide dog into or on that place or vehicle.

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 person concerned was accompanied by a guide dog.

**7. Powers of Governor in Council.** The Governor in Council may by Order in Council—

- (a) declare any institution that trains dogs as guides for blind 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.

**8. 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 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.



ANNO DOMINI MCMCLXXII

ELIZABETHAE SECUNDAE REGINAE

No. 8 of 1972

AN ACT to amend the law relating to the duties of guide dogs and to provide for the control of guide dogs and to amend the law relating to the duties of guide dogs and to provide for the control of guide dogs.

Enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by authority of the same, full power in that behalf lawfully given.

IN WITNESS WHEREOF, we the Queen's most Excellent Majesty, have caused this Act to be signed by Us, and the Seal of Great Britain to be hereunto set, and the same to be published.

Given under the Great Seal of Great Britain, this 22nd day of July, 1972.

By Appointment, Secretary to the Queen's most Excellent Majesty.

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