



Queensland

Guide, Hearing and Assistance Dogs Regulation 2009

Subordinate Legislation 2009 No. 126

made under the

Guide, Hearing and Assistance Dogs Act 2009

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
3	Dictionary	3
4	Certificate of disability	3
Part 2	Guide, hearing and assistance dogs in public places and public passenger vehicles	
5	Requirements for identifying coats—Act, s 12(4)	4
Part 3	Trainers of guide, hearing and assistance dogs	
6	Definition for pt 3	4
7	Records to be kept—Act, s 31(2)(b)	4
8	Requirement to prepare, maintain and implement policy—Act, s 31(2)(c)	6
9	Insurance cover for trainers—Act, s 31(2)(d)	6
Part 4	Identity cards for handlers	
10	Documents to accompany applications—Act, s 41(2)(a)	6
11	Requirements for photos to accompany applications—Act, s 41(2)(b)	7
12	Notice of application—Act, s 42(1)	7

Contents

Part 5	Identity cards for employee trainers and puppy carers	
13	Requirements for identity cards—Act, s 56(2)(b)	8
Schedule	Dictionary	9

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

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

[s 8]

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.

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;

Schedule Dictionary

section 3

certificate of disability see section 4.

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

registered health practitioner means a person registered under any of the following Acts or under similar legislation of another State—

- *Medical Practitioners Registration Act 2001*
- *Occupational Therapists Registration Act 2001*
- *Physiotherapists Registration Act 2001*
- *Psychologists Registration Act 2001*
- *Speech Pathologists Registration Act 2001.*

trainer, for part 3, see section 6.

ENDNOTES

- 1 Made by the Governor in Council on 25 June 2009.
- 2 Notified in the gazette on 26 June 2009.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Communities.

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