

Queensland



GUIDE DOGS AMENDMENT BILL 1997

Queensland



GUIDE DOGS AMENDMENT BILL 1997

TABLE OF PROVISIONS

Section	Page
1 Short title	4
2 Commencement	4
3 Amended Act	4
4 Amendment of title	4
5 Insertion of new part heading	4
PART 1—PRELIMINARY	
6 Amendment of s 3 (Interpretation)	4
7 Insertion of new part heading	5
PART 2—GUIDE DOGS	
8 Amendment of s 5 (Blind or deaf persons may be accompanied by guide dogs)	5
9 Insertion of new pt 3	6
PART 3—GUIDE DOG TRAINERS AND TRAINEES	
6A Authorisation of trainers	6
6B Identity cards	6
6C Proof of authority	6
6D Trainers may be accompanied by guide dog trainees	7
6E Obligations of persons in charge of public places and public passenger vehicles	7
10 Insertion of new part heading	8
PART 4—MISCELLANEOUS	
11 Amendment of s 7 (Evidentiary provisions)	8

1997

A BILL

FOR

An Act to amend the Guide Dogs Act 1972

The Parliament of Queensland enacts—

1

Short title

2

Clause **1.** This Act may be cited as the *Guide Dogs Amendment Act 1997*.

3

Commencement

4

Clause **2.** This Act commences on a day to be fixed by proclamation.

5

Amended Act

6

Clause **3.** This Act amends the *Guide Dogs Act 1972*.

7

Amendment of title

8

Clause **4.** Title, after ‘deaf persons’—

9

insert—

10

‘, and dogs being trained to guide blind persons or aid deaf persons,’.

11

Insertion of new part heading

12

Clause **5.** Before section 1—

13

insert—

14

‘PART 1—PRELIMINARY’.

15

Amendment of s 3 (Interpretation)

16

Clause **6.(1)** Section 3, heading—

17

omit, insert—

18

‘Definitions’.

19

(2) Section 3, definition “**vehicle**”—

20

omit.

21

Guide Dogs Amendment

(3) Section 3—

insert—

‘ **“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.

“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.’.

Insertion of new part heading

Clause 7. Before section 5—

insert—

‘PART 2—GUIDE DOGS’.

Amendment of s 5 (Blind or deaf persons may be accompanied by guide dogs)

Clause 8. Section 5(1)—

omit, insert—

‘5.(1) This section applies to public places and public passenger vehicles.’.

Insertion of new pt 3

Clause

9. After section 6—

insert—

‘PART 3—GUIDE DOG TRAINERS AND TRAINEES

‘Authorisation of trainers

‘6A. 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.

‘Identity cards

‘6B.(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.

‘Proof of authority

‘6C.(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	1
(b) have his or her identity card displayed so that it is clearly visible. ¹	2
‘Trainers may be accompanied by guide dog trainees	3
‘6D.(1) Despite any other Act, a trainer does not commit an offence	4
merely by taking a guide dog trainee into or on, or permitting a guide dog	5
trainee to enter or be in or on, a public place or public passenger vehicle.	6
‘(2) However, this section does not apply to—	7
(a) a trainer accompanied by more than 1 guide dog trainee; or	8
(b) places and vehicles prescribed under a regulation for this	9
paragraph.	10
‘Obligations of persons in charge of public places and public	11
passenger vehicles	12
‘6E.(1) A person in charge of a public place or public passenger vehicle	13
to which section 6D applies must not deny a trainer, accompanied by a	14
guide dog trainee—	15
(a) permission to enter or be in or on the place or vehicle; or	16
(b) accommodation or service in or on the place or vehicle.	17
Maximum penalty—1 penalty unit.	18
‘(2) However, subsection (1) does not apply if the trainer contravenes	19
section 6C.	20
‘(3) It is a defence to a charge of an offence against subsection (1) to	21
prove the defendant contravened subsection (1) for a reason other than that	22
the trainer was accompanied by a guide dog trainee.’	23

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.

	Insertion of new part heading	1
Clause	10. Before section 7—	2
	<i>insert—</i>	3
	‘PART 4—MISCELLANEOUS’.	4
	Amendment of s 7 (Evidentiary provisions)	5
Clause	11.(1) Section 7—	6
	<i>insert—</i>	7
	‘(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—	8
		9
		10
	(a) a stated dog is or was—	11
	(i) a dog owned by the institution at a stated time or during a stated period; and	12
		13
	(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;	14
		15
	(b) a stated person is or was a trainer at a stated time or during a stated period.’.	16
		17
	(2) Section 7(2), after ‘section 6’—	18
	<i>insert—</i>	19
	‘or 6E’.	20
	(3) Section 7(2), ‘, being a place’ to ‘public,’—	21
	<i>omit.</i>	22
	(4) Section 7(2), after ‘section 5’—	23
	<i>insert—</i>	24
	‘or 6D’.	25
	(5) Section 7(2), ‘, being a vehicle’ to ‘reward,’—	26
	<i>omit.</i>	27

