



Frequently asked questions

Guide, Hearing and Assistance Dogs Act 2009

What is a guide, hearing or assistance dog?

The *Guide, Hearing and Assistance Dogs Act 2009* defines a guide, hearing or assistance dog as a dog trained to perform identifiable physical tasks and behaviours to assist a person with a disability to reduce the person's need for support.

What types of dogs can be trained as guide, hearing or assistance dogs?

Labradors, Retrievers and crossbreeds of the two are the most common breeds used. However, many other breeds are now also trained. Some people with a disability may prefer a specific breed or type of dog. Mobility requirements, environment and physical ability will determine the most appropriate type of dog for each type of disability.

What types of dogs will be certified under the Act?

The Act only certifies dogs that:

- are able to be used as an aid by a person with disability
- have recently passed a public access test
- are not a restricted breed as defined under the *Local Government Act 1993*
- are de-sexed and vaccinated
- have not been declared a dangerous dog under a local law.



How can you tell if a dog really is a guide, hearing or assistance dog and not just a pet?

All certified guide, hearing and assistance dogs are required to display the approved badge on their coat or harness. If you are unsure about the legitimacy of a dog, you may ask the person with the dog if it is a guide, hearing or assistance dog required because of a disability. Individuals approved under the *Guide, Hearing and Assistance Dogs Act 2009* will be issued with a Handler Identity Card that will include a photo of them and their dog.

It should be noted that Commonwealth *Disability Discrimination Act 1992* also applies. People from interstate may not have Queensland identification but, in Australia, all people with a disability who are accompanied by a support animal are provided with the right of access under the Commonwealth Act which makes it unlawful to discriminate against a person on the grounds of that person's disability.

What is a public access test?

This is a test approved by the Director-General, Department of Communities, Child Safety and Disability Services to assess if a dog is safe and effective in a public place or public passenger vehicle and able to be controlled by its handler.

What if a dog barks or growls at other people, or otherwise acts out of control?

A guide, hearing or assistance dog may be excluded from a public place if the animal's behaviour poses a direct threat to the health or safety of others.

If a person with a support dog has no obvious disability, are they legitimate?

Not all forms of disability are obvious. For example, the person may have a psychiatric disability, a sensory disorder or chronic diabetes. Their dog may be a 'normal' assistance dog or even a highly

For further information:

Phone: 13QGOV (13 74 68)

TTY: (07) 3877 8226

Email: ghadogs@communities.qld.gov.au

Postal: GPO Box 806, Brisbane QLD 4001

Website: www.qld.gov.au/ghadogs





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specialised seizure alert/response/signal dog.

What is a breach of the Act?

Breaches include:

- not allowing a person with a guide or hearing, assistance or trainee support dog to enter a public place, public passenger vehicle, private rental arrangement or holiday accommodation
- separating a person from their dog
- not providing service to person with a dog or requiring the person to pay an extra charge because the dog is present
- staff of a public place, public transport service or place of accommodation not assisting with an investigation of an allegation or complaint of not allowing a person with a guide, hearing, assistance or trainee support dog access or withholding service to them
- trainers not keeping up to date with their criminal history screening
- forging identification or certification materials.

Are there places that guide, hearing or assistance dogs cannot go?

Yes. Guide, hearing and assistance dogs may not enter:

- certain parts of a health service facility, including:
 - an in-patient ward
 - a labour ward
 - a procedure room
 - a recovery area
 - an area in which the standard of hygiene is maintained at a significantly high level for the purpose of preventing infection or the spread of disease
 - an ambulance
- a part of a public place or public passenger vehicle where food is ordinarily prepared.

Are 'companion dogs' included in the Act?

No, nor are pet or 'comfort' dogs.

What is the appropriate way to interact with a team (a dog and its handler)?

In general, when you meet a person with a guide, hearing or assistance dog, please remember that the dog is working. You should not do anything to interrupt the dog from performing its tasks. Keep in mind that even though it may appear to you that the team is not performing a task at that moment, the dog is always on call and must give its full attention to the handler – as well as being alert to possible dangers.

For further information:

If you have any enquiries please contact the Department of Communities:

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