

Assistance Dogs

Access and the Law
in South Australia



Government of
South Australia

Assistance dogs help people carry out essential daily activities. They guide visually impaired people, signal sounds for deaf people, retrieve items for people with mobility issues, raise alarms to imminent seizures and more.

Assistance dogs undergo extensive training, temperament and health assessments. Assistance dogs also provide emotional support and general well-being to people living with a disability through the unique bonds they mutually establish.

Public access

Assistance dogs can accompany the person depending on them to any public place across the state. This includes public areas within hospitals, shops, cinemas, restaurants, educational institutions, accommodation, work places, public transport/passenger services, libraries etc. However, to protect the public from health risks, there are some places they can't access eg. intensive care units in hospitals and food preparation areas (neither can the general public).

Accredited or trained

Assistance dogs protected by the Disability Discrimination Act (which allows them access to public places) are accredited or trained to alleviate the effect of a disability and assessed to meet standards of hygiene and behaviour. These dogs pass a series of tests to ensure they can carry out critical functions to aid their owner whilst being unobtrusive in public. In South Australia, only the Dog and Cat Management Board, or a prescribed accreditation body under the Dog and Cat Management Act 1995 can accredit or renew an assistance dog's accreditation. Prescribed organisations include Royal Society for the Blind, Guide Dogs Association, Lions Hearing Dogs, Vision Australia, Assistance Dogs Australia and Righteous Pups Australia.

Identifying assistance dogs

Assistance dogs may have a jacket, harness or identification card to identify them, but this is not always the case. Some therapeutic or companion animals trained to identify imminent seizures, alleviate PTSD symptoms and more, may not wear specific accreditation identification. A handler should have readily available evidence that their dog is an assistance dog.

Don't discriminate

When most people think of assistance dogs, they imagine Labradors but assistance dogs can be any shape, colour or size. A dog won't pass accreditation if it's not been adequately trained, is declared dangerous, menacing or a nuisance. It's reasonable for a service provider to deny access to an assistance dog that's not under effective control or isn't maintaining an acceptable level of hygiene. But they can't discriminate (refuse access) simply because someone has an assistance animal, and there are laws to prevent this.

It's also against the law to treat anyone accompanying a person with an assistance animal unfairly, or to ask someone to separate from their assistance animal—a maximum penalty of \$2,500 applies.

It's not against the law for a service provider to ask for proof of the accreditation or training of any dog accompanying a person. It is not unlawful to discriminate against a person who does not provide this evidence.

Travelling

Each state has different laws. South Australians travelling interstate with their assistance dog are advised to seek advice on their access rights with other states or territories first. They can do this via the relevant state government or the Australian Human Rights Commission. If intending to travel by air, handlers should also contact the airline before travelling.



Gaining accreditation

Disability discrimination legislation ensures assistance dogs accompanied by handlers can access public places and transport without formal accreditation. However, assistance dog handlers in South Australia can apply for accreditation through the Dog and Cat Management Board.

Applicants must: be the dog's handler; have a disability; be 18 years of age or over; have a dog that alleviates the disability and have a written recommendation for an assistance dog from a health professional. The applicant must also have evidence from a veterinarian stating the dog is fit for service. Applicants will need to undertake a public access test and pay a fee. Successful applicants will receive an identification card. Accreditation may be subject to conditions such as retesting after a set period of time.

This publication was produced by the Dog and Cat Management Board in conjunction with the Equal Opportunity Commission. Our intent is to provide clarity around access rights for assistance dogs in South Australia. Laws governing assistance dogs may vary in other states and territories

Futher information

Dog and Cat Management Board (South Australia)

Accreditation and registration of assistance dogs
dogandcatboard.com.au | dcmb@sa.gov.au
08 8124 2962

Equal Opportunity Commission

Discrimination issues in South Australia
South Australian Equal Opportunity Act, 1984
eoc.sa.gov.au | 1800 188 163

Australian Human Rights Commission

Disability Discrimination Act 1992 (national)
humanrights.gov.au | 1300 656 429

