

Australian Capital Territory

Domestic Animals (Assistance Animal Accreditation) Guidelines 2023

Disallowable instrument DI2023-12

made under the

Domestic Animals Act 2000, section 95 (Assistance animal standard and accreditation guidelines)

1 Name of instrument

This instrument is the *Domestic Animals (Assistance Animal Accreditation) Guidelines 2023*.

2 Commencement

This instrument commences on the commencement of Part 4 of the *Animal Management and Welfare Legislation Amendment Act 2023*.

3 Guidelines

I make the Assistance Animal Accreditation Guidelines at schedule 1.

4 Revocation of DI2021-106

This instrument revokes disallowable instrument DI2021-106 Domestic Animals (Assistance Animal Accreditation) Guidelines 2021.

Chris Steel MLA

Minister for Transport and City Services

2 February 2023

ACT assistance animal accreditations

The ACT Public Access Test (PAT) must be performed by registered individual assessors under the ACT assistance animal accreditation framework. An assistance animal can be accredited by successfully completing the ACT PAT under the direction and supervision of a registered assessor. Individuals registered as a trainer without also being registered as an assessor may not accredit assistance animals.

The successfully completed PAT form, which includes a veterinary declaration and endorsement by a registered assessor, serves as evidence of accreditation. This evidence must be provided to Domestic Animal Services as an attachment to an assistance animal registration application form for an ACT Government identification card to be issued to the handler/s. The identification card is issued with a two-year expiry and retesting using the same PAT form must take place with a registered assessor after the two-year period to renew the accreditation.

When submitting an accredited assistance animal registration application with Domestic Animal Services, evidence of a disability from a medical practitioner must also be provided.

Further details on ACT assistance animal accreditation are available on the Transport Canberra and City Services website, including a list of registered trainers and assessors.

Secondary handlers

If the primary handler cannot independently control the assistance animal or undertake the necessary accreditation requirements due to age or disability, a secondary handler must be present to assist in the provision of documents and participate in the PAT.

If a secondary handler is required to control the assistance animal and ensure it meets public access standards of behaviour and hygiene (in addition to maintaining the animal's welfare), the accreditation can only apply to the full team (primary handler, secondary handler and assistance animal team). This means the accreditation and registration only apply to when the secondary handler is also present.

Secondary handlers must be included in both the accreditation process (must be present for the duration of the PAT) and in the registration application process. Secondary handlers receive an identification card if the accreditation and registration of the assistance animal team is successful.

Timeframes for registration of accredited assistance animals and testing

Once accredited, assistance animal registration is given for a two-year period, commencing from the date of accreditation. Identification cards expire after two years and retesting/reaccreditation by a registered assessor must take place before the card can be renewed by Domestic Animal Services for another two years.

A minimum of four weeks must pass between PAT attempts to allow time for any training or veterinary treatment to be conducted prior to presenting for the next PAT attempt.

Recognised assistance animal accreditations

If a handler whose animal is accredited with another Australian jurisdiction or a recognised organisation as specified in this document wishes to obtain an identification card with the ACT Government, they may register their assistance animal with Domestic Animal Services after providing evidence of current accreditation, provided the animal is not a dangerous dog or associated with a control order that suggests it is a risk to the community.

The registration (and associated identification card) will only be valid up to the date specified by the other jurisdiction or recognised organisation. If no date has been specified, then the ACT's two-

yearly expiry will apply from the date the animal was accredited by the other jurisdiction or recognised organisation.

Accreditations by other states and territories

Section 94 of the *Domestic Animals Act 2000* (the Act) recognises accreditations by other Australian jurisdictions, meaning if a team (both the animal and handler/s) is accredited by another state or territory with a full assistance animal accreditation system in place then that team is recognised as meeting the standards of behaviour and hygiene for public places in the ACT and the team will not have to undergo the ACT PAT until the existing accreditation has expired.

Currently, not all states and territories in Australia have established full assistance animal accreditation systems, meaning assistance animals registered in other jurisdictions have not necessarily been tested to ensure they meet the standards for public places.

Currently, the only other jurisdictions with full accreditation systems are Queensland, Western Australia and South Australia.

Transport assistance animal permits/passes (such as in New South Wales or Victoria) will not be automatically recognised under the ACT framework and these teams will need to pass the ACT PAT to be accredited in the ACT, unless they are accredited by a recognised organisation.

Recognised assistance animal organisations

Section 96 of the Act provides for assistance animals to be accredited. The Registrar of Domestic Animals recognises accreditations by the following organisations as being accreditations for the purpose of sections 96 (a) and (b):

- Assistance Dogs Australia
- Australian Lion Hearing Dogs
- Australian Support Dogs
- Guide Dogs Australia
- Guide Dogs NSW/ACT
- Guide Dogs QLD
- Guide Dogs SA/NT
- Guide Dogs TAS
- Guide Dogs VIC
- Guide Dogs WA
- Integra Service Dogs Australia
- MindDog Australia
- Seeing Eye Dogs Australia – Vision Australia
- Any assistance animal organisation, Australian or international, that is formally recognised by Assistance Dogs International and the International Guide Dog Federation and is not already listed above.

Staff (including volunteers and contractors) of recognised organisations are not required to apply for registration to train or assess assistance animals. Teams that have a current accreditation by recognised organisations do not have to undergo the ACT PAT, as the PAT used by the organisation has been recognised as ensuring animals meet the ACT standards of behaviour and hygiene for public spaces.

Assistance Animal Trainers and Assessors

Standards for individual trainers and assessors (Division 5.3 of the *Domestic Animals Act 2000*)

The following standards apply to both registered trainers and assessors. Individuals registered as an assessor may conduct public access testing and accredit assistance animals.

Registered assistance animal trainers and assessors must:

- Have the skills and experience to train and/or determine if an assistance animal meets the public access standards for the ACT.
- Hold a relevant qualification that must have been provided by a registered training organisation (RTO) and should preferably be a minimum Certificate IV; however, a Certificate III is acceptable if the individual can demonstrate extensive training and experience related to working with assistance animals. For example, if the individual has completed a relevant Certificate III in addition to working directly with assistance animals and handlers in a recognised organisation for at least 12 months, this means the individual meets qualification standards.
- Demonstrate extensive experience in working with assistance animals, including working with handlers.
- Maintain ongoing professional development to demonstrate the individual is keeping up to date with best-practice, such as attending industry events, seminars or additional study or training.
- Use 'force-free' (e.g. positive reinforcement) methods only when training or working with an assistance animal. 'Balanced' training methods must not be used on assistance animals or assistance animals in training. At no point is force, including choke-chains or other pain-inducing collars, yelling, hitting, kicking, holding down or any other method that may involve pain or intimidation, to be used on assistance animals. This is based on evidence and ensures the ACT's high animal welfare standards are upheld.
- Be able to work with persons with a disability. This means a current Working with Vulnerable People (WWVP) card must be held.
- Offer ongoing support to clients in working with their assistance animals and helping to ensure their animals continue to meet the public access standards in terms of providing assistance to the handler, meeting animal welfare requirements and standards of hygiene and behaviour.
- Maintain secure record keeping of information relating to all assistance animal applicants and clients, including unsuccessful applicants who the trainer or assessor chose not to work with, details of automatic fails of the PAT, PAT attempts, details of the animal being trained/tested (such as name, breed and colour) and contact details for all applicants and clients.

Registered trainers and assessors will have these standards listed as registration conditions for the term of the registration (registration can be cancelled under sections 102 and 106 of the *Domestic Animals Act 2000* if any of these conditions are not being met). Additional conditions may be placed on a registration by the Registrar as required.

Timeframe and renewals for registered individual trainers and assessors

There is a maximum five-yearly registration term for registered trainers and assessors, noting registration can be cancelled if standards are not met.

Upon application for renewal, the registered trainer or assessor must demonstrate they still meet the standards and must include in their application evidence of ongoing professional development for every five-year period.