



Australian Capital Territory

Road Transport (Public Passenger Services) Amendment Regulation 2020 (No 1)

Subordinate Law SL2020-32

The Australian Capital Territory Executive makes the following regulation under the *Road Transport (Public Passenger Services) Act 2001*.

Dated 19 August 2020.

SHANE RATTENBURY
Minister

MICK GENTLEMAN
Minister



Australian Capital Territory

Road Transport (Public Passenger Services) Amendment Regulation 2020 (No 1)

Subordinate Law SL2020-32

made under the

[Road Transport \(Public Passenger Services\) Act 2001](#)

Contents

		Page
1	Name of regulation	1
2	Commencement	1
3	Legislation amended	1
4	Section 62 (3) and notes	1
5	Section 70AAD (5) and notes	2

J2020-800

Contents

		Page
6	Section 221W (3) and note	2
7	Section 227 (3) and note	3
8	Section 296	4
9	Dictionary, new definition of <i>accredited assistance animal</i>	4

1 Name of regulation

This regulation is the *Road Transport (Public Passenger Services) Amendment Regulation 2020 (No 1)*.

2 Commencement

This regulation commences on the 7th day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Road Transport (Public Passenger Services) Regulation 2002*.

4 Section 62 (3) and notes

substitute

- (3) This section does not apply if the animal is—
- (a) a guide-dog or other animal assisting a person with disability; or
 - (b) being trained to assist a person with disability; or
 - (c) an accredited assistance animal.

Note 1 The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

Note 2 The [Domestic Animals Act 2000](#), s 106E, contains offences about not allowing assistance animals in public passenger vehicles.

Note 3 If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 5AA and s 8).

5 Section 70AAD (5) and notes

substitute

- (5) This section does not apply if the animal is—
- (a) a guide-dog or other animal assisting a person with disability; or
 - (b) being trained to assist a person with disability; or
 - (c) an accredited assistance animal.

Note 1 The defendant has an evidential burden in relation to the matters mentioned in s (5) (see [Criminal Code](#), s 58).

Note 2 The [Domestic Animals Act 2000](#), s 106E, contains offences about not allowing assistance animals in public passenger vehicles.

Note 3 If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 5AA and s 8).

6 Section 221W (3) and note

substitute

- (3) This section does not apply if the animal is—
- (a) a guide-dog or other animal assisting a person with disability; or
 - (b) being trained to assist a person with disability; or

(c) an accredited assistance animal.

Note 1 The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

Note 2 The [Domestic Animals Act 2000](#), s 106E, contains offences about not allowing assistance animals in public passenger vehicles.

Note 3 If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 5AA and s 8).

7 Section 227 (3) and note

substitute

(3) This section does not apply if the animal is—

(a) a guide-dog or other animal assisting a person with disability; or

(b) being trained to assist a person with disability; or

(c) an accredited assistance animal.

Note 1 The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

Note 2 The [Domestic Animals Act 2000](#), s 106E, contains offences about not allowing assistance animals in public passenger vehicles.

Note 3 If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 5AA and s 8).

8 Section 296

substitute

296 Carriage of animals in demand responsive service vehicles

- (1) A person commits an offence if—
 - (a) the person travels with an animal in a DRS vehicle; and
 - (b) the animal is not confined in a box, basket or other container.Maximum penalty: 5 penalty units.
- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if the animal is—
 - (a) a guide-dog or other animal assisting a person with disability; or
 - (b) being trained to assist a person with disability; or
 - (c) an accredited assistance animal.

Note 1 The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

Note 2 The [Domestic Animals Act 2000](#), s 106E, contains offences about not allowing assistance animals in public passenger vehicles.

Note 3 If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 5AA and s 8).

9 Dictionary, new definition of *accredited assistance animal*

insert

accredited assistance animal—see the [Domestic Animals Act 2000](#), section 94.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 21 August 2020.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

© Australian Capital Territory 2020