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BLIND PERSONS' RIGHTS ACT

Chapter B-3

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) "blind person" means a person who is blind according to accepted medical standards and dependent on a guide dog or a white cane;
- (b) "guide dog" means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations;
- (b.1) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (c) "white cane" means a cane or walking stick, the whole or the upper 2/3 of which is painted white.

RSA 2000 cB-3 s1;2004 c4 s2

Application of Act

2(1) This Act applies notwithstanding any other Act or any regulation, bylaw or rule made under that Act.

(2) This Act binds the Crown.

RSA 1980 cB-6 s2

White Canes

Use of canes

3 No person other than a blind person shall carry or use a white cane in a public place or public conveyance or other place to which the public is permitted to have access.

RSA 1980 cB-6 s3

Offence and fine

4 A person who contravenes section 3 is guilty of an offence and liable to a fine not exceeding \$250.

RSA 2000 cB-3 s4;2004 c4 s3

Guide Dogs

Discriminatory practices prohibited

5(1) No person, directly or indirectly, alone or with another, by himself or herself or by the interposition of another, shall

- (a) deny to any person the accommodation, services or facilities available in any place to which the public is customarily admitted, or
- (b) discriminate against any person with respect to the accommodation, services or facilities available in any place to which the public is customarily admitted, or the charges for the use of them,

for the reason that the person is a blind person accompanied by a guide dog or a certified dog-trainer accompanied by a dog in training.

(2) No person, directly or indirectly, alone or with another, by himself or herself or by the interposition of another, shall

- (a) deny to any person occupancy of any self-contained dwelling unit, or
- (b) discriminate against any person with respect to any term or condition of occupancy of any self-contained dwelling unit,

for the reason that the person is a blind person keeping or customarily accompanied by a guide dog.

(3) Nothing in this section shall be construed to entitle

- (a) a blind person to require any accommodation, service or facility in respect of a guide dog other than the right to be accompanied by the guide dog, or
- (b) a certified dog-trainer to require any accommodation, service or facility in respect of a dog in training other than the right to be accompanied by the dog in training.

(4) This section does not apply if the blind person does not control the behaviour of the guide dog or the certified dog-trainer does not control the behaviour of the dog in training.

RSA 2000 cB-3 s5;2004 c4 s4

Identification of guide dogs

6(1) The Minister, or a person designated by the Minister in writing, may, on application, issue to a blind person an identification card identifying the blind person and that person's guide dog.

(2) An identification card issued under subsection (1) is proof, in the absence of evidence to the contrary, that the blind person and that person's guide dog identified in it are qualified for the purposes of this Act.

(3) Any person to whom an identification card is issued under subsection (1) shall, on the request of the Minister or the person designated by the Minister, surrender the person's identification card for amendment or cancellation.

RSA 2000 cB-3 s6;2004 c4 s5

Regulations

7 The Minister may make regulations respecting qualifications for guide dogs.

RSA 2000 cB-3 s7;2004 c4 s6

Offences and fines

8(1) A person who contravenes section 5 is guilty of an offence and liable to a fine not exceeding \$3000.

(2) A person who contravenes section 6(3) or who, not being a blind person, purports to be a blind person for the purpose of claiming the benefit of this Act is guilty of an offence and liable to a fine not exceeding \$300.

RSA 2000 cB-3 s8;2004 c4 s7

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