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SERVICE DOGS ACT

Chapter S-7.5

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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) “disabled person” means an individual who has any degree of disability except blindness or visual impairment and is dependent upon a service dog;
 - (b) “Minister” means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act;
 - (c) “service dog” means a dog trained as a guide for a disabled person and having the qualifications prescribed by the regulations.

Application of the Act

- 2(1)** This Act applies notwithstanding any other Act or any regulation, bylaw or rule made under that Act.
- (2)** Nothing in this Act derogates from any right, privilege or obligation of blind persons arising from the *Blind Persons' Rights Act* or any other law.
- (3)** This Act binds the Crown.

Discriminatory practices prohibited

- 3(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 disabled person accompanied by a service 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 disabled person keeping or customarily accompanied by a service dog.

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

- (a) a disabled person to require any accommodation, service or facility in respect of a service dog other than the right to be accompanied by the service 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 disabled person does not control the behaviour of the service dog or the certified dog-trainer does not control the behaviour of the dog in training.

Identification of service dogs

4(1) The Minister, or a person designated by the Minister in writing, may, on application, issue to a disabled person an identification card identifying the disabled person and that person's service dog.

(2) An identification card issued under subsection (1) is proof, in the absence of evidence to the contrary, that the disabled person and that person's service 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.

Regulations

5 The Minister may make regulations respecting qualifications for service dogs.

Offences and fines

6(1) A person who contravenes section 3 is guilty of an offence and liable to a fine not exceeding \$3000.

(2) A person who contravenes section 4(3) or who, not being a disabled person, purports to be a disabled person for the purpose of claiming the benefit of this Act is guilty of an offence and liable to a fine not exceeding \$300.

Amends RSA 2000 cH-14

7 The *Human Rights, Citizenship and Multiculturalism Act* is amended in section 44(1)(l) by adding "service dog," after "guide dog,".

Repeal

8 The *Blind Persons' Rights Amendment Act*, RSA 2000 c7 (Supp), is repealed.

Coming into force

9 This Act comes into force on January 1, 2009.

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