

Dog and Cat Management Board

Accreditation of Assistance Dogs



Government of South Australia
Dog and Cat Management Board

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Policy

1. Legislative Context

Section 21A of the *Dog and Cat Management Act 1995* (the Act) allows the Dog and Cat Management Board (the Board) to accredit an 'assistance dog'.

21A—Accreditation of assistance dogs

- (1) *Subject to this section, a prescribed accreditation body may, on application, accredit a dog, or renew the accreditation of a dog, as an assistance dog.*
- (1a) *A prescribed accreditation body (other than the Board) may only accredit a dog, or renew the accreditation of a dog, of a kind approved by the Board in respect of the prescribed accreditation body.*
- (2) *An application for accreditation must—*
 - (a) *be made to a prescribed accreditation body in the manner and form determined by the prescribed accreditation body; and*
 - (b) *be accompanied by the fee fixed by the Board.*
- (3) *An applicant must provide a prescribed accreditation body with any information required by the prescribed accreditation body for the purpose of determining the application.*
- (4) *Accreditation of a dog remains in force for the life of the dog unless—*
 - (a) *it is revoked by the Board or the prescribed accreditation body that accredited the dog; or*
 - (b) *it is surrendered by the owner of the dog.*
- (5) *The Board must maintain a register of dogs accredited under this section (which may be kept in the form of a computer record) that is to be readily available for public inspection without fee.*
- (6) *The accreditation of a dog may only be revoked if the Board or the prescribed accreditation body that accredited the dog is satisfied that—*
 - (a) *the dog's ill-health, injury or advanced age prevents the dog from carrying out its functions as an assistance dog; or*
 - (b) *the dog is temperamentally unsuitable to continue to be accredited as an assistance dog; or*
 - (c) *the owner of the dog is unable to maintain effective control of the dog (whether by command or by means of physical restraint).*
- (7) *In this section—*

prescribed accreditation body—*the following are prescribed accreditation bodies:*

- (a) *the Board;*
- (b) *The Royal Society for the Blind of SA Inc;*
- (c) *the Guide Dogs Association of South Australia and Northern Territory Inc;*
- (d) *Lions Hearing Dogs Inc;*
- (e) *any other person or body declared by the regulations to be a prescribed accreditation body.*

Accreditation by the Board allows a dog, when accompanied by a disabled person, to access areas that a dog would not ordinarily be allowed e.g. public transport, supermarkets, restaurants etc. This right of access to public places is referred to as 'Public Access Rights'.

2. Policy Statement and Purpose

The Board must ensure all dogs accredited as ‘assistance dogs’ meet high standards of hygiene and behaviour, and that the applicant requires their dog in public places to alleviate the effects of their disability. It is important that only dogs that meet these standards are accredited for access to public places, to ensure the safety of the dog, its handler, and members of the public.

The purpose of this policy is to:

- (a) Set out the requirements that a dog and applicant must meet, for a dog to be accredited as an ‘assistance dog’ by the Board; and
- (b) Ensure that dogs the Board accredits as ‘assistance dogs’ have a high standard of hygiene and behaviour, and are suitable for access to public places where dogs are not normally allowed.

3. Definitions

Applicant (the Handler)	The disabled person applying for their dog to be accredited as an assistance dog and responsible for the control of the assistance dog.
Approved Assessor	A person approved by the Board to assess an applicant and their dog for the Public Access Test
Assistance Dog	A dog trained and used, or undergoing training to be used, for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board
Board Staff	Staff of the Dog and Cat Management Board
Disability	<ul style="list-style-type: none"> – total or partial loss of the person’s bodily or mental functions; or – total or partial loss of a part of the body; or – the presence in the body of organisms causing disease or illness; or – the presence in the body of organisms capable of causing disease or illness; or – the malfunction, malformation or disfigurement of a part of the person’s body; or – a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or – a disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour
Effective Control	Responds to commands at all times
Positive Reinforcement	Encouraging desired behaviour through the use of rewards (food treats, praise, and play) and discouraging unwanted behaviour by removing rewards.
Public Place	A place accessible to the general public
Public Transport	A vehicle accessible to the general public
The Act	<i>The Dog and Cat Management Act 1995</i>
The Board	The Dog and Cat Management Board

4. Scope

This policy applies to the Board and Board Staff involved in assessing applications for assistance dog accreditation and administering the requirements of the Act in regard to 'assistance dogs'. It also applies to Approved Assessors, prospective applicants, and handlers of accredited assistance dogs.

This policy provides background information for Medical Practitioners, Veterinarians, and qualified dog trainers assisting prospective applicants with their application.

Policy Implementation

5. Application Process

Applicants must complete an Application Pack and provide all requested supporting information to the Board. An Application Pack is available from Board Staff.

6. Eligibility – Applicant (the Handler)

To be eligible for the Board's accreditation, an applicant must have a disability (as diagnosed by a registered medical practitioner). Applicants are required to provide the Board with evidence of their disability and evidence that demonstrates they require a dog in public places to assist them to carry out functions or alleviate the effects of their disability.

An applicant must be 18 years of age or older.

7. Eligibility – Dogs

To be eligible for the Board's accreditation, a dog must have completed obedience training with a qualified dog trainer and have reached Level 4 (or equivalent) in obedience training. An applicant will be required to provide a declaration from a qualified dog trainer (who must be a person other than the applicant) as evidence that their dog has reached this level.

For a dog to meet the requirements for Board accreditation they must also:

- Meet high standards of hygiene and behaviour that are appropriate for a dog in a public place (including toileting on command);
- Be desexed, vaccinated, wormed, microchipped, and registered with the local council;
- Be physically healthy and capable of performing in the capacity of an 'assistance dog';
- Walk on the ground whilst on-lead and walk to heel on left or right of handler (dogs which are carried by the owner or are carried in a container or other receptacle are not eligible for the Board's accreditation, except where the applicant is non-ambulatory).

For a dog to meet the requirements for Board accreditation they must not:

- Demonstrate guarding of people, territory, possessions or food;
- Display any inappropriate aggressive behaviour (growling, biting, raising hackles, showing teeth etc) or uncontrollable behaviour;
- Suffer from anxiety, stress, fear, or undue excitement when in public places;

- Be a prescribed breed (Japanese Tosa, Fila Brasileiro, Dogo Argentino, Presa Canario, American Pit Bull) under the Act;
- Be subject to a control dog order under Section 50 of the Act.

8. Public Access Test (PAT)

The dog and applicant (the handler) are required to undertake and pass the Board's Public Access Test (PAT) to receive assistance dog accreditation. All individual items on the PAT must be passed.

The purpose of the PAT is to determine if the handler and dog meet the minimum standard to be considered safe and effective in accessing public places and public transport on a daily basis.

The handler must demonstrate that they can effectively control the dog in public places at all times and interact safely with the public. The dog must demonstrate that it is highly obedient and responsive to the handler's commands, and that its behaviour and hygiene are suitable for public places and pose no safety risks to the public.

Due to the diverse disabilities that require a person to have an assistance dog, the test is conducted to suit each individual case.

The PAT may only be conducted by the Board's Approved Assessor. A PAT conducted by a person other than the Board's Approved Assessor is an invalid test.

There is a fee to undertake the PAT with the Approved Assessor, and payment for the PAT is the responsibility of the applicant. Further information about the fee and details of the PAT assessment are available from Board Staff.

Undertaking the PAT is not a guarantee that the Board will accredit an applicant's dog. The Board reserves the right to decline to accredit any dog. The Board may also place conditions on any dog it accredits. It is important that applicants are aware of these potential outcomes and carefully consider them before undertaking the PAT.

9. Grounds for immediate failure of the PAT

All individual items on the PAT must be passed. A fail mark for any item means the dog has failed the PAT.

The following are grounds for immediate failure of the PAT:

- A dog that displays any inappropriate aggressive behaviour (growling, biting, raising hackles, showing teeth etc.)
- Any dog that urinates or defecates in a building or shows uncontrollable behaviour.
- Any dog that shows a display of guarding of people, territory, possessions or food.
- Any dog or handler who, due to their actions or behaviour, is likely to bring disrepute, i.e. a lack or loss of good reputation or respect, to the dog, approved assessor, or Board.
- Any handler who ill-treats the dog or is not willing to abide by all relevant laws.
- A fail mark in any element of the PAT.

10. Approved Assessor

The Dog and Cat Management Board engages a certified service dog trainer to carry out assessments on its behalf. Prior to the PAT beginning, the Approved Assessor is required to:

- explain each task
- decide when, where and how the testing will be carried out, accounting for the handler's disability
- ensure that the testing process and grounds for termination are understood by the handler

The Approved Assessor reports directly to the Board and must not indicate the outcome of the PAT to the applicant prior to the Board decision. The Approved Assessor must provide the Board a copy of the applicant's completed Public Access Test assessment.

The Approved Assessor can seek a second opinion from a suitably qualified person (dog behaviourist, trainer) as required.

The Approved Assessor must provide the applicant a tax compliant invoice for the fee charged to do the Public Access Test.

11. Termination of the Public Access Test

The Approved Assessor may terminate the PAT at any time if there is a risk to public safety, the handler, or the dog.

The Approved Assessor must immediately terminate the PAT if the dog:

- is found to have health issues that are likely to affect its ability to be an assistance dog
- has a temporary illness or injury on the day of the test which will unfairly affect its ability to perform
- shows signs of stress, fear, or anxiety
- displays inappropriate aggressive behaviour (growling, biting, raising hackles, showing teeth etc.)
- urinates or defecates in a building or shows uncontrollable behaviour.

The Approved Assessor must immediately terminate the PAT if the handler:

- has a temporary illness or injury on the day of the test which will unfairly affect their ability to perform
- inappropriately uses negative reinforcement to maintain control
- is not in control of the dog
- uses a pinch collar, citronella collar or electric collar to maintain control of the dog.

12. Duration of accreditation

Accreditation is for the lifetime of the dog, subject to the condition that the handler and dog undertake and pass the Board's PAT every 2 years, to confirm they still meet the standards required for access to public places.

13. Revocation of accreditation

Under the Act the Board may revoke accreditation if satisfied that:

- the dog's ill-health, injury or advanced age prevents the dog from carrying out its functions as an assistance dog; or
- the dog is temperamentally unsuitable to continue to be accredited as an assistance dog; or
- the owner of the dog is unable to maintain effective control of the dog (whether by command or by means of physical restraint).

The Board may review accredited assistance dogs and if they no longer meet the required standard, will revoke accreditation. The Board can require that an assistance dog is reassessed due to a complaint from the public or the age/health of the dog.

14. Costs associated with accreditation

The applicant is responsible for any costs associated with training and accrediting their dog. The Board is not able to provide funding to applicants.

If an applicant needs financial assistance, they are responsible for independently researching and securing any financial supports that may be available to them (e.g. via disability support organisations).

15. Handler Obligations

The handler of an accredited assistance dog must inform the Board if the dog ceases to be physically or temperamentally fit to continue as an assistance dog, is subject to a control order or is expiated for an attack under the Act.

A handler is required to sign 'terms and conditions' when applying for accreditation and must abide by them if their dog is accredited by the Board.

16. Identification Card

Handlers of Board accredited assistance dogs will be issued a photographic identification card, as proof that the dog is accredited and has public access rights.

The identification card is only valid for the dog and handler whose names and photographs appear on the card when they accompany each other. Accreditation cannot be transferred to another dog or handler.

17. Public Access Rights

Board accreditation provides access for handlers and assistance dogs that access public transport and public places but does not provide access to private property. This includes private and strata title residences.

Board accredited assistance dogs do not automatically have the right to travel in-cabin on aircraft. The Board does not have the power to permit a dog to travel in-cabin on an aircraft because carriage of dogs in aircraft is covered under the Civil Aviation Regulation (1988) 256A.

18. Register of accredited assistance dogs

Under Section 21A (5) of the Act, the Board is required to keep a register of accredited assistance dogs (which may be kept in the form of a computer record) that is readily available for public inspection without fee.

Information about accredited assistance dogs is now held in the Dogs and Cats online (DACO) database. DACO holds a large amount of information about dogs and their owners, not related to this section of the Act. The record that a dog is an accredited assistance dog is a subset of this information.

To avoid doubt, the Board intends that this 'Accreditation of Assistance Dogs' policy will be, to the greatest extent possible, consistent with the SA Government Information Privacy Principles. All personal information is confidential, and will be handled and kept in accordance with these Principles.

The Board has determined, for the purposes of s21A(5) of the Act, that the register of accredited assistance dogs is that subset of the DACO database containing records of dog accredited under section 21(A)1, and only comprise the following fields for each record:

- Dogs name
- Breed
- Suburb
- Date of accreditation.

Grandparent Clause

Dogs and handlers that have been accredited by the Board under a previous policy retain accreditation for the life of the dog, unless the accreditation was granted subject to a specified period or is revoked earlier by the Board under Section 21A of the Act.

19. Accreditation of Species Other than Dogs

Under the Act, the Board can only accredit dogs (canis familiaris).

20. Appeals on Outcome of application

If an applicant wishes to appeal the Board's decision on their application for accreditation, the applicant must put their appeal in writing and address it to the Board Chairperson. The appeal should clearly state the reasons that the applicant is appealing the outcome.