



KNOW YOUR RIGHTS:

DISCRIMINATION AGAINST ASSISTANCE ANIMALS



Refusal of Public Access to an Assistance Animal is a form of Disability Discrimination.

The public access rights of Assistance Animals are protected by Section 9(2) of the Disability Discrimination Act 1992 (Cth).

Refusal of access to areas that pets are prohibited is generally unlawful and/or illegal, except in a range of limited circumstances. Generally, Assistance Animals are not able to enter quarantine facilities (w.g. working farm), food preparation areas (e.g. restaurant kitchen) or sterile surgical suites (e.g. operating theater). However, there are a number of other reasons where a person may legally deny an Assistance Animal entry including:

If the person reasonable suspects that the Assistance Animal has a disease and that discrimination is necessary to protect the health of other animals or humans.

OR

If the person is unable to provide suitable proof that their animal is an Assistance Animal.



WHAT PROOF DO I NEED FOR MY ASSISTANCE ANIMAL?



A handler needs to be able to provide proof that the animal they are accompanied by meets the requirements of an Assistance Animal. This evidence should include some form of proof that:

Their disability meets the definition of disability given by the Disability Discrimination Act 1992 (Cth),

Their animal meets the standards of hygiene and behavior suitable for presence in a public place, and

Their animal is trained in at least one task to alleviate the handler's disability.



CHECK OUT OUR FREE ASSISTANCE ANIMAL AMBASSADORS PROGRAM TO LEARN MORE ABOUT SUITABLE FORMS OF EVIDENCE.

FAQS :



ASSISTANCE ANIMALS IN PUBLIC SPACES

Does my assistance animal need a lead?

An Assistance Animal does not need to work on a lead, however, they must be under the direct control of their handler. Thus, verbal control is acceptable.



Are they required to wear any identification?

An Assistance Animal is not legally required to wear an identifying vest, harness or lead. However, **to receive support from the Working Animals Federation of Australia (WAFA) advocacy service, your Assistance Animal must be displaying the WAFA logo and identification number** at the time the discrimination occurred.





Do I need to be with my assistance animal at all times?

An Assistance Animal does not need to be accompanied by a handler at all times. The animal retains its status as an Assistance Animal if they were previously accompanied by, may be accompanied by or are imputed to be accompanied by the Assistance Animal. This means that the animal retains its status if they are in the company of a secondary handler, if the Assistance Animal is being brought to or away from the primary handler, or if the Assistance Animal is temporarily left at a table in a cafe, for example.

Am I able to find accommodation with an assistance animal?

Further to this, the Equal Opportunities Act 2010 (Cth) makes it unlawful to refuse to provide accommodation to a person with a disability because they have an Assistance Animal. It is also illegal to charge a fee for the Assistance Animal or ask them to keep the Assistance Animal elsewhere. This includes in rented accommodation as well as hotels.

If the Assistance Animal damages any property the handler remains responsible for this cost.





If you experience discrimination due to being accompanied by an Assistance Animal, you can make a report to the **Australian Human Rights Commission** or to the relevant state or territory agency listed below:

NORTHERN TERRITORY (NT)

Anti-Discrimination Act 1996 (NT)

Report to: NT Anti-discrimination Commission

WESTERN AUSTRALIA (WA)

Equal Opportunity Act 1984 (WA)

Report to: WA Equal Opportunity Commission

QUEENSLAND (QLD)

Anti-Discrimination Act 1991 (QLD)

Report to: Queensland Human Rights Commission

SOUTH AUSTRALIA (SA)

Equal Opportunity Act 1984 (SA)

Report to: SA Health & Community Services Complaints Commissioner

VICTORIA (VIC)

Equal Opportunity Act 2010 (VIC)

Report to: Victorian Equal Opportunity & Human Rights Commission

NEW SOUTH WALES (NSW)

Anti-Discrimination Act 1977 (NSW)

Report to: NSW Anti-discrimination Board

TASMANIA (TAS)

Anti-Discrimination Act 1998 (TAS)

Report to: Equal Opportunity Tasmania

**IF YOU REQUIRE SUPPORT YOU CAN CONTACT A
LOCAL DISABILITY ADVOCATE, A COMMUNITY LEGAL
CENTER OR THE WORKING ANIMALS FEDERATION OF
AUSTRALIA (WAFA) FOR SUPPORT.**

**CHECK OUT OUR FREE ASSISTANCE ANIMAL
COMMUNITY EDUCATOR PROGRAM TO LEARN MORE
ABOUT DISCRIMINATION AGAINST ASSISTANCE
ANIMALS.**



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