

1989 BILL 233

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First Session, 22nd Legislature, 38 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 233**

**SERVICE DOGS ACT**

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MR. PAYNE

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 233  
Mr. Payne

## BILL 233

1989

### SERVICE DOGS ACT

(Assented to , 1989)

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

Definitions

1 In this Act,

(a) "handicapped person" means a person who meets the  
definition of handicapped person provided in the regulations;

(b) "service dog" means a dog trained as a guide and  
protector for handicapped persons that has the qualifications  
prescribed by the regulations.

Application

2(1) This Act applies notwithstanding any other enactment.

(2) This Act binds the Crown.

Discriminatory  
practices  
prohibited

3(1) No person, directly or indirectly, alone or with another, by  
himself 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 cus-  
tomarily 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 thereof,

for the reason that he is a handicapped person accompanied by a service dog.

(2) No person, directly or indirectly, alone or with another, by himself 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 he is a handicapped person keeping or customarily accompanied by a service dog.

(3) Nothing in this section shall be construed to entitle a handicapped person to require any service, facility or accommodation in respect of a service dog other than the right to be accompanied by the service dog.

(4) This section does not apply if the handicapped person does not control the behaviour of the service dog.

Identification of  
service dogs

4(1) The Minister of Family and Social Services may, on application therefore, issue to a handicapped person an identification card identifying the handicapped person and his service dog.

(2) An identification card issued under subsection (1) is prima facie proof that the handicapped person and his service dog identified herein 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, surrender his identification card for amendment or cancellation.

Regulations

5 The Lieutenant Governor in Council may make regulations

(a) defining a handicapped person for the purposes of this Act;

(b) prescribing 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 \$1000.

(1) A person who contravenes section 4(3) or who, not being a handicapped person, purports to be a handicapped person for the purpose of claiming the benefit of this Act is guilty of an offence and liable to a fine not exceeding \$100.