

1983 BILL 202

First Session, 20th Legislature, 32 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 202

~~AN ACT TO AMEND THE
BLIND PERSONS RIGHTS ACT.~~

MR. SZWENDER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 202
Mr. Szwender

BILL 202

1983

AN ACT TO AMEND THE BLIND PERSONS' RIGHTS ACT

(Assented to _____, 1983)

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

- 1 *The Blind Persons' Rights Act is amended by this Act.*
- 2 *The title of the Act is struck out and the following is substituted:*

BLIND OR DEAF PERSONS' RIGHTS ACT

- 3 *Section 1 is amended*
 - (a) *by adding the following after clause (a):*
 - (a.1) "deaf person" means a person whose hearing is impaired to a degree that he would benefit from a hearing dog and who is certified as a deaf person for the purposes of this Act by the authority nominated for the purpose by the regulations;
 - (b) *by adding the following after clause (b):*
 - (b.1) "hearing dog" means a dog trained as a guide for a deaf person and having the qualifications prescribed by the regulations;
- 4 *The heading preceding section 5 is struck out and the following is substituted:*

Guide Dogs and Hearing Dogs

- 5 *Section 5 is amended*
 - (a) *by adding "or a deaf person accompanied by a hearing dog" after "guide dog",*

Explanatory Notes

1 This Bill will amend chapter B-6 of the Revised Statutes of Alberta 1980.

2 Amends title.

3 Adds definitions.

4 Amends heading.

5 Section 5 presently reads:

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

(b) in subsection (2) by adding “or deaf person keeping or customarily accompanied by a hearing dog” after “guide dog,

(c) in subsection (3) by adding at the end of it “or a deaf person to require any service, facility or accommodation in respect of a hearing dog other than the right to be accompanied by the hearing dog”, and

(d) in subsection (4) by adding at the end of it “or the deaf person does not control the behaviour of the hearing dog”.

6 Section 6 is amended

(a) by adding the following after subsection (1):

(1.1) The authority nominated by the regulations may, on application therefor, issue to a deaf person an identification card identifying the deaf person and his hearing dog.

and

(b) by repealing subsection (2) and substituting the following:

(2) An identification card issued under subsection (1) or (1.1) is prima facie proof that the person and dog identified therein are qualified for the purposes of this Act.

and

(c) by adding after subsection (3):

(3.1) Any person whom an identification card has been issued under subsection (1.1) shall, on the request of the issuing authority, surrender his identification card for amendment or cancellation.

(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 thereof,

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

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

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

6 Section 6 presently reads:

6(1) The Canadian National Institute for the Blind may, on application therefor, issue to a blind person an identification card identifying the blind person and his guide dog.

(2) An identification card issued under subsection (1) is prima facie proof that the blind person and his guide dog identified therein 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 Canadian National Institute for the Blind, surrender his identification card for amendment or cancellation.

7 *Section 7 is repealed and the following is substituted:*

7 The Lieutenant Governor in Council may make regulations

(a) prescribing the qualifications of guide dogs,

(b) prescribing the qualifications of hearing dogs, and

(c) nominating the authority that may certify persons as being deaf persons and issue identification of deaf persons and hearing dogs.

8 *Section 8(2) is amended by adding “or deaf” after “blind” wherever it occurs.*

9 *This Act comes into force on a date to be fixed by Proclamation.*

7 Section 7 presently reads:

7 The Lieutenant Governor in Council may make regulations prescribing qualifications for guide dogs.

8 Section 8(2) presently reads:

8(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 \$100.

9 Coming into force.