

2000 BILL 219

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Fourth Session, 24th Legislature, 49 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 219**

**BLIND PERSONS' RIGHTS (SERVICE DOGS)  
AMENDMENT ACT, 2000**

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MR. LOUGHEED

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 219

2000

### BLIND PERSONS' RIGHTS (SERVICE DOGS) AMENDMENT ACT, 2000

(Assented to \_\_\_\_\_, 2000)

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

Amends RSA  
1980 cB-6

**1 The *Blind Persons' Rights Act* is amended by this Act.**

**2 The title and chapter number of the Act are repealed  
and the following is substituted:**

#### SERVICE DOGS ACT CHAPTER S-13.4

**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 the person would benefit from a service dog and who is certified as a deaf person for the purposes of this Act by the authority nominated for that purpose by the regulations;

**(b) by repealing clause (b) and substituting the following:**

(b) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

## Explanatory Notes

1 Amends chapter B-6 of the Revised Statutes of Alberta, 1980.

2 Title of the Act and chapter number presently read:

*BLIND PERSONS' RIGHTS ACT*  
*CHAPTER B-6*

3 Section 1 presently reads:

*1 In this Act,*

- (a) "blind person" means a person who is registered as blind with the Canadian National Institute for the Blind, or who, on account of blindness, receives a pension from the Government of Alberta, or who is certified by a qualified eye specialist as having not more than 6/60 vision according to Snellen's Chart in the better eye after correction with glasses;*
- (b) "guide dog" means a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations;*
- (c) "white cane" means a cane or walking stick, the whole or the upper two-thirds of which is painted white.*

(b.1) “person with a disability” means

- (i) a blind person,
- (ii) a deaf person, or
- (iii) a person who is otherwise disabled and is dependent on a service dog or white cane;

(b.2) “service dog” means a service dog

- (i) identified under section 6, or
- (ii) for which a certificate has been issued by an authority prescribed by the regulations

if that animal is used by a person with a disability to avoid hazards or to otherwise compensate for a disability;

**4 The heading preceding section 5 is repealed and the following is substituted:**

#### **Service Dogs**

**5 Section 5(1), (2), (3) and (4) are amended**

- (a) by striking out “blind person” wherever it occurs and substituting “person with a disability”;**
- (b) by striking out “guide dog” wherever it occurs and substituting “service dog”.**

4 The heading preceding section 5 presently reads:

*Guide Dogs*

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*

*(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*

**6 Section 6 is amended**

- (a) in subsection (1) by striking out “guide dog” and substituting “service dog”;**
- (b) by repealing subsections (2) and (3) and by adding the following after subsection (1):**

**(2)** An authority nominated under the regulations may, on application, issue to a person with a disability an identification card identifying the person and the person’s service dog.

**(3)** An identification card issued under subsection (1) or (2) is proof that the person and the service dog identified on the card are qualified for the purposes of this Act.

**(4)** Any person to whom an identification card is issued under subsection (1) or (2) shall, on the request of the Canadian National Institute for the Blind or other authority nominated under the regulations, surrender the identification card for amendment or cancellation.

**(5)** Where there is no relevant authority for a person with a disability to apply, the person may apply to the Minister who may perform the functions of an authority under subsections (2) and (4).

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

*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 presently reads:

Regulations

**7** The Lieutenant Governor in Council may make regulations

- (a) prescribing qualifications for service dogs;
- (b) nominating authorities that may certify a person as being a person with a disability and issue identification cards under section 6(2) to persons with disabilities and service dogs.

**8 Section 8(2) is amended by striking out “blind person” wherever it occurs and substituting “person with a disability”.**

Repeals SA  
1983 c19

**9 The *Blind Persons’ Rights Amendment Act, 1983* is repealed.**

**10 This Act comes into force on Proclamation.**



*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** Repeals chapter 19 of the Statutes of Alberta, 1983.

**10** Coming into force.