

Bill 4

BILL 4

2004

BLIND PERSONS' RIGHTS AMENDMENT ACT, 2004

(Assented to , 2004)

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

Amends RSA 2000 cB-3

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

2 Section 1 is amended

(a) by repealing clause (a) and substituting the following:

(a) "blind person" means a person who is blind according to
accepted medical standards and dependent on a guide
dog or a white cane;

(b) by adding the following after clause (b):

(b.1) "Minister" means the Minister determined under section
16 of the *Government Organization Act* as the Minister
responsible for this Act;

**3 Section 4 is amended by striking out "\$25" and substituting
"\$250".**

4 Section 5 is amended

- (a) in subsection (1) by adding** “or a certified dog-trainer accompanied by a dog in training” **after** “dog”;
- (b) by repealing subsection (3) and substituting the following:**
 - (3)** Nothing in this section shall be construed to entitle
 - (a) a blind person to require any accommodation, service or facility in respect of a guide dog other than the right to be accompanied by the guide dog, or
 - (b) a certified dog-trainer to require any accommodation, service or facility in respect of a dog in training other than the right to be accompanied by the dog in training.
- (c) in subsection (4) by adding** “or the certified dog-trainer does not control the behaviour of the dog in training” **after** “dog”.

5 Section 6 is amended

- (a) in subsection (1) by striking out** “Canadian National Institute for the Blind” **and substituting** “Minister, or a person designated by the Minister in writing,”;
- (b) in subsection (3) by striking out** “Canadian National Institute for the Blind” **and substituting** “Minister or the person designated by the Minister”.

6 Section 7 is repealed and the following is substituted:

Regulations

7 The Minister may make regulations respecting qualifications for guide dogs.

7 Section 8 is amended

- (a) in subsection (1) by striking out “\$1000” and substituting “\$3000”;**
- (b) in subsection (2) by striking out “\$100” and substituting “\$300”.**

Explanatory Notes

1 Amends chapter B-3 of the Revised Statutes of Alberta 2000.

2 Section 1(a) 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;*

3 Section 4 presently reads:

4 A person who contravenes section 3 is guilty of an offence and liable to a fine not exceeding \$25.

4 Section 5 presently reads in part:

5(1) No person, directly or indirectly, alone or with another, by himself or herself 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 of them,*

for the reason that the person is a blind person accompanied by a guide dog.

(3) Nothing in this section shall be construed to entitle a blind person to require any accommodation, service or facility 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.

5 Section 6(1) and (3) presently read:

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

(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 the person's identification card for amendment or cancellation.

6 Section 7 presently reads:

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

7 Section 8 presently reads:

8(1) A person who contravenes section 5 is guilty of an offence and liable to a fine not exceeding \$1000.

(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.