

Assistance Dog Registration Fee Exemption

Implementation Guide for Councils



OFFICIAL

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it.

We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

DEECA is committed to genuinely partnering with Victorian Traditional Owners and Victoria's Aboriginal community to progress their aspirations.



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1. Introduction

1.1 Purpose

This implementation guide provides tools and resources to support councils in implementing the assistance dog registration fee exemption. It contains a:

- brief overview of the exemption conditions
- sample template to enable free registration for an assistance dog
- communications kit to assist council with promoting the scheme in the community.

1.2 Background

Under the *Domestic Animals Act 1994* (DA Act), a visually or hearing-impaired person who keeps and uses a guide dog is exempt from the requirement to pay a fee when registering their dog with council. However, individuals with other types of assistance dog have, until now, been unable to access free registration.

In April 2020, Animal Welfare Victoria (AWV) surveyed councils to better understand their needs, and those of their residents, regarding a registration scheme for assistance dogs. Survey results indicated broad support for enabling free assistance dog registration, while also recognising the

need for some guidance on how to assess dogs as appropriately trained, and their owners as eligible for the fee exemption.

To acknowledge this feedback and the needs of individuals requiring assistance dogs, a Governor in Council (GiC) Order is now in place to exempt assistance dogs from registration fees under the DA Act.

Please note that recognising an assistance dog for the purpose of council registration does not grant that dog automatic public access rights. Public access for assistance dogs is granted via the federal Disability Discrimination Act 1992 (DD Act) and the Equal Opportunities Act 2010 (EO Act). Together, these Acts recognise assistance animals and/or dogs respectively and protect the rights of all people with a disability using assistance dogs in public places.

2. GiC Order – Exemption of assistance dogs from animal registration fees

2.1 Overview

On 21 December 2023, a GiC order was made to exempt a class of animal, being an assistance dog as defined under the EO Act, from the operation of section 14(c)(i) of the DA Act (See Appendix 1).

To be eligible for a registration fee exemption, an assistance dog must:

- be trained to perform tasks or functions that assist a person with a disability to alleviate the effects of his or her disability (as per the EO Act definition)
- be desexed
- be at least 12 months of age
- be proven to have completed obedience training provided by a dog trainer.

Note: *The obedience training can either be completed separately, or as part of the training undertaken to perform tasks or functions that assist the person with a disability to alleviate the effects of their disability.*

The exemption will not apply to:

- an assistance dog that is a declared dangerous, menacing, or restricted breed dog.
- the owner of an assistance dog that has been convicted of two or more offences under the DA Act, with respect to the same assistance dog.

2.2. Definitions

Definitions in the GiC Order must be considered when determining if an applicant is eligible to receive a fee exemption for their assistance dog (see definitions in Appendix 1).

2.3. Eligibility

To be eligible for the registration fee exemption, the person with the disability (or their legal guardian) is required to make an application to register their assistance dog with their council.

An applicant must provide reasonable evidence that:

- they (or their client) have a disability (see definition at Appendix 1) that necessitates an assistance dog
- the assistance dog is trained to alleviate the effect(s) of the disability
- the assistance dog has completed obedience training provided by a dog trainer

Note: *The obedience training can either be completed separately, or as part of the training undertaken to perform tasks or functions that assist the person with a disability to alleviate the effects of their disability.*

- the assistance dog is at least 12 months old
- the assistance dog is desexed.

Obedience training for the purpose of this exemption order means a training program which will assess assistance dogs in the following:

- heeling or walking with a handler, without sniffing, marking or wandering
- sociability with other dogs

- responsiveness to a handler's commands, including staying on command (known as a stay test) and coming to a handler on command (known as a recall test)
- absence of aggression towards humans or other animals
- absence of anxiety, stress, fear, or undue excitement when in public places
- standard of hygiene appropriate for a public place.

The purpose of requiring evidence of obedience training (assessed by a dog trainer – see definitions at Appendix 1), is to ensure that even self-trained assistance dogs can meet the minimum standards of hygiene and behavior appropriate for an animal in a public place.

Councils can direct applicants to one of the 4 Ministerially approved dog obedience training organisations to contact a dog trainer:

- Australian Association of Professional Dog Trainers Inc
- Delta Institute
- The Kintala Dog Club Association Inc.
- Four Paws K9 Training

AWV has prepared a sample template for an assistance dog registration application, designed to capture each of the eligibility criteria (see Appendix 2).

2.4. Assistance dog registration application process

1. A person applies to their council to receive registration fee exemption for their assistance dog.

The application must be made in the form approved by council (refer to sample application form at Appendix 2).

The application must be accompanied by evidence that satisfies the GiC Order's eligibility criteria, as outlined in section 2.3 above. For example:

- a declaration from a health professional that the applicant owner/handler has a disability as defined under the Commonwealth Disability Discrimination Act 1992 and the dog is required to assist them in alleviating the effect(s) of that disability.
- a declaration from a dog trainer that the dog has completed appropriate and adequate dog training in both assistance skills and obedience.
- veterinary advice confirming the assistance dog's birth date and desexing status.

2. Council considers the application in line with provisions of the DA Act and any other conditions set by council.

Council to consider if:

- the applicant has been found guilty of two or more offences under the DA Act with respect to the same assistance dog
- the applicant has provided reasonable evidence of having a disability that necessitates an assistance dog (e.g. a declaration from a health practitioner)
- the applicant has provided reasonable evidence that the assistance dog has been trained to alleviate the effect(s) of the disability
- the applicant has provided reasonable evidence that the assistance dog has completed obedience training (e.g. a declaration from a dog trainer and/or training certificate)
- the assistance dog is a declared menacing, dangerous or restricted breed dog

- the assistance dog is the appropriate age (i.e. at least 12-months old)
- the assistance dog is microchipped
- the assistance dog is desexed.

3. Council make a determination on the assistance dog registration application

If eligibility criteria are satisfied, council issue a registration certificate with no fee payable.

Appendix 1 – Copy of GIC Exemption Order

<https://www.gazette.vic.gov.au/gazette/Gazettes2023/GG2023S696.pdf>

Appendix 2 – Sample assistance dog registration application form

Information and Application form

Under Victorian law, every dog and cat aged three months and older must be registered with the council it resides in. These registrations must be renewed by 10 April each year.

A Governor in Council Order, made under the Domestic Animals Act 1994 (DA Act), is in place to enable assistance dogs to receive free council registration.

If you currently have an assistance dog (other than a guide dog) that has been trained to perform tasks or functions that assist to alleviate the effects of your disability, you may be eligible to receive free registration for your assistance dog.

To receive free registration for an assistance dog, the owner of the dog (or their carer/guardian) must demonstrate that they have a disability as defined under the Commonwealth Disability Discrimination Act 1992 and that the dog is trained to assist them in alleviating the effect(s) of that disability.

In addition to demonstrating the dog's function in alleviating the effects of a disability, an assistance dog must also:

- be desexed
- be microchipped
- be at least 12 months of age
- have completed obedience training provided by a dog trainer

Note: *The obedience training can either be completed separately, or as part of the training undertaken to perform tasks or functions that assist the person with a disability to alleviate the effects of their disability.*

- not be a dangerous, menacing, or restricted breed dog.

For the purposes of the above requirements:

Dog trainer means a person who:

- (a) provides training at a dog obedience training organisation approved under section 5B of the Act; or
- (b) has a Certificate III in Dog Behaviour and Training or Certificate IV in Companion Animal Services.

Obedience training means a training program that assesses an assistance dog in the following:

- (a) heeling or walking with a handler, without sniffing, marking or wandering;
- (b) sociability with other dogs;
- (c) responsiveness to a handler's commands, including staying on command (known as a stay test) and coming to a handler on command (known as a recall test);
- (d) absence of aggression towards humans or other animals;
- (e) absence of anxiety, stress, fear, or undue excitement when in public places; and
- (f) standard of hygiene appropriate for a public place.

Note: *Guide dogs are currently recognised under the DA Act. The recognition provides guide dogs and their handlers with certain public access rights, as well as an automatic exemption from paying council animal registration fees and from certain offences under the DA Act. As such, this assistance dog application is not required for guide dogs.*

Application Form

Providing false information during this application is an offence under the Domestic Animals Act 1994 and carries a penalty of 5 penalty units.

Section 1: Details of dog owner/handler

In this section you will need to provide the details of the dog owner/handler.

Title:	Mr / Mrs / Ms / Miss /Other
First name:	
Surname:	
Date of birth: (DD/MM/YYYY)	
Address:	
Contact Number:	
Email:	
Postal address: (if different to above)	

Where the owner/handler of the assistance dog is under the age of 18, the details of the parent or guardian will need to be provided below.

Parent or guardian details

Title:	Mr / Mrs / Ms / Miss /Other
First name:	
Surname:	
Date of birth: (DD/MM/YYYY)	
Address:	
Contact Number:	
Relationship to applicant:	

Section 2: Details of assistance dog

In this section you will need to provide the details of the dog and training it has received.

Dogs name:	
Breed	
Colour:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Microchip number:	

	Yes	No
Is the dog a declared dangerous, menacing or restricted breed dog?	<input type="checkbox"/>	<input type="checkbox"/>
Is the dog over 12 months of age?	<input type="checkbox"/>	<input type="checkbox"/>
Is the dog desexed?	<input type="checkbox"/>	<input type="checkbox"/>
Has the dog been trained to perform tasks or functions that assist a person with a disability to alleviate the effects of his or her disability?	<input type="checkbox"/>	<input type="checkbox"/>

Please provide the details of the person or organisation that trained your dog to be an assistance dog:

Note: a person may self-train their dog to assist in alleviating the effects of their disability.

Trainer's full name:			
Company Name:			
Contact Number:		Email:	
Qualifications:			

	Yes	No
Has the dog completed obedience training provided by a dog trainer, either separately, or as part of, the training undertaken to perform tasks or functions that assist the person with a disability to alleviate the effects of his or her disability? <i>*attach a copy of the obedience certificate</i>		
Date obedience training was completed	Date:	

Section 3: Dog trainer declaration

This section will need to be completed by the dog trainer upon successful completion of the obedience training

- ☐ I am an independent dog trainer that holds the relevant qualification
- ☐ I am a qualified dog obedience trainer from a dog obedience training organisation approved under the DA Act

Trainer's full name:			
Company / Organisation:			
Contact Number:		Email:	
Qualifications:			
Handler's name:			
Dog's name:			
Date training was successfully completed:			

I declare that the following is true and accurate:

- The handler keeps the dog under effective control at all times; and
- The dog is responsive to a handler's obedience commands; and
- The dog walks to heel with a handler, without sniffing, marking or wandering; and
- The dog does not exhibit inappropriate aggressive behaviour e.g. growling, biting, raising hackles, showing teeth; and
- The dog does not exhibit anxiety, stress, fear, or undue excitement when in public places; and
- The dog displays standards of hygiene appropriate for a public place; and
- I have read all the relevant information contained within this form, and verify that it is correct to the best of my knowledge; and
- I am not the person (applicant) seeking zero-cost registration for my dog.

I support _____ (applicant's name) application for a registration fee exemption for _____ (name of dog) as an 'assistance dog' as defined under the Equal Opportunity Act 2010 and believe the dog is suitably trained and has appropriate behaviour for performing in the capacity of an 'assistance dog' in public places.

Signature: _____

Date: _____

Section 4: Health professional declaration

This section is to be completed by a health professional.

I am currently practicing as a:

<input type="checkbox"/>	Psychologist / Psychiatrist
<input type="checkbox"/>	Physiotherapist / Osteopath
<input type="checkbox"/>	Specialist (specify): _____
<input type="checkbox"/>	Other Allied Health Professional (specify): _____

Health Professional's Name:	
Handler's Name:	
Duration of treatment:	

I declare that the following is true and accurate:

- I am not the applicant, or an immediate family member of the applicant; and
- I have read all the relevant information contained within this form, and verify that it is correct to the best of my knowledge; and
- I verify that the applicant has a disability and will require the services of an assistance dog to alleviate the effects of their disability.

Signature: _____

Date: _____

AHPRA Registration Number: _____

Professional Stamp (Must include name and address)

**Insert professional stamp here*

Please note: Changes in this section can be made only by the health practitioner and accompanied by their signature (not initials) and professional stamp.

Section 5: Assistance Dog Free Registration terms and conditions

It is important that you understand the terms and conditions of the registration fee exemption for assistance dogs before you apply.

The Commonwealth Disability Discrimination Act 1992 and Victoria's Equal Opportunity Act 2010 protect people with disabilities from discrimination. This includes protection from discrimination because a person has an assistance dog. The registration fee exemption does not provide further protections or access rights for assistance dogs, it only entitles an assistance dog to a registration fee exemption with council.

To be eligible for the assistance dog registration fee exemption, it is a requirement that your dog is not:

- a declared dog (menacing or dangerous)
- a restricted breed dog
- younger than 12 months of age.

Your assistance dog must be both obedience trained and trained to alleviate the effects your disability. Obedience training must be provided by a dog trainer, where:

Dog trainer means a person who:

- (a) provides training at a dog obedience training organisation approved under section 5B of the Act; or
- (b) has a Certificate III in Dog Behaviour and Training or Certificate IV in Companion Animal Services.

Obedience training means a training program that assesses an assistance dog in the following:

- (a) heeling or walking with a handler, without sniffing, marking or wandering;
- (b) sociability with other dogs;
- (c) responsiveness to a handler's commands, including staying on command (known as a stay test) and coming to a handler on command (known as a recall test);
- (d) absence of aggression towards humans or other animals;
- (e) absence of anxiety, stress, fear, or undue excitement when in public places; and
- (f) standard of hygiene appropriate for a public place.

If you, as the owner/handler of the assistance dog, are convicted of two or more offences under the DA Act with respect to the same assistance dog, the assistance dog is no longer eligible for the zero-registration fee and you will be required to pay the full registration fee.

It is understood that the applicant accepts the 'Assistance dog free registration terms and conditions' when submitting this application form.

Section 6: Applicant / Guardian / Agent statement

The applicant or the guardian/agent must sign the following.

By signing below, I verify the following:

- I certify that to the best of my knowledge the information in this application is correct
- I have a disability and I require the assistance of an assistance dog
- I accept that my medical practitioner and/or the trainer(s) of my assistance dog may be contacted to verify information provided in this application
- I understand and accept the terms and conditions set out in Section 5 of this form.

Signature of applicant or guardian/agent (must be 18 years and over)

Applicant or guardian/agent signature:	
Date (DD/MM/YYYY):	

If the applicant is under 18 years of age, or is unable to sign the application, the applicant's guardian/agent needs to complete and sign the section below.

Full name of guardian/agent:	
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I declare that I have read and explained the contents of this application to the applicant and that the details set out for the applicant are correct.

Relationship to applicant:	
Phone number:	

Appendix 3 – Council Communications Kit

To assist councils in getting the word out about the assistance dog free registration scheme, AWV has prepared the below communication materials.

For councils that would like further assistance in implementing the assistance dog registration fee exemption, please contact AWV at da.lglo@agriculture.vic.gov.au and we will happily assist.

Newsletter article:

Zero-cost registration fees for assistance dogs

Do you live with a disability and require the help of an assistance dog? If so, you might be eligible to receive free registration for your assistance dog.

In Victoria, everyone is required to register all cats and dogs (over three months of age) housed at their property with their council. Assistance dogs, defined under the *Equal Opportunity Act 2010* as “a dog that is trained to perform tasks or functions that assist a person with a disability to alleviate the effects of his or her disability”, have previously incurred the full registration fee.

Now, provided that certain eligibility criteria are met, assistance dogs can be registered for free. To receive the zero-registration fee, the owner of an assistance dog must apply to their council, providing evidence of their disability and need for an assistance dog, and evidence that their assistance dog has undertaken training in both assistance skills and obedience.

To find out more, including if you are eligible to receive free registration for your assistance dog, please go to *[web address]* or contact us at *[insert email address]*.

Facebook/ Instagram text:

Do you live with a disability and require the help of an assistance dog? If so, you might be eligible to receive free registration for your assistance dog.

Now, provided that certain eligibility criteria are met, assistance dogs can be registered for free. To find out more, including if you are eligible to receive free registration for your assistance dog, please go to *[web address]* or contact **[council]**.

X:

Do you live with a disability and require the help of an assistance dog? If so, you might be eligible to receive free dog registration for your assistance dog. To find out more, contact **[council]**. #assistancedogs #servicedogs **[link to website]**

