



Australian Government
Department of Social Services

National Principles for the regulation of Assistance Animals

Consultation paper



The Department of Social Services (the department) is seeking your input on draft National Principles for the regulation of Assistance Animals. This paper explains what the draft Assistance Animal Principles are, how they were developed and what they will do.

The department would like to know your thoughts about the Assistance Animal Principles. Your feedback will help improve the principles and guide our future work.

How to respond

You can respond to this consultation paper by completing the guided consultation questions, which are available on DSS Engage: <https://engage.dss.gov.au/assistance-animal-national-principles>

You can also provide a written submission this way.

If you have any issues responding via DSS Engage or you prefer to respond another way, here are some other ways you can contact us:

By email: sector.engagement@dss.gov.au

Write to us:

Assistance Animal Principles
Advocacy and Inclusion Programs Branch
Department of Social Services
GPO Box 9820
In your capital city

Enquiries: All enquiries should be sent to Sector.Engagement@dss.gov.au

Subscribe: To stay informed throughout this consultation process please subscribe to engage.dss.gov.au

The department may publish submissions to this consultation. If you make a written submission, you will be asked to specify whether you would like your submission:

- to be published under your name
- to be published anonymously
- not to be published at all.

For further information about your privacy, please refer to the department's privacy policy at www.dss.gov.au/using-our-website/privacy-policy

Introduction

Assistance animals are trained to support the independence and wellbeing of people with disability in their daily lives. Assistance animals provide functional support for a range of experiences, including sensory, physical and psychosocial disability. They play a significant role in enabling a person with disability to live independently and do day-to-day tasks.

Section 9(2) of the *Disability Discrimination Act 1992* (Act) defines an assistance animal as a dog or other animal that is:

- (a) accredited under a law of a state or territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or
- (b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph¹; or
- (c) trained:
 - (i) to assist a person with a disability to alleviate the effect of the disability; and
 - (ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Not all states and territories provide for the accreditation of assistance animals under section 9(2)(a) of the Act, and the current requirements differ by state/territory. As assistance animals are intended to provide independent access to community anywhere in Australia, it is important to ensure there are consistent rules across states and territories.

Assistance animal users experience issues including lack of recognition and refusal. National consistency will make life easier for assistance animal users and reduce confusion for businesses and services. It will make it easier to understand whether or not an animal meets the requirements, when trying to access public and private settings. It will also make it easier for people to travel with confidence that their assistance animal will be recognised.

How were the Assistance Animal Principles developed?

Public consultation on existing arrangements for assistance animals took place between March and May 2021, through DSS Engage. The 2021 consultation asked about issues from different state and territory assistance animal regulation and legislation.

This consultation received 545 responses. Respondents had clear expectations about the elements that should be in national Assistance Animal Principles.

¹ Despite section 9(2)(b) of the DDA, the Australian Government has not specified organisations or regulations in relation to accrediting assistance animals, so people with disability who make use of assistance animals must rely on sections 9(2)(a) or 9(2)(c) of the DDA.

Based on the 2021 feedback, the Australian Government worked with states, territories and other government agencies to develop draft National Principles for the regulation of Assistance Animals. The draft Assistance Animal Principles are:

1. nationally consistent accreditation requirements for assistance animal trainers and/or training organisations
2. nationally consistent minimum assistance animal training standards
3. a single national Public Access Test for assistance animals
4. nationally consistent requirements for evidence of disability and a need for an assistance animal
5. national identity card and logo, and
6. wellbeing of the assistance animal, including during and after its working life.

The purpose of each principle is explained below in the section 'Draft Assistance Animal Principles'.

Assistance dogs or assistance animals?

The definition of assistance animal given in the Act does not restrict the type of assistance animal that may be recognised. Consistent with this approach, the Assistance Animal Principles do not refer to the type of animal. However, dogs are the most common type of assistance animal in Australia and the most widely recognised. Training organisations and sources of funding for assistance animals are also specific to assistance dogs. The department recognises that the main goal for state and territory regulation will be to provide accreditation for assistance dogs. This does not stop other types of assistance animals being recognised. These animals will continue to be recognised (and protected) under the definition in the Act.

Draft Assistance Animal Principles

1. Nationally consistent accreditation requirements for assistance animal trainers and/or training organisations

Nationally consistent accreditation will ensure trainers (and the assistance animals they train) are recognised and accepted across Australia. Accreditation requirements should recognise the complexity of assistance animal training. This includes the need for a good match between the assistance animal user and the animal, considering the user's specific needs.

Without national consistency, assistance animal trainers may be inclined to operate only in some areas based on their preferred training criteria. While mainstream businesses may seek to only recognise animals trained to higher standards. Assistance animal users may obtain an animal in good faith only to learn that it does not meet requirements in their area.

2. Minimum assistance animal training standards

Minimum training standards would:

- provide the sector with confidence and consistency
- help ensure assistance animal users can make informed choices about their supports from a range of trusted trainers
- assure businesses, the public and assistance animal users that animals are appropriately trained and safe in public.

3. A single national Public Access Test for assistance animals

A Public Access Test (PAT) is when an assistance animal must complete tasks safely and without distraction. PATs show that assistance animals have been appropriately selected and trained to remain under control and behave predictably in public, such as on trains and in shopping centres. All accredited assistance animals should complete a PAT and other training requirements.

Assistance animals should be reassessed regularly. This would ensure the animal continues to meet public standards of behaviour. It would also provide an opportunity to identify any animal welfare concerns.

4. Evidence of disability and a need for an assistance animal

Section 54A(5) of the Act shows that it is not discriminatory to ask a person with disability to show evidence that the animal is an assistance animal. Currently, there is no guidance on the suitable type of documentation, and each state and territory sets their own requirements. Consistent evidence

requirements across Australia will ensure that all assistance animal users can expect equal and fair treatment.

Respondents to the 2021 consultation were concerned about businesses asking assistance animal users to provide evidence. To address these concerns, evidence should show that the assistance animal user has a disability and the animal has been trained to support the person. Ensuring that this evidence is only collected once, when the animal is matched with their user, will remove the need for businesses to do any separate check.

5. National identity card and logo

Consistent national branding will give assistance animal users the confidence that their right to have the animal with them will be recognised and upheld. A single card recognised across Australia will simplify messaging, and help ensure businesses understand and comply with access requirements. By providing a clear 'official' indicator, a national card will also help provide certainty that assistance animal users have a right to their animals, counteracting anecdotes of 'fake' assistance animals.

The national identity card will be available to users who need an assistance animal and provide appropriate evidence that their assistance animal:

- is trained to the agreed standards
- has passed the PAT
- will help them to overcome barriers to access the community.

6. Animal welfare

Assistance animals have the same protections as all animals, set out in state and territory animal welfare legislation. Ensuring positive animal welfare outcomes includes:

- choosing a suitable individual animal
- the use of humane, reward-based training and handling practices
- appropriate care
- ensuring the animal is only needed to provide help consistent with their abilities and training.

Species and breed selection is an important part of assistance animal welfare. An animal must be able to manage all circumstances and public spaces. For instance, a small animal could be in danger in large crowds, or a large animal may not be able to be appropriately accommodated in all public situations. Additionally, appropriate handling practices could include a limit of one animal per user when travelling on public transport.

Nationally consistent messaging about animal welfare will also help ensure that anyone getting an assistance animal has a realistic understanding of their abilities and limits. This would also cover their responsibility to provide an appropriate level of care that meets the physical and mental needs of their animal. This would include preparing for the animal's welfare when they have come to the end of their life as an assistance animal.

Implementing the principles

We want your feedback on the Assistance Animal Principles and the proposed approach. We will use this information to refine the National Principles for the regulation of Assistance Animals.

We will publish a consultation report to explain what we heard and how your feedback was used. Information collected, including any identifying information, will be treated in line with privacy requirements.

The final version of the principles will go to Australian, state and territory disability Ministers for their agreement.

The principles will not be legally binding. However, once Ministers have agreed to the principles, it will be the responsibility of state and territory governments to work to implement them.

Since each state and territory is starting from a different point, they will need to establish their timeframe for implementation.

This may just involve assessing their current accreditation against the principles and seeking agreement on an identity card. Other jurisdictions may need to draft or change legislation, and setup new functions for accreditation and assessment.

The department will continue to work with states and territories, and share public information about the various timeframes and status.

More information

The public consultation will be open from Friday, 7 March to Sunday, 1 June 2025.

You can respond to this consultation paper by completing the guided questions, which are available on DSS Engage: <https://engage.dss.gov.au/assistance-animal-national-principles>

You can also provide a written submission via that link.

If you have any questions or concerns, please contact our team: sector.engagement@dss.gov.au