

**Ministry of Community and
Social Services**

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September 6, 2007

Dear Mr. Platt,

Thank you for contacting the Accessibility Directorate of Ontario regarding the regulations governing service dogs in Ontario.

As you know, Bill 215, the Blind Persons' Rights Amendment Act, passed first reading on April 18, 2007. Under this Bill, the definition of a service dog is added to the Act and denotes *a dog trained to provide service for a person with a disability who is not a blind person and having the qualifications prescribed by the regulations made under the Act*. With respect to the licensing of service dogs, the Act states that *the Attorney General or an officer of his or her Ministry designated by the Attorney General in writing may, upon application, issue to a person with a disability an identification card identifying the person and his or her guide dog or service dog, as the case may be*. For updated information on the progress of the bill, you may wish to consult the Legislative Assembly of Ontario webpage, listed below.

In addition to Bill 215, there are existing pieces of legislation that address the rights of service dog owners in Ontario. As you may know, in June of 2005 the Ontario government passed the Accessibility for Ontarians with Disabilities Act (AODA). The purpose of the AODA is to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises by 2025, by developing, implementing and enforcing accessibility standards. Standards will be set in both the public and private sectors to address the full range of disabilities – including physical, sensory, mental health, developmental and learning.

Under the Ontario Human Rights Code individuals and organizations are prohibited from discriminating against persons with disabilities by refusing entry or access to a building, premise, or a good or service because a person requires the accompaniment of a guide/service dog due to a disability. The law requires access for both persons who require a guide/service dog due to a mental disability as well as those who require the use of a guide/service dog due to a physical disability. Individuals and organizations that refuse entry to persons who require the use of a guide/service dog due to a disability could be subject to a human rights complaint.

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There are also regulations regarding food premises set out in the Health Promotion and Protection Act which state that a person who requires a service dog who is not a person who is blind or has a visual disability can enter a restaurant with the service dog and the restaurant cannot refuse service if the customer can provide a letter from a physician or nurse confirming that he/she requires a service dog or it is readily apparent to an average person that the dog functions as a service dog for a person with a medical disability.

Finally, the first standard to be implemented under the AODA is an accessibility standard on customer service. The *Accessibility Standards for Customer Service Regulation* became law on August 11, 2007 and will come into force on January 1st, 2008. Under the regulation, if a person with a disability is accompanied by a guide dog or other service animal, the provider of goods or services shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises. For detailed information on the Customer Service Regulation, you may consult the e-laws website below.

Thank you again for your interest in accessibility for all Ontarians.

Sincerely,

Nadia Temple
Director, Public Education and Partnerships Branch
Accessibility Directorate of Ontario
Ministry of Community and Social Services

Bill 215: The Blind Persons' Rights Amendment Act, 2007

http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=1620&detailPage=bills_detail_status

Accessibility Standards for Customer Service Regulation:

http://www.e-laws.gov.on.ca/html/source/regs/english/2007/elaws_src_regs_r07429_e.htm

Ontario Human Rights Code

You can contact the Ontario Human Rights Commission at:

Toll Free (outside Toronto Area): 1-800-387-9080

E-mail: info@ohrc.on.ca

Health Promotion and Protection Act: Regulation Regarding Food premises

Toll free: 1-800-268-1154

In Toronto: 416-314-5518