

GUIDE DOGS AND RETAIL FOOD BUSINESSES

Working guide dogs are assistance animals and, by law, are allowed access to any public dining area in cafés, restaurants, pubs and clubs.

Obligations of a food business

If a guide dog is in a harness it means it is working and assisting a person who is blind, or has impaired vision, to move around safely and independently.

Refusing a harnessed guide dog entry to areas used by customers, such as an indoor or outdoor dining area of a café or restaurant, is illegal and may result in fines for the business owner.

This is legislated under:

- *Disability Discrimination Act 1992*
- *Companion Animals Act 1998 (NSW)*
- Australia New Zealand Food Standards Code

Current requirements

In NSW, working guide dogs and their users are allowed entry to any public area used by customers, such as:

- indoor or outdoor dining areas of a café or restaurant,
- public bars

- supermarkets
- servery areas of kiosks, fast food outlets etc.

Guide dogs are **not allowed** to enter areas that are off limits to the general public, e.g. kitchens, food preparation areas and food storage areas.

Food business owners may allow other dogs (i.e. not assistance animals) into outdoor dining areas of a café or restaurant under certain circumstances. Contact the NSW Food Authority or your local council for more information.

Guide dogs welcome here

In 2010, a Guide Dogs NSW/ACT survey found that:

- almost 30% of people who use a guide dog were refused entry to a restaurant in the past year, and
- 34% of guide dog users had experienced unfair treatment in a restaurant or café in the past year.

Guide Dogs NSW/ACT, supported by the NSW Food Authority, developed an education campaign called 'Guide dogs welcome here' to

remind café and restaurant owners of their legal obligations in relation to guide dogs.

The campaign encouraged food businesses to place a sticker on the window of their premises to show support for, and stop discrimination against, guide dogs users.

More information

- visit the Food Authority website at www.foodauthority.com.au
- phone the helpline on 1300 552 406
- phone your local council (for further information on assistance animals)
- visit the Guide Dogs NSW/ACT website at www.guidedogs.com.au
- *Disability Discrimination Act 1992* (Section 9 & 23) at www.comlaw.gov.au/Details/C2013C00022
- *Companion Animals Act 1998* (NSW) (Sections 14, 59 & 60) at www.austlii.edu.au/au/legis/nsw/consol_act/caa1998174/
- Australia New Zealand Food Standards Code (Chapter 3) at www.foodstandards.gov.au/code/Pages/default.aspx



Department of
Primary Industries
Food Authority



About the NSW Food Authority: The NSW Food Authority is the government organisation that helps ensure NSW food is safe and correctly labelled. It works with consumers, industry and other government organisations to minimise food poisoning by providing information about and regulating the safe production, storage, transport, promotion and preparation of food.

Note: This information is a general summary and cannot cover all situations. Food businesses are required to comply with all of the provisions of the Food Standards Code and the *Food Act 2003* (NSW).



Department of
Primary Industries
Food Authority

6 Avenue of the Americas, Newington NSW 2127

PO Box 6682, Silverwater NSW 1811

T 1300 552 406

contact@foodauthority.nsw.gov.au

ABN 47 080 404 416

More resources at foodauthority.nsw.gov.au



[nswfoodauthority](https://www.facebook.com/nswfoodauthority)



[nswfoodauth](https://twitter.com/nswfoodauth)

February 2016
NSW/FA/F1152/1602