

GUERNSEY STATUTORY INSTRUMENT

2023 No.52

**The Prevention of Discrimination (Animals) (Guernsey)
Regulations, 2023**

<i>Made</i>	<i>26th July, 2023</i>
<i>Coming into operation</i>	<i>1st October, 2023</i>
<i>Approved by the States</i>	<i>, 2023</i>

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred upon it by section 75 of and paragraphs 15 and 47 of the Schedule to the Prevention of Discrimination (Guernsey) Ordinance, 2022^a, section 20 of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016^b, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Animals.

1. The following organisations are prescribed for the purposes of paragraph 15(3) of the Schedule to the Prevention of Discrimination (Guernsey) Ordinance, 2022 (the "**Schedule**") -

^a Ordinance No. XVIII of 2022.

^b Order in Council no V of 2018; this enactment has been amended.

- (a) any organisation which is an accredited member of Assistance Dogs International as published on the website of Assistance Dogs International from time to time, and
- (b) any organisation which is a member organisation of the International Guide Dog Federation as published on the website of the International Guide Dog Federation from time to time.

Amendment of Schedule.

2. In the Schedule, for paragraph 15(2) and (3) substitute -

"(2) The criteria are that the animal is an assistance dog (or other animal prescribed for the purposes of this paragraph by regulations of the Committee) which has been trained by a prescribed organisation.

(3) In this paragraph –

- (a) "**assistance dog**" means a dog which has been specifically trained to do work for a disabled person which compensates for or removes the effects of the person's disability, for instance a dog which has been trained to—
 - (i) guide a visually impaired person,
 - (ii) assist a hearing impaired person,

- (iii) assist a person with epilepsy or diabetes,
- (iv) provide a disabled person with medical alert services, or
- (v) assist a disabled person who has an impairment that affects the person's mobility, manual dexterity, physical coordination or ability to move everyday objects,

and, for the avoidance of doubt, does not include a dog which is used by a person solely for the purposes of protection, personal defence or comfort, and

- (b) a "**prescribed organisation**" is an organisation which trains dogs or other animals which has been prescribed for the purposes of this paragraph by regulations of the Committee."

Amendment of Ordinance.

3. In section 72 of the Prevention of Discrimination (Guernsey) Ordinance, 2022, in the appropriate place, insert—

"**assistance dog**": see paragraph 15 of the Schedule,".

Extent.

4. These Regulations shall have effect in the Islands of Guernsey, Herm and Jethou.

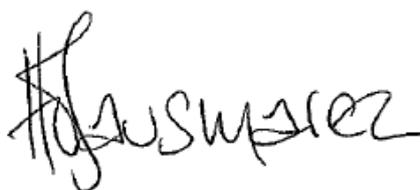
Citation.

5. These Regulations may be cited as the Prevention of Discrimination (Animals) (Guernsey) Regulations, 2023.

Commencement.

6. These Regulations shall come into force on 1st October, 2023.

Dated this 26th day of July 2023

A handwritten signature in black ink, appearing to read 'H. L. DE SAUSMAREZ', with a stylized initial 'H'.

H. L. DE SAUSMAREZ

Vice President of the Committee for Employment & Social Security

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 1 prescribes certain organisations which train assistance dogs to assist people with disabilities. A person who places restrictions on assistance dogs which have been trained by these organisations to assist a disabled person may contravene the Prevention of Discrimination (Guernsey) Ordinance, 2022. However, restrictions

may be placed on other animals, dogs which have been trained other than by the prescribed organisations, or dogs which are not assistance dogs.

Regulation 2 amends the Schedule to the Prevention of Discrimination (Guernsey) Ordinance, 2022. The effect of the regulation is that assistance dogs which have been trained by a prescribed organisation are not allowed to be restricted, whatever the disability the dog has been trained to assist with. Some examples are given. The definition expressly excludes dogs that are used for purposes not directly connected with a person's disability, for instance for comfort or protection.

If approved by the States, the Regulations will come into force on 1st October 2023.