

Guidelines on the Use of Assistance Animals in the West Kowloon Cultural District (Public Open Spaces)

An assistance animal is a dog that is individually trained to do work or perform tasks for a person with a disability.

The Authority will permit assistance animals to accompany people with disabilities in all areas where members of the public are allowed to go.

How “Assistance Animal” Is Defined

As there is no statutory definition of assistance animal in Hong Kong, the Authority has decided to adapt a non-statutory definition based on various statutory definitions from abroad.

For the Authority’s purposes assistance animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are visually impaired, alerting people who are deaf, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. In line with overseas practise the Authority has elected not to recognize “Emotional Assistance Animals” as Assistance Animals for the purposes of the By-law and these Guidelines.

Assistance animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to a person’s disability.

Where Assistance Animals Are Allowed

Assistance animals may accompany people with disabilities in all areas of the Public Open Space and where the public is normally allowed to go, including for the avoidance of doubt food and beverage areas under the control of the Authority’s staff, toilets etc.

Assistance Animals Must Be Under Control

Assistance animals must be harnessed, leashed, or tethered, unless these devices interfere with the assistance animal’s work or the individual’s disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Assistance Animals

When it is not obvious what assistance an animal provides, only limited inquiries are allowed. Staff may ask two questions:

- (1) is the dog an assistance animal required because of a disability; and
- (2) what work or task has the dog been trained to perform?

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using assistance animals.

A person with a disability cannot be asked to remove his assistance animal from the premises unless:

- (1) the dog is out of control and the handler does not take effective action to control it;
- or
- (2) the dog is not housetrained.

People with disabilities who use assistance animals cannot be isolated from other patrons, treated less favourably than other patrons, or charged fees that are not charged to other patrons without animals.

The Authority's staff are not required to provide care or food for an assistance animal.