

**ANTIGUA AND BARBUDA**



**DISABILITIES AND EQUAL OPPORTUNITIES (AMENDMENT) BILL 2025**

**No. of 2025**



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**No. of 2025**

**AN ACT** to amend the Disabilities and Equal Opportunities Act, 2017 to make provision for the use, certification, monitoring, and regulation of guide dogs and service dogs by persons with disabilities and for connected matters.

**ENACTED** by the Parliament of Antigua and Barbuda as follows—

**1. Short title**

This Act may be cited as the Disabilities and Equal Opportunities (Amendment) Act, 2025.

**2. Interpretation**

In this Act –

“principal Act” means the Disabilities and Equal Opportunities Act, 2017.

**3. Amendment of Section 2 -Interpretation**

The “principal Act” is amended in section 2 by inserting the following new definitions in the appropriate alphabetical order:

“certified” in relation to a guide or service dog, means registered and certified by the Council under this Act, having passed the mandatory public safety and behaviour assessment prescribed by the Council;

“guide dog” means a dog that has been trained to assist a person who is blind or visually impaired;

"service dog" means a dog that has been trained to perform specific tasks for the benefit of a person with a disability, and includes a guide dog;

"service dog team" means a person with a disability and a certified service dog that work together as a unit;

"recognized foreign certification" means certification of a service dog issued by an authority, organization, or training institution recognized by the Council for the purposes of this Act.

#### **4. Amendment of Section 5 – Functions of the Council**

Section 5 of the principal Act is amended in subsection (1) by inserting after paragraph (g) the following new paragraphs —

“(ga) to develop and maintain a system of registration, assessment and certification of service dogs;

(gb) set procedures for the acceptance of foreign certification for service dogs used by a person with a disability.”

#### **5. Insertion of new Part VIIIA into the principal Act – Registration and Use Of Service Dogs**

The principal Act is amended by inserting the following new Part immediately at the end of Part VIII:

### **PART VIIIA**

#### **REGISTRATION AND USE OF SERVICE DOGS**

##### **26A. Registration of Guide Dogs and Service Dogs**

- (1) A person with a disability who is registered under this Act and who needs to make use of the assistance of a service dog shall apply to the Council to register that dog in accordance with this section.
- (2) The Council shall maintain a Register of Guide Dogs and Service Dogs utilized by persons with disabilities.
- (3) An application for registration shall include:
  - (a) the dog’s name;
  - (b) the dog’s breed;
  - (c) proof of the dog’s specialized training;
  - (d) proof of the dog’s current vaccinations and health records;
  - (e) the name of the person who will utilize the service dog; and
  - (f) any other particulars as prescribed by the Council.

- (4) Every registered service dog shall be issued with an identifiable tag and a Certificate of Registration, stating the dog's name, breed, registration number, and the name of the person who will be assisted by the service dog.
- (5) A person with a disability who visits Antigua and Barbuda with a service dog for a period not exceeding six (6) months, shall not be required to register the service dog with the Council, provided the visitor presents, at the time of entry, a recognized foreign certification.
- (6) A visitor referred to in subsection (5) shall be entitled to reasonable access during their stay, in accordance with this Act.
- (7) The Council may, by notice published in the Gazette, prescribe additional reasonable conditions for temporary visitors, including proof of entry date and intended duration of stay.
- (8) Nothing in this Act requires access to areas where the presence of animals is prohibited by law or where such presence poses a demonstrable risk that cannot reasonably be mitigated.
- (9) Nothing in this section exempts any person from compliance with any other law in force in Antigua and Barbuda governing the importation, entry, or movement of animals, including dogs, into the State of Antigua and Barbuda.”

**26B. Access with Service Dogs**

- (1) A person with a disability accompanied by a registered or certified service dog shall have the same right as any other person to enter, use, and enjoy any public place or space and any public transportation, accommodation, building, facility or service.
- (2) A person shall not deny or caused to be denied to a person with a disability, access to any place, accommodation, building, facility, service, or means of transport that is accessible to the public generally, on the basis that the person is accompanied by a registered or certified service dog.
- (3) The presence of a registered or certified service dog shall not be refused solely on the basis of—
  - (a) another person's allergies;
  - (b) fear of dogs; or
  - (c) the premises being a food service establishment, unless the dog poses a significant and demonstrable risk to health or public safety that cannot be mitigated by reasonable adjustments.

**26C. Certification and Public Safety Assessment**

- (1) A service dog shall not be certified under this Act unless it has passed a mandatory public safety and behaviour assessment in accordance with standards prescribed by the Council.
- (2) The Council shall establish and publish—
  - (a) assessment criteria and performance standards for certification;
  - (b) requirements for periodic renewal of certification;
  - (c) circumstances for suspension or revocation of certification.

**26D. Recognition of Foreign Certifications**

- (1) The Council may recognize foreign certifications from authorities, organizations, or institutions approved by the Council.
- (2) A person who is lawfully in Antigua and Barbuda and is accompanied by a service dog with recognised foreign certification has, for the duration of their stay, the same rights under this Act as a person accompanied by a service dog certified under this Act.

**26E. Identification and Production of Certification**

A person exercising the right of access under section 26B shall, upon reasonable request, produce—

- (a) the Certificate of Registration issued under section 26A; or
- (b) recognized foreign certification referred to in section 26A and 26D.

**26F. Duty To Maintain Control And Responsibility**

- (1) A person with a disability who is accompanied by a certified service dog shall at all times maintain reasonable control over the dog in public places.
- (2) The person referred to in subsection (1) shall take reasonable steps to ensure that the dog does not—
  - (a) cause injury to any person; or
  - (b) cause damage to property.

- (3) Nothing in this Act prevents or limits the extent of any liability of the owner or user of a registered or certified service dog for personal injury caused by the registered or certified service dog to any person.

**26G. No Additional Charges**

- (1) A person shall not impose any additional charge, term, or condition on a person with a disability for being accompanied by a certified guide dog or service dog.
- (2) Nothing in this section prevents a person from seeking to recover damages from the owner or person in control of the service dog for any loss or damage caused by the service dog.

**26H. Offences**

- (1) A person who contravenes section 26A or 26B or 26F commits an offence and is liable on summary conviction—
  - (a) for a first offence, to a fine not exceeding five thousand dollars (\$5,000); or
  - (b) for a second or subsequent offence, to a fine not exceeding ten thousand dollars (\$10,000).
- (2) A person who falsely represents a dog as a certified service dog commits an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000).

Passed the House of Representatives on  
The     day of                     , 2025.

Passed the Senate on the     day of  
   , 2025.

*Speaker*

*President*

*Clerk to the House of Representatives*

*Clerk to the Senate*

## **EXPLANATORY MEMORANDUM**

This Bill seeks to amend the Disabilities and Equal Opportunities Act, 2017 to create a clear, modern framework for the registration, certification, access rights, and use of guide dogs and service dogs by persons with disabilities in Antigua and Barbuda. The Bill provides definitions for key terms and expands the functions of the Disabilities Council to include maintaining a register of certified guide dogs and service dogs, prescribing assessment criteria, and recognizing foreign certifications. The Bill introduces a new Part VIII A – Registration and Use of Service Dogs, which consolidates and comprehensively governs the process for registration, certification, and recognition of guide dogs and service dogs, as well as related rights and responsibilities.

The Bill also provides for the exemption of temporary visitors from local registration requirements, provided they present recognized foreign certification and valid veterinary documentation. The rights of persons accompanied by such dogs are protected under the Act. The Bill prohibits denial of access, imposition of additional charges, or discriminatory treatment against persons with disabilities using certified or recognized service dogs and guide dogs. The Bill creates offences and establishes penalties for non-compliance and for falsely representing a dog as certified.

### **CLAUSE-BY-CLAUSE ANALYSIS**

#### **Clause 1 – Short title and commencement**

This clause provides the short title of the Act as the Disabilities and Equal Opportunities (Amendment) Act, 2025.

#### **Clause 2 – Interpretation**

This clause clarifies that references to the “principal Act” mean the Disabilities and Equal Opportunities Act, 2017, ensuring clarity and consistency throughout the amending legislation.

#### **Clause 3 – Amendment of Section 2 – Interpretation**

This clause inserts new definitions into section 2 of the principal Act, including “certified”, “guide dog”, “reasonable access”, “service dog”, “service dog team”, and “recognised foreign certification”. These definitions are necessary to support the new Part VIII A and to ensure the clear application of rights, obligations, and procedures concerning service dogs and guide dogs.

**Clause 4 – Amendment of Section 5 – Functions of the Council**

This clause amends section 5 of the principal Act to include additional responsibilities for the Disabilities Council. These new functions include maintaining a register of certified service and guide dogs, prescribing certification criteria and public safety standards, recognising foreign certifications, and ensuring compliance with the newly created Part VIII A.

**Clause 5 – Insertion of new Part VIII A – Registration and Use of Service Dogs**

This clause introduces a new Part VIII A into the principal Act, which consolidates and comprehensively governs all matters relating to service dogs and guide dogs.

- **Section 26A – Registration of Guide Dogs and Service Dogs**

Establishes the requirement for local registration of service dogs and guide dogs by the Disabilities Council, and outlines the application process. It also exempts temporary visitors staying for up to six months who present recognised foreign certification and a valid veterinary certificate.

- **Section 26B – Access with Guide Dogs and Service Dogs**

Affirms the right of persons with disabilities to access public spaces with certified or recognised dogs, and restricts denial based on allergies, fear, or food service context, unless a demonstrable risk exists.

- **Section 26C – Certification and Public Safety Assessment**

Establishes the requirement for mandatory public safety and behaviour assessments for certification. Empowers the Council to set criteria for certification, renewal, suspension, and revocation.

- **Section 26D – Recognition of Foreign Certifications**

Enables the Council to recognise certifications issued by approved foreign authorities and grants the same access rights for the duration of a lawful stay.

- **Section 26E – Identification and Production of Certification**

Requires production of local registration or recognised foreign certification upon reasonable request.

- **Section 26F – Duty to Maintain Control and Responsibility**

Requires persons with disabilities to maintain control over their dogs in public, avoid injury or damage, and affirms their liability under general law.

- **Section 26G – No Additional Charges**

Prohibits imposition of extra charges solely because a person is accompanied by a guide or service dog, while preserving the right to recover for actual damage.

- **Section 26H – Offences**

Establishes summary offences for unlawful denial of access, false representation of a dog as certified, and other contraventions. Provides for escalating fines for repeated offences.

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Hon. Sir Molwyn Joseph KGCN  
Minister with responsibility for Health,  
Wellness & The Environment