

Assistance animal and disability aid procedures

PRO-008

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1. Title

Assistance animal and disability aid procedures

2. Scope

2.1 Purpose

These guidelines and procedures set out how Museum staff confirm assistance animal status and identify disability aids; the limited circumstances when evidence may be requested; how to respond if satisfactory evidence is not provided; and when a person may be requested to keep the animal or device under control. They apply to all Museum staff, security, cleaning, maintenance and catering contractors, volunteers, and visitors.

2.2 Background

- 2.2.1** Regulation 25 of the National Museum of Australia Regulations 2019 (the Museum Regulations) makes it an offence for a person to allow an animal to enter or remain in a Museum building. However, it is not an offence if the animal belongs to a person with a disability (within the meaning of the *Disability Discrimination Act 1992* (Cth)) and is an assistance animal restrained on a lead or by other reasonable means.
- 2.2.2** The *Disability Discrimination Act 1992* (Cth) makes it unlawful for a person to discriminate against a person because they are accompanied by an assistance animal or disability aid.
- 2.2.3** The *Disability Discrimination Act* prevents the Museum from refusing entry to its premises because the person has a carer, assistant, assistance animal or disability aid. However, the Museum is able, in accordance with the Act and the Museum Regulations, to request evidence that an animal is an assistance animal, or a device is a disability aid, and whether the assistance animal or disability aid would pose a threat to the health and safety of Museum staff and visitors.
- 2.2.4** In the ACT, the assistance animal standard and accreditation framework allows an animal to be accredited as an assistance animal if the animal meets certain standards. Once accredited, the assistance animal is issued with an ACT Accredited Assistance Animal identity card. The Museum recognises ACT accreditation and access rights as best practice and also accepts other accreditations from other Australian jurisdictions as evidence for entry.
- 2.2.5** In contrast to assistance animals, the Museum Regulations do not specifically mention disability aids. Some disability aids may fall within the definition of 'prohibited article' under the Regulations, which are defined as implements that could be used to damage or conceal Museum material.

3. Guidelines and procedures

3.1 Identifying an assistance animal

- 3.1.1** Assistance animals may be identified by:
- a vest, harness or collar associated with an assistance animal training organisation
 - an Accredited Assistance Animal identification card, permit or pass issued under a State or Territory scheme

3.1.2 There is no standard accreditation system for assistance animals. Examples of acceptable evidence include:

- State or territory accreditation, certification or access permits (e.g., ACT Accredited Assistance Animal ID card; NSW Assistance Animal Permit; Vic Assistance Animal Pass; Qld certification under the *Guide, Hearing and Assistance Dogs Act 2009*; SA accreditation under the *Dog and Cat Management Act 1995*).
- Government-issued accreditation/registration/access cards, transport passes or permits.

3.1.3 The *Disability Discrimination Act* does not require assistance animals to be accredited. Animals that have not been accredited may still be assistance animals if they have been trained to assist a person with a disability to alleviate the effect of the disability and to meet standards of hygiene and behaviour appropriate for an animal in a public place. Staff may accept evidence that the animal is trained to assist the person and meets public standards of hygiene and behaviour (e.g., successful Public Access Test) or be satisfied based on their own observations or information provided by the person.

3.2 Procedures for requesting evidence

3.2.1 Where the provision of evidence is required, the Duty Manager should:

- Ask politely whether the animal is an assistance animal and, if needed, explain the *Disability Discrimination Act* definition.
- Request documentation (such as accredited assistance animal identification card - see para 3.1.2) **or** evidence of training and standards of public hygiene and behaviour that are appropriate for an animal in a public place. For example, that the animal is responsive to commands, remains calm, and under effective control in the Museum.
- To help the assistance animal focus on their work and keep the handler safe, interact directly with the assistance animal handler. Do not talk to the assistance animal or make physical contact with the animal.
- Do not request details of a person's disability. Handle any volunteered information as sensitive under the *Privacy Act 1988*.
- Remind the person of their responsibility to ensure appropriate hygiene and behaviour standards while at the Museum.
- Staff should note that under ACT law it is an offence to falsely claim an animal is an assistance animal¹.

3.3 Procedures for requiring persons to control or remove an assistance animal

3.3.1 Where an assistance animal is unrestrained; threatens people or animals; damages or risks damage to buildings/exhibits; has injured a person; or is unhygienic/poses public health risk:

- Request the handler to stop the animal's behaviour and ensure it is not repeated.
- Request the handler put controls in place to address the identified issue, e.g. move the animal to another location such as outside the Museum building.
- The Duty Manager may request an Authorised Officer to direct the person to remove the animal where behaviours continue.
- Document any refusal of entry or direction to remove, including the circumstances and decision-maker.

¹ s 106F, *Domestic Animals Act 2000* (ACT)

3.4 Refusing entry to persons accompanied by animals

- 3.4.1** An Authorised Officer may refuse entry under the Museum Regulations if they have reasonable grounds for believing that a person is likely to commit an offence under the Museum Regulations. It is an offence for a person to allow an animal in their charge to enter a Museum building, unless they have a disability and the animal is an assistance animal². The assistance animal must be restrained with a lead or similar.
- 3.4.2** Prior to making a decision to refuse entry, an Authorised Officer should be satisfied of one or more of the following matters:
- adequate evidence of assistance animal status has not been provided when reasonably requested
 - the animal is not restrained by a lead or other reasonable means
 - the animal is not trained to meet standards of hygiene and behaviour that are appropriate for an animal in a public place
 - it is reasonably likely that the animal has an infectious disease
 - it is reasonably necessary to refuse entry for an assistance animal to protect public health or the health of other animals.
- 3.4.3** People with an assistance animal may access all public areas of Museum buildings, including the Gandel Atrium, exhibition and gallery spaces, function rooms, administration areas, Museum Cafe (inside and deck areas), theatres, Garden of Australian Dreams, Discovery Centre, and the Museum Shop.
- 3.4.4** Access to restricted areas (e.g., commercial kitchens, quarantine/biosecurity zones, storage spaces) remains limited for health, safety and biosecurity reasons.
- 3.4.5** It is unlawful to refuse, or impose conditions or fees for, goods, services or facilities because a person has or is accompanied by a carer, assistant, assistance animal or disability aid.

3.5 Identifying a disability aid

- 3.5.1** There is a large range of equipment that meets the definition of a 'disability aid'. Most commonly, the types of equipment being brought into the Museum include mobility aids such as walking sticks, walking frames, wheelchairs (powered or unpowered) and crutches.
- 3.5.2** The *Disability Discrimination Act* defines a disability aid, in relation to a person with disability, as equipment (including a palliative or therapeutic device) that is used by the person and provides assistance to alleviate the effects of disability. Visitors to the Museum may bring their own disability aid or use Museum-owned aids such as wheelchairs or powered mobility scooters. All disability aids are permitted within the Museum premises, providing they do not cause damage to buildings or exhibits, people, or pose public safety risks.

3.6 Procedures for a disability aid

- 3.6.1** Consistent with the procedures at 3.2 for assistance animals, when seeking to determine whether or not an item is a disability aid within the meaning of the *Disability Discrimination Act*, Museum staff must not ask questions requiring disclosure of sensitive health information. Any volunteered information must be handled under the *Privacy Act 1988*.
- 3.6.2** If Museum staff are still unsure whether or not to allow the person to use the item as a disability aid in the Museum, they should contact the Duty Manager for assistance. The Duty Manager will then liaise with the person in possession of the equipment.
- 3.6.3** If the Duty Manager is not satisfied that the item of equipment is a disability aid and risks damage to public safety, collections/exhibits or buildings, they should offer alternative assistance, politely explain their decision and request the person deposit the equipment at the

² Animals under the control of the police service or the Museum are other exceptions.

cloakroom. Authorised Officers have powers to direct a person to leave a prohibited article in a separate area.

- 3.6.4** Should a person refuse to deposit the equipment at the cloakroom, it may be necessary for the Duty Manager to refuse entry to the Museum. If required, the Duty Manager may request the presence of an Authorised Officer who may direct the person to leave the Museum.

3.7 Procedures for requiring persons to control use of a disability aid

- 3.7.1** An Authorised Officer may refuse entry under the Museum Regulations if they have reasonable grounds for believing that a person is likely to commit an offence under the Museum Regulations. It is an offence for a person on or in Museum premises to engage in conduct resulting in damage to Museum material.
- 3.7.2** Where a person handling a disability aid damages or risks damage to buildings/exhibits, has injured a person, or poses public safety risk:
- Request the person stop the behaviour and ensure it is not repeated.
 - Should the behaviour continue, the Duty Manager may request an Authorised Officer to direct the person to leave the premises.
 - Document any refusal of entry or direction to leave the Museum premises, including the circumstances and decision-maker.
- 3.7.3** Prior to making a decision to refuse entry or direct a person to leave, an Authorised Officer should be satisfied of one or more of the following matters:
- adequate evidence that the person handling the equipment has caused or risks damage to people, collections/exhibitions or buildings; and has refused to stop the behaviour causing the damage.
 - it is reasonably necessary to refuse entry to maintain public safety.

4. Definition of terms

Authorised Officer

A person who is appointed by the Museum Director, in writing, in accordance with section 12 of the Museum Regulations.

Duty Manager

Member of the Museum's Front of House business unit who is on the premises and oversees the actions or work of other Front of House Museum staff. They are the escalated point of contact from the Host Team Supervisor.

Museum

National Museum of Australia

Museum Regulations

[National Museum of Australia Regulations 2019](#)

5. Definition of responsibilities

Authorised Officers

Lawfully direct a person to remove an animal or item from the Museum in accordance with the National Museum of Australia Regulations 2019.

Duty Manager

- Implement this procedure

- Request and assess evidence for animals
- Identify disability aids
- Escalate to Authorised Officer to refuse entry or require control/removal where appropriate.

Museum staff

Understand and implement these guidelines and procedures.

6. Relevant policies

POL-G-049 Reasonable adjustment policy

Client service charter

7. Implementation**7.1 Coverage**

This procedure describes how to identify assistance animals and disability aids and when an animal or person is required to leave a Museum building.

7.2 Other related procedures

PRO-028 Mandatory Accessibility in the Museum

PRO-021 Complaints and feedback handling procedures

Visitor services operations manual

7.3 Exclusions

None

7.4 Monitoring

This procedure is overseen by the Head of Visitor Experience and will be reviewed within 3 years.

8. References

Australian Human Rights Commission, DDA guide

Disability Discrimination Act 1992 (Cth)

Domestic Animals Act 2000 (ACT)

Domestic Animals (Assistance Animal Accreditation) Guidelines 2023 (ACT) or its replacement

Domestic Animals (Assistance Animal Public Access Standards) Determination 2023 (ACT) or its replacement

National Museum of Australia Regulations 2019

Appendix A – ACT assistance animal accreditation at a glance

The ACT operates an assistance animal accreditation framework under the *Domestic Animals Act 2000* (ACT), Domestic Animals (Accredited Assistance Animal Public Access Standards) Determination 2023 and Domestic Animals (Assistance Animal Accreditation) Guidelines 2023.

Key points:

Area	Summary
Accreditation	ACT can accredit assistance animals; ID card issued for up to 2 years (per guidelines).
Public Access Test (PAT)	A person may demonstrate public appropriateness of an assistance animal via PAT or equivalent assessment recognised by ACT.
Recognition of other jurisdictions	The <i>Domestic Animals Act 2000</i> recognises accreditations by other Australian jurisdictions.
Trainee animals	Access for trainee assistance animals when accompanied by an accredited trainer/assessor (as applicable).
Evidence examples	ACT Accredited Assistance Animal identification card; handler ID; training records; recognitions from other states/territories.