



Restaurant
& Catering

6 May 2021

Assistance Animals – A Nationally Consistent Approach Consultation
Department of Social Services

By Email.

To whom it may concern

I write regarding the current regulatory framework governing assistance animals and the experience of Restaurants, Cafes & Caterers in managing this in their businesses.

Restaurant & Catering Australia (R&CA) is the national industry association representing the interests of over 48,000 restaurants, cafés, and catering businesses across Australia. The café, restaurant and catering sector is vitally important to the national economy, generating over \$35 billion in retail turnover pre-covid each year as well as employing 580,000 people. Critically, over 93 per cent of businesses in the café, restaurant and catering sector are small businesses, employing 19 people or less.

Firstly, R&CA would like to place on the record our strong preference for a nationally consistent approach to the accreditation of assistance animals. R&CA also submits that the accreditation process must serve as a reliable way to determine whether an assistance animal is legitimate or not.

Establishing nationally congruent conditions of entry for assistance animals will ensure that restaurants, cafes and caterers can reliably comply with the Act and protect themselves from the regulatory and legal costs associated with an allegation of discrimination.

A nationally consistent accreditation system also ensures a suitable level of training and standards for an animal is met in order to enter a restaurant, café or catering business. Such a consistent approach will give people with disabilities clarity and certainty that they will be permitted to enter a business with their animal.

Also, R&CA also supports the removal of section 9(2)(c) of Act, which sets out an alternative mechanism for an animal to qualify as an assistance animal.

Importantly, paragraph (c) deprives businesses of any practical method of ascertaining the status of an animal due to the self-training aspect.

It is important for restaurants, cafes and caterers that the assistance animal laws satisfy two fundamental features:

- Assistance animals are hygienic, trained and obedient; and
- There is a clear and reliable method for businesses to determine whether an animal is truly an assistance animal.

Restaurants, cafes and caterers cannot simply take the risk-averse option of treating every animal as an assistance animal if the owner so claims. This is because permitting an animal to attend a business potentially exposes that business to potential breaches of their duties under other legislation such as food safety.

If you have any questions or wish to discuss R&CA's views in more detail, do not hesitate to contact R&CA's Head of Policy, Government & Public Affairs, Tom Green on 0448 781 213.

Regards

A handwritten signature in black ink, appearing to be 'Wes Lambert', written in a cursive style.

Wes Lambert CPA FGIA MAICD
Chief Executive Officer
Restaurant & Catering Australia