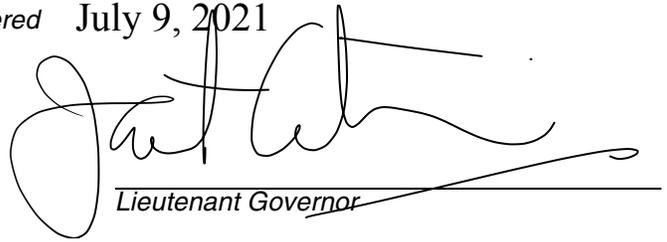


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 436

, Approved and Ordered July 9, 2021



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) sections 69 and 71 to 73 of the *Miscellaneous Statutes Amendment Act, 2020*, S.B.C. 2020, c. 14, are brought into force, and
- (b) the Guide Dog and Service Dog Regulation, B.C. Reg. 223/2015, is amended as set out in the attached Schedule.



Minister of Public Safety and Solicitor General



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Miscellaneous Statutes Amendment Act, 2020*, S.B.C. 2020, c. 14, s. 74
Guide Dog and Service Dog Act, S.B.C. 2015, c. 17, s. 11

Other: OIC 742/2015

R10490003

SCHEDULE

1 *Section 1 of the Guide Dog and Service Dog Regulation, B.C. Reg. 223/2015, is amended*

- (a) *in the definition of “accredited training school” by striking out “accredited training school” and substituting “accredited or recognized training school”,*
- (b) *by repealing the definition of “dog-in-training certificate”, and*
- (c) *by adding the following definitions:*

“**identification card**” means a card, letter or other form of record that meets the applicable requirements of section 1.1;

“**photograph**” means a photograph that meets the applicable requirements of section 1.2; .

2 *The following sections are added before Part 1:*

Requirements for identification cards

- 1.1** (1) If an applicant is required under this regulation to provide an identification card, the applicant must provide a card, letter or other form of record that
- (a) is issued by an accredited or recognized training school,
 - (b) identifies an individual and a dog,
 - (c) confirms that the individual and the dog have together successfully completed a guide dog or service dog training program, whether through the school or another accredited or recognized training school, and
 - (d) has an expiry date that is after the date of the application.
- (2) Despite subsection (1) (d), if the card, letter or record does not have an expiry date or has expired, the applicant may provide to the registrar a card, letter or other form of record that
- (a) meets the requirements of subsection (1) (a), (b) and (c), and
 - (b) confirms that, as of the date of the applicant’s application, the individual and the dog have active status as a working team.

Requirements for photographs

- 1.2** (1) If an applicant is required under this regulation to provide an official photograph, the applicant must provide a copy of an identification record that
- (a) was issued by the government of Canada or of a province of Canada,
 - (b) includes an image of the individual to whom the record was issued, and
 - (c) is in a form satisfactory to the registrar.
- (2) Despite subsection (1) (a),
- (a) the registrar may permit an identification record that was issued by the government of a country other than Canada, or of a state, province or other territory of a country other than Canada, and

- (b) for the purposes of determining whether to give permission under paragraph (a), the registrar may require one or both of the following:
 - (i) that the record be translated into English;
 - (ii) that the record or the record's translation be certified as a true copy by a lawyer, or by a notary who is a member in good standing under the *Notaries Act*.
- (3) Despite subsection (1) and any provision of this regulation that requires an applicant to submit an official photograph, the registrar may permit an applicant to provide a copy of an identification record that does not meet one or more of the requirements of subsection (1) instead of an official photograph if the registrar is satisfied that the record
 - (a) is issued by
 - (i) a public body within the meaning of the *Freedom of Information and Protection of Privacy Act* or a similar body of another jurisdiction, or
 - (ii) a bank, a financial institution within the meaning of the *Financial Institutions Act* or a similar body in another jurisdiction, and
 - (b) identifies an individual by means of a unique number, code or other type of identifier.
- (4) If an applicant is required under this regulation to provide an unofficial photograph, the applicant must provide a photograph that is of a size and quality, and is in a form, satisfactory to the registrar.

3 Part 1 is repealed and the following substituted:

PART 1 — ISSUANCE AND RENEWAL OF CERTIFICATES

Issuance of team certificate if accredited or recognized training

- 2** (1) This section applies to an individual and a dog if
- (a) the certificate to be issued to the individual and the dog is not a new certificate for the purposes of section 12 (2) (b) of the Act, and
 - (b) the individual and the dog to be issued a certificate under this section
 - (i) are deemed to be certified under section 6.1 of the Act, or
 - (ii) have together successfully completed a guide dog or service dog training program, as the case may be, provided by an accredited or recognized training school.
- (2) The registrar must not issue a guide dog team certificate or a service dog team certificate unless
- (a) the individual and the dog that will be identified in the certificate have together successfully completed a guide dog or service dog training program provided by an accredited or recognized training school, and
 - (b) the dog has been spayed or neutered.

- (3) An application for the issuance of a guide dog team certificate or a service dog team certificate must include or be accompanied by
 - (a) both an official and an unofficial photograph of the individual who will be identified in the certificate, and
 - (b) a copy of the identification card of the individual and the dog that will be identified in the certificate.

Issuance of team certificate if training not accredited or recognized

- 3 (1) This section applies to an individual and a dog if
 - (a) the certificate to be issued to the individual and the dog is not a new certificate for the purposes of section 12 (2) (b) of the Act, and
 - (b) the individual and the dog to be issued a certificate under this section have not together successfully completed a guide dog or service dog training program, as the case may be, provided by an accredited or recognized training school.
- (2) The registrar must not issue a guide dog team certificate or a service dog team certificate unless
 - (a) subject to subsection (3), the individual and the dog that will be identified in the certificate have together successfully completed a BC guide dog and service dog assessment,
 - (b) the registrar receives written confirmation from the Justice Institute of British Columbia that the requirements described in paragraph (a) and subsection (3) have been met, and
 - (c) the dog has been spayed or neutered.
- (3) The assessment referred to in subsection (2) (a) must be completed not more than 90 days after the date the registrar receives the application for issuance of the certificate.
- (4) An application for the issuance of a guide dog team certificate or a service dog team certificate must include or be accompanied by
 - (a) both an official and an unofficial photograph of the individual who will be identified in the certificate, and
 - (b) written confirmation from
 - (i) a medical practitioner or nurse practitioner that the individual is a blind person or a person with a disability, as the case may be, and
 - (ii) a veterinarian that the dog has been spayed or neutered.
- (5) In subsection (4) (b) (i):

“medical practitioner” includes an individual who the registrar is satisfied is authorized, under an enactment of a jurisdiction of Canada other than British Columbia or a jurisdiction of the United States of America, to practise medicine in a capacity that is at least equivalent to that of a medical practitioner in British Columbia;

“nurse practitioner” includes an individual who the registrar is satisfied is authorized, under an enactment of a jurisdiction of Canada other than British Columbia or a jurisdiction of the United States of America, to practise nursing in a capacity that is at least equivalent to that of a nurse practitioner in British Columbia.

(6) In subsection (4) (b) (ii), **“veterinarian”** means either of the following:

(a) an individual who

(i) is authorized under the *Veterinarians Act* to practise veterinary medicine, and

(ii) is actively practising veterinary medicine at an accredited practice facility, being

(A) the location, premises, structure or vehicle from which a person registered under the *Veterinarians Act* provides veterinary medicine services, including any equipment, supplies, records or documentation used in that facility, and

(B) that is accredited by the College of Veterinarians of British Columbia;

(b) an individual who the registrar is satisfied is

(i) authorized, under an enactment of a jurisdiction of Canada other than British Columbia or a jurisdiction of the United States of America, to practise veterinary medicine in a capacity that is at least equivalent to that of an individual authorized under the *Veterinarians Act* to practise veterinary medicine, and

(ii) actively practising veterinary medicine in a facility that is at least equivalent to an accredited practice facility referred to in paragraph (a) (ii).

Renewal of team certificate

- 4** (1) The registrar must not renew a guide dog team certificate or a service dog team certificate unless the individual and the dog that will be identified in the certificate meet the requirements of subsection (2) or (3).
- (2) An individual and a dog that have together successfully completed a guide dog or service dog training program provided by an accredited or recognized training school must include with the application, or the application must be accompanied by, both of the following:
- (a) an unofficial photograph of the individual who will be identified in the certificate;
- (b) a copy of the individual’s identification card.
- (3) An individual and a dog that have not together successfully completed a guide dog or service dog training program, as the case may be, provided by an accredited or recognized training school must meet the following requirements:
- (a) the individual and the dog must have together successfully completed a BC guide dog and service dog assessment not more than 90 days after the date the registrar receives the application for renewal of the certificate;

- (b) the application must include or be accompanied by an unofficial photograph of the individual who will be identified in the certificate;
- (c) the registrar must receive written confirmation from the Justice Institute of British Columbia that the requirements described in paragraph (a) have been met.

Dog trainer certificate

- 5**
- (1) The registrar must not issue or renew a dog trainer certificate unless the individual who will be identified in the certificate trains dogs on behalf of an accredited or recognized training school for the purpose of the dogs becoming guide dogs or service dogs.
 - (2) An application for the issuance of a dog trainer certificate must include or be accompanied by
 - (a) both an official and an unofficial photograph of the individual who will be identified in the certificate, and
 - (b) written confirmation, in a form satisfactory to the registrar, from the accredited or recognized training school referred to in subsection (1) that the individual meets the requirement described in that subsection.
 - (3) An application for the renewal of a dog trainer certificate must include or be accompanied by
 - (a) an unofficial photograph of the individual who will be identified in the certificate, and
 - (b) written confirmation, in a form satisfactory to the registrar, from the accredited or recognized training school referred to in subsection (1) that the individual continues to meet the requirement described in that subsection.

Retired team certificate

- 6**
- (1) An application for the issuance of a retired guide or service dog team certificate, in respect of an individual and a dog, must include or be accompanied by all of the following:
 - (a) both an official and an unofficial photograph of the individual who will be identified in the certificate;
 - (b) either
 - (i) the guide dog team certificate or service dog team certificate issued previously in respect of the individual and the dog, or
 - (ii) a copy of the individual's identification card.
 - (2) Despite section 1.1 (1) (d), that provision does not apply for the purposes of the identification card required under subsection (1) (b) (ii) of this section.
 - (3) An application for the renewal of a retired guide or service dog team certificate, in respect of an individual and a dog, must include or be accompanied by an unofficial photograph of the individual who will be identified in the certificate.

- 4** *Sections 8 (2) (a) and 9 are amended by striking out “accredited training school” and substituting “accredited or recognized training school”.*
- 5** *Section 10 is repealed.*
- 6** *Section 12 is amended*
- (a) in subsection (1) by striking out “, a service dog team certificate or a dog-in-training certificate” and substituting “or a service dog team certificate”,*
- (b) in subsection (2) by striking out “accredited training school” and substituting “accredited or recognized training school”, and*
- (c) by repealing subsection (3).*
- 7** *Section 13 (2) (a) is amended by striking out “, service dog or dog-in-training” and substituting “or service dog”.*