

**For discussion
10 March 2006**

**Subcommittee on
the Waste Disposal Ordinance (Amendment of Fourth Schedule)
Notice 2006 and Public Health (Animals and Birds)
(Licensing of Livestock Keeping) (Amendment) Regulation 2006**

Pet Poultry and Racing Pigeons

Purpose

This paper outlines the proposed arrangement for pet poultry and racing pigeons after the Administration has enacted legislation to ban backyard poultry keeping.

Pet Poultry

2. To cater for the needs of a few number of people who keep poultry as pets, the Administration proposes to table an amendment motion at the Legislative Council meeting scheduled for 29 March to amend the *Waste Disposal Ordinance (Amendment of Fourth Schedule) Notice 2006 and Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) Regulation* to stipulate those persons who keep poultry which have been kept as pets immediately before the legislation that banned backyard poultry came into effect as exempt persons under the Fourth Schedule of *Waste Disposal Ordinance* (Cap 354). In order to be considered for exemption by the Director of Agriculture, Fisheries and Conservation (DAFC), a person must prove to the satisfaction of DAFC that the poultry concerned has been kept as pet before the legislation that banned backyard poultry keeping came into effect. Any person who provides false or inaccurate information to obtain the exemption commits an offence and is liable to a maximum fine of \$10,000.

3. DAFC may in accordance with the conditions imposed on the granting of exemption send staff to inspect the relevant premises to ensure, amongst other things, that the relevant biosecurity requirements are met and relevant conditions are complied with. Any contravention may lead to the revocation of the exemption.

Racing pigeons

4. For racing pigeons, we will consider on a case-by-case basis whether to issue “animals/birds exhibition licence” to owners who wish to continue to keep racing pigeons. We will amend the *Public Health (Animals and Birds)(Exhibitions) Regulations* (Cap 139F) to stipulate a separate licence fee for persons who keep a small number, 20 or less, of racing pigeons. The formulation of fee for the separate licence will, same as other fee formulation policies, follow the principle of total cost recovery. As the resources required for regulating exhibition for the above-said racing pigeons are not the same as those required for ordinary large-scale animal/bird exhibitions, we need to further examine the level of the licence fee.

5. Furthermore, licence holders must ensure that their poultry would comply with all conditions imposed by DAFC, including biosecurity requirements and not causing any nuisance to others, etc. Staff of AFCD will also conduct regular and surprise visits to the premises. Any licensee who violates the licensing conditions commits an offence and is liable to a fine of \$1,000 on conviction. DAFC may also revoke the relevant licence.

6. The Administration will submit the draft amendments to the *Waste Disposal Ordinance (Amendment of Fourth Schedule) Notice 2006* and the *Public Health (Animals and Birds)(Licensing of Livestock Keeping) (Amendment) Regulation 2006* for Members’ consideration as soon as possible.

Health, Welfare and Food Bureau
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