

本函檔號：HWFB CR 1/3821/05

電話號碼： 2973

8297

來函檔號：

傳真號碼： 2136

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Mrs. Constance LI
Secretary for LegCo Panel on Food Safety and Environmental Hygiene,
Legislative Council Secretariat,
8 Jackson Road,
Central,
Hong Kong.

13 March 2006

Dear Mrs. LI,

Thank you for your letter dated 10 March. I furnish the following information and my response for reference of the Members.

Requirement to Notify the Authorities Upon the Death of Pet Poultry

At the meeting of 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 on 10 March, a Member pointed out that there should be specific requirement for owners of exempted pet poultry to notify the authorities upon their pets' deaths to ensure that the authorities would be kept updated on the number of exempted pet poultry. We agree with that viewpoint and, after discussion

with the authorities concerned, considered that the requirement should be in line with the arrangement made by the Agriculture, Fisheries and Conservation Department (AFCD) and incorporated into the conditions of the Exemption Certificate. This arrangement would make it unnecessary to stipulate another set of penalty for breach of the law concerned. Under the proposed arrangement, the AFCD should keep in contact with the carers of pet poultry after issuing the Exemption Certificate to keep abreast of the status of the pet poultry.

Conditions of the Exemption Certificate

Regarding the request of the Chairman of the Subcommittee for a copy of the conditions for the Exemption Certificate, the information is set out in the Appendix for reference of the Members.

Yours sincerely,

(Mr. LAU Ka Ki, Wallace)
for Secretary for Health, Welfare and Food Bureau

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Conditions for keeping 'Specified bird'

1. No other specified bird (except the one described in the permit) or other animals or birds that may in the opinion of the Director cause risk to the 'specified bird' can be kept in the same premises.
2. The 'specified bird' must be kept under solid roof and surround with bird proof facilities, in order to prevent the 'specified bird' from contacting wild birds, public and other 'specified bird' from wholesale and retail market.
3. Feed, feeders and drinking water containers must be properly placed to avoid contact with wild birds and contaminants.
4. Permanent identification device such as leg band or other identification device as may be approved by the Director must be placed on the 'specified bird' at all times.
5. Permittee/keeper of the 'specified bird' must report and surrender the 'exemption permit' to Agriculture, Fisheries and Conservation Department within 7 days if his/her 'specified bird' have passed away or found lost, and dispose of the same in such manner as the Director may direct.
6. *'Specified bird' must be vaccinated against avian flu regularly.
7. The exemption permit is granted in respect of the keeping of the 'specified bird' by the person at the premises as are respectively described in the exemption permit until such times as the 'specified bird' dies. It is non-transferable, except under exceptional circumstances upon special prior approval by the Director.
8. The permittee/keeper must comply with all these conditions, the Prevention of Cruelty to Animal Ordinance, Cap 169, the Public Health and Municipal Services Ordinance, Cap 132, the Public Health (Animals and Birds) Ordinance, Cap 139 and/or tenancy agreement of the Housing Department in respect of the keeping of the 'specified bird'.
9. This exemption permit is subject to such further or amended conditions, as may be imposed by the Director on the ground of protecting public health. The Director reserves all rights of sampling, testing and disease investigation in the 'specified bird' and premises in which it is being kept.
10. The permittee/keeper of the 'specified bird' must allow an authorized officer acting under the direction of the Director to enter and inspect the same and the premises in which it is being kept to ensure that all conditions are complied with.
11. Further hatching of eggs of or by the 'specified bird' is not allowed.

* Paragraph 6 of the above condition is only applicable to the keeping of pet chicken.

