LN331-E

L.N. 331 of 1999

DECLARATION OF CHANGE OF TITLES (AGRICULTURE AND FISHERIES DEPARTMENT, DIRECTOR OF AGRICULTURE
AND FISHERIES, DEPUTY DIRECTOR OF AGRICULTURE
AND FISHERIES AND ASSISTANT DIRECTOR OF
AGRICULTURE AND FISHERIES) NOTICE 1999

(Made under section 55 of the Interpretation and General
Clauses Ordinance (Cap. 1))

1. Commencement

This Notice shall come into operation on 1 January 2000.

2. Change of titles

(1) The title of the Agriculture and Fisheries Department is declared to be changed to the Agriculture, Fisheries and Conservation Department.

(2) The title of the Director of Agriculture and Fisheries is declared to be changed to the Director of Agriculture, Fisheries and Conservation.

(3) The title of the Deputy Director of Agriculture and Fisheries is declared to be changed to the Deputy Director of Agriculture, Fisheries and Conservation.

(4) The title of the Assistant Director of Agriculture and Fisheries is declared to be changed to the Assistant Director of Agriculture, Fisheries and Conservation.

3. Amendment of references to titles

(1) The enactments specified in column 2 of Schedule 1 are amended by substituting "Agriculture, Fisheries and Conservation Department" for "Agriculture and Fisheries Department" wherever occurring in the provisions specified opposite to them in column 3.

(2) Regulation 105(4) of the Poultry (Slaughtering for Export) Regulations (Cap. 139 sub. leg.) is amended by substituting "Agriculture, Fisheries and Conservation Department" for "Department of Agriculture and Fisheries".

(3) Regulation 4E(5)(a) of the Marine Fish (Marketing and Exportation) Regulations (Cap. 291 sub. leg.) is amended by substituting "Agriculture, Fisheries and Conservation Department" for "Department of Agriculture and Fisheries".

(4) The enactments specified in column 2 of Part I of Schedule 2 are amended by substituting "Director of Agriculture, Fisheries and Conservation" for "Director of Agriculture and Fisheries" wherever occurring in the provisions specified opposite to them in column 3.

(5) The enactments specified in column 2 of Part II of Schedule 2 are amended by substituting "Director of Agriculture, Fisheries and Conservation" for "Director

of Agriculture and Fisheries" wherever occurring in the provisions specified opposite to them in column 3.

(6) Section 2 of the Antibiotics Ordinance (Cap. 137) is amended, in the definition of "Director of Agriculture and Fisheries", by substituting ""Director of Agriculture, Fisheries and Conservation" (漁農自然護理署署長)" for ""Director of Agriculture and Fisheries" (漁農處處長)".

(7) The enactments specified in column 2 of Schedule 3 are amended by substituting "Deputy Director of Agriculture, Fisheries and Conservation" for "Deputy Director of Agriculture and Fisheries" wherever occurring in the provisions specified opposite to them in column 3.

(8) The enactments specified in column 2 of Schedule 4 are amended by substituting "Assistant Director of Agriculture, Fisheries and Conservation" for "Assistant Director of Agriculture and Fisheries" wherever occurring in the provisions specified opposite to them in column 3.

(9) Section 1A of the Pounds Ordinance (Cap. 168) is amended, in the definition of "Director", by substituting "Assistant Director of Agriculture, Fisheries and Conservation" for "Assistant Director of Agriculture and Fisheries".

(10) Section 2(1) of the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) is amended, in the definition of "Director", by substituting "Assistant Director of Agriculture, Fisheries and Conservation" for "Assistant Director of Agriculture and Fisheries".

(11) The enactments specified in column 2 of Schedule 5 are amended by substituting "署長" for "處長" wherever occurring in the provisions specified opposite to them in column 3.

4. Substitution of titles in other instruments, contracts or legal proceedings

The titles specified in column 3 of Schedule 6 are substituted for those specified opposite to them in column 2 wherever occurring in any instrument, contract or legal proceedings made or commenced before 1 January 2000.

SCHEDULE 1 [s. 3(1)]

"Agriculture, Fisheries and Conservation Department" Substituted for "Agriculture and Fisheries Department"

Item	Enactment	Provision
1.	Public Health (Animals and Birds) Ordinance (Cap. 139)	Section 14.
2.	Pounds Ordinance (Cap. 168)	Section 1A (in the definition of "officer").
3.	Prevention of Cruelty to Animals Ordinance (Cap. 169)	Section 4(1).
4.	Fisheries Protection Ordinance (Cap. 171)	Section 3A(1).
5.	Magistrates Ordinance (Cap. 227)	Fourth Schedule (in the column headed

"Public Officer").
6. The Ombudsman Ordinance (Cap. 397) Schedule 1, Part I.
7. Rabies Ordinance (Cap. 421) Section 17(1).
8. Marine Parks Ordinance (Cap. 476) Sections 8(3) and (4) and 14(5) and (7).
9. Marine Parks and Marine Reserves Regulation (Cap. 476 sub. leg.) Section 18(2).
10. Marine Parks (Designation) Order (Cap. 476 sub. leg.) Schedule.
11. Marine Reserve (Designation) Order (Cap. 476 sub. leg.) Schedule.
12. Environmental Impact Assessment Ordinance (Cap. 499) Schedule 1 (in the definition of "site of special scientific interest").
13. Kadoorie Farm and Botanic Garden Bylaw (Cap. 1156 sub. leg.) Section 14(5).

SCHEDULE 2 [s. 3(4) & (5)]

"Director of Agriculture, Fisheries and Conservation" Substituted for "Director of Agriculture and Fisheries"

Part I

Item Enactment Provision

1. Specification of Public Offices (Cap. 1 sub. leg.) Schedule.

2. Forests and Countryside Ordinance (Cap. 96) Section 2 (in the definition of "Director").
3. Pension Benefits Ordinance (Established Offices) Order (Cap. 99 sub. leg.) Schedule 1 (in the grade of "Director of Agriculture and Fisheries" and in the office of "Director of Agriculture and Fisheries" where it first occurs).
4. Telecommunication Regulations (Cap. 106 sub. leg.) Schedule 3 (in the Fixed Telecommunication Network Services Licence, in General Condition 33).
5. Public Health and Municipal Services Ordinance (Cap. 132) Section 104E(1)(d).
6. Food Business Regulation (Cap. 132 sub. leg.) Section 3(1) (in the definition of "wholesale market").
7. Pesticides Ordinance (Cap. 133) Sections 2 (in the definition of "Director", where it first occurs) and 19(1).
8. Antibiotics Ordinance (Cap. 137) Sections 4(2) and (3)(b), 5(2)(j), 6(2) and 7(1).
9. Public Health (Animals and Birds) Ordinance (Cap. 139) Section 2(1) (in the definition of "Director", where it first occurs) and the Schedule.
10. Dogs and Cats Ordinance (Cap. 167) Section 2 (in the definition of

"Director").
11. Pounds Ordinance (Cap. 168) Section 1A (in the definition of "Director", where it first occurs).
12. Prevention of Cruelty to Animals Ordinance (Cap. 169) Sections 2 (in the definition of "senior veterinary officer") and 4(1).
13. Wild Animals Protection Ordinance (Cap. 170) Section 2 (in the definition of "Director", where it first occurs).
14. Fisheries Protection Ordinance (Cap. 171) Section 2 (in the definition of "Director").
15. Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) Section 2(1) (in the definition of "Director", where it first occurs).
16. Plant (Importation and Pest Control) Ordinance (Cap. 207) Section 2 (in the definition of "Director").
17. Country Parks Ordinance (Cap. 208) Section 3(2).
18. Shipping and Port Control (Specification of Areas) Notice (Cap. 313 sub. leg.) Schedule.
19. Marine Fish Culture Ordinance (Cap. 353) Section 2 (in the definition of "Director").
20. Fish Culture Zone (Designation) Order (Cap. 353 sub. leg.) Schedule.
21. Waste Disposal Ordinance (Cap. 354) Section 15AA(1)(b) and the Fourth Schedule, items 9 and 10.
22. Rabies Ordinance (Cap. 421) Section 2 (in the definition of "Director", where it first occurs).
23. Environment and Conservation Fund Ordinance (Cap. 450) Section 7(2)(e).
24. Marine Parks Ordinance (Cap. 476) Section 3(2).
25. Plant Varieties Protection Ordinance (Cap. 490) Section 5(1).
26. Whaling Industry (Regulation) Ordinance (Cap. 496) Sections 6(3) and 10(2), (3) and (5).
27. Kadoorie Agricultural Aid Loan Fund Ordinance (Cap. 1080) Sections 4 and 5(1)(a).

Part II

Item Enactment Provision

1. Public Health (Animals and Birds) Ordinance (Cap. 139) Schedule.
2. Poultry (Slaughtering for Export) Regulations (Cap. 139 sub. leg.) Second Schedule.
3. Plant (Importation and Pest Control) Ordinance (Cap. 207) Third Schedule, Form 1.

SCHEDULE 3 [s. 3(7)]

"Deputy Director of Agriculture, Fisheries and Conservation" Substituted for "Deputy Director of Agriculture and Fisheries"

Item	Enactment	Provision
1.	Pension Benefits Ordinance (Established Offices) Order (Cap. 99 sub. leg.)	Schedule 1 (in the grade of "Director of Agriculture and Fisheries" substituted by the grade of "Director of Agriculture, Fisheries and Conservation").
2.	Pesticides Ordinance (Cap. 133)	Section 2 (in the definition of "Director").
3.	Pounds Ordinance (Cap. 168)	Section 1A (in the definition of "Director").
4.	Wild Animals Protection Ordinance (Cap. 170)	Section 2 (in the definition of "Director").
5.	Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187)	Section 2(1) (in the definition of "Director").
6.	Rabies Ordinance (Cap. 421)	Section 2 (in the definition of "Director").

SCHEDULE 4 [s. 3(8)]

"Assistant Director of Agriculture, Fisheries and Conservation" Substituted for "Assistant Director of Agriculture and Fisheries"

Item	Enactment	Provision
1.	Pension Benefits Ordinance (Established Offices) Order (Cap. 99 sub. leg.)	Schedule 1 (in the grade of "Director of Agriculture and Fisheries" substituted by the grade of "Director of Agriculture, Fisheries and Conservation").
2.	Public Health (Animals and Birds) Ordinance (Cap. 139)	Section 2(1) (in the definition of "Director").
3.	Wild Animals Protection Ordinance (Cap. 170)	Section 2 (in the definition of "Director").
4.	Rabies Ordinance (Cap. 421)	Section 2 (in the definition of "Director").

SCHEDULE 5 [s. 3(11)]

"署長" Substituted for "處長"

Item	Enactment	Provision
1.	Forests and Countryside Ordinance (Cap. 96)	Sections 2 (in the definitions of "Director" and "獲授權人員"), 4, 22(4) and (5) and 23.
2.	Pesticides Ordinance (Cap. 133)	Sections 2 (in the definition of "Director"),

4, 5(1), (3), (4) and (5), 6, 9(1), (2), (3), (5), (7) and (8), 10, 11, 12, 13(1), (2) and (3), 13A, 14, 16, 17(3)(d), 19(1A)(b) and 20.

3. Pesticides Regulations (Cap. 133 sub. leg.) Regulations 3(1) and (2), 4(1), 5, 6, 7, 8, 9(1), (2) and (3), 10(1), 11(1)(c)(iii), 12(1)(j) and (2), 14, 15, 17 and 19(3).

4. Public Health (Animals and Birds) Ordinance (Cap. 139) Sections 2(1) (in the definitions of "Director", "分隔地點", "特准登岸處", "疾病" and "高級獸醫官"), 3(1)(e) and (r) and (4)(g), the heading before section 6, sections 6(1) and (2), 7, 9A(1), 9B, 10(2), 11, 14, 15, 15A(1), 16 and 17A and the Schedule.

5. Public Health (Animals and Birds) Regulations (Cap. 139 sub. leg.) Regulations 4(1A), 5(3), 7A, 7B(4), 9A(2), 16, 26, 29, 30, 34, 35, 36A, 36B, 36C(b), 37 (in the definition of "主管人員"), 44, 51 and 52 and Schedule 4.

6. Public Health (Animals and Birds) (Animals Traders) Regulations (Cap. 139 sub. leg.) Regulations 5(1), (2) and (3), 7 and 9(c).

7. Public Health (Animals and Birds) (Keeping of Cattle, Sheep and Goats) Regulations (Cap. 139 sub. leg.) Regulations 3, 4(1) and (5), 5, 6, 11, 13 and 15(2)(b).

8. Dairies Regulations (Cap. 139 sub. leg.) Regulations 2 (in the definition of "登記冊"), 3(1), (3), (4) and (5), 4, 6, 8(1) and (5), 9(3), 10, 11, 12(3) and (4)(b)(iii), 14, 15, 16(2), 18, 19(2)(e), (f) and (i), 21(3), 25, 26(1) and (3), 27(2)(d) and 29(2).

9. Poultry (Slaughtering for Export) Regulations (Cap. 139 sub. leg.) Regulations 5(1) and (3), 6, 7(1), (2) and (3), 8(1), (3) and (4), 9, 10, 12(b), 14(2), 15(1), 16(c), 17(1)(b), 18, 21, 25(2), 26(4)(a), 27(2), 28, 29(3), 30(1)(d), 33(2) and (6)(b), 34(1), 37(1) and (2)(a), 38(b), 39, 40(1) and (2), 41, 43, 44, 46(1), 56(1)(e), 59(1)(a), 62, 65(1)(b) and (3), 91(b)(v), 92(1)(c), 93(1) and (3), 95(1), 98(1)(a), (4)(a) and (5), 99(1)(a) and (b), 100, 101(b), 102, 103, 104(1)(b), 105(1) and (4), 107(1) and (2), 108(1), (2), (3)(c) and (5), 109, 110(1), (3)(g), (5), (6) and (7), 111, 112, 113, 114, 116, 117(4), 118 and 119.

10. Public Health (Animals and Birds) (Exhibitions) Regulations (Cap. 139 sub. leg.) Regulations 4(1), (2) and (3), 6, 7(f) and 8(1) and (3).

11. Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139 sub. leg.) Regulations 5(1), (2) and (3), 7 and 8(f).

12. Public Health (Animals) (Riding Establishment) Regulations (Cap. 139 sub. leg.) Regulations 5(1), (2) and (3), 6 and 7.

13. Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139 sub. leg.) Sections 3(1)(b), 4, 5, 6, 7, 8, 9 and 11.

14. Dogs and Cats Ordinance (Cap. 167) Sections 2 (in the definitions of "Director" and "獲授權人員"), 3(2)(b) and (f), 5A, 11(1)(a)(ii), (2), (3), (5) and (6), 12, 13(3), (3)(d) and (f), (5) and (6), 16(1)(e) and (f) and (2)(b), 17(1) and (2), 19(1) and 20(1).
15. Pounds Ordinance (Cap. 168) Sections 1A (in the definitions of "Director" and "人員"), 2 and 4(2).
16. Wild Animals Protection Ordinance (Cap. 170) Sections 2 (in the definition of "Director"), 7, 13(1), 15, 15A, 17C(1) and (2), 20(3), 20A, 22(2), 23 and 24.
17. Fisheries Protection Ordinance (Cap. 171) Sections 2 (in the definition of "Director"), 3A(1), 4(1)(gb), 5, 6(2), 7 and 10.
18. Fisheries Protection Regulations (Cap. 171 sub. leg.) Regulations 4A and 6.
19. Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) Sections 2(1) (in the definitions of "Director" and "獲授權人員"), 2A, 3, 7(1) and (3), 7B, 8(1), (2) and (3), 10(1) and (1A), 11(5)(c), (7) and (8), 13(2A), (4) and (5), 14(2), 15, 16 and 17(1) and (2) and Schedule 2 (in Part 1, under the subheading "Pisces (魚類)" in column 3).
20. Animals and Plants (Protection of Endangered Species) (Exemption) Order (Cap. 187 sub. leg.) Paragraphs 1A(1) (in the definition of "個人財物") and (2), 3, 6(2) and 10(2).
21. Plant (Importation and Pest Control) Ordinance (Cap. 207) Sections 2 (in the definitions of "Director", "受禁制" and "獲授權人員"), 3, 4(1)(d) and (2)(c), 6(1) and (3), 7, 8(1), 9(3) and (4), 10(1), (2) and (5), 11, 12, 13, 14, 15, 16(1), (2), (4), (5) and (6), 17, 18, 19(1)(c) and (3), 20(2)(c) and (3)(a), 21 and 22 and the First Schedule, Part II.
22. Marine Fish Culture Ordinance (Cap. 353) Sections 2 (in the definition of "Director"), 3(1), (2) and (4), 4(1), 5, 8(1), (2), (3), (4), (6) and (7), 9, 10, 13(3)(a)(ii), 14, 16(1) and (4), 17(1) and (3), 18(1), (2), (4) and (5), 19(1) and 20(a).
23. Marine Fish Culture Regulations (Cap. 353 sub. leg.) Regulations 2, 3(1) and (2), 4(2), 5, 6, 7 and 8.
24. Rabies Ordinance (Cap. 421) Sections 2 (in the definitions of "Director", "狂犬病控制區", "特准人員", "檢疫中心" and "觀察中心"), 3, 5, 18(1), 20(1) and (2), 21(1) and (2), 22(5), 27, 28(1), 29(2)(c) and (d) and (3), 31(2), 34, 38(2), (3) and (5), 40(1) and (2), 47(1) and (2), 49(1) and (2)(b) and 51(2)(e) and (f) and (3).
25. Rabies Regulation (Cap. 421 sub. leg.) Sections 2 (in the definition of "指明"), 3(1), (3) and (4), 6(1), (2) and (3), 8(3), 12(4), 14(1), 19A(1), 20(1), 20A(1), 23(2), 24(1) and (2), 26(1), 27(3), 28(1), 29(1), 30(1) and (2), 31(1), (3), (5) and

(6), 33(1) and 35 and Schedule 2, sections 2, 3 and 7(ii).

SCHEDULE 6 [s. 4]

Substitution of Titles in Other Instruments,
Contracts or Legal Proceedings

Item	Old title	New title
1.	Agriculture and Fisheries Department	Agriculture, Fisheries and Conservation Department
2.	Director of Agriculture and Fisheries	Director of Agriculture, Fisheries and Conservation
3.	Deputy Director of Agriculture and Fisheries	Deputy Director of Agriculture, Fisheries and Conservation
4.	Assistant Director of Agriculture and Fisheries	Assistant Director of Agriculture, Fisheries and Conservation

Mrs. Anson CHAN
Chief Secretary for Administration
24 December 1999

Explanatory Note

This Notice---

(a) declares a change in the titles of the Agriculture and Fisheries Department, the Director of Agriculture and Fisheries, the Deputy Director of Agriculture and Fisheries and the Assistant Director of Agriculture and Fisheries; and

(b) consequently amends references to those titles---

(i) in certain enactments; and

(ii) wherever occurring in any instrument, contract or legal proceedings made or commenced before 1 January 2000.