

LS/B/18/05-06
2869 9468
2877 5029

Secretary for Health, Welfare and Food
(Attn : Mr Wallace Lau, PAS (FEH) 1)
Health, Welfare and Food Bureau
Food and Environmental Hygiene Division
20/F, Murray Building
Garden Road
Hong Kong

22 February 2006

BY FAX

Fax No. : 2136 3281

Total no(s) of page(s) : 2

Dear Mr Lau,

Waste Disposal Ordinance
(Amendment of Fourth Schedule) Notice 2006 (L.N. 19)
Public Health (Animals and Birds)
(Licensing of Livestock Keeping) (Amendment) Regulation 2006 (L.N. 20)

Thank you for your letter of 9 February 2006. We have further queries relating to the amendments to Public Health (Animals and Birds) (Licensing of Livestock Keeping) (Amendment) Regulation 2006 (L.N. 20).

Question 1

In relation to the new section 4(2A) of the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139 sub. leg. L), there are three conditions restricting the Director of Agriculture, Fisheries and Conservation (“the Director”) from granting a licence to a person to keep livestock in premises within a livestock waste control area. In this respect, the conditions in new section 4(2A)(a) and (b) are similar to those in section 4(2)(a) and (b). Why a condition similar to section 4(2A)(c)(concerning keeping of poultry in premises not more than 20) is not added to section 4(2)?

Question 2

Would you confirm whether the condition in new section 4(2A)(c) of the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation restricting the Director's power to grant a licence is imposed by the Chief Executive in Council under section 3(1)(g)(vii) of the Public Health (Animals and Birds) Ordinance (Cap. 139) (the empowering provision)?

We should be grateful for your earliest reply in both languages.

Yours sincerely,

(Stephen Lam)
Assistant Legal Adviser

c.c. DoJ (Attn : Miss Leonora Ip, SGC) (Fax : 2845 2215)
CCS(2)5