

甲類繁育狗隻牌照 - 牌照條件
**LICENCE CONDITIONS ATTACHED TO THE
DOG BREEDER LICENCE (CATEGORY A)**

(根據《公眾衛生(動物及禽鳥)(售賣及繁育)規例》(第139B章)第5B(4)條而制定)
(Issued under Reg. 5B(4) of the Public Health (Animals and Birds) (Trading and Breeding) Regulations
(Cap. 139B))

第 I 部：詞彙

Part I: Glossary

在本牌照條件中，除非文意另有所指，否則下列詞語只具有下文所述意義：
In these Licence Conditions, the following terms shall only be construed according to the interpretations assigned to them herein, except when it is stated otherwise:

詞語 <u>Term(s)</u>	釋義 <u>Interpretation(s)</u>
獲授權人員 authorised officer	獲授權人員指根據第 139 章第 17 條獲委任為督察的本署公職人員。 An officer of this Department appointed as an inspector in accordance with Section 17 of Cap. 139.
營業守則 Code of Practice (CoP)	附加於本牌照條件的甲類繁育狗隻牌照營業守則。 The Code of Practice for Dog Breeders (Category A) attached to these Licence Conditions.
本署 this Department	漁農自然護理署(漁護署) Agriculture, Fisheries and Conservation Department (AFCD)
登記雌性狗隻 enrolled female dog(s)	持牌人經由本署批准的名冊內的登記作繁育用雌性狗隻。 The female dog(s) for breeding purpose enrolled on the Inventory of the licensee as approved by this Department.
牌照 Licence	甲類繁育狗隻牌照 Dog Breeder Licence (Category A)(DBLA)
領有牌照的處所 licensed premises	此詞的涵義與第 139B 章第 2 條中的涵義相同。 According to the definition given in Regulation 2 of Cap. 139B.

持牌人 licensee	甲類繁育狗隻牌照上所示的持牌人。 The licensee as indicated on the DBLA.
後代 offspring	任何由登記雌性狗隻所生產的狗隻。 Any dog(s) given birth by the enrolled female dog(s).
出售 sell	此詞的涵義與第 139B 章第 2 條中的涵義相同。 According to the definition given in Regulation 2 of Cap. 139B.
賣方 seller	按本牌照規定出售狗隻的一方(包括持牌人及其代理人等)。 The party selling dogs in accordance with this Licence (including the licensee and his/her representatives, etc.).

第 II 部：對持牌人的規定

Part II: Regulatory requirements for the licensee

1. 牌照發出後，只供持牌人使用，不得轉讓。
The Licence is granted and valid exclusively for the licensee and is non-transferrable.
2. 於牌照有效期內，持牌人必須同時為所有登記雌性狗隻的主人及狗隻牌照(根據第 421A 章發出)上所示的登記畜養人。
Throughout the validity period of the Licence, the licensee must be the owner and the licensed keeper as indicated on the Dog Licence (issued under Cap. 421A) for all the enrolled female dogs.
3. 持牌人必須遵守本牌照條件及營業守則，並時常督促其代理人及員工依從本牌照條件及營業守則，以經營有關的狗隻繁育及售賣活動。
The licensee must comply with these Licence Conditions and the Code of Practice, and always instruct his/her representatives and staff to carry on the dog breeding and trading activities in accordance with these Licence Conditions and the Code of Practice.
4. 牌照的發出不應被視為可豁免遵守其他現行法例。持牌人須負起遵守所有法例規定的責任，包括但不限於下列條例：

The grant of the Licence should not be construed as an exemption from compliance with other current legislations. The licensee has the responsibility for observing the relevant legislations, including but not limited to the following:

- (i) 《公眾衛生(動物及禽鳥)條例》(第139章)及其附屬法例;
Public Health (Animals & Birds) Ordinance (Cap. 139) and its subsidiary legislations;
- (ii) 《貓狗條例》(第167章)及其附屬法例;
Dogs & Cats Ordinance (Cap. 167) and its subsidiary legislations;
- (iii) 《防止殘酷對待動物條例》(第169章)及《防止殘酷對待動物規例》(第169A章);
Prevention of Cruelty to Animals Ordinance (Cap. 169) and Prevention of Cruelty to Animals Regulations (Cap. 169A);
- (iv) 《狂犬病條例》(第421章)及《狂犬病規例》(第421A章);
Rabies Ordinance (Cap. 421) and Rabies Regulation (Cap. 421A);
- (v) 《公眾衛生及市政條例》(第132章)及其附屬法例;
Public Health & Municipal Services Ordinance (Cap. 132) and its subsidiary legislations;
- (vi) 《藥劑業及毒藥條例》(第138章)及其附屬法例;
Pharmacy and Poisons Ordinance (Cap. 138) and its subsidiary legislations;
- (vii) 《獸醫註冊條例》(第529章);
Veterinary Surgeons Registration Ordinance (Cap. 529);
- (viii) 《商品說明條例》(第362章); 及
Trade Descriptions Ordinance (Cap. 362); and
- (ix) 《稅務條例》(第112章)。
Inland Revenue Ordinance (Cap. 112).

第 III 部：對領有牌照的處所的規定

Part III: Regulatory requirements for the licensed premises

5. 牌照只適用於牌照上登記成為領有牌照的處所的單一地址。在任何情況下，本牌照不得被視為政府放棄本身對政府土地租約或政府土地許可證持有人在牌照所指處所的地段所有的任何權利，亦不得視為政府承認持牌人對該處所的任何租期或租期的續期有任何權利。倘本牌照所指定的建築物建於未獲政府同意的政府土地上，持牌人不得視本牌照為已獲政府批准使用該幅土地，亦不得視為政府對被非法佔用的政府土地放棄本身的權利。

The Licence is granted and valid exclusively for the single address which is registered as the licensed premises on the Licence. The Licence cannot, in any way, be construed as a waiver by the Government of any of its rights against the Government lease or Government permittee of the lot on which the premises stand or an acknowledgement of any right to any tenure or renewal of tenure of the premises. If the Licence applies to a building erected on the Government land otherwise than with the consent of the Government, the granting of the Licence cannot be construed as giving any right of tenure on the land, nor as a waiver by the Government of any of its rights in respect of an illegal occupation of the land.

6. 在領有牌照的處所內，持牌人除經營牌照上規定的業務外，如未獲署長允許，不得擅自經營其他業務。不過，持有署長根據《公眾衛生(動物及禽鳥)條例》(第139章)訂立的規例而簽發的牌照者，則可兼營牌照上所指定的業務。

No other business, apart from that specified in this Licence, shall be conducted on the licensed premises without the written permission of the Director, or unless licensed by the Director to do so under the Regulations made under the *Public Health (Animals and Birds) Ordinance (Cap. 139)*.

7. 牌照正本須經常存放在領有牌照的處所內，供獲授權人員查閱。
The ORIGINAL Licence must be available on the licensed premises at all times for inspection by the authorised officers.

8. 當潛在的購買者進入領有牌照的處所時，持牌人必須在領有牌照的處所內當眼位置展示寫上「嚴禁出售狗隻予未滿十六歲的人士」之告示。告示須以中文及英文寫成，其尺寸不得少於 A5 大小 (148 x 210 毫米)。

A notice shall be displayed in a prominent place within the licensed premises when a potential buyer visits the premises which states as follows: “Sale of dogs to persons under the age of 16 years is prohibited.” The notice shall be written in both Chinese and English and shall be no smaller than A5 size (148 x 210mm).

9. 持牌人必須時刻按照營業守則第 5 條有關環境及設施的標準和規定，維持、使用或營運領有牌照的處所。

The licensed premises shall be kept, maintained, used and operated in compliance with the standards and requirements for the environment and facilities set out in section 5 of the CoP at all times.

10. 持牌人必須遵守營業守則第 6 條有關培訓及應具備技能的規定。
The licensee shall comply with the requirements on training and competency set out in section 6 of the CoP.
11. 持牌人必須時刻遵守營業守則第 7 條有關繁育狗隻的交配、分娩、歲數及次數限制的規定。
The licensee shall comply with the requirements on mating, whelping, and the limitations on age and frequency of breeding for the breeding dogs set out in section 7 of the CoP at all times.
12. 持牌人必須時刻遵守營業守則第 8 條有關識別狗隻、食水及狗糧、健康檢查及獸醫護理（包括接種疫苗）、記錄卡、日常活動、清潔及護理的規定，並妥善照顧領有牌照的處所內所有狗隻。
The licensee shall take good care of all the dogs on the licensed premises and for such purpose, to comply with the requirements for dog identification, provision of water and food, health check and veterinary care (including vaccinations), record-keeping, daily exercise, and cleaning and grooming set out in section 8 of the CoP at all times.
13. 任何滿五個月大狗隻，必須根據《狂犬病規例》(第 421A 章)第 20 條領有狗隻牌照。
Any dogs at or over five months of age must be licensed in accordance with Section 20 of the *Rabies Regulation (Cap. 421A)*.
14. 持牌人必須使用附件 IV 的表格記錄領有牌照的處所內所有狗隻(登記雌性狗隻及自繁後代除外)的資料。記錄資料必須可供獲授權人員查閱。
The licensee shall keep a register of all dogs (except enrolled female dogs and self-bred offspring) which are kept on the licensed premises, using the form at Annex IV. The register must be made available for inspection by the authorised officers.
15. 獲授權人員會定期巡查領有牌照的處所，以確保該處所符合有關法例、本牌照條件及營業守則的規定。持牌人必須協助獲授權人員進行有關巡查（於任何合理時間內，不論是否已經預約），包括讓獲授權人員進出處所及提供所需文件。於巡查期間，持牌人亦必須讓獲授權人員檢驗處所內的任何狗隻，並在有需要時提供協助。持牌人如拒絕獲授權人員進入處所進行上述巡查，將被視作違反牌照條件，並有可能遭檢控及/或取消牌照。

The authorised officers will carry out regular inspections to the licensed premises for the purpose of ensuring the licensee's compliance with the Regulations, these Licence Conditions and the Code of Practice. The licensee must facilitate the inspections by authorised officers (at any reasonable time whether by appointment or otherwise) by providing access to the licensed premises and relevant documentation. The licensee shall also allow the authorised officer to inspect and examine any dog on the premises during the inspection and shall provide such assistance as may be required. Failure to comply with a request by an authorised officer to gain access to the licensed premises for the purposes stated above will be considered a breach of this licence condition and may be subject to prosecution and/or cancellation of the licence.

第 IV 部：對登記雌性狗隻的規定

Part IV: Regulatory requirements for the enrolled female dogs

16. 非登記雌性狗隻不可參與任何繁育活動。

Any female dogs not enrolled on the Inventory of the licensee must not be involved in any breeding activity.

17. 任何登記雌性狗隻名冊的改動(包括將任何雌性狗隻加入該名冊，或從該名冊中除名)，必須先獲得本署批准。擬加入名冊的雌性狗隻必須來自以下獲認可來源(須有文件證明)：

Approval must be sought from this Department for any change of the Inventory of enrolled female dogs (including any addition to or removal from the Inventory). Female dogs to be added to the Inventory must be from one of the following sources (with appropriate documentation):

- (i) 登記雌性狗隻所生產的後代；
offspring given birth by the enrolled female dogs;
- (ii) 合法進口狗隻；
legally imported;
- (iii) 從其他(甲類或乙類)持牌狗隻繁育者或持牌動物售賣商獲得；
acquired from a licensed dog breeder (category A or B) or a licensed animal trader;

- (iv) 從單次許可證持證人獲得；
acquired from a permittee of a One-off Permit for selling a dog;

或 OR

- (v) 持牌人須為有關狗隻申請狗隻牌照，並須持有該牌照連續不少於四個月(由簽發日期起計)，有關狗隻才可列入登記雌性狗隻名冊。
the licensee must possess, as the licensed keeper, a Dog Licence for the dog for not less than four consecutive months (from the date of issue) before the dog is allowed to be listed in the enrolled female dogs Inventory.

曾因下文第 18(i)項所指明的原因而除名的雌性狗隻，將不可再次列入任何持牌狗隻繁育者的登記雌性狗隻名冊。

Female dogs that have previously been removed from an Inventory for the reason stipulated in item 18(i) below cannot be enrolled again on the Inventory of any licensed dog breeder.

18. 持牌人只可基於下列原因，申請將任何登記雌性狗隻從名冊中除名：
The licensee shall only submit applications for removing the enrolled female dogs from the Inventory with the justifications stated below:

- (i) 超過五歲或累計已生產四胎或以上：
Over five years of age or had four or more litters:

數量不設限制。
No limit is set.

- (ii) 任何其他原因：
For any other reasons:

在發出牌照日或續牌日開始計算的 12 個月內，只有一隻登記雌性狗隻可因此項目而除名。在續牌時，任何關於名冊的變動將會計算到這個限制內，而未被使用的“配額”亦不可轉撥往下一個牌照有效期內使用。

No more than **one enrolled female dog** may be removed from the Inventory within each 12 month period from the date of issue or renewal of the Licence. Any change in the Inventory when the Licence is renewed will count towards this limit. Any unused “quota” cannot be carried over to subsequent licensing periods.

19. 持牌人應使用附件 I 表格提交有關加入或移除登記雌性狗隻的申請，當中須列明加入名冊／從名冊中除名的雌性狗隻資料，並附有所需文件(參閱申請表要求)。在申請獲批前，申請加入名冊的雌性狗隻不得出售或要約出售，而有關雌性狗隻亦不得參與任何繁育活動。

The application to add or remove enrolled female dogs shall be submitted using the form as prescribed in Annex I. Particulars of the female dogs being added to/removed from the Inventory shall be stated, accompanied by the required documents (refer to the requirements stated in the Application Form). Until the application is approved, female dogs pending to be added to the Inventory must not be sold or offered for sale or be involved in any breeding activity.

20. 為檢定領有牌照的處所內任何狗隻的親子關係，本署將進行脫氧核糖核酸 (DNA) 親子鑒定。獲授權人員將從有關狗隻抽取口腔細胞樣本，而持牌人須予以協助。

To verify the parental relationship between any dogs on the licensed premises, deoxyribose nucleic acid (DNA) parentage test may be carried out by this Department. Buccal swab sample shall be acquired by the authorised officers from the dogs concerned and the licensee must offer necessary assistance.

第 V 部：對供售賣狗隻的規定

Part V: Regulatory requirements for the dogs for sale

21. 持牌人只准出售或要約出售以下狗隻，並必須附有下文規定的合法來源證明：
The licensee is permitted to sell or offer to sell dogs of the following categories ONLY and accompanied by the proof of legal source as hereby stipulated:

(i) 登記雌性狗隻；

enrolled female dogs;

(ii) 登記雌性狗隻所生產的後代：

offspring given birth by the enrolled female dogs:

附有由本署已加簽狗隻繁育者聲明書的黃色副本；
accompanied by the Yellow Duplicate of a Dog Breeder's Declaration,
bearing this Department's endorsement;

或 **OR**

(iii)任何從名冊中除名的前登記雌性狗隻。

any former enrolled female dogs removed from the Inventory.

22. 所有供出售或要約出售的後代必須附有狗隻繁育者聲明書，並須附有本署加簽。持牌人應瀏覽本署網站，了解本署為聲明書加簽的程序。在持牌人作出聲明時，必須出示有關後代及生產牠的登記雌性狗隻，以供獲授權人員檢查和收集 DNA 樣本。聲明書表格將由本署提供(聲明書的範本可參考附件 II)。
All offspring sold or offered for sale must be accompanied by a Dog Breeder's Declaration bearing the endorsement by this Department. The licensee should refer to this Department's website for the procedures of obtaining the endorsement. When making the declaration, the licensee must present the offspring and enrolled female dog which gave birth to it for checking and obtaining DNA samples by the authorised officers. The declaration form will be provided by this Department (a declaration template is at Annex II).
23. 持牌人必須作出聲明：所指明的登記雌性狗隻為聲明中所指出生的後代的母親。
The licensee must make a declaration that the specified enrolled female dog is the mother of the offspring to which the declaration refers.
24. 持牌人在要求狗隻繁育者聲明書的加簽時，必須確保指定的登記雌性狗隻是向獲授權人員出示的後代的母犬。
The licensee must ensure that the specified enrolled female dog is the mother of the offspring presented to an authorized officer when requesting endorsement of the Dog Breeder's Declaration.
25. 任何登記雌性狗隻以外的雌性狗隻所生產的後代，本署將不會為有關的狗隻繁育者聲明書加簽。
This Department will not endorse the Dog Breeder's Declaration for any offspring given birth by female dogs other than the enrolled female dogs.

26. 所有供出售或要約出售的狗隻必須滿十週大。
All dogs sold or offered for sale must be at least ten weeks of age.
27. 所有供出售或要約出售的狗隻必須植入第 421A 章附表 3 所規定格式的晶片 (即 AVID *XXX*XXX*XXX)。晶片必須由註冊獸醫或獲授權人員植入。
All dogs sold or offered for sale must be implanted with a microchip of the description set out in Schedule 3 of Cap. 421A (i.e. AVID*XXX*XXX*XXX). The microchip must be implanted by a registered veterinary surgeon or an authorised officer.

第 VI 部：對出售狗隻程序的規定

Part VI: Regulatory requirements for procedures of the sale of dogs

28. 進行狗隻交易時，或購買者要求時，賣方必須出示牌照的正本供對方查閱。
The seller must show the original Licence to the buyer upon request or during the transaction of selling a dog.
29. 出售登記雌性狗隻所生產的後代時，賣方須將第(22)項所訂明的狗隻繁育者聲明書(附有本署加簽)的**黃色副本**交予購買者保存，作為合法來源證明。
When the offspring of an enrolled female dog is sold, the seller shall transfer the **YELLOW DUPLICATE** of the Dog Breeder's Declaration (bearing this Department's endorsement) as stipulated in item (22) to the buyer as the proof of legal source.
30. 出售狗隻時，必須向新狗主提供狗隻的防疫注射記錄、杜蟲及治療記錄正本、現有的狗隻牌照(如狗隻超過五個月大)正本、商業發票／單據及任何牌照條件中列明的文件等。上述所有文件均須註明狗隻的晶片號碼，以資識別。此外，必須根據營業守則第 9 條向新狗主提供適當照顧狗隻的資料及建議。
On sale of a dog, the new owner shall be provided with the original of vaccination certificate, deworming and treatment records, current dog licence (for dogs over 5 months), invoice/receipt and other documents as listed in the licence conditions; each of these documents should bear the microchip number of the dog. The new owner shall also be given information and advice on proper care of dog in accordance with the requirements set out in section 9 of the CoP.
31. 按照《狂犬病規例》(第 421A 章)第 20A 條，出售的狗隻如已領有狗隻牌照，賣方須將該牌照交予購買者，並指示購買者依照狗隻牌照背頁的指示，向本

署更改狗隻畜養人資料。賣方亦須於狗隻交易後五天內，通知本署狗隻畜養人已經轉換。

In accordance with Regulation 20A of the *Rabies Regulation (Cap. 421A)*, if the dog being sold is licensed, the seller shall transfer the current Dog Licence to the buyer and advise the buyer to notify this Department of the change of dog ownership by following the instructions printed on the back of the current Dog Licence. The seller shall also inform this Department of the change of dog ownership within five days after the transaction.

32. 出售的狗隻如未領有狗隻牌照，賣方亦應提醒購買者於狗隻滿五個月大時（或之前），向本署提交狗隻牌照申請。

If the dog being sold is not licensed, the seller should also remind the buyer to submit a new application for a Dog Licence when the dog reaches five months of age (or earlier).

33. 賣方須在購買者面前掃描晶片，並向購買者展示該晶片號碼，同時把該晶片號碼與其他文件加以核對，例如防疫注射證明書、狗隻繁育者聲明書、狗隻牌照等。晶片資料可利用任何一方或任何註冊獸醫持有的掃描器查閱。

The microchip must be checked and the number displayed on the scanner must be shown to the buyer and checked in his/her presence against other documents, such as the vaccination certificate, the Dog Breeder's Declaration, the Dog Licence, etc. The microchip can be checked using a scanner kept by either side or any registered veterinary surgeons.

34. 持牌人須依照附件 III 的格式，保留一份詳列所有雌性狗隻及後代資料的記錄冊，當中須列明有關出售或轉讓[^]的記錄。每宗出售／轉讓的詳情必須在出售／轉讓當日載於記錄冊上。記錄冊須保留最少兩年(建議七年)，並經常存放於領有牌照的處所內，以供獲授權人員隨時查閱。

The licensee is required to keep a register detailing the information of all female dogs and offspring using the form as prescribed in Annex III, which must include their sale or transfer[^] records. The records of each sale/transfer must be entered into the register **on the day** of the sale/transfer. The register must be kept to a minimum period of two years (seven years is recommended) and available at all times on the licensed premises for inspection by the authorised officers.

[^]註：“轉讓”包括“售賣”以外的任何擁有權轉換。

[^]Note: “Transfer” includes all forms of ownership change except “selling”.

35. 持牌人只可在顧客提供充分證明下，接受該顧客退回原先從持牌人購入的狗隻(例如：發票)。該證明文件須列明退回狗隻的晶片號碼。持牌人亦應掃描及核實退回狗隻的晶片號碼。

The licensee may only accept dogs returned on the client's production of sufficient proof that the dog was previously acquired from the licensee (e.g. invoice). Such documentary proof must bear the microchip number of the dog which should be also be checked by scanning.

第 VII 部：對售賣狗隻的規定

Part VII: Regulatory requirements for trading dogs

36. 所有供要約出售狗隻的實體展示，只可於領有牌照的處所範圍內進行。
All physical display of dogs offered for sale must be restricted to the licensed premises.
37. 持牌人必須將牌照號碼刊登在用以銷售狗隻的任何廣告、網站或其他形式的宣傳品上，並在個別狗隻的廣告或宣傳品上，刊登有關狗隻的晶片號碼。
The licensee must display the Licence number on any advertisement, websites or other forms of promotion for selling dogs, and, where individual dogs are advertised, the microchip numbers.
38. 承上文第(37)項，持牌人不得將牌照或牌照號碼用於銷售或以任何形式宣傳第(21)項所限來源狗隻以外的任何動物或禽鳥。
Further to item (37) above, the licensee must not use the Licence or its number in the trading or any form of advertising of any animals or birds other than dogs from the sources stipulated in item (21).
39. 持牌人不得出售或要約出售任何懷疑患病的狗隻。
The licensee must not sell or offer to sell any dog which is suspected of having any disease.

完

End

MS5805(e)