

動物售賣商牌照——牌照條件
LICENCE CONDITIONS
ATTACHED TO THE ANIMAL TRADER LICENCE

(根據《公眾衛生(動物及禽鳥)(售賣及繁育)規例》
(第139B章)第5(3)條而制定)

(Issued under Reg. 5(3) of the Public Health (Animals and Birds)
(Trading and Breeding) Regulations (Cap. 139B))
(只適用於獲准出售貓隻的動物售賣商)
(Only applicable to animal traders permitted to sell cats)

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 Term(s)	釋義 Interpretation(s)
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 under Section 17 of Cap. 139.
營業守則 Code of Practice (CoP)	附加於本牌照條件的動物售賣商營業守則(貓隻)。 The Code of Practice for Animal Traders (Cats) 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)
牌照 Licence	動物售賣商牌照 Animal Trader Licence (ATL)
持牌人 licensee	動物售賣商牌照上所示的持牌人。 The licensee as indicated on the ATL.

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。
出售 sell	According to the definition given in Regulation 2 of Cap. 139B.
賣方 seller	按本牌照規定出售動物的一方(包括持牌人及其代理人或員工等)。 The party selling animals in accordance with this Licence (including the licensee and his/her representatives or staff, 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. 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，以經營有關的動物售賣活動。
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 animal trading activities in accordance with these Licence Conditions and the Code of Practice.
3. 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) 《野生動物保護條例》(第 170 章) ;
Wild Animals Protection Ordinance (Cap. 170);
- (v) 《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);
- (vi) 《保護瀕危動植物物種條例》(第 586 章) ;
Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586);
- (vii) 《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;
- (viii) 《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;
- (ix) 《獸醫註冊條例》(第 529 章) ;
Veterinary Surgeons Registration Ordinance (Cap. 529);
- (x) 《商品說明條例》(第 362 章) ; 及
Trade Descriptions Ordinance (Cap. 362); and
- (xi) 《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

4. 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.

5. 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)*.

6. 持牌人必須在領有牌照的處所內當眼處清楚展示牌照。

The Licence must be clearly displayed in a conspicuous place within the licensed premises.

7. 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.

8. 持牌人必須時刻按照營業守則第 6 條，提供足夠人員應付領有牌照的處所的正常運作，確保處所內貓隻的福利，並確保自己和員工具備相關技能營運領有牌照的處所。

The licensee shall provide adequate manpower to meet the operational needs of the licensed premises and the welfare of the cats, and also ensure competencies of the licensee and the licensee's staff for the operation of the licensed premises in accordance with the requirements set out in section 6 of the CoP.

9. 持牌人必須時刻遵守營業守則第 7 條有關識別貓隻、提供食水及貓糧、健康檢查及獸醫護理(包括接種疫苗)、清潔及護理的規定，妥善照顧供出售貓隻。

The licensee shall take good care of the cats for sale on the licensed premises and for such purpose, to comply with the requirements for cat identification, provision of water and food, health check and veterinary care (including vaccinations), cleaning and grooming set out in section 7 of the CoP at all times.

10. 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貓隻，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 cat 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：對供出賣貓隻的規定

Part IV: Regulatory requirements for the cats for sale

11. 持牌人不得出售或要約出售牌照上所示以外的任何動物或禽鳥。
The licensee must not sell or offer to sell any animals and birds other than as specified on the Licence.
12. 所有供出售或要約出售的貓隻必須植入第 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植入。
All cats 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.
13. 所有供出售或要約出售的貓隻必須屬於以下類別，並須附有下文規定的合法來源證明：
All cats for sale or offered for sale must only be from the following sources and accompanied by the proof of legal source as stipulated:
 - (i) 由本牌照的持有人合法進口：
legally imported by the licensee:
附有本署發出的有效進口許可證／特別許可證(副本亦可)，以及出口地獸醫機構發出的有效健康證明書正本；持牌人必須為該人

□ 許可證／特別許可證的持證人。

accompanied by a valid import permit/special permit issued by this Department (photocopy is acceptable), together with the original valid health certificate issued by the veterinary authority of the exporting place; the licensee must be the permittee of the import permit/special permit;

(ii) 從其他持牌動物售賣商獲得：

acquired from other licensed animal traders:

並附有證明文件(例如發票及銷售單據等)，其中列明貓隻的晶片編號、品種、數量、交易日期及來源；或
and covered by documentation (e.g. invoice, sale receipt, etc.) detailing the microchip number, breed, quantity, date of transaction and source; or

(iii) 從私人貓主取得：

acquired from a private pet owner:

貓主的聯絡方法必須記錄在附件 SR(貓隻)。

where contacts of the private pet owner should be recorded in the Annex SR(Cats).

14. 所有供出售或要約出售的貓隻必須滿十週大。

All cats sold or offered for sale must be at least ten weeks of age.

第 V 部：對出售貓隻程序的規定

Part V: Regulatory requirements for procedures of the sale of cats

15. 出售貓隻時，必須向新貓主提供貓隻的防疫注射記錄、杜蟲及治療記錄正本及商業發票／單據。上述所有文件均須註明貓隻的晶片號碼，以資識別。此外，必須根據營業守則第 8 條向新貓主提供適當照顧貓隻的資料及建議。

On sale of a cat, the new owner shall be provided with the original of vaccination certificate, deworming and treatment records and invoice/receipt; each of these documents should bear the microchip number of the cat. The new owner shall also be given information and advice on proper care of cat in accordance with the requirements set out in section 8 of the CoP.

16. 賣方須在購買面前掃描晶片，並向購買者展示掃描器上所顯示的晶片號碼，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等。在領有牌照的處所內，必須時刻備有用以閱讀該晶片所載資料的

掃描器，以供隨時使用。

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, etc. A scanner for reading the microchip must be readily available on the licensed premises at all times.

17. 持牌人須依照附件 SR(貓隻)的格式，保留一份詳列所有供出售貓隻的記錄冊，當中須列明有關出售或轉讓[^]的記錄。每宗出售或轉讓的詳情必須在出售或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 cats for sale using the form as prescribed in Annex SR(Cats), which must include their sale or transfer[^] records. The records of each sale or transfer must be entered into the register **on the day** of the sale or 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”包括所有不具任何代價的擁有權轉換。

[^]Note: “Transfer” includes all forms of ownership change without any consideration.

第 VI 部：對售賣貓隻的規定

Part VI: Regulatory requirements for trading cats

18. 所有供要約出售貓隻的實體展示，只可於領有牌照的處所範圍內進行。

All physical display of cats offered for sale must be restricted to the licensed premises.

19. 持牌人不得出售或要約出售任何懷疑患病的貓隻。

The licensee must not sell or offer to sell any cat which is suspected of having any disease.

完

End