

香港法例第 139B 章公眾衛生(動物及禽鳥)(售賣及繁育)規例

持牌動物售賣商營業守則

(狗隻售賣商、狗隻繁育者及玩賞爬蟲類動物除外)

Public Health (Animals & Birds)(Trading and Breeding) Regulations Cap. 139B

Code of Standards for Licensed Animal Traders

(except dog traders, dog breeders and pet reptiles)

根據上述規例獲得發牌之所有動物售賣商，須依照牌照內之規定，遵守下開守則：

All licensees licensed under these regulations will observe, under the conditions of their licence, the following standards,

圍封物標準（適用於所有售賣商）

Standards of Enclosures (All Traders)

- (1) 「基本圍封物」指用以飼養動物或禽鳥直接限制在有限空間的房間、圍欄、籠、隔室、棚屋或構築物，必須－
- Any primary enclosure, which means any pen, cage, compartment, hutch or structure used to immediately restrict animals or birds to a limited amount of space shall be :-
- I. 結構良好並保持維修良好；
structurally sound and maintained in good repair;
 - II. 在設計方面足以困囿在內飼養的動物或禽鳥，並能保護牠們免受傷害和免被捕食；
so designed as to contain adequately the animals or birds kept therein and to protect them from injury and predators;
 - III. 在構造和保養方面能使在內飼養的動物或禽鳥－
so constructed and maintained as to enable the animals or birds kept therein to -
 - (i) 保持乾爽清潔；
remain dry and clean;
 - (ii) 方便取得食物和水；及
have convenient access to food and water; and
 - (iii) 自由地走動和舒適地站立、坐下、躺臥與棲息；及
move about freely and to stand, sit, lie and perch comfortably;
and

- IV. 設於能避免照明過強的位置；
so located as to avoid excessive illumination;
- V. 內牆表面全無任何突出之釘、螺絲、鐵絲網之尖端或任何其他鋒利或參差不齊的物體，而可能引致欄內動物或禽鳥受到損傷。
so constructed as to have inner surfaces which are completely free of any projecting nails, screws, ends of mesh or any other sharp or jagged materials which could cause injury to the animals kept therein.
- (2) 盛水的容器必須經常縛牢或裝妥，以免被動物或禽鳥將之倒翻，其設計亦須使之能經常保持清潔。
The water receptacles should be securely fastened or fitted at all times in such a manner as to effectively prevent their being over-turned by the animals or birds, and shall be designed so that they can always be kept clean.
- (3) 任何基本圍封物的地台，如有板條或網眼部分，其設計及構造須不會令動物或禽鳥的腳陷在板條或網眼之間，或因此而引致受傷。*注意：動物售賣商牌照（貓隻）的牌照條件規定基本圍封物內至少有 50%之地台面積應為實心部分，或恆常為一實心地台所覆蓋。*
The slatted portion or the mesh portion, if any, of the floor of any primary enclosure shall be so designed and constructed that there is no possibility of the feet of the animals or birds being trapped or hurt or injured between the slats or mesh openings. *NB It is a Condition of every Animal Trading Licence for cats that not less than 50% of the floor area of the primary enclosure be solid or covered at all times with a solid platform.*
- (4) 「畜舍設施」指以容納一個基本圍封物的房間、建築物或處所，必須－
Any housing facility which means any room, building or premises used to enclose a primary enclosure shall –
- I. 結構良好並保持維修良好；
be structurally sound and maintained in good repair;
- II. 在設計方面足以困囿在內飼養的動物或禽鳥，並能限制其他動物及禽鳥進入；
be so designed as to contain adequately the animals and birds kept therein and to restrict the entrance of other animals and birds;
- III. 設有足夠的適合飲用的水供應及設有適當的排水設施讓過量的水流走；
contain an adequate supply of potable water and suitable drainage for the escape of excess water;

- IV. 提供足夠的空間以供貯存新鮮食物及臥墊；
provide sufficient space for the storage of fresh food and bedding;
- V. 設有可將動物或禽鳥的廢物、食物廢物、用過之臥墊、已死的動物或禽鳥及殘物移走和處置的設施，以將蟲鼠侵擾、污染、令人噁心的氣味和發生疾病的風險減至最低；
provide for the removal and disposal of animal or bird waste, food waste, used bedding, dead animals or birds, and debris, so as to minimize infestation, contamination, nauseating odours and the risk of disease;
- VI. 透過窗、門、通風孔或空氣調節提供足夠的新鮮空氣通風，以促進在內飼養的動物或禽鳥的健康和舒適，並將陣風，氣味和水分冷凝至最低；
be provided with sufficient fresh air ventilation, by means of windows, doors, vents or air conditioning, to promote the health and comfort of the animals or birds kept therein and to minimize draughts, odours and moisture condensation;
- VII. 藉天然或人工的方法，或藉兩者兼備的方法，提供充足而優質的照明、而照明的分佈須能提供足夠的光度以容許在營業時間內進行例行檢查和清潔；及
Have ample lighting, by natural or artificial means or both, of good quality and so distributed as to provide sufficient light intensity to permit routine inspection and cleaning during trading hours; and
- VIII. 設有實質上不透水且易於的潔淨內層的表面。
Contain interior surfaces which are substantially impervious to moisture and may be readily sanitized.

- (5) 「戶外範圍」指用以飼養動物或禽鳥，供動物或禽鳥活動或困圍動物或禽鳥的戶外範圍或空間（不論該範圍或空間有否容納一個基本圍封物），必須－

Any outdoor area which means any outdoor area or space whether containing a primary enclosure or not, used for the keeping, exercise or containment of animals or birds shall provide : -

- I. 足夠的遮蔭，使在內飼養的動物或禽鳥能保護自己免受陽光直接照射；
sufficient shade to enable the animals or birds kept therein to protect themselves from the direct rays of the sun;
- II. 足夠的遮蔽物，使天氣惡劣時為在飼養的動物及禽鳥提供保護；
及
adequate shelter to afford to the animals or birds kept therein for

protection in inclement weather; and

III. 適當的排水設施讓過量的水流走。

suitable drainage for the escape of excess water.

- (6) 在領有牌照的處所，必須按照相關法例的規定設置適當的滅火裝備，並須作出安排，以便在發生緊急事故時迅速撤走動物。如籠已上鎖，鑰匙應放在各員工容易接觸之處，以便迅速撤走動物。

The licensed premises shall be equipped with appropriate fire-fighting equipment in compliance with the relevant legislation. Easy access shall be provided for a swift evacuation of the animals in case of emergency. If cages are locked, the keys shall be readily accessible to all staff to allow the swift evacuation.

圍封物標準（適用於所有貓隻繁育處所）

Standards of Enclosures (*All breeding premises (Cats))

- (7) 凡進行繁育之售賣場地，均須為每一貓隻提供生活範圍（至少 2.0 平方米；長度及闊度均不少於 0.9 米）。

At all trading premises where breeding occurs, each animal shall be provided with a living area of not less than 2.0sq.m; length and width not less than 0.9m.

圍封物標準（適用於所有動物或禽鳥售賣商）

Standards of Enclosures (All Animal or Bird Traders)

- (8) 若檔位或其他設施曝露於日光下，而可能造成過熱之危險，則需為該等設施提供有效遮蔭設備，以達署長滿意的程度。此等遮蔭設備必須結構良好及保持維修良好，同時不妨礙通風等。

Where a stall or other facility is exposed to sunlight so as to create a risk of overheating, an effective means shall be provided to shade the facility to the satisfaction of the Director. Such shading arrangement shall be structurally sound and maintained in good repair. It shall not interfere with ventilation, etc.

- (9) 獲發上述牌照後，持牌人除獲署長書面許可外，不得對已批准之基本圍封物、畜舍設施或戶外場地等物作任何重大更改或修改。

Where a licence has been granted, the licensee shall not, thereafter, save with the permission in writing of the Director, make any material alteration or modification to the primary enclosure, housing facilities or outdoor area.

- (10) 持牌動物售賣商只准在領有牌照的處所內畜養經營該項業務的動物或禽鳥。

A licensed animal trader shall only keep any animals or birds for the purpose of his business on licensed premises.

畜牧及衛生標準

Husbandry & Hygiene

- (11) 持牌動物售賣商必須時常遵守下開規定：

The licensed animal trader shall comply with the following requirements at all times : -

- I. 畜舍設施、基本圍封物、運動範圍及戶外範圍等，必須保持清潔衛生；
the housing facilities, primary enclosure, exercise area and outdoor area shall be maintained in a clean and sanitary condition;
- II. 每天須將所有排泄物及其他廢物移離領有牌照的處所不少於一次；
all excreta and other waste matter shall be removed from the licensed premises not less than once a day;
- III. 須有一個控制和消滅領有牌照的處所內的昆蟲、外寄生蟲、鳥類及哺乳類害蟲的計劃，該計劃由署長批准，並須維持該計劃以達署長滿意的程度；
a programme for the control and destruction of insects, ectoparasites, avian and mammalian pests on the licensed premises shall be approved by, and maintained to the satisfaction of, the Director.
- IV. 供給動物或禽鳥的食物必須足夠、不受污染，衛生和有營養；
the food served to the animals or birds shall be adequate, free from contamination, wholesome and nutritive;
- V. 供應給動物或禽鳥的水須適合飲用和不經污染；
the water supplied to the animals or birds shall be potable and uncontaminated;
- VI. 盛載食物和水的盛器須：
food and water receptacles shall be –
 - (i) 設置在動物及禽鳥輕易可達之處；
readily accessible to animals and birds;
 - (ii) 保持清潔；及
kept clean; and

- (iii) 按需要定期潔淨、潔淨指實際進行清潔並除去和毀滅損害健康的媒體，以防止食物和水受污染；及

sanitized which means to physically clean and to remove and destroy agents injurious to health, at such intervals as may be necessary to prevent contamination of the food and water; and

VII. 須備有消毒劑供應以供潔淨之用。

a supply of disinfectants shall be available for the purpose of sanitation.

- (12) I. 除非動物或禽鳥相同或相容的屬，否則不得安置在同一個基本圍封物內，亦不得放置在其敵對的動物附近；

Animals or birds shall not be housed in the same primary enclosure unless they are of the same or of a compatible genus, and shall not be placed in the proximity of their natural predators.

II. 即使牠們屬於相同或相容的屬，惟一

Notwithstanding that they are of the same or of a compatible genus –

- (i) 雌性（或雄性）繁育動物，無論在妊娠後期、分娩或育幼中，應安置於獨立及分隔開的設施內，免受騷擾；

Breeding females (and males where appropriate) whether in late pregnancy, giving birth or nurturing young must be provided with privacy in separate and isolated facilities;

- (ii) 處於發情期（動情期）的雌性不得與雄性安置在同一基本圍封物內，但為進行繁殖則除外；

females in season (oestrus) shall not be housed in the same primary enclosure with males except for breeding purposes;

- (iii) 性情兇猛的動物或禽鳥須個別安置在獨立的基本圍封物內；

animals or birds of vicious disposition shall be housed individually in separate primary enclosures;

- (iv) 除非是為永久地在繁殖群體中畜養，否則年幼的動物或禽鳥不得與成年的動物或禽鳥安置在同一基本圍封物內，但如該成年的動物或禽鳥是其母或相當於其母者則除外；及

except where permanently maintained in breeding colonies young animals or birds shall not be housed in the same primary enclosure with any adult animals or birds other than their dams or equivalent; and

- (v) 正接受傳染病治療的動物或禽鳥須與其他動物或禽鳥分開。

animals or birds under treatment for a communicable disease shall be kept separate from other animals or birds.

- (13) 不論在任何時候，持牌人不得在領有牌照的處所內售賣或擬售賣或容許出售未斷乳的動物，亦不可准許他人從上述處所內將動物或禽鳥攜帶出外販賣。

At no time shall the licensee sell or offer for sale or allow to be sold on the licensed premises any un-weaned animals, neither shall he permit any hawking of animals or birds from his premises.

- (14) 持牌人須時常採取適當預防措施，在其處所下的動物或禽鳥不會受到作弄或折磨。

The licensee shall at all times take precautions to prevent the molestation or the teasing of any animals or birds from his premises.

- (15) 持牌人必須給予動物或禽鳥良好的護理，並確保該等動物或禽鳥不會畜養在擠迫的環境中。

The licensee shall in accordance with good husbandry ensure that animals and birds are not kept in overcrowded conditions.

- (16) 持牌人須注意香港法例第 170 章野生動物保護條例的規定，其中包括：
The licensees' attention is drawn to the provisions of the Wild Animals Protection Ordinance (Chapter 170) which includes the following : -

第 4 條：無論何人不得獵取受保護之野生動物。

Section 4. No person shall hunt any protected wild animals.

第 5 條：無論何人，不得攫去、移去、傷害、毀壞、或故意擾亂任何受保護動物之巢或卵。

Section 5. No person shall take, remove, injure, destroy or will fully disturb a nest or egg of any protected wild animals.

第 8 條：無論何人不得擁有或在其控制下有一

Section 8 : No person shall have in his possession or under his control –

- I. 任何在本港獲得之受保護野生動物；
any live protected wild animal taken in Hong Kong;
- II. 任何在本港宰殺或獲取之受保護野生動物之屍體或其任何部分；或
any dead protected wild animal, or part of a protected wild animal,

killed or taken in Hong Kong; or

- III. 任何在本港獲取之受保護野生動物之巢或卵。
any nest or egg of any protected wild animal taken in Hong Kong.

第 9 條：無論何人不得買賣、出口、或擬出售或出口 –

Section 9, No person shall buy, sell, export or offer for sale of export –

- I. 任何在本港宰殺或獲取之受保護野生動物之屍體或其任何部分；或
any protected wild animal, or part of a protected wild animal, killed or taken in Hong Kong; or
- II. 任何在本港獲取之受保護野生動物的巢或卵。
any nest or egg of any protected wild animal taken in Hong Kong.

- (17) 持牌人亦請注意香港法例第 586 章保護瀕危動植物物種條例。根據該條例規定，除持有漁農自然護理署署長簽發之許可證外，無論何人均不得為其本人或代他人將法例附表所列的動植物品種運入或運出本港，亦不得擅自藏有附表所列的動植物品種，惟事先獲漁農自然護理署署長發給許可證，並依許可證之規定擁有該等動植物品種者，則不在此限。

Attention is also drawn to the (Protection of Endangered Species of Animals and Plants Ordinance, Chapter 586), wherein it is an offence, except with a licence from the Director of Agriculture, Fisheries and Conservation, for any person on his own behalf or on behalf of any other person to import or export any scheduled species; neither shall he have in his possession any scheduled species except under and in accordance with a licence from the Director of Agriculture, Fisheries and Conservation.

- (18) 所有動物及禽鳥*必須按其血統及品種記載在登記冊上，登記冊的格式如下：

A register will be kept of all animals & birds* which are taken into stock by breed and species and the register will be in the following form:

送抵日期 Date in	動物及禽鳥 品種 Species of animals/birds	抵達時年齡 Age on arrival	接受防疫注射日期 (如適用) Vaccination date (if applicable)	購自誰人／何處 Obtained from who/where	售出日期 Date out

該登記冊須隨時供獲授權的漁農自然護理署人員查閱。

*只適用於貓隻及玩賞雀鳥

This register shall be available for inspection by any authorized officer at all times.

*applicable to cat and pet birds only

- (19) 所有入口的動物及禽鳥在運抵本港及辦妥一切法定手續後須立即盡快用可防止逃脫而又合乎人道的方法，運往動物售賣商領有牌照的處所內，並立即放入良好的基本圍封物及畜舍設施內，同時須有新鮮清潔的食水供應。

（「動物售賣商的領有牌照的處所」，是指根據香港法例第 139 章公眾衛生（動物及禽鳥）（售賣及繁育）規例而簽發的牌照上所指定之處所，並須符合該規例第 5(1)(b)條所規定者，而有關的動物及禽鳥售賣的種類亦須為牌照所批准者。）

All imported animals and birds must, without delay, as soon as possible after arrival in the Hong Kong Special Administrative Region, subject to fulfillment of other statutory requirements, be taken in an escape-proof and humane means of transportation to the licensed premises of an animal trader where they must without delay be housed in a satisfactory primary enclosure and housing facilities, and be provided with fresh clean drinking water. (“Licensed premises of an animal trader” means a premises specified in a licence issued under the Public Health (Animals & Birds) (Trading and Breeding) Regulations Cap. 139, in accordance with Regulation 5(1)(b) of the said regulations, provided that the licence permits trade in the types of animals or birds concerned.)

- (20) 無論在任何情況下，本牌照不得視為政府放棄其本身對政府地租約或政府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。

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 on your part to any tenure or renewal of tenure of the premises.

- (21) 倘本牌照所指定的建築物乃建在未獲政府同意之政府地，持牌人不得將本牌照視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之政府地放棄其權利。

If the licence applies to a building erected on Government land otherwise than with the consent of the Government, the granting of a licence cannot be construed as giving you 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.

- (22) 持牌人須注意下列各條例之規定：—

The licensee's attention is drawn to all the provisions of : -

- I. 香港法例第 169 章防止殘酷對待動物條例及規例；
The Prevention of Cruelty to Animals Ordinance and Regulations, Cap. 169;
- II. 香港法例第 421 章狂犬病條例及規例；
The Rabies Ordinance and Rabies Regulation, Cap. 421;
- III. 香港法例第 139 章公眾衛生（動物及禽鳥）條例及其附屬法例；
The Public Health (Animals & Birds) Ordinance and Subsidiary Legislation, Cap. 139;
- IV. 香港法例第 132 章公眾衛生及市政事務條例及其附屬法例；
The Public Health & Municipal Services Ordinance and Subsidiary Legislation, Cap. 132;
- V. 香港法例第 137 章抗生素條例及規例；
The Antibiotics Ordinance and Regulation, Cap. 137;
- VI. 香港法例第 138 章藥劑及毒藥條例及規例；
The Pharmacy and Poisons Ordinance and its Regulations, Cap. 138;
- VII. 香港法例第 586 章保護瀕危動植物物種條例；
Protection of Endangered Species of Animals and Plants Ordinance, Cap. 586;
- VIII. 香港法例第 170 章野生動物保護條例；
The Wild Animals Protection Ordinance, Cap. 170;

及所有其他有關法例。
and all other relevant legislation.

持牌人須熟悉上述各法例，並須確保不會觸犯此等法例。持有動物售賣商牌照並不會獲得任何豁免。

The licensee should acquaint himself with these and take steps to ensure that he does not contravene them. The possession of an Animal Trading licence does not give any exemption.

- (23) 本牌照的領有牌照的處所內不可售賣或畜養任何有毒或有危險性的動物/禽鳥。

Trade in poisonous/venomous or dangerous animals/birds is not permitted, and such animals or birds must not be kept in the licensed premises.

[持有效動物售賣商牌照（食用蛇類）的持牌人/建築物，如獲批准，可售賣最多 5 種的有毒蛇類，視乎牌照之附加條件及該建築物內的特別設計而訂。]

[Traders licensed to trade in snakes for food may be permitted to trade in up to five species of venomous snakes subject to additional conditions and specially designed premises and enclosures]

- (24) 漁農自然護理署署長保留不時修改此營業守則之條件之權利。除特別註明外，該經修改之營業守則之條件將即時生效。

The Director of Agriculture, Fisheries and Conservation hereby reserves the right to revise the Code of Standards from time to time and the revised Code of Standards shall take immediate effect unless otherwise stated.