

《公眾衛生(動物)(寄養所)規例》

**PUBLIC HEALTH (ANIMALS)(BOARDING ESTABLISHMENT) REGULATIONS**

(第 139 章，附屬法例 I)

**(Cap. 139 sub. leg. I)**

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## 《公眾衛生(動物)(寄養所)規例》

(第 139 章第 3 條)

[1973 年 8 月 1 日]

### 1. 引稱

本規例可引稱為《公眾衛生(動物)(寄養所)規例》。

### 2. 釋義

(1) 在本規例中，除文意另有所指外——

“戶外範圍”(outdoor area)指用以飼養或困圍動物或供動物活動的戶外範圍或空間(不論該範圍或空間有否容納一個基本圍封物)；

“畜舍設施”(housing facility)指用以容納一個基本圍封物的房間、建築物、處所或其他地方；

“基本圍封物”(primary enclosure)指用以將動物限制在有限空間的房間、圍欄、籠、隔室、棚屋或構築物；

“牌照”(licence)指根據第 5 條批給或續期的牌照；

“衛生”(sanitary)指實際清潔，且沒有損害健康的媒體和任何其他令人難受或厭惡的物料存在。

(2) 為施行本規例，任何人如經營為動物提供食物及住宿的業務，以換取該等動物的擁有人或控制人支付費用或其他金錢代價，則該人即屬經營動物寄養所，而提供上述住宿的地方，須當作為經營該業務的地方。

## PUBLIC HEALTH (ANIMALS)(BOARDING ESTABLISHMENT) REGULATIONS

(Cap. 139 section 3)

[1 August 1973]

### 1. Citation

These regulations may be cited as the Public Health (Animals) (Boarding Establishment) Regulations.

### 2. Interpretation

(1) In these regulations unless the context otherwise requires—

“housing facility” (畜舍設施) means a room, building, premises or other place used to contain a primary enclosure;

“licence” (牌照) means a licence granted or renewed under regulation 5;

“outdoor area” (戶外範圍) means an outdoor area or space, whether containing a primary enclosure or not, used for the keeping, exercise or containment of animals;

“primary enclosure” (基本圍封物) means a room, pen, cage, compartment, hutch or structure used to restrict animals to a limited amount of space;

“sanitary” (衛生) means physically clean, and free from agents which are injurious to health and from any other obnoxious or offensive material.

(2) For the purposes of these regulations, a person keeps a boarding establishment for animals if he carries on a business of providing food and accommodation for animals in return for a fee or other money consideration paid by the owner or

### 3. 適用範圍

(具追溯力的適應化修訂——見 1999 年第 65 號第 3 條)  
本規例不適用於在“國家”所佔用或管理的地方經營動物寄養所。

(1999 年第 65 號第 3 條)

### 4. 禁止無牌經營動物寄養所

除非根據並按照在本規例下批給的牌照行事，否則任何人不得經營動物寄養所。

### 5. 署長批給牌照的權力

- (1) 署長可應採用其所指明的表格提出的申請將牌照批給任何人，准許該人經營動物寄養所，並可將任何該等牌照續期。(1999 年第 331 號法律公告)
- (2) 除非——
  - (a) 署長已檢查將經營動物寄養所的地方並已就該地方給予批准；及
  - (b) 署長信納將供動物住宿的基本圍封物、畜舍設施及戶外範圍均符合第 6 條所指明的標準，否則不得批給牌照或將牌照續期。(1999 年第 331 號法律公告)
- (3) 署長可在牌照附加其認為適合的條件。(1999 年第 331 號法律公告)

person having control of the animals, and the place at which such accommodation is provided shall be deemed to be the place at which the business is carried on.

### 3. Application

(Adaptation amendments retroactively made - see 65 of 1999 s. 3)  
These regulations shall not apply to the keeping of any boarding establishment for animals at a place occupied by or under the management of the State.

(65 of 1999 s. 3)

### 4. Prohibition of keeping boarding establishment for animals without licence

No person shall keep a boarding establishment for animals save under and in accordance with a licence granted under these regulations.

### 5. Power of Director to grant licence

- (1) Upon application in the form specified by the Director, the Director may grant a licence to any person to keep a boarding establishment for animals and may renew any such licence.
- (2) A licence shall not be granted or renewed unless—
  - (a) the Director has inspected and approved the place at which the boarding establishment for animals is to be kept; and
  - (b) the Director is satisfied that the primary enclosures, housing facilities and outdoor areas in which the animals are to be accommodated conform with the standards specified under regulation 6.
- (3) The Director may attach to a licence such conditions as he may think fit.

- (4) 牌照的有效期為 12 個月，自批給的日期起計。(1990 年第 408 號法律公告)
- (5) 牌照費為 \$3,810。(1990 年第 408 號法律公告；1995 年第 48 號法律公告；1996 年第 209 號法律公告；1997 年第 526 號法律公告)
- (6) 牌照須指明——
  - (a) 獲批給牌照經營動物寄養所的人的住址；及
  - (b) 可經營動物寄養所的地方的地址。

## 6. 基本圍封物等的標準

- (1) 基本圍封物須——
  - (a) 結構良好及保持維修良好；
  - (b) 在設計方面能困圍在內住宿的動物，並能保護牠們免受傷害和免被捕食；
  - (c) 在構造和保養方面能使在內住宿的動物——
    - (i) 保持乾爽清潔；
    - (ii) 方便取得食物及水；及
    - (iii) 自由地走動和舒適地站立、坐下或躺臥；及
  - (d) 設於能避免照明過強的位置。
- (2) 畜舍設施須——
  - (a) 結構良好並保持維修良好；
  - (b) 在設計方面能困圍在內住宿的動物，並能限制其他動物進入；
  - (c) 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；
  - (d) 提供足夠的空間以供貯存新鮮食物及臥墊；

- (4) A licence shall be valid for a period of 12 months beginning on the date it is granted. (*L.N. 408 of 1990*)
- (5) The fee for a licence shall be \$3,810. (*L.N. 408 of 1990; L.N. 48 of 1995; L.N. 209 of 1996; L.N. 526 of 1997*)
- (6) A licence shall specify—
  - (a) the residential address of the person licensed to keep the boarding establishment for animals; and
  - (b) the address of the place at which the boarding establishment for animals may be kept.

## 6. Standards of primary enclosures etc.

- (1) A primary enclosure shall be—
  - (a) structurally sound and maintained in good repair;
  - (b) designed so as to contain the animals accommodated therein and to protect them from injury and predators;
  - (c) constructed and maintained so as to enable the animals accommodated therein to—
    - (i) remain dry and clean;
    - (ii) have convenient access to food and water; and
    - (iii) move about freely and to stand, sit or lie comfortably; and
  - (d) located so as to avoid excessive illumination.
- (2) Housing facilities shall—
  - (a) be structurally sound and maintained in good repair;
  - (b) be designed so as to contain the animals accommodated therein and to restrict the entrance of other animals;
  - (c) contain an adequate supplies of potable water and suitable drainage for the escape of excess water;

- (e) 設有可將動物和食物廢物、用過的臥墊、已死的動物及殘物移走和處置的設施，以將蟲鼠侵擾、污染、氣味和發生疾病的風險減至最低；
  - (f) 透過窗、門、通風孔或空氣調節提供足夠的新鮮空氣通風，以促進在內住宿的動物的健康及舒適，並將陣風、氣味和水分冷凝減至最低；
  - (g) 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，而照明的分布須能提供足夠的光度以容許進行例行檢查和清潔；及
  - (h) 設有實質上不透水分且可供時刻進行衛生清潔的內層表面。
- (3) 戶外範圍須提供——
- (a) 足夠的遮蔭，使動物能保護自己免受陽光直接照射；
  - (b) 足夠的遮蔽物，讓動物在天氣惡劣時得到保護；及
  - (c) 適當的排水設施讓過量的水流走。

**7. 持牌人不得對基本圍封物等作出更改，亦不得在寄養所以外的地方飼養動物**

除經署長事先同意外，任何獲批給牌照的人不得—— (1999 年第 331 號法律公告)

- (d) provide sufficient space for the storage of fresh food and bedding;
  - (e) contain means for the removal and disposal of animal and food waste, used bedding, dead animals and debris to minimize infestation, contamination, odours and disease hazards;
  - (f) 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 accommodated therein and to minimize draughts, odours and moisture condensation;
  - (g) 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; and
  - (h) contain interior surfaces which are substantially impervious to moisture and may be sanitarily cleaned at all times.
- (3) An outdoor area shall provide—
- (a) sufficient shade to enable the animals to protect themselves from the direct rays of the sun;
  - (b) adequate shelter to allow the animals protection in inclement weather; and
  - (c) suitable drainage for the escape of excess water.

**7. Licensee not to make changes to primary enclosures etc. and not to keep animals outside boarding establishment**

Except with the prior consent of the Director, no person to whom a licence has been granted shall—

- (a) 對將供動物住宿的基本圍封物、畜舍設施或戶外範圍作出任何重大更改，或安排或准許對該等基本圍封物、畜舍設施或戶外範圍作出任何重大更改；或
- (b) 為經營其業務而在其牌照所指明的地方以外的其他地方，為動物提供食物及住宿，或安排或准許在該等地方為動物提供食物及住宿。

## 8. 畜牧及衛生

除為進行獸疾治療而合理地具充分理由外，獲批給牌照的人須遵從以下規定——

- (a) 每天須以衛生、可口和有營養的食物餵飼動物最少一次，而所餵飼的分量為在顧及動物的種類、大小及狀態後應屬足夠滿足該等動物的每天正常需要者；
- (b) 所有供動物使用的盛載食物和水的盛器均須——
  - (i) 設置在動物輕易可達之處；
  - (ii) 設於受排泄物或其他物質污染最輕微的位置；
  - (iii) 定期清潔，以時刻保持衛生；及
  - (iv) 時刻保持狀況良好；
- (c) 須為動物供應足夠而適合飲用的水，如不能持續供應適合飲用的水，則每天須為牠們供應適合飲用的液體最少兩次，每次供應的時間不少於 1 小時；
- (d) 每天須將所有排泄物及其他廢物移離動物住宿的地方不少於一次；
- (e) 基本圍封物、畜舍設施及戶外範圍須保持衛生，並須設有足夠的和乾爽的臥墊；
- (f) 須制定一個控制和消滅在動物住宿的地方內的昆蟲、外寄生蟲、鳥類及哺乳類害蟲的計劃，並須維持該計劃，以達署長滿意的程度；(1999 年第 331 號法律公告)

- (a) make or cause or permit to be made any material change to the primary enclosures, housing facilities or outdoor areas in which the animals are to be accommodated; or
- (b) provide or cause or permit to be provided for the purpose of his business, food and accommodation for animals at a place other than the place specified in his licence.

## 8. Husbandry and sanitation

Except as may reasonably be justified for the purpose of veterinary treatment, a person to whom a licence has been granted shall comply with the following requirements—

- (a) the animals shall be fed at least once daily with wholesome, palatable and nutritious food which shall be of sufficient quantity to meet the normal daily requirement of the animals having regard to their species, size and condition; (*L.N. 162 of 1993*)
- (b) all food and water receptacles for the animals shall be—
  - (i) readily accessible to the animals;
  - (ii) so located as to minimize contamination by excreta or otherwise;
  - (iii) cleaned at regular intervals so as to be kept in a sanitary condition at all times; and
  - (iv) kept in good condition at all times;
- (c) the animals shall be supplied with adequate and potable water and, if no constant supply of potable water is available, they shall be supplied with potable liquid at least twice daily for a period of not less than one hour each time;

- (g) 除非動物屬於相同或相容的屬，否則不得安置在同一基本圍封物內；
- (h) 即使動物是屬於相同或相容的屬——
  - (i) 處於發情期(動情期)的雌性動物不得與雄性動物安置在同一基本圍封物內，但為進行繁殖則除外；及
  - (ii) 性情兇猛的動物須個別安置在獨立的基本圍封物內；
- (i) 除在以下情況外，年幼的動物不得與成年的動物安置在同一基本圍封物內——
  - (i) 永久地在繁殖群體中飼養；或
  - (ii) 成年的動物是年幼的動物的母畜或相當於其母畜者；
- (j) 貓和狗不得安置在同一基本圍封物內；
- (k) 貓或狗不得與任何其他種類的動物安置在一起；及
- (l) 正接受傳染病治療的動物須與其他動物分開。

- (d) all excreta and other waste matter shall be removed not less than once daily from the place at which the animals are accommodated;
- (e) the primary enclosures, housing facilities and outdoor areas shall be maintained in a sanitary condition and shall contain adequate and dry bedding;
- (f) a programme for the control and destruction of insects, ectoparasites, avian and mammalian pests at the place at which the animals are accommodated shall be established and maintained to the satisfaction of the Director;
- (g) animals shall not be housed in the same primary enclosure unless they are of the same or a compatible genus;
- (h) notwithstanding that the animals are of the same or compatible genus—
  - (i) female animals in season (oestrus) shall not be housed in the same primary enclosure with male animals, except for breeding purposes; and
  - (ii) animals of vicious disposition shall be housed individually in separate primary enclosures;
- (i) young animals shall not be housed in the same primary enclosure with adult animals, except—
  - (i) when permanently maintained in breeding colonies; or
  - (ii) where the adult animals are their dams or equivalent;
- (j) dogs and cats shall not be housed in the same primary enclosure;
- (k) dogs or cats shall not be housed with any other species of animals; and

**9. 罪行及罰則**

- (1) 任何人違反第 4 條，即屬犯罪，一經定罪，可處罰款 \$2,000。
- (2) 任何獲批給牌照的人違反——
  - (a) 附加於其牌照的任何條件；或
  - (b) 第 7 或 8 條，即屬犯罪，一經定罪，可處罰款 \$1,000。

- (l) animals under treatment for a communicable disease shall be kept separate from other animals.

**9. Offences and penalties**

- (1) Any person who contravenes regulation 4 shall be guilty of an offence and shall be liable on conviction to a fine of 2000 dollars.
- (2) Any person to whom a licence has been granted who contravenes—
  - (a) any condition attached to his licence; or
  - (b) regulation 7 or 8,shall be guilty of an offence and shall be liable on conviction to a fine of 1000 dollars.