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ANIMALS AND BIRDS ACT

(CHAPTER 7, SECTION 80)

ANIMALS AND BIRDS (LICENSING OF FARMS) RULES

History	G.N. No. S294/2004	->	R3 2004 REVISED EDITION
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[1st June 2004]

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ANIMALS AND BIRDS ACT

(CHAPTER 7, SECTION 80)

ANIMALS AND BIRDS (LICENSING OF FARMS) RULES

[1st June 2004]

Citation

1. These Rules may be cited as the Animals and Birds (Licensing of Farms) Rules.

Definitions

2. In these Rules —

"farm" means any land or premises, whether enclosed by fencing or not, used for the keeping, rearing, breeding or boarding of animals or birds for commercial purposes;

"licence" means a licence issued by the Director-General under rule 5 and "licensee" shall be construed accordingly;

"premises" includes the buildings, facilities and structures therein.

Limitation of application of Rules

3. These Rules shall not apply to the keeping or maintenance of farms by any Government department or public authority established under any written law.

Keeping or maintenance of farm

4. No person shall keep or maintain a farm except in accordance with a valid licence issued by the Director-General under rule 5 and in accordance with the conditions, if any, of that licence.

Application for and issue or renewal of licence

5. —(1) An application for a licence shall be made to the Director-General in such form or manner as the Director-General may require and shall be accompanied by —

(a) the appropriate fee specified in the Schedule; and

(b) such particulars, information and documents as may be specified by the Director-General.

(2) On receipt of an application under paragraph (1), the Director-General may —

(a) issue a licence to the applicant, whether unconditionally or subject to such conditions as he thinks fit to impose; or

(b) refuse to issue any licence to the applicant.

(3) In determining whether to issue or refuse to issue a licence, the Director-General may consider the suitability of the land or premises to be licensed for use as a farm.

(4) For the purposes of paragraph (3), the Director-General may, at any time —

(a) enter and inspect the land or premises in respect of which the application is made, or cause such land or premises to be inspected by an authorised officer;

(b) require the applicant to make available any relevant documentation for inspection and copying; and

(c) require the applicant, at his own expense, to make such alteration or improvement to such land or premises or to provide, fix or install such buildings, facilities or structures as the Director-General may specify.

(5) The Director-General may refuse to issue a licence to an applicant if —

(a) the applicant or one of his partners or, if the applicant is a body corporate, one of its directors

—

(i) had previously been convicted of an offence under the Act; or

(ii) had previously held a licence issued under the Act and the licence was subsequently suspended or revoked under section 62 of the Act; or

(b) in the opinion of the Director-General —

(i) the applicant is not a fit and proper person to be granted a licence; or

(ii) the land or premises in respect of which the licence is being applied for is not suitable for use as a farm.

(6) The Director-General may, at any time, vary or revoke any of the existing conditions imposed under paragraph (2) (a) or impose new conditions.

(7) Every licence issued under this rule —

(a) shall be in such form as the Director-General may determine;

(b) shall be valid for the period stated therein unless it is sooner revoked under section 62 of the Act; and

(c) may be renewed upon its expiry.

(8) Where the Director-General refuses to issue a licence under paragraph (2) (b), he shall, if requested to do so by the applicant, state in writing the reasons for his refusal.

(9) Paragraphs (1) to (8) shall apply, with the necessary modifications, to an application for the renewal of a licence.

(10) An application for the renewal of a licence may be made at any time during the period of one month immediately before the expiry of the licence.

Replacement of lost or defaced licence

6. —(1) Where a licence has been lost or defaced before its expiry, the licensee may apply to the Director-General for the issue of a certified true copy of the licence.

(2) Upon receiving an application under paragraph (1) and the payment of the appropriate fee specified in the Schedule, the Director-General shall issue a certified true copy of the licence to the licensee and such certified true copy of the licence shall have the same effect as the original thereof.

(3) Any licensee to whom a certified true copy of a licence has been issued in replacement of a licence which he has lost shall, upon discovering the original licence, immediately return the certified true copy of the licence to the Director-General.

(4) No certified true copy of a licence shall be issued in place of a defaced licence unless the defaced licence is surrendered to the Director-General for cancellation.

(5) No refund shall be made for the fee paid —

(a) for a certified true copy of a licence upon its return to the Director-General under paragraph (3); or

(b) for a licence surrendered to the Director-General under paragraph (4).

Transfer of licence

7. No licensee shall transfer or assign the benefit of his licence to any other person without the prior approval of the Director-General.

Revoked or suspended licence to be surrendered

8. —(1) A licensee shall, upon the receipt of a notice, referred to in section 62 (3) of the Act, of the revocation or suspension of his licence, immediately surrender his licence to the Director-General.

(2) The Director-General shall, upon the expiry of the period of suspension of a licence which has been surrendered to him under paragraph (1), immediately return the licence to the person to whom the licence was issued if the licence has not at that time expired.

Mammalian meat and bone meal

9. —(1) No person shall keep or have custody of any meat and bone meal or any substance containing meat and bone meal on any farm.

(2) No person shall feed any meat and bone meal or any substance containing meat or bone meal to any animal or bird in any farm.

(3) In this rule, “meat and bone meal” means the solid protein products obtained when mammalian tissues are rendered.

Power of Director-General to issue directives

10. —(1) The Director-General may, at any time, issue to any licensee such written directives as he thinks necessary for —

- (a) the biosecurity and proper management and operation of the licensee’s farm;
- (b) the containment or prevention of the spread of any disease that may infect the animals or birds in the licensee’s farm; or
- (c) ascertaining whether the animals or birds on the licensee’s farm are infected with or have been exposed to any disease.

(2) Where a licence is suspended or revoked under section 62 of the Act, the Director-General may issue to the person whose licence was suspended or revoked such written directives as he thinks necessary for the proper care and handling of the animals and birds in the farm to which the licence relates.

Power to waive or refund fees

11. The Director-General may, as he thinks fit, waive or refund the whole or any part of the licence fee payable under these Rules.

Making of false declarations, etc.

12. Any person who, being required by or by virtue of these Rules to make any declaration, statement or representation or to produce any document or who, for the purpose of obtaining any licence —

- (a) makes or presents any declaration, statement or representation which, to his knowledge, is false in any material particular; or
- (b) produces any document which, to his knowledge, is false in any material particular or has not been made by the person by whom it purports to have been made, or has been in any way altered or tampered with,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Offence and penalty

13. Any person who contravenes rule 4, 6 (3), 7, 8 (1) or 9 (1) or (2) or any directive issued by the Director-General under rule 10 (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Transitional provisions

14. Notwithstanding the revocation of the Animals and Birds (Licensing of Farms) Rules (R 3, 1994 Ed.)*, any licence issued under the revoked Rules in force immediately before 1st June 2004 shall, unless revoked, suspended or cancelled, and in so far as it is not inconsistent with these Rules —

*The Animals and Birds (Licensing of Farms) Rules (R 3, 1994 Ed.) were revoked by S 294/2004 with effect from 1st June 2004.

- (a) continue and be deemed to be a licence under these Rules;
- (b) be subject to the terms and conditions specified in the licence; and
- (c) expire on, and be renewable before, the date it would have expired if these Rules had not been enacted.

THE SCHEDULE

Rules 5 (1) (a) and 6 (2)

FEES

- | | |
|--|------------------|
| 1. Application for licence or renewal of licence | \$100 per annum |
| 2. Certified true copy of licence | \$9.45 per copy. |

[G.N. No. S 294/2004]

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