

FAQs about Animal Traders Licence for Dog Trading

General

1. What is the existing control on trading of animals in Hong Kong?

Ans. Under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap 139B), any person who sells, or offers to sell, animals or birds has to obtain an Animal Trader Licence (ATL), unless that animal or bird is kept by him as a pet or any offspring thereof. Appropriate licensing conditions are attached to an ATL with reference to the types of animals to be sold by the licensee to safeguard public health and animal welfare. Only *bona fide* private pet owners who sell, or offer to sell, their pets or offspring thereof are exempted.

2. What are the existing licensing conditions imposed on pet shops and breeders involved in dog trading?

Ans. Apart from the provisions under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139B), appropriate licensing conditions are attached to an ATL for pet shops and breeders involved in dog trading to safeguard public health and animal welfare. Major conditions include –

- Selling of unweaned or diseased dogs is prohibited;
- All dogs for sale must be implanted with a microchip;
- All dogs for sale must be covered with a vaccination certificate proving that they have been vaccinated against the common infectious diseases of dogs;
- The licensee must take good care of all dogs and provide suitable and adequate facilities for keeping them; and
- the licensee must keep a detailed and up-to-date record of each transaction, including the purchase, sale, transfer or death of any dog kept in the licensed premises and the balance of the stock in a register.

3. What are the reasons for introducing additional licensing conditions to ATL for dog trading?

Ans. The Government reviews the licensing conditions attached to ATLs for trading of different types of animals from time to time with a view to safeguarding public health and animal welfare. We have

reviewed the ATL conditions for pet shops selling dogs after consultation with interested parties such as animal welfare groups and the pet trade, and consider it necessary to introduce additional licensing conditions for animal traders involved in dog trading with a view to tightening the control of the sources of dogs offered for sale for public health and animal welfare reasons.

4. What additional licensing conditions have been included in the ATL for dog trading?

Ans. Additional licensing conditions included are related to the control of the sources of dogs offered for sale in pet shops. In gist, the additional ATL conditions stipulate that all dogs for sale in pet shops must be obtained from the following sources:

- (a) legally imported;
- (b) bred by licensed dog breeders;
- (c) other licensed pet shops; or
- (d) private pet owners.

5. When will the additional ATL conditions come into effect?

Ans. The additional ATL conditions will come into effect on 1 February 2010.

6. What is the fee for obtaining an ATL?

Ans. The annual fee for an ATL is \$2,670.

7. What is the penalty for breaching licensing conditions?

Ans. Under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap 139B), any person who has been found guilty of illegal trading of animals is liable to a maximum fine of \$2,000. Any licensed trader in breach of any licensing conditions of an ATL is liable to a maximum fine of \$1,000 and may face revocation of licence.

8. What department should be approached for enquiry on matters relating to ATL?

Ans. For any enquiry on matters relating to ATL, please call 1823.

Pet shops / breeders involved in dog trading

9. When acquiring dogs from any of the permitted sources, what documents must a licensed animal trader obtain from the seller at the time of purchase?

Ans. The following documents must be obtained by a licensed pet shop operator in sourcing their dogs.

- (a) Imported: The dogs must be covered by a valid import permit/special permit issued by the Agriculture, Fisheries and Conservation Department (AFCD), together with a valid health certificate issued by the veterinary authority of the exporting place;
- (b) Acquired from other licensed animal traders (including licensed dog breeders): The dogs must be covered by documentation (e.g. invoice, sale receipt, etc.) detailing their microchip number, breed, quantity, date of transaction and source;
- (c) Acquired from private pet owners: The following documents are required –
 - (i) A declaration signed by the private pet owner. The licensed animal trader must also sign on the declaration as witness.
 - (ii) For a dog over 5 months old, the valid dog licence must be transferred to the licensed pet shops operator within 5 days after the dog is sold. For a dog under 5 months of age, it must be covered by a true-copy certificate issued by a registered veterinary surgeon stating its microchip number and that the dog is the offspring of a licensed dog belonging to the private pet owner concerned.

10. What documents/records are required to be kept by a licensed animal trader for every dog transaction and how long should such documents/records be kept by the trader?

Ans. Licensed traders are required to keep all documents (receipts, declarations, etc.) showing the sources of the dogs acquired, and a detailed and up-to-date record of each transaction, including the purchase, sale, transfer or death of any animal kept in the licensed premises and the balance of the animal stock in a register in a format prescribed by AFCD. All these documents and records must be kept for a period of at least 12 months for inspection and being registered by staff of AFCD.

11. How can licensed animal traders obtain the necessary forms (e.g. declaration form, inventory record sheet) in connection with the new licensing conditions?

Ans. Licensed animal traders may contact any of the Animal Management Centres (AMC) of AFCD (Addresses and telephone numbers are available at AFCD website) to request for copies of the relevant forms or download them from the AFCD website: www.afcd.gov.hk.

12. How should licensed animal traders handle the personal data collected from private pet owners when the latter sell the dogs to them to ensure compliance with the Personal Data (Privacy) Ordinance, Cap 486?

Ans. When a private pet owner sells his dog to a pet shop, he/she is required to –

- Submit a declaration form (which contains his/her name and the microchip numbers of the dogs concerned) and a true-copy veterinary certificate (which contains the microchip numbers of the dogs and/or the bitch which gave birth to the dogs concerned only) to the pet shop for keeping as records; and
- Present the valid dog licence of the bitch together with his/her own Hong Kong Identity Card (HKID) at the time of making the declaration to the pet shop to enable the latter to match the HKID number and microchip number of the bitch (as stated in the valid dog licence) against the microchip number (as stated in the veterinary certificate) in order to verify the identity of the private pet owner. But there is no need for the pet shop to record the HKID number or keep a copy of HKID or dog licence of the private pet owner.

As such, apart from the name of the private pet owner that has to be included in the declaration form, there is no other personal data to be kept by the pet shop. Notwithstanding that there would be minimal personal data involved, licensed animal traders must exercise due diligence to ensure the documents are kept in a secure place and would not be disclosed to other unrelated parties except for inspection and being registered by personnel authorized by AFCD.

13. If a pet owner wishes to sell a dog to a licensed animal trader (pet shop operator) but fails to provide a veterinary certificate, what should the pet shop operator do?

Ans. The licensed animal trader (pet shop operator) must not accept the dog from the private pet owner.

14. What are the current quarantine requirements for dogs imported into Hong Kong?

Ans. The quarantine requirements for imported dogs depend on where the dogs are exported from. AFCD divides all exporting places into 3 groups and their respective quarantine requirements are as follows –

- Group I places: Dogs over 2 months of age can be exempted from quarantine provided that they are accompanied with a valid animal health certificate and fully comply with the import conditions.
- Group II places: Dogs over 5 months of age can be exempted from quarantine provided that they are accompanied with valid animal health certificate and fully comply with the import conditions. Dogs younger than 5 months old imported from Group II places are required to undergo quarantine until they reach 5 months old.
- Group III places: Dogs are subject to 4 months' quarantine at a government kennel after importation.

15. Which places are included in Group I, II and III with respect to the quarantine requirements?

Ans. The lists are as follows –

- Group I: Australia, Fiji, Hawaii, Ireland, Japan, New Zealand, Taiwan and U.K.
- Group II: Austria, Bahamas, Bahrain, Belgium, Bermuda, Brunei, Canada, Cayman Island, Cyprus, Denmark, Finland, France, Germany, Gibraltar, Guam, Iceland, Italy, Jamaica, Luxembourg, Malaysia, Maldives, Malta, Mauritius, Norway, New Caledonia, Papua New Guinea, Portugal, Seychelles, Singapore, Solomon Islands, South Africa, Spain, Sweden, Switzerland, Netherlands, USA (Continental), Vanuatu, Virgin Islands.
- Group III: Any places not listed above.

16. What are the specific requirements for obtaining an ATL for dog breeders involved in dog trading?

Ans. Dog breeders applying for an ATL must meet the following requirements –

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- The dog housing facilities must be sound and maintained in good repair, with interior surfaces which are substantially impervious to moisture and may be readily sanitized, an adequate supply of potable water, suitable drainage for the escape of excess water, sufficient space for the storage of fresh food and bedding and sufficient fresh air ventilation;
 - There must be an exercise area available for dogs kept long term in the breeding premises; and
 - Compliance to requirements set by other relevant Departments.

17. What are the differences between licensing conditions attached to an ATL for pet shops and that for pet breeders involved in dog trading?

Ans. Most of the licensing conditions for pet shops are also applicable to pet breeders involved in dog trading except that dog breeders are required to provide a larger area for dog keeping and an exercise area in the licensed premises.

Private pet owners

18. How to define a *bona fide* private pet owner?

Ans. All relevant factors will be taken into account in determining whether someone is a *bona fide* private pet owner. Under the revised ATL conditions for pet shops, for the purpose of a pet shop should only accept dogs from a non-ATL licensee who can provide a declaration (with name of the private pet owner and microchip number of the dog of concern) and a veterinary certificate.

19. If a private pet owner fails to meet the requirements in supplying dogs to pet shops, what other channels are available for the owner to dispose of the offspring of his/her pet dogs?

Ans. Private pet owners not fulfilling the requirements for selling their dogs to pet shops may give their surplus dogs to their friends who are committed to taking good care of the dogs or surrender them to an animal welfare organization.

20. What does a private pet owner need to do if he/she wants to sell his/her pet dog or any of its offspring to a pet shop?

Ans. If a private pet owner wants to sell his/her dog which is older than 5

months old to a pet shop, he/she must transfer the valid dog licence in respect of the dog sold to the pet shop operator within 5 days after the dog is sold.

If the private pet owner wants to sell dogs of less than 5 months old (which are either his/her pet dogs or the offspring of his/her pet dogs) to a pet shop, he/she must first obtain a veterinary certificate from a local registered veterinary surgeon for each of the puppies to be sold to the pet shop. Each puppy must be implanted with a microchip at the time of preparing the veterinary certificate. Both the microchip numbers of the puppy and the bitch which gave birth to the puppy to be sold should be stated in the veterinary certificate.

For the purpose of obtaining the veterinary certificate from a veterinary surgeon, the private pet owner must –

- Present the valid dog licence of the bitch concerned to the veterinary surgeon for checking; and
- Make available the bitch and the puppies to be sold for inspection by the veterinary surgeon to confirm that the puppy concerned is the offspring of the bitch.

At the time of selling the puppy to the pet shop, the private pet owner is required to –

- Make a declaration by completing a declaration form that he/she is the owner of the dam and the puppy/puppies (which is/are being sold to the licensed animal trader;
- Submit the veterinary certificate to the pet shop for record keeping;
- Present the valid dog licence of the bitch together with his/her own Hong Kong Identity Card (HKID) to the pet shop to enable the latter to match the HKID number and microchip number of the bitch as stated in the valid dog licence against the microchip number as stated in the veterinary certificate in order to verify the identity of the private pet owner.

21. How can private pet owners obtain the declaration form and other sample forms of veterinary certificate which are required for selling pets to pet shops?

Ans. The declaration form will be available at pet shops whereas the

veterinary certificates will be issued by registered veterinary surgeons. The relevant forms are also available at any of the Animal Management Centres (AMC) of AFCD (Addresses and telephone numbers are available at AFCD website) or can be downloaded from the AFCD website: www.afcd.gov.hk.

22. Should pet owners worry about provision of personal data to pet shops?

Ans. When a private pet owner sells his dog to a pet shop, he/she is required to –

- Submit a declaration form (which contains his/her name and the microchip numbers of the dogs concerned) and a veterinary certificate (which contains the microchip numbers of the dogs and/or the bitch which gave birth to the dogs concerned only) to the pet shop for keeping as records; and
- Present the valid dog licence of the bitch together with his/her own Hong Kong Identity Card (HKID) at the time of making the declaration to the pet shop to enable the latter to match the HKID number and microchip number of the bitch as stated in the valid dog licence against the microchip number as stated in the veterinary certificate in order to verify the identity of the private pet owner. But there is no need for the pet shop to record the HKID number or keep a copy of HKID or dog licence of the private pet owner.

As such, apart from the name of the private pet owner in the declaration form, there is no other personal data to be kept by the pet shop. Notwithstanding that there would be minimal personal data involved, licensed animal traders must exercise due diligence to ensure the documents are kept in a secure place and would not be disclosed to other unrelated parties except for inspection by personnel authorized by AFCD.

23. What are the possible consequences if a pet owner makes a false declaration or provides false information when selling his/her dogs to pet shops?

Ans. If there is sufficient proof of illegal animal trading, the private pet owner concerned may be prosecuted for an offence under the Public Health (Animals and Birds) (Animal Traders) Regulations (Cap. 139B). If there is evidence indicating that a private pet owner has made false declaration in connection with his/her selling dogs to a pet shop, AFCD will notify all the pet shops that any dogs owned by the

concerned private pet owner shall not be accepted until further notice. AFCD will also inform the private pet owner concerned of the same.

24. Does the Government charge the pet owner any fee for selling his/her pet dogs to pet shops?

Ans. The Government does not charge any fees on pet owners for selling their pet dogs to pet shops.

Registered veterinary surgeons

25. What would a private pet owner require from a veterinary surgeon if the owner wants to sell dogs under 5 months old (which are either his/her pet dogs or the offspring of his/her pet dogs) to a pet shop?

Ans. If the private pet owner wants to sell dogs of less than 5 months old (which are either his/her pet dogs or the offspring of his/her pet dogs) to a pet shop, he/she must first obtain a veterinary certificate from a local registered veterinary surgeon for each of the puppies to be sold to the pet shop. Each puppy must be implanted with a microchip at the time of preparing the veterinary certificate.

For the purpose of preparing the veterinary certificate, the veterinary surgeon must –

- Check the bitch/dam's dog licence and inspect both the bitch and the puppy to be sold to confirm that the puppy concerned is the offspring of the bitch which is covered by a valid dog licence; and
- State both the microchip numbers of the puppy and the bitch concerned in the veterinary certificate.

26. How can veterinary surgeons obtain blank forms of veterinary certificate for dog trading?

Ans. Veterinary surgeons may approach any of the Animal Management Centres (AMC) of AFCD (Addresses and telephone numbers are available at AFCD website) to request for copies of the relevant forms or download them from the AFCD website: www.afcd.gov.hk.