

Organisation convicted for selling dog without one-off permit

An organisation which sold a dog without a one-off permit was convicted at the Tuen Mun Magistrates' Courts today (January 18) for violating the Public Health (Animals and Birds) Ordinance (Cap 139).

A spokesman of the Agriculture, Fisheries and Conservation Department (AFCD) said that AFCD staff had received a complaint about suspected illegal trading of dogs advertised on the Internet in April last year. The organisation provided a pure-breed puppy to the complainant, in the name of "adoption", at an industrial building in Tuen Mun on April 12, 2018. The organisation charged the complainant \$6,600 purportedly for the medical costs of the dog and \$1,500 as a deposit to ensure that the dog would be neutered within a year.

Subsequent to follow-up investigations by the AFCD, the organisation was charged for selling a dog without a one-off permit. The organisation was convicted today and fined \$5,500.

According to the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Regulations) (Cap. 139B), any person or organisation who sells a dog must obtain a suitable type of licence or permit. "Selling" is defined as any exchange or transfer of an animal in return for a consideration, which includes charging an "adoption" fee.

There are three types of licence and one type of permit under the Regulations, namely the Animal Trader Licence and Dog Breeder Licence Category A and Category B, and a one-off permit for dog owners. Those who sell animals or birds without a proper licence or permit are liable to a maximum fine of \$100,000, whereas the maximum penalty for contravention of a condition attached to a licence or permit is a fine of \$50,000. Persons conducting genuine rehoming activities for animal welfare purposes on a non-profit-making basis may submit an application for exemption from the requirement to obtain an Animal Trader Licence, subject to meeting relevant criteria.

Since the amended Regulations came into effect, 42 cases of selling of animals (40 cases involving dogs and two cases involving other animals) without a licence or permit have been successfully prosecuted. Offenders were fined between \$1,500 and \$10,000. A further 20 cases are currently under investigation.

The spokesperson reminded the public that since the amended Regulations came into force, all animal traders and dog breeders and those who sell their own dogs should obtain a suitable type of licence or permit, and follow the licence conditions and codes of practice to ensure the welfare of animals. Failure to do so may lead to prosecution. For more details of the regulations and the application procedure for a licence or permit, please visit

www.pets.gov.hk or call the AFCD at 1823.