

Specified forms of relevant notices and certificates under Wild Animals Protection Ordinance gazetted

The Government published in the Gazette today (August 1) the specified forms of the relevant notices and certificates under the Wild Animals Protection Ordinance (Cap. 170) (the Ordinance).

The Wild Animals Protection (Amendment) Ordinance 2024 (the Amendment Ordinance) comes into operation today, expanding the prohibition on feeding of wild animals to cover feral pigeons (feeding ban); increasing the maximum penalty for contravention of the feeding ban from a fine of \$10,000 to a fine of \$100,000 and imprisonment for one year; and introducing a fixed penalty system for the offence of illegal feeding at the amount of \$5,000.

Apart from introducing a fixed penalty system for the feeding ban on wild animals and feral pigeons, the Amendment Ordinance also empowers the Secretary for Environment and Ecology to specify, in accordance with section 22A of the Ordinance, the forms of relevant notices and certificates which shall be published in the Gazette, with a view to enabling necessary formatting revisions to be made in a more flexible and timely manner in future if needed. The relevant notices and certificates include:

- (i) in accordance with section 5(2) of Schedule 9 to the Ordinance, the penalty notice that may be given by an authorized officer or specified officer to a person who is alleged to have committed an offence of feeding wild animals or feral pigeons;
- (ii) in accordance with section 7(2) of Schedule 9 to the Ordinance, the demand notice that the authority may serve to a person who fails to pay the fixed penalty within the 21-day period, or refuses to accept the relevant penalty notice, for the purpose of demanding payment of the fixed penalty within the 10-day period, and informing him/her of the need to notify the authority in writing within the 10-day period if he/she wishes to dispute liability for the relevant offence;
- (iii) in accordance with section 7(5) of Schedule 9 to the Ordinance, the certificate of posting of demand notice signed by the authority, which is admissible in evidence in proceedings relating to the fixed penalty; and
- (iv) in accordance with section 11(1) of Schedule 9 to the Ordinance, the evidentiary certificate signed by the authority, which is admissible in evidence in proceedings relating to the fixed penalty.

The Agriculture, Fisheries and Conservation Department (AFCD) will work closely with the relevant enforcement departments to strengthen combatting illegal feeding activities, and will continue promoting the new feeding ban requirements to the public, as well as the negative impacts of feeding feral

pigeons and wild animals, in order to safeguard public hygiene and prevent the altering of animal normal behaviours. The Government urges the public to exercise self-discipline and not to defy the law.

Information on the new feeding ban requirements and the other precautions is available on the AFCD webpage (www.afcd.gov.hk/english/conservation/con_fau/con_fau_wild_the.html).