

Animals and Birds (Licensing of Farms) Rules

Table of Contents

1 Citation

2 Definitions

3 Limitation of application of Rules

4 Keeping or maintenance of farm

5 Application for and issue or renewal of licence

6 Replacement of lost or defaced licence

7 Transfer of licence

8 Revoked or suspended licence to be surrendered

9 Mammalian meat and bone meal

10 Power of Director-General to issue directives

11 Power to waive or refund fees

12 Making of false declarations, etc.

13 Offence and penalty

14 Transitional provisions

THE SCHEDULE Fees

Legislative History

ANIMALS AND BIRDS ACT
(CHAPTER 7, SECTION 80)

ANIMALS AND BIRDS (LICENSING OF FARMS) RULES

R 3

G.N. No. S 294/2004

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(30th September 2004)

[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