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ANIMALS AND BIRDS ACT 1965

ANIMALS AND BIRDS (PET SHOP AND EXHIBITION) (AMENDMENT) RULES 2024

In exercise of the powers conferred by sections 59 and 80 of the Animals and Birds Act 1965, the Minister for National Development makes the following Rules:

Citation and commencement

1. These Rules are the Animals and Birds (Pet Shop and Exhibition) (Amendment) Rules 2024 and come into operation on 29 August 2024.

Amendment of rule 1

2. In the Animals and Birds (Pet Shop and Exhibition) Rules (R 2) (called in these Rules the principal Rules), in rule 1, replace “(Pet Shop and Exhibition)” with “(Licensing of Premises for Pet Shop and Other Purposes)”.

Amendment of rule 2

3. In the principal Rules, in rule 2 —

(a) after the definition of “licence”, insert —

““not-for-profit organisation” means any organisation —

(a) that is not established or operated for the object of deriving a profit;

(b) whose income and property —

(i) may only be applied for the furtherance of its objects; and

(ii) are not distributable to any shareholder, member, trustee or officer of the organisation except as reasonable compensation for services rendered; and

(c) whose property, upon its dissolution, may only be distributed to one or more other organisations established for a similar object as the firstmentioned organisation;

“pet animal or bird” means an animal or a bird intended for use as a pet;”;

(b) in the definition of “pet shop”, replace “animals or birds intended for use as pets” with “pet animals or birds”;

(c) in the definition of “pet shop”, replace the full-stop at the end with a semi-colon; and

(d) after the definition of “pet shop”, insert —

““premises” includes —

(a) any building or structure, whether permanent or temporary;

(b) any land, whether built on or not;

(c) any place, whether open or enclosed, including any place situated underground;

(d) any vehicle, train or vessel; and

(e) any part of the premises;

“residential premises”, in relation to any individual, means any place lawfully owned or occupied by the individual for residential purposes;

“reward” means any payment or other benefit (whether monetary or otherwise).”.

Replacement of rule 3 and new rule 3A

4. In the principal Rules, replace rule 3 with —

“Licence for premises for use as pet shop, etc.

3.—(1) A person must not use any premises —

- (a) as a pet shop;
- (b) to exhibit animals or birds;
- (c) to distribute pet animals or birds;
- (d) to breed pet animals or birds for reward;
- (e) to board pet animals or birds for reward; or
- (f) to rear pet animals or birds for reward,

unless the person is the holder of a valid licence issued by the Director-General under rule 4 in respect of those premises and uses the premises in accordance with the conditions (if any) of that licence.

(2) A licence for the use of any premises as a pet shop is to be treated as a licence to also use the premises for any of the following:

- (a) the rearing of pet animals or birds when they are kept or displayed for sale by retail or wholesale or for export at those premises;
- (b) the exhibition or distribution of pet animals or birds.

(3) A licence for the use of any premises to breed, or rear, pet animals or birds for reward is to be treated as a licence to also use those premises for any of the following:

- (a) as a pet shop for such pet animals or birds;
- (b) for the exhibition or distribution of such pet animals or birds,

that are bred or reared (as the case may be) at those premises.

(4) Paragraph (1) does not apply to any premises in respect of which the Director-General has issued a directive under

rule 7(2)(b) or (c) if those premises are used in accordance with that directive.

(5) To avoid doubt, paragraph (1)(e) does not apply to any premises that are intended to be used, or are used, solely for pet day care.

Exception to licence for premises

3A.—(1) An individual may use the individual’s own residential premises for a purpose mentioned in rule 3(1)(d) without a licence issued by the Director-General under rule 4, only if all the conditions mentioned in Part 1 of the First Schedule are met.

(2) An individual may use the individual’s own residential premises for a purpose mentioned in rule 3(1)(e) without a licence issued by the Director-General under rule 4, only if all the conditions mentioned in paragraph 1 of Part 2 of the First Schedule are met.

(3) A not-for-profit organisation may use any premises owned or occupied by the organisation for a purpose mentioned in rule 3(1)(e) without a licence issued by the Director-General under rule 4, only if all the conditions mentioned in paragraph 2 of Part 2 of the First Schedule are met.”.

Amendment of rule 4

5. In the principal Rules, in rule 4 —

- (a) in paragraph (1), after “licence”, insert “in respect of any premises”;
- (b) in paragraph (1)(a), replace “Schedule” with “Second Schedule”;
- (c) in paragraph (3), replace “as a pet shop or for any exhibition or distribution of animals or birds” with “for the purpose or purposes mentioned in rule 3(1) for which those premises are to be used”; and
- (d) in paragraph (5)(b), replace “use as a pet shop or for any exhibition or distribution of animals or birds” with “the

purpose or purposes mentioned in rule 3(1) for which those premises are to be used”.

Amendment of rule 7

6. In the principal Rules, in rule 7 —

(a) in paragraph (1), replace “proper management and operation of a pet shop or any premises used for the exhibition or distribution of animals or birds” with “purposes of safeguarding the health and welfare of the animals or birds in the premises to which the licence of the licensee relates”; and

(b) replace paragraph (2) with —

“(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 one or more written directives that the Director-General thinks necessary —

(a) for the proper care and handling of the animals or birds in the premises to which the licence was related;

(b) if the licence was in respect of a pet shop —

(i) for the sale or export from the pet shop of any relevant pet animal or bird; or

(ii) for the adoption or fostering of any relevant pet animal or bird,

within the period specified in the written directive; or

(c) if the licence was in respect of any premises for the breeding or rearing of pet animals or birds for reward —

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- (i) for the sale or export from those premises of any relevant pet animal or bird; or
 - (ii) for the adoption or fostering of any relevant pet animal or bird,
- within the period specified in the written directive.
- (3) In paragraph (2), “relevant pet animal or bird” means —
- (a) in the case of the suspension or revocation of a licence in respect of a pet shop in paragraph (2)(b) — any pet animal or bird kept or displayed at that pet shop but not sold or exported by the day immediately before the date of such suspension or revocation, as the case may be; or
 - (b) in the case of the suspension or revocation of a licence in respect of any premises for the breeding or rearing of pet animals or birds for reward in paragraph (2)(c) — any pet animal or bird bred or reared (as the case may be) at those premises before the date of such suspension or revocation, as the case may be.”.

Amendment of rule 9

7. In the principal Rules, in rule 9 —

- (a) replace “rule 3” with “rule 3(1)(a), (b) or (c)”;
- (b) replace “6(1) or (2)” with “6(2)”;
- (c) renumber the rule as paragraph (1) of that rule; and
- (d) after paragraph (1), insert —

“(2) Any person who contravenes rule 3(1)(d), (e) or (f) 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.”.

Deletion of rule 10

8. In the principal Rules, delete rule 10.

Replacement of Schedule and new First and Second Schedules

9. In the principal Rules, replace the Schedule with —

“FIRST SCHEDULE

Rule 3A(1), (2) and (3)

PART 1

CONDITIONS FOR EXCEPTION TO LICENSING OF RESIDENTIAL PREMISES FOR BREEDING PET ANIMAL OR BIRD FOR REWARD

1.—(1) For the purposes of rule 3A(1), the following are the conditions that must be met to use any residential premises for the breeding of pet animals or birds for reward without a licence:

- (a) the individual breeds any pet animal or bird by himself or herself solely within the individual’s residential premises;
- (b) the individual does not take custody of any pet animal or bird from any other person for the purpose of the breeding mentioned in sub-paragraph (a), whether or not any payment or other consideration is provided by the individual to the other person for such custody;
- (c) the individual does not use more than one residential premises for the breeding of any pet animal or bird;
- (d) any pet animal or bird that is used for breeding, or any offspring of the pet animal or bird —
 - (i) is not for sale; and
 - (ii) is kept by the individual, or given away only for adoption or fostering;
- (e) any reward obtained by the individual from any person for breeding any pet animal or bird is limited to the amount for recovering the costs incurred in providing food, drink and shelter to, and maintaining the health of, the pet animal or bird or any offspring of the pet animal or bird;

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- (f) the residential premises mentioned in sub-paragraph (a) are not modified for the purpose of breeding any pet animal or bird, unless any modification is necessary for the health or welfare of the pet animal or bird that is used for breeding, or any offspring of the pet animal or bird;
 - (g) the individual does not advertise or promote, or cause to be advertised or promoted, that the individual is breeding any pet animal or bird;
 - (h) the individual complies with any other written law applicable to the keeping or breeding of any pet animal or bird, whether or not for reward (including in relation to the use of any premises for any of such purposes).
- (2) In this Part —

“breed”, in relation to any pet animal or bird, means to produce any offspring of the pet animal or bird by natural means without any human intervention (such as any form of artificial insemination);

“human intervention”, in relation to any pet animal or bird that is bred, excludes any treatment or procedure provided by a veterinarian licensed under section 53(1) of the Act in connection with the birthing of any offspring of the pet animal or bird, for one or both of the following purposes:

- (a) to prevent the offspring, or the pet animal or bird, from becoming incurably diseased or injured, or to otherwise save the life of that offspring or pet animal or bird;
- (b) to maintain the health of the offspring, or the pet animal or bird.

PART 2

CONDITIONS FOR EXCEPTION TO LICENSING OF PREMISES FOR BOARDING PET ANIMAL OR BIRD FOR REWARD

1. For the purposes of rule 3A(2), the following are the conditions that must be met to use any residential premises for the boarding of pet animals or birds for reward without a licence:

- (a) the individual provides boarding for any pet animal or bird by himself or herself solely within the individual’s residential premises;

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- (b) the individual does not provide boarding for any pet animal or bird at more than one residential premises;
 - (c) any reward obtained by the individual from any person for boarding any pet animal or bird is limited to the amount for recovering the costs incurred in providing food, drink and shelter to, and maintaining the health of, the pet animal or bird;
 - (d) the residential premises mentioned in sub-paragraph (a) are not modified for the purpose of boarding any pet animal or bird, unless any modification is necessary for the health or welfare of the pet animal or bird;
 - (e) the individual does not pay a fee, or provide any other form of consideration, to any other person to advertise or promote the individual's provision of boarding for any pet animal or bird;
 - (f) the individual complies with any other written law applicable to the keeping or boarding of any pet animal or bird, whether or not for reward (including in relation to the use of any premises for any of such purposes).
2. For the purposes of rule 3A(3), the following are the conditions that must be met to use any premises for the boarding of pet animals or birds for reward without a licence:
- (a) the person is a not-for-profit organisation that uses the premises only in connection with boarding any pet animal or bird, until such time that any such animal or bird is adopted;
 - (b) any reward obtained by the not-for-profit organisation from any person for boarding any pet animal or bird is limited to the amount for recovering the costs incurred in providing food, drink and shelter to, and maintaining the health of, the pet animal or bird;
 - (c) the not-for-profit organisation complies with any other written law applicable to the keeping or boarding of any pet animal or bird, whether or not for reward (including in relation to the use of any premises for any of such purposes).

SECOND SCHEDULE

Rule 4(1)(a)

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| 1. Application for, or to renew, a licence for any premises to be used for any purpose mentioned in rule 3(1)(a), (b) or (c) for a year or part of a year | \$126 |
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| 2. Application for, or to renew, a licence for any premises to be used for any purpose mentioned in rule 3(1)(d), (e) or (f) for a year or part of a year | \$100 |
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- ”.

Saving and transitional provisions

10.—(1) Despite rule 4 of these Rules, every licence issued under rule 4 of the principal Rules as in force immediately before 29 August 2024 in respect of a pet shop, or any premises for the exhibition or distribution of animals or birds, is, unless suspended or revoked and so far as it is not inconsistent with the amended Rules —

- (a) to continue as if, and is to be treated as, a licence issued under rule 4 of the amended Rules;
- (b) to be subject to the terms and conditions specified in that licence; and
- (c) to expire on, and be renewable before, the date it would have expired.

(2) Where —

- (a) an application for a licence is made under rule 4 of the principal Rules as in force immediately before 29 August 2024; and
- (b) the application is pending on that date,

the application is to be treated as an application for a licence under rule 4 of the amended Rules if the application is for a licence to use any premises for a purpose mentioned in rule 3(1)(a), (b) or (c) of the amended Rules.

(3) In this rule, “amended Rules” means the principal Rules as amended by these Rules.

Made on 20 August 2024.

OW FOONG PHENG
Permanent Secretary,
Ministry of National Development,
Singapore.

[ND 202/01-071; AG/LEGIS/SL/7/2020/6]

(To be presented to Parliament under section 80(4) of the Animals and Birds Act 1965).