

Animals and Birds (Live Fish) Rules 2011

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ANIMALS AND BIRDS ACT
(CHAPTER 7)

ANIMALS AND BIRDS (LIVE FISH) RULES 2011

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

Citation and commencement

1. These Rules may be cited as the Animals and Birds (Live Fish) Rules 2011 and shall come into operation on 20th January 2011.

Definitions

2. In these Rules, unless the context otherwise requires —

“health certificate”, in relation to the export of live fish, means a certificate of freedom from disease under section 18 of the Act;

“licence” means a licence which, under section 8 or 16 of the Act, is required for the import or export, as the case may be, of any live fish;

“licensee” means the holder of a valid licence;

“live fish” means any varieties of marine, brackish water or fresh water fishes, crustacea, aquatic mollusca, turtles, marine sponges, trepang and any other form of aquatic life, including the young and eggs thereof, imported or exported whilst living and not intended for human consumption;

“permit” means a permit required under rule 4 for the import or export of any consignment of live fish.

Licence to import or export live fish

3.—(1) Every application for a licence to import or export live fish shall be made using the electronic application service provided for this purpose by the Board at <https://www.nparks.gov.sg/avs>.

[S 216/2019 wef 01/04/2019]

(2) In the event of a malfunction or failure of the electronic application service referred to in paragraph (1), the application shall be made in such manner as the Director-General may require.

(3) The application form shall be in the form set out at

<https://www.nparks.gov.sg/avs> for this purpose.

[S 216/2019 wef 01/04/2019]

(4) The application shall be accompanied by such information or document as the Director-General may specify.

(5) On receipt of an application for a licence under paragraph (1) or (2), the Director-General may —

- (a) issue the licence to the applicant with or without conditions; or
- (b) refuse to issue the licence applied for.

(6) A licence shall be valid for such period as the Director-General may specify and may be renewed upon its expiry.

(7) Payment of the appropriate fee for the specified period of validity of the licence shall be made before the issue of the licence.

(8) Where the Director-General refuses to issue a licence under paragraph (5), he shall, if requested to do so by the applicant, state in writing the reasons for his refusal.

(9) Paragraphs (1) to (5) shall, with the necessary modifications, apply to an application for the renewal of a licence.

Prohibition of import or export of live fish without permit

4.—(1) No licensee shall import any live fish for sale, supply or distribution in Singapore unless —

- (a) the licensee has obtained a permit from the Director-General in respect of each consignment of live fish to be imported by him and the import of each such consignment is carried out in accordance with the conditions of the permit; and
- (b) the whole consignment conforms to the description as contained in the permit.

(2) No licensee shall export any live fish from Singapore to any country, territory or place unless —

- (a) the licensee has obtained a permit from the Director-General in respect of each consignment of live fish to be exported by him and the export of each such consignment is carried out in accordance with the conditions of the permit; and
- (b) the whole consignment to be exported conforms to the description as contained in the permit.

(3) Any licensee who contravenes paragraph (1) or (2) 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.

Permit to import or export live fish

5.—(1) An application for a permit referred to in rule 4(1) or (2) shall be made in such form and manner as the Director-General may require and shall be accompanied by such information or document as the Director-General may specify.

(2) On receipt of an application for a permit under paragraph (1), the Director-General may —

- (a) issue the permit to the licensee with or without conditions; or
- (b) refuse to issue the permit applied for.

(3) Where the Director-General refuses to issue a permit under paragraph (2), he shall, if requested to do so by the licensee, state in writing the reasons for his refusal.

Licensee importing live fish to submit certain documents

6.—(1) A licensee who has imported any consignment of live fish shall, before the removal of the consignment from the customs office or station, submit to an authorised officer a copy each of —

- (a) the health certificate relating to the consignment (if required by the authorised officer) issued by a competent government agency in the country of despatch, being an agency which is recognised by the Director-General, in such form and issued in such manner as may be required under any import health requirement; and
- (b) such other document in respect of the consignment as the Director-General or authorised officer may reasonably require.

(2) The health certificate required under paragraph (1)(a) shall certify that every relevant import health requirement specified under regulation 7 has been complied with.

(3) A licensee who fails to comply with paragraph (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

Import health requirements

7.—(1) For the purposes of these Rules, the Director-General may specify such import health requirements as are necessary in respect of any live fish.

(2) The Director-General may, from time to time, vary any of the import health