

(2006 Prevention of Cruelty to Animals (amendment) Bill)

Proposition of Society for Abandoned Animals (SAA)

1. Hong Kong is a civilized society and the Hong Kong Government should appeal the general public to respect and protect the rights and lives of animals. Those who are cruel to animals should be heavily punished to reach the deterrent effect. The existing penalty under Section 3, Cap. 169, Laws of Hong Kong, being “fine \$5000 and imprisonment for 6 months” is unacceptable and incurs no deterrent effect. Animals are just like human beings, they are living beings and when subjected to cruelty, they can feel the pain from suffering. More pitiful is that they cannot put up any self defence or resistance, but to accept any kind of cruelty helplessly.
2. The Hong Kong Government really needs to increase the penalty in order to raise public consciousness in respecting animals’ lives and incur real deterrent effect towards those who are cruel to animals. Looking at the developed cities of the world, the penalty for animal abuse is far more heavier than that of Hong Kong. The maximum imprisonment terms in New York, Washington, West Australia and New South Wales ranges from 2 years to 5 years and the maximum fine in West Australia is HK\$286,500. The maximum imprisonment terms in neighbour countries like Singapore and Japan is 1 year and fine being over several hundred thousand dollars. In comparison, the existing penalty in Hong Kong is far more loose and incurs no deterrent effect.
3. The proposition to abolish the “fine \$5000 and imprisonment for 6 months” and replaced by “Level 6 Fine and imprisonment for 12 months” is found to be acceptable as a first step by us as the maximum fine and maximum imprisonment terms emulates with the neighbour Asian countries. We hope that the Government can pass the bill as soon as possible so as to protect the rights of the innocent animals.
4. We think that the “Level 6 Fine” can be reworded as “\$100,000” so as to the public can have a clearer picture what the actual sum of fine is and the seriousness of the offence. Also, the “Level 4 Fine” under Regulation 21 of Cap. 169A can be reworded as “\$25,000”.

5. Looking at the large numbers of animal abandon cases in Hong Kong, we think that “abandon an animal without reasonable excuse” should be included under Section 3(1) of Cap. 169. The current penalty for abandonment of animals without reasonable excuse under Section 22(1), Cap. 421, Rabies Ordinance, Laws of Hong Kong is “fine \$10,000 and imprisonment for 6 months”. The fine for this offence is much more than the existing penalty of “fine \$5000 and imprisonment for 6 months” under Section 3, Cap. 169. The seriousness of the abandonment offence can be reflected through the heavier penalty imposed than that of cruelty to animals.

6. Lastly, we hope that any person who is convicted under the Prevention of Cruelty to Animals Ordinance to be forever banned from keeping any animal.