

立法會
Legislative Council

LC Paper No. CB(3) 813/11-12

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Date : 25 May 2012

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 30 May 2012

**Amendments to motion on
“Promoting animal rights and interests”**

Further to LC Paper No. CB(3) 774/11-12 issued on 17 May 2012, Hon CHAN Hak-kan and Hon Albert HO have respectively given notices of their intention to move separate amendments to Hon Fred LI’s motion on “Promoting animal rights and interests” scheduled for the Council meeting of 30 May 2012. As directed by the President, Hon CHAN Hak-kan’s and Hon Albert HO’s amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and the two amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon Fred LI to speak and move his motion;
- (b) the President proposes the question on Hon Fred LI’s motion;
- (c) the President calls upon the two Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon CHAN Hak-kan; and

- (ii) Hon Albert HO;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon Fred LI to speak for the second time on the two amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the two Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon CHAN Hak-kan to move his amendment to the motion, and forthwith proposes and puts to vote the question on the amendment;
- (i) after Hon CHAN Hak-kan's amendment has been voted upon, the President deals with Hon Albert HO's amendment to the motion; and
- (j) after Hon Albert HO's amendment has been dealt with, the President calls upon Hon Fred LI to reply. Thereafter, the President puts to vote the question on Hon Fred LI's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Promoting animal rights and interests”
to be held at the Council meeting of 30 May 2012**

1. Hon Fred LI’s original motion

That, as Hong Kong society attaches increasing importance to animal rights and interests, and in order to motivate people to treat animals well and live in harmony with animals in the community, reduce at source the number of stray animals in the community, and effectively combat crimes of animal cruelty, this Council urges the Government to:

- (a) strengthen co-operation with District Councils to promote the ‘Trap-Neuter-Return’ programme on a trial basis, and following the success of the trial programme, implement the programme in all districts of Hong Kong;
- (b) expedite the implementation of the various proposed measures for regulating the pet trade, including introducing Home Animal Breeder Permit and Commercial Animal Breeder Permit, substantially raising the maximum fine for illegal trading of animals to \$100,000 and increasing the fine for breaching of licensing conditions to \$50,000; and
- (c) establish specialist ‘animal police’ teams in the Hong Kong Police Force to replace the existing ‘Animal Watch Scheme’, whose responsibilities include conducting specially tasked investigations into all animal cruelty cases, as well as undertaking publicity and education to make the public aware that cruelty to animals are illegal acts.

2. Motion as amended by Hon CHAN Hak-kan

That, ~~as Hong Kong society~~ *the keeping of pets among Hong Kong people has become increasingly common, and our society also* attaches increasing importance to animal rights and interests, ~~and~~; in order to motivate people to treat animals well and live in harmony with animals in the community, reduce at source the number of stray animals in the community, and effectively combat crimes of animal cruelty, this Council urges the Government to:

- (a) *establish ‘animal police’ teams specially tasked to investigate cases of animal cruelty and abandonment, enhance the training of frontline enforcement officers on handling cases of animal cruelty and their awareness of such cases, and set up a ‘dedicated hotline for reporting animal cruelty’, with a view to curbing the situation of animal cruelty and abandonment from becoming prevalent;*
- (b) *by making reference to the present animal protection legislation in developed places, review and amend the existing Prevention of Cruelty to Animals Ordinance for the purpose of catching up with international standards, and classify the intentional abandonment of animals as animal cruelty, as well as explore the provision of compulsory psychological counselling and courses on animal protection to convicted persons;*
- (c) *request the Department of Justice to pay close attention to the sentencing for cases of animal cruelty, and where sentencing for the cases concerned cannot fully reflect their seriousness, seek sentencing guidelines by applying for reviews of sentences to the relevant courts, so as to truly reflect the social concern about offences of animal cruelty;*
- (a)(d) *strengthen co-operation with District Councils and animal rights organizations to promote the ‘Trap-Neuter-Return’ programme on a trial basis, and following the success of the trial programme, implement the programme in all districts of Hong Kong; and use humane means to deal with the problem of stray cats and dogs;*
- (e) *provide subsidy to the public for neutering their pets, and train more veterinary health care personnel to meet the social demand for the services concerned;*
- (f) *improve the hygiene conditions in the animal management centres under the Agriculture, Fisheries and Conservation Department and enhance the transparency of stray animal management by allowing Members and animal rights organizations to conduct regular inspections, increase the number of qualified animal adoption organizations and expand the scope of animals for adoption to reptiles and amphibians, so as to facilitate the adoption of animals by a greater number of people and organizations;*
- (b)(g) *expedite the implementation of the various proposed measures for regulating the pet trade, including introducing Home Animal Breeder Permit and Commercial Animal Breeder Permit, substantially raising the*

maximum fine for illegal trading of animals to \$100,000 and increasing the fine for breaching of licensing conditions to \$50,000; and

- (h) *enhance people's understanding of endangered animals and relevant regulatory systems, and require that animal traders must provide appropriate labels for identifying endangered species, as well as provide buyers with points to note on keeping endangered species, with a view to strengthening the management of endangered animals;*
- (e)(i) ~~establish specialist 'animal police' teams in the Hong Kong Police Force to replace the existing 'Animal Watch Scheme', whose responsibilities include conducting specially tasked investigations into all animal cruelty cases, as well as undertaking~~ *set up an 'animal protection fund', so that organizations can make applications for organizing more animal welfare activities, and undertake* publicity and education to make the public aware that cruelty to animals are illegal acts *and learn to be a responsible pet owner;*
- (j) *introduce appropriate measures, including identifying sites for constructing more parks for pets, and exploring the opening of various recreational venues such as parks and beaches partially or at specific time slots, so that members of the public can bring in their pets;*
- (k) *actively identify suitable locations for the provision of public toilets for dogs, increase the number of dog excreta collection bins on street side, and step up the frequency of cleaning and washing, with a view to improving environmental hygiene; and*
- (l) *explore the regulation of hospice service for animals through licensing.*

Note: Hon CHAN Hak-kan's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon Albert HO

~~That, as Hong Kong~~ *Hong Kong is a civilized cosmopolitan city, and the local* society attaches increasing importance to animal rights and interests, and in order to motivate people to treat animals well and live in harmony with animals in the community, reduce at source the number of stray animals in the community, and effectively combat crimes of animal cruelty, this Council urges the Government to:

- (a) strengthen co-operation with District Councils to promote the 'Trap-Neuter-Return' programme on a trial basis, and following the success of the trial programme, ~~implement~~ ***openly invite various organizations through the Agriculture, Fisheries and Conservation Department to apply for implementing*** the programme in all districts of Hong Kong;
- (b) expedite the implementation of the various proposed measures for regulating the pet trade, including introducing Home Animal Breeder Permit and Commercial Animal Breeder Permit, substantially raising the maximum fine for illegal trading of animals to \$100,000 and increasing the fine for breaching of licensing conditions to \$50,000; and
- (c) establish specialist 'animal police' teams in the Hong Kong Police Force to replace the existing 'Animal Watch Scheme', whose responsibilities include conducting specially tasked investigations into all animal cruelty cases, as well as undertaking publicity and education to make the public aware that cruelty to animals are illegal acts.

Note: Hon Albert HO's amendment is marked in ***bold and italic type*** or with deletion line.