

LegCo Panel on Food Safety and Environmental Hygiene
Subcommittee to Study Issues Relating to Animal Rights

**Government's responses to the follow-up items
requested by the Subcommittee**

At the meeting on 31 October 2017, Members of the Subcommittee requested the Government to provide the following information:

- (a) of the 90 complaints received by the Agriculture, Fisheries and Conservation Department ("AFCD") between 20 March 2017, the commencement date of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B), and 30 September 2017, a breakdown in terms of their sources, specifically (i) complaints from the public on the Internet; (ii) complaints from the public over the phone; (iii) self-initiated by the investigation unit of AFCD; and (iv) others; and
- (b) the number of prosecutions instituted, the number of successful prosecutions as well as details of the penalties handed down by the court in the past three years for prosecutions against cruelty to dogs and cats under the Prevention of Cruelty to Animals Ordinance (Cap. 169)("Ordinance").

2. The Government's response is as follows:

- (a) From the commencement date up to 30 September 2017, AFCD found through surveillance on the Internet a total of 47 suspects of illegal sale of dogs. These cases were incidentally also reported to AFCD by the public (resulting in a total of 65 complaint cases of illegal sale of dogs on the Internet). In addition, there were 15, 8 and 2 complaints of illegal sale of dogs on the Internet lodged by the public via emails, 1823 and direct phone calls to AFCD respectively. All of the 90 complaints were thoroughly followed up and investigated by AFCD.

- (b) The number of successful prosecutions under the Ordinance initiated by AFCD and the Police, and the relevant penalty ranges in the past three years are detailed in the table below:

Year ¹	Number of defendants involved in prosecutions instituted	Number of convicted defendants	Penalties	
			Range of Fine	Range of Imprisonment
2015	11	10	\$2,000*	14 days to 2 months
2016	15	11	\$5,000*	28 days to 6 months
2017 (Jan – Sep)	18	18	\$4,000*	10 days to 5 months

Note: Only one defendant was involved.*

**Food and Health Bureau
Agriculture, Fisheries and Conservation Department
January 2018**

¹ Due to progress of investigation and other factors, the year of reports received and that of prosecutions instituted by the Police may be different.