

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1144/20-21  
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seen by the Administration)

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**Panel on Food Safety and Environmental Hygiene**

**Subcommittee to Study Issues Relating to Animal Rights**

**Minutes of the meeting by videoconferencing  
held on Monday, 8 February 2021, at 10:45 am**

**Members present** : Hon CHAN Hak-kan, BBS, JP (Chairman)  
Hon Steven HO Chun-yin, BBS  
Hon Elizabeth QUAT, BBS, JP  
Hon SHIU Ka-fai, JP  
Hon LAU Kwok-fan, MH  
Dr Hon CHENG Chung-tai

**Public Officers** : Item II

Mr Mickey LAI Kin-ming  
Acting Deputy Director of Agriculture, Fisheries and  
Conservation

Mr Amor WONG Yiu-tuen  
Principal Assistant Secretary for Food and Health  
(Food) 3

Dr Thomas SIT Hon-chung  
Assistant Director (Inspection and Quarantine)  
Agriculture, Fisheries and Conservation Department

Mr Simon CHAN Kin-fung  
Assistant Director (Conservation)  
Agriculture, Fisheries and Conservation Department

Dr Shirley Veronica CHUK Sheung-ying  
Senior Veterinary Officer (Animal Management)  
Operations  
Agriculture, Fisheries and Conservation Department

Item III

Miss Erica NG Lai-man  
Deputy Secretary for Food and Health (Food) 1

Mr Amor WONG Yiu-tuen  
Principal Assistant Secretary for Food and Health  
(Food) 3

Dr Thomas SIT Hon-chung  
Assistant Director (Inspection and Quarantine)  
Agriculture, Fisheries and Conservation Department

Dr Shirley Veronica CHUK Sheung-ying  
Senior Veterinary Officer (Animal Management)  
Operations  
Agriculture, Fisheries and Conservation Department

Dr Esther TO Man-wai  
Senior Veterinary Officer (Animal Management)  
Development  
Agriculture, Fisheries and Conservation Department

**Clerk in attendance** : Miss Connie AU  
Senior Council Secretary (2) 5

**Staff in attendance** : Mr Ronald LAU  
Council Secretary (2) 4

Miss Meisy KWOK  
Legislative Assistant (2) 5

Miss LEE Wai-yan  
Clerical Assistant (2) 5

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Action

**I. Application for late membership**  
(LC Paper No. CB(2)731/20-21(01))

The Subcommittee accepted the application for late membership from Ms Elizabeth QUAT.

**II. Management of stray cattle and handling nuisances of wild animals**  
(LC Paper Nos. CB(2)737/20-21(01) and (02))

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

3. At the invitation of the Chairman, Acting Deputy Director of Agriculture, Fisheries and Conservation briefed members on the measures adopted by the Administration in managing stray cattle and handling nuisances of wild animals, details of which were set out in the Administration's paper (LC Paper No. CB(2)737/20-21(01)).

**III. Implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B)**  
(LC Paper Nos. CB(2)737/20-21(03) and (04))

4. The Subcommittee deliberated (index of proceedings attached at **Annex**).

5. At the invitation of the Chairman, Deputy Secretary for Food and Health (Food) 1 briefed members on the implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B), details of which were set out in the Administration's paper (LC Paper No. CB(2)737/20-21(03)).

**IV. Any other business**

6. Members noted that the next meeting was scheduled for Monday, 22 March 2021 at 2:30 pm to discuss "Management of stray cats and dogs" and "Animal management and animal welfare facilities in Hong Kong". The Chairman invited members to note that the meetings in April and May were tentatively scheduled to be held on Monday, 19 April 2021 at 2:30 pm and Tuesday, 11 May 2021 at 4:30 pm respectively.

Action

7. There being no other business, the meeting ended at 12:28 pm.

Council Business Division 2  
Legislative Council Secretariat  
3 June 2021

**Proceedings of the meeting by videoconferencing of the  
Subcommittee to Study Issues Relating to Animal Rights  
held on Monday, 8 February 2021, at 10:45 am**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Application for late membership</i>			
000401-000518	Chairman	<p>Opening remarks</p> <p>The Subcommittee accepted the application for late membership from Ms Elizabeth QUAT.</p>	
<i>Agenda item II – Management of stray cattle and handling nuisances of wild animals</i>			
000519-000959	Chairman Admin	Briefing by the Administration on the measures it adopted in managing stray cattle and handling nuisances of wild animals (LC Paper No. CB(2)737/20-21(01))	
001000-001653	Chairman Admin	<p>The Chairman sought information on:</p> <p>(a) the number of stray cattle in Hong Kong and the number of cattle that had been sterilized in 2020 under the "Capture-Sterilization-Relocation" ("CSR") programme;</p> <p>(b) the progress of the suggested installation of cattle grid in the Sai Kung Country Park to prevent stray cattle from wandering on the road, thereby protecting the safety of both the cattle and the road users; and</p> <p>(c) any other measures that the Administration would put in place to minimize the chance of stray cattle from being hit by vehicles at night and whether consideration would be given to fitting the cattle with reflective collars to alert drivers of cattle wandering on the road.</p> <p>The Administration advised that according to a territory-wide population survey on stray cattle conducted in 2018, there were approximately 1 100 heads of stray cattle in Hong Kong. Around 800 heads of stray cattle had already been sterilized under the CSR programme to date. The Agriculture, Fisheries and Conservation Department ("AFCD") had been communicating with local residents of Lantau Island and Sai Kung as well as the volunteers of cattle concern groups on a regular basis regarding the implementation of the CSR programme and their</p>	

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		<p>responses were positive in general. The Administration considered that sterilization was effective in controlling the population of stray cattle and the CSR programme would continue to be implemented.</p> <p>The Administration further advised that AFCD and the relevant government departments had conducted a detailed study on cattle grid and visited the site where the cattle grid was proposed to be installed. According to the Administration, cattle grids were generally used on private land in farms in foreign countries to prevent cattle from going outside the farms. Having regard to overseas experience, the Administration considered that the installation of cattle grid on local public roads would pose potential safety hazards to road users, and would therefore not be pursued. The Administration also had no plan to fit reflective collars onto stray cattle at the present stage. That said, a number of other measures were implemented to prevent traffic accidents involving stray cattle including the deployment of "herdsmen" to station at different locations to herd the cattle that had been causing obstruction to traffic away. The Administration stressed that it was most important for the drivers to drive with care in order to avoid traffic accident.</p>	
001654-002526	Chairman Mr Steven HO Admin	<p>Mr Steven HO sought information on the changes in the population of stray cattle in the past few years and how long it was expected to take to reduce their number by half with the implementation of the CSR programme. The Administration advised that changes in cattle population would depend on a number of factors including the reproductive rate of feral cattle dwelling in remote and inaccessible rural areas which had posed difficulty for AFCD officers to catch and sterilize them. AFCD had planned to conduct a territory-wide population survey on stray cattle every two years to keep track of their population trend and a fresh round of the survey would be conducted soon.</p> <p>In response to Mr HO's further enquiry about the kind of cattle nuisances that the public had mostly complained about, the Administration advised that cattle nuisances were mainly reported in places frequented by stray cattle such as Sai Kung, Mui Wo and Pui O. In addition to implementing the CSR programme and the deployment of "herdsmen", AFCD had been educating the public on the</p>	

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		<p>importance of no-feeding of wild animals. With all these efforts, the number of complaints concerning nuisances caused by stray cattle had decreased over the past few years. The Administration added that there were different views from stakeholders in the community on how stray cattle should best be managed and AFCD had been communicating with the parties concerned in coming up with the relevant measures.</p>	
002527-003212	Chairman Mr LAU Kwok-fan Admin	<p>Mr LAU Kwok-fan urged the Administration to implement measures to address the problem of wild pigs wandering in urban areas more effectively. Mr LAU enquired the reason why less than half of the wild pigs captured under the Capture and Contraception/Relocation Programme ("CCRP") had received contraceptive treatment or sterilization. Information was also sought on the effectiveness of the contraceptive vaccine used.</p> <p>The Administration responded that the nuisances caused by wild pigs in recent years were largely attributable to intentional feeding and outdoor garbage. AFCD had commissioned a consultancy study with the Food and Environmental Hygiene Department and the Environmental Protection Department to improve the design of refuse collection facilities with a view to reducing scavenging for food from outdoor garbage by wild animals. The newly-designed litter containers would be deployed to nuisance black spots as appropriate. That apart, publicity and activities to educate the public on the importance of no-feeding of wild animals, including wild pigs, would be enhanced and enforcement actions would be taken where appropriate.</p> <p>The Administration further advised that AFCD had launched the pilot CCRP in late 2017 and had regularized the programme in 2019. AFCD would perform contraception or sterilization on the wild pigs captured where conditions permitted. Regarding the effectiveness of the contraceptive vaccine, the Administration advised that it was a multi-year vaccine which could last for a few years. According to a preliminary testing conducted on wild pigs administered with the vaccine, the effective rate was about 90%. Microchips were implanted into the wild pigs captured under the programme to facilitate tracking/identification of the wild pigs in future.</p>	

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003213-003850	Chairman Dr CHENG Chung-tai Admin	<p>Dr CHENG Chung-tai expressed concern about the impact on the habitat of the stray cattle in Sai Kung Country Park brought by the increasing number of countryside visitors in recent months. He enquired what measures the Administration would put in place to protect the living environment of the stray cattle and to ensure that the stray cattle would have enough food. He also asked whether consideration would be given to subsidizing cattle concern groups to buy fodder to feed the stray cattle.</p> <p>The Administration advised that stray cattle by nature would forage in the wild for food and there were abundant natural resources in the Sai Kung Country Park to provide adequate food and water for them. The Administration had been urging members of the public not to feed stray cattle as the consumption of food inappropriate for their diet could undermine the animals' health. Besides enhanced publicity, volunteers would also be deployed to disseminate the message to countryside visitors regarding no-feeding of wild animals.</p> <p>In response to Dr CHENG's further enquiry concerning the "Herdsman Programme" on Lantau Island, the Administration advised that in general, the employed "herdsmen" were local residents who were familiar with herding techniques and the behavior of cattle.</p>	
003851-004356	Chairman Mr SHIU Ka-fai Admin	<p>Mr SHIU Ka-fai's enquiry and the Administration's reply regarding the common types of injuries that stray cattle sustained and the treatment that AFCD would provide to them.</p> <p>Mr SHIU also asked whether AFCD had received any reports about abuse of stray cattle and injuries sustained by members of the public involving stray cattle. The Administration advised that cases of cruelty to stray cattle were quite few while a couple of complaints were received every year regarding injuries caused by stray cattle. Mr SHIU considered that more publicity should be conducted to educate the public to keep a safe distance from stray cattle.</p>	
004357-005032	Chairman Ms Elizabeth QUAT Admin	<p>Ms Elizabeth QUAT expressed concern that traffic accidents involving stray cattle wandering on the road had occurred from time to time in Sai Kung, she urged the Administration to put in place measures to protect the safety of stray cattle and avoid the recurrence of similar accidents.</p>	



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		<p>Ms QUAT was also concerned that wild pigs were still a source of nuisance in certain residential areas as they scavenged for food from outdoor garbage. She urged the Administration to replace the existing refuse collection facilities in nuisance black spots with wild pig-resistant litter containers expeditiously. In addition, she noticed that most publicity banners displayed at the nuisance black spots were in Chinese only, she considered that more banners and leaflets should be produced in English/other languages to educate foreign domestic helpers on the proper disposal of garbage. She hoped that the Administration could put in extra effort to publicize the negative impacts of feeding wild animals.</p> <p>The Administration advised that:</p> <ul style="list-style-type: none"> <li>(a) newly-designed wild pig-resistant litter containers would progressively be deployed to suitable sites and especially the nuisance black spots;</li> <li>(b) publicity on proper disposal of garbage would be enhanced, banners in both Chinese and English would be displayed at the relevant black spots as appropriate; and</li> <li>(c) advice on measures to reduce the nuisances caused by wild pigs and monkeys would be provided to property management agents for reference.</li> </ul> <p>On the management of monkeys, the Administration advised that it had been conducting capture and sterilization of monkeys in order to control their population and there was a notable reduction in the number of monkey nuisance cases in recent years as AFCD had extended the sterilization programme in 2018 to monkey troops causing regular nuisances to residential areas and had set up trapping cages in the nuisance sites like Wong Tai Sin and Sha Tin.</p>	
005033-005620	Chairman Admin	<p>The Chairman enquired whether the Administration would adopt the capture, sterilization and relocation approach for managing other types of stray animals. The Administration responded that if there were other types of animals causing nuisances, assessment would be made on whether similar approach might be adopted having regard to factors including the characteristics of the stray animals concerned, the nuisances that they had caused and the conditions of the site.</p>	

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		<p>Regarding the erection of sturdy fence to prevent crop raiding by wild pigs or the installation of electric fence/infrared auto-trigger lightings to deter these wild animals as mentioned in paragraph 15 of the Administration's paper, the Chairman was concerned how much those installations would cost and whether the Administration would provide financial assistance to the farmers concerned. The Administration advised that funding support for the relevant installations was available to eligible farmers under the Farm Improvement Scheme ("FIS") set up under the Sustainable Agricultural Development Fund.</p> <p>The Chairman was of the view that in addition to the holding of activities at kindergartens and primary schools to educate students on the prevention of wild animal nuisances and no-feeding of wild animals, consideration should be given to developing a learning and teaching resources kit on related subjects so that kindergarten and primary school students could receive the relevant training in a systematic manner at an early age. AFCD responded that it would explore with the Education Bureau regarding the Chairman's suggestion.</p>	
005621-010409	Chairman Mr Steven HO Mr SHIU Ka-fai Admin	<p>Mr Steven HO's enquiry and the Administration's reply regarding the wild pig population in Hong Kong.</p> <p>Mr HO was of the view that the measures adopted by AFCD for managing wild pigs were far less effective than those adopted for managing stray cattle. He wondered if the Administration had laid down any goals and targets for managing the wild pigs, say, the timeframe for reducing their population by half. Mr SHIU Ka-fai sought information on the annual expenditure involved in administering contraceptive vaccine to and conducting sterilization of wild pigs under CCRP.</p> <p>The Administration advised that AFCD had implemented CCRP to manage the nuisances caused by wild pigs and to control the animals' reproductive rate. On-site sterilization, which was a permanent birth-control method, would be conducted as far as conditions permitted. The expenditure on contraception and sterilization of wild pigs was around \$6.8 million in 2020. According to the Administration, the measures adopted to manage wild pigs had started to yield results.</p>	

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		<p>Mr HO enquired besides FIS, what other financial support was available to the farmers for installing the electric fences/infrared auto-trigger lightings in order to protect their crops from wild pig raids. The Administration advised that apart from FIS, some other loan funds were also available for application by the farmers concerned.</p>	
<p><i>Agenda item III – Implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B)</i></p>			
010410-010941	Chairman Admin	<p>Briefing by the Administration on the implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B) (LC Paper No. CB(2)737/20-21(03))</p>	
010942-011726	Chairman Ms Elizabeth QUAT Admin	<p>Ms Elizabeth QUAT was concerned that notwithstanding the increase in the maximum penalties upon the implementation of the amended Cap. 139B in 2017, the penalties handed down by the court on convicted cases, ranging from a fine \$600 to \$20,000, were obviously too low to achieve sufficient deterrent effect. She considered that the Administration should liaise with the Judiciary regarding the need to draw up the relevant sentencing guidelines. As the trading of dogs on the Internet was rather prevalent, she hoped that the Administration could enhance its enforcement actions to deter illegal dog trading on the Internet. Ms QUAT had also expressed concern about how members of the public could verify the authenticity of the licenses/permits of dog traders, especially those on the Internet.</p> <p>The Administration advised that the maximum penalty for illegal trading of dogs and breaching the licensing conditions were substantially increased to a fine of \$100,000 and \$50,000 respectively when Cap. 139B was last amended. The Administration would keep in view the level of penalty handed down by the court in convicted cases. The Administration further advised that information regarding the licensees of Dog Breeder Licence (Category A), Dog Breeder Licence (Category B) and Animal Trading Licence as well as the holders of One-off permit ("OOP") was available on AFCD's website, and members of the public could also call the AFCD's hotline to verify such information where necessary. Ms QUAT considered that more publicity should be conducted in respect of the channel through which the public could access the information.</p>	

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		<p>In response to Ms QUAT's view that the licencing regime for the trading and breeding of dogs should be extended to cover cats, the Administration explained that there was a strong case to put dog breeding activities under licensing control as the welfare of dogs that were kept for breeding purpose was compromised more frequently and to a greater extent than other types of animals. The Administration would monitor the situation of cat trading and breeding activities and consider reviewing the need for licensing control when necessary. Ms QUAT called on the Administration to conduct the review promptly in order to better safeguard the welfare of cats.</p>	
011727-012653	<p>Chairman Mr Steven HO Admin</p>	<p>Mr Steven HO was concerned whether or not the penalties handed down by the court for violation of Cap. 139B could truly reflect the gravity of the offences concerned. The Administration advised that a number of the convicted cases involved the selling of dogs without permit. Depending on the circumstances of each case, the Administration might also press charges against the person concerned for violation of the Prevention of Cruelty to Animals Ordinance (Cap. 169), which had a much higher maximum penalty level, if the case concerned also involved cruelty to animals.</p> <p>Mr HO was of the view that the Administration should introduce legislation to require cat owners to have their cats microchipped to prevent abandonment and to facilitate the identification of irresponsible cat owners. The Administration explained that under the Rabies Regulation (Cap. 421A), all dogs over the age of five months old kept by any person were required to be vaccinated, microchipped and licensed. Such a requirement was based primarily on the fact that the risk of pet dogs spreading rabies was relatively high and, for public health considerations, it was necessary to prevent and control the spread of rabies by dogs. However, pet cats presented a lower risk of contracting and spreading rabies in the community. According to the Administration, most other countries, including the United Kingdom, New Zealand and Singapore, had not legislated on the microchipping of cats.</p>	
012654-013519	<p>Chairman Dr CHENG Chung-tai Admin</p>	<p>Dr CHENG Chung-tai was of the view that the enhanced regulatory regime under Cap. 139B was not able to combat illegal dog trading effectively and this was evident from the prevalence of dog trading on the</p>	

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		<p>social media platforms on the Internet. He considered that the penalties handed down by the court were also too lenient to provide sufficient deterrent effect. Dr CHENG urged AFCD to step-up enforcement actions in relation to Cap. 139B and join forces with the Customs and Excise Department to combat illegal importation of dogs.</p> <p>The Administration advised that under the revised regulatory regime, enforcement against illegal dog trading was enhanced. A dedicated investigation unit under AFCD would proactively look for advertisements posted on the Internet and follow up cases of dog selling without a licence or OOP. AFCD would also conduct regular and surprise inspections of licensed premises. According to the Administration, the number of successful prosecutions in relation to illegal dog breeding and trading had substantially increased after the implementation of the amended Cap. 139B. Specifically, there were three convictions between the period of January to March 2017 and 97 convictions between the period of April 2017 and December 2020. In addition, the number of "dog for sale" advertisements on the Internet had decreased after the implementation of the amended Cap. 139B. AFCD would enhance publicity on the enhanced regulatory regime and educate members of the public to buy dogs from licensed dog traders/breeders or holders of OOP only.</p>	
013520-014107	Chairman Mr Steven HO Dr CHENG Chung-tai Admin	<p>Mr Steven HO's and Dr CHENG Chung-tai's enquiry regarding AFCD's enforcement actions to combat illegal trading and breeding of dogs. Dr CHENG suggested that AFCD should consider engaging the animal welfare organizations to enhance the surveillance and intelligence gathering on illegal dog trading/breeding activities.</p> <p>The Administration reiterated its explanation regarding AFCD's enforcement actions. Among the convicted cases, most of them were related to illegal dog trading on the Internet while a handful of others were related to violations of other provisions in Cap. 139B. According to the Administration's observation, the court would generally impose heavier penalties on repeated convictions.</p>	
014108-014600	Chairman Admin	The Chairman expressed concern about the proliferation of dog trading on the Internet. In his view, the situation reflected that loopholes existed in	

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		<p>the current regulatory regime. He was also concerned that some unscrupulous dog traders had attempted to circumvent the licensing requirement by charging the relevant fees in the guise of "sponsorship fee". He considered that AFCD should step-up its enforcement actions by conducting more inspections and investigations.</p> <p>The Administration explained the background of the last amendment to Cap. 139B. The Administration advised that under the revised regulatory regime, enforcement against illegal dog trading and breeding was enhanced and the welfare of dogs (such as their accommodation environment) had also improved considerably. That said, the Administration would keep in view the implementation of Cap. 139B and made adjustments to the enforcement actions where necessary.</p> <p>The Chairman shared some other members' view that the Administration should put cat breeding under licensing control as improper breeding of cats could lead to health problems in their offspring. The Administration reiterated that it would monitor the situation of cat trading and breeding activities, and consideration would be given to enhancing the Code of Standards for cat traders as appropriate.</p>	
<i>Agenda item IV – Any other business</i>			
014601-014700	Chairman	<p>Date of next meeting and items for discussion</p> <p>Meeting schedule in April and May 2021</p> <p>Closing remarks</p>	