

立法會
Legislative Council

LC Paper No. CB(2)1398/20-21
(These minutes have been
seen by the Administration)

Ref : CB2/PS/2/16

Panel on Food Safety and Environmental Hygiene

Subcommittee to Study Issues Relating to Animal Rights

Minutes of the meeting
held on Tuesday, 11 May 2021, at 4:30 pm
in Conference Room 2A of the Legislative Council Complex

- 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
- Member absent** : Dr Hon CHENG Chung-tai
- Public Officers** : Item I
- 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 Kenny HO Chin-ho
Principal Veterinary Officer
Agriculture, Fisheries and Conservation Department
- Dr Esther TO Man-wai
Senior Veterinary Officer (Animal Management)
Development
Agriculture, Fisheries and Conservation Department

Mr Ashley LEUNG Pak-wai
Principal Education Officer (Curriculum Development) 2
Education Bureau

Dr Andy TAM Ka-keung
Chief Curriculum Development Officer (Moral, Civic
and National Education) 1
Education Bureau

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

Staff in attendance : Ms Ivy CHENG
Senior Council Researcher 2

Mr Ronald LAU
Council Secretary (2) 4

Miss Meisy KWOK
Legislative Assistant (2) 5

Action

I. Publicity and public education for promoting animal welfare and responsible pet ownership
(LC Paper Nos. CB(2)1060/20-21(01) and (02), CB(2)1079/20-21(01) and FS04/20-21)

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

2. At the invitation of the Chairman, Deputy Secretary for Food and Health (Food) 1, with the aid of a video presentation, briefed members on the publicity and education work in promoting animal welfare and responsible pet ownership, details of which were set out in the Administration's paper (LC Paper No. CB(2)1060/20-21(01)).

Action Follow-up actions arising from the discussion

- Admin 3. The Administration was requested to provide:
- (a) the number of successful prosecutions under section 22 of the Rabies Ordinance (Cap. 421) against abandonment of animals in the past three years; and
 - (b) a written response to the issues raised in the submission from the World Dog Alliance (LC Paper No. CB(2)1079/20-21(01)).

(Post meeting note: The Chinese and English versions of the Administration's response (LC Paper no. CB(2)1205/20-21(03)) were circulated to members on 18 June and 30 June 2021 respectively.)

II. Any other business

4. Members noted that the next meeting would be scheduled for June 2021 to discuss "Overview of veterinary services in Hong Kong" and "Arrangements for pet animals whose owners are subject to quarantine due to coronavirus disease 2019".

(Post-meeting note: Members were informed vide LC Paper No. CB(2)1101/20-21 issued on 21 May 2021 that the next meeting would be held on Tuesday, 22 June 2021 at 2:30 pm.)

5. There being no other business, the meeting ended at 5:58 pm.

Council Business Division 2
Legislative Council Secretariat
24 August 2021

**Proceedings of the meeting of the
Subcommittee to Study Issues Relating to Animal Rights
on Tuesday, 11 May 2021, at 4:30 pm
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Publicity and public education for promoting animal welfare and responsible pet ownership</i>			
001042-002513	Chairman Admin	Briefing by the Administration on the publicity and education work in promoting animal welfare and responsible pet ownership with the aid of a video presentation (LC Paper No. CB(2)1060/20-21(01)).	
002514-003615	Chairman Ms Elizabeth QUAT Admin	<p>Ms Elizabeth QUAT considered that public education on animal welfare was inadequate. She was of the view that awareness for animal protection should be built up from a young age and she called on the Education Bureau ("EDB") to enhance the curricula of kindergarten, primary and secondary levels to include more contents in relation to the care for the nature and the positive values of cherishing and respecting life. Ms QUAT suggested that more lively means of communication should be adopted to put across the messages to students and youngsters (e.g. by using cartoon characters/animations or inviting celebrities to participate in the relevant public education and publicity initiatives).</p> <p>The Administration advised that:</p> <p>(a) the curricula for levels from kindergarten to secondary had already included learning elements related to life education, among which were topics on protection of animals, so as to cultivate children's and students' positive values and attitudes such as caring for animals and shouldering responsibility as pet owners. A learning and teaching ("L&T") resources website dedicated to animal protection had also been set up to provide diversified L&T resources to teachers through a one-stop platform; and</p> <p>(b) the Agriculture, Fisheries and Conservation Department ("AFCD") had recently invited a celebrity to produce a theme song on animal welfare which would be released later this year. It would also explore the use of animations and cartoon characters in the relevant public education and publicity initiatives where appropriate.</p>	

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		<p>Ms QUAT asked whether or not teachers were obliged to include the relevant topics on animal protection in their teaching. The Administration advised that local schools had, in accordance with the relevant curriculum guides and documents, as well as their missions, school contexts and student needs, been adopting diversified modes (including classroom learning, weekly assemblies, class teacher periods and life-wide learning experiences such as visits and voluntary services) and making flexible use of lesson time to provide students with learning experiences that dovetail with students' everyday life and development, thereby cultivating positive values and attitudes and proper behaviours.</p>	
003616-004813	Chairman Mr Steven HO Admin	<p>Mr Steven HO's enquiry and the Administration's reply on the main types of cruelty acts involved in the reports about suspected animal cruelty received by the Police and AFCD in the last couple of years.</p> <p>Mr HO considered that the Administration's effort in publicity and public education should focus properly on the problem. Noting from the Administration's reply that among the persons convicted of animal cruelty in 2019 and the first three quarters of 2020, majority of them involved severe negligence in taking care of the animals or cruelly kicking, beating, ill-treating or torturing the animals, he was of the view that the Administration should require prospective pet owners to attend a compulsory pet keeping course or pass a qualifying test before getting a pet. He believed that this could help to minimize the occurrence of cases concerning severe negligence in taking care of the animals in the future.</p> <p>The Administration advised that it had been promoting animal welfare and responsible pet ownership through various channels. Information on caring of different pet animals was not only available on AFCD's dedicated website on pet keeping and animal management but could also be obtained from many animal welfare organizations ("AWOs"). Apart from that, AFCD had also planned to promulgate Codes of Practice for types of animals commonly kept in Hong Kong to complement the proposed amendments to the Prevention of Cruelty to Animals Ordinance (Cap. 169) ("PCAO") to give practical guidance on how to provide for the welfare needs of animals as required by good practice. In addition, many AWOs had put in place a stringent mechanism to assess the suitability of</p>	

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		<p>prospective adopters. According to the Administration, a system for licensing of pet owners was not commonly found in other jurisdictions.</p>	
004814-005447	Chairman Mr SHIU Ka-fai Admin	<p>Mr SHIU Ka-fai's enquiry and the Administration's reply concerning what would be regarded as a "reasonable excuse" for the purpose of considering whether or not the keeper of an animal had committed the offence of animal abandonment under section 22 of the Rabies Ordinance (Cap. 421). According to the Administration, if there was not sufficient evidence beyond the threshold of "reasonable doubt" to substantiate a case for prosecution against abandonment of the animal, AFCD might consider other enforcement actions, such as pressing charges against the keeper of a dog for failing to take proper control of the dog in public places pursuant to section 23 of Cap. 421 where appropriate.</p> <p>At the request of Mr SHIU, the Administration undertook to provide information on the number of successful prosecutions under section 22 of Cap. 421 against abandonment of animals in the past three years.</p> <p>Mr SHIU suggested that the Administration should consider requiring pet shops to display, on a compulsory basis, publicity posters to remind pet buyers that it was a criminal offence to abandon an animal. The Administration advised that at present publicity posters on animal welfare were distributed to pet shops and veterinary clinics for display on a voluntary basis. AFCD would explore ways to enhance the promotion of responsible pet ownership through pet shops and veterinary clinics.</p>	<p>Admin (paragraph 3(a) of the minutes refers)</p>
005448-010319	Chairman Admin	<p>The Chairman considered that school education was indispensable in promoting animal welfare. Referring to the fact sheet on animal welfare education in schools in selected places prepared by the Research Office of the Legislative Council Secretariat, the Chairman was of the view that Taiwan, Singapore and Austria had exceeded Hong Kong in implementing animal welfare education in schools. He suggested that the Administration should draw reference from the practices of these three places and designate a single department to spearhead the compilation of teaching materials and resources on animal welfare for schools rather than having two different departments, i.e. AFCD and EDB, each developing their own set of resources separately. The Chairman was also of the view that the concepts of</p>	

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		<p>animal welfare and protection of animals should be spelled out more clearly for easy understanding of the students. The Chairman asked whether the Administration would consider allowing schools to keep dogs as school pets as suggested by the World Dog Alliance in its submission. He opined that students' awareness for and understanding of animal welfare would be enhanced through their interactions with the dogs.</p> <p>The Administration advised that:</p> <p>(a) in accordance with the division of work between departments, EDB was mainly responsible for school education while AFCD was mainly responsible for public education in respect of the promotion of animal welfare. That said, the two departments would cooperate with each other as necessary;</p> <p>(b) EDB had set up a website dedicated to animal protection to provide diversified L&T resources to teachers while the dedicated website of AFCD was intended to provide information on pet keeping and animal management to the general public, including teachers. The Administration would explore how to make the best use of the two websites to complement each other. That apart, AFCD would provide advice to EDB with a view to further enriching EDB's dedicated website; and</p> <p>(c) under the school-based management policy, the schools could make their own decision in respect of the keeping of dogs in schools having regard to the context of the school concerned such as the availability of space and ancillary facilities.</p> <p>At the request of the Chairman, the Administration undertook to provide a written response to the issues raised in the submission from the World Dog Alliance.</p>	<p>Admin (paragraph 3(b) of the minutes refers)</p>
010320-011016	Chairman Mr Steven HO Admin	Mr Steven HO maintained his view that as a number of convicted animal cruelty cases were related to severe negligence in taking care of the animals, prospective pet owners should be required to attend a compulsory pet keeping course with a view to ensuring that they possessed the requisite knowledge on pet keeping and were fully aware of their responsibilities towards the animals before getting a pet. He was skeptical about	

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		<p>the effectiveness of the public education and publicity programmes currently implemented by the Administration in addressing the problem of negligence in taking care of the animals.</p> <p>The Administration advised that it had been adopting a multi-pronged approach in safeguarding animal welfare. AFCD would continue to liaise with pet shops and veterinary clinics to solicit their support and assistance in strengthening the publicity on responsible pet ownership. On the legislative front, AFCD had planned to promulgate Codes of Practice for types of animals commonly kept in Hong Kong to complement the proposed introduction of a "duty of care" under PCAO on persons responsible for animals.</p>	
011017-011626	Chairman Mr SHIU Ka-fai Admin	<p>Mr SHIU Ka-fai believed that most people in Hong Kong loved and cared about animals. However, he was concerned that some people had not considered carefully before getting a pet and the problem of animal abandonment had remained serious in Hong Kong.</p> <p>On Mr SHIU's enquiry concerning the rehoming of animals, the Administration advised that in 2019-2020, about 45% of the animals which were handed over to AFCD's Animal Management Centres ("AMCs") by their owners had been rehomed. In addition, the number of animals which were handed over to AMCs by their owners in 2020 had decreased by more than 40% as compared to that of 2016. Mr SHIU considered that the figures indicated that the work of the Administration in promoting responsible pet ownership was bearing fruit and he hoped that the Administration would carry on with its efforts.</p>	
011627-012712	Chairman Admin	<p>The Chairman's enquiry and the Administration's reply regarding the details of the new initiative on arranging offenders under the Community Service Order to perform unpaid community service work for AWOs. The Chairman suggested that consideration might be given to arranging the offenders to assist AWOs in training the dogs so as to increase the animals' chance of being adopted. The Administration advised that AFCD had discussed with the participating AWOs regarding which types of work were suitable for the offenders and the AWOs were generally of the view that as a start, the offenders could help with the cleaning and simple refurbishing work of their premises. The Administration would explore with the AWOs concerned regarding the Chairman's suggestion in the</p>	

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		<p>future. The Administration added that AFCD had also planned to provide certain training to the dogs that were assessed to have unsatisfactory temperament with a view to increasing their chance of being adopted.</p> <p>The Chairman was of the view that the Hong Kong Housing Authority should relax its policy on the keeping of companion dogs so that households affected by the Administration's development clearance exercises in the New Territories could kept more than one dog as their companion dog when the affected households were rehoused to public rental housing ("PRH").</p> <p>The Administration advised that:</p> <ul style="list-style-type: none"> (a) AFCD had partnered with seven AWOs to provide rehoming service to animals affected by the Administration's development clearance exercises in the New Territories. A total of around 100 dogs and cats had been rehomed through these seven AWOs in 2020 and the first four months of 2021. The seven AWOs had indicated that they had capacity to handle the animals surrendered by households affected by the forthcoming development clearance exercises; (b) the Development Bureau ("DEVB") had assisted two AWOs in securing the use of two vacant government sites through the grant of short-term tenancy at nominal rent by the Lands Department for setting up two rehoming shelters. DEVB had also provided funding support to these two AWOs to carry out basic restoration work under a funding scheme which supported the use of vacant government sites by non-government organizations. It was anticipated that upon completion, the two shelters could accommodate about 200 dogs/cats awaiting rehomed in total; and (c) AFCD would continue with its publicity effort and visit the affected households to promote and appeal to them to make appropriate arrangements for their pets and to contact the AWOs concerned should they need to surrender their pets. <p>The Chairman expressed concern that some people might give up or abandon their pets when they emigrated overseas. In view of the increasing number of people emigrating overseas recently, he asked if AWOs and AMCs had sufficient capacity to accommodate the</p>	

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		<p>animals surrendered by their owners. The Administration advised that AFCD was not aware of any significant change in the number of animals surrendered to AMCs recently but it did not have the relevant information in respect of AWOs on hand. To facilitate pet owners to make the necessary arrangements for their pets, AFCD had provided information regarding the export of pet animals on its website.</p>	
012713-013121	Chairman Mr Steven HO Admin	<p>Mr Steven HO was of the view that the Administration should encourage people to take their pets with them when emigrating overseas.</p> <p>The Administration advised that AFCD had all along been promoting to the public that pet owners' commitment for their pets was for a lifetime. And as such, they should take their pets along with them as far as possible when moving overseas. If pet owners could not take their pets with them, they should discuss with their relatives or friends to see if they could adopt the pets.</p> <p>Mr HO suggested that consideration might be given to conduct an opinion survey to gauge the views of the PRH tenants on pet keeping in PRH estates. Subject to the result of the survey, consideration might be given to explore whether permission could be granted to a certain percentage of the PRH tenants to keep pet dogs which must be acquired through adoption. He believed that this could strike a balance between the different needs of tenants on the one hand and encouraging animal adoption on the other. The Administration advised that it would convey members' views to the relevant departments.</p>	
<i>Agenda item II – Any other business</i>			
013122-013158	Chairman	<p>Items for discussion at next meeting</p> <p>Closing remarks</p>	