

立法會
Legislative Council

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Panel on Food Safety and Environmental Hygiene

**Report of the Subcommittee to Study Issues
Relating to Animal Rights**

Purpose

This report gives an account of the deliberations of the Subcommittee to Study Issues Relating to Animal Rights ("the Subcommittee") during the 2020-2021 session.

The Subcommittee

2. At the meeting of the Panel on Food Safety and Environmental Hygiene ("the Panel") on 8 November 2016, members agreed that a subcommittee should be established under the Panel to study and follow-up on policies and measures relating to animal rights. The Subcommittee has completed its initial 12-month period of work in December 2017¹ and subsequently reactivated its work on 13 January 2021². The terms of reference and membership of the Subcommittee are set out in **Appendices I and II** respectively.

3. Under the chairmanship of Hon CHAN Hak-kan, the Subcommittee held a total of six meetings from January to June 2021.

¹ Details of the deliberations of the Subcommittee during its 12-month period of work from 16 December 2016 to 15 December 2017 are available in the report of the Subcommittee submitted to the Panel on 12 January 2018 (LC Paper No. CB(2)689/17-18).

² The proposal of the Subcommittee on extension of period of work was endorsed by the Panel and the House Committee at their meetings on 14 November and 1 December 2017 respectively.

4. To facilitate members' discussion, the Subcommittee has requested the Research Office of the Legislative Council ("LegCo") Secretariat to prepare a fact sheet on animal welfare education in schools in selected places.³

Deliberations of the Subcommittee during the 2020-2021 session

5. The Subcommittee has focused its deliberations on the following areas:

- (a) policies and measures to combat acts of animal cruelty;
- (b) implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B);
- (c) management of stray cats and dogs;
- (d) management of stray cattle and handling nuisances caused by wild animals;
- (e) provision of animal welfare facilities and veterinary services in Hong Kong;
- (f) publicity and public education on promoting animal welfare and responsible pet ownership; and
- (g) arrangements for pet animals whose owners are subject to quarantine due to coronavirus disease 2019 ("COVID-19").

Policies and measures to combat acts of animal cruelty

Enforcement actions to combat acts of animal cruelty

6. While members have noted that the Police has since 2018 established designated crime investigation teams⁴ in 22 police districts to handle animal cruelty cases, an arrangement which has long been called

³ The fact sheet is available at <https://www.legco.gov.hk/research-publications/english/2021fs04-animal-welfare-education-in-schools-in-selected-places-20210506-e.pdf> [FS04/20-21].

⁴ The designated crime investigation team is officially named as "Animal Crime Police Team" with effect from 28 February 2021.

for by members, they are concerned why among the two to three hundred reports on suspected animal cruelty received by the Police and the Agriculture, Fisheries and Conservation Department ("AFCD") every year, only some twenty-odd persons are prosecuted each year for acts of cruelty to animals. Some members consider that the Administration should step up the enforcement actions. There is also a suggestion that the Administration should review the prosecution procedures for suspected animal cruelty cases with a view to enhancing the effectiveness of the relevant work.

7. The Administration has explained that upon investigation, most of the reports on suspected animal cruelty contained no evidence of human acts of animal cruelty but are related to nuisance or other circumstances instead.⁵ According to the Administration, one of the biggest challenges in investigating animal cruelty cases is that the animals concerned cannot communicate with the law enforcement officers regarding what have happened to them or who have caused their injuries. As such, the Police can only rely on circumstantial evidence and the evidence provided by experts like veterinary officers for most of the time to establish the facts of a case. Notwithstanding these difficulties, the crime detection rate and the conviction rate of animal cruelty cases were over 60% and 70% respectively in the past few years, which compare favourably with those of other types of crimes. The Administration has further advised that in making a decision on whether or not to prosecute in each case, the Department of Justice ("DoJ") will act in accordance with the Prosecution Code and it will not commence a prosecution unless there is a reasonable prospect of conviction in the case.

8. The Administration has also advised that in order to further combat acts of cruelty to animals, it will propose to introduce an indictable offence under the Prevention of Cruelty to Animals Ordinance (Cap. 169) ("PCAO") in cases of serious animal cruelty. As there is no specific time bar for prosecution of indictable offences, law enforcement officers will have sufficient time to investigate more complex or serious cases. The Administration also intends to propose a substantial increase in the penalties for the offence of cruelty to animals convicted by indictment so as to reflect the gravity of the offence and to enhance the deterrent effect.

⁵ As advised by the Administration, among the 288 and 199 reports received by the Police and AFCD in 2019 and the first three quarters of 2020 respectively, 54 and 40 of them were respectively found to possibly involve actual animal cruelty upon investigation.

9. Some members have suggested that AFCD should set up a dedicated hotline to facilitate the public to report suspected animal cruelty cases to AFCD directly. The Administration has advised that if the public come across any suspected case of animal cruelty, they can telephone and report to the 999 Report Centre or report to AFCD or the Society for the Prevention of Cruelty of Animals ("SPCA").⁶ Since the 999 Report Centre has been providing round the clock service to the public, the suggestion of setting up a dedicated hotline by AFCD has to be considered in the light of the division of work between departments and the availability of resources. The Administration has stressed that a multi-agency approach is adopted in investigating animal cruelty cases and AFCD will render assistance when required, including outside normal office hours for emergency cases.

Penalties against acts of animal cruelty

10. Many members are of the view that the penalties imposed by the court on convicted animal cruelty cases are inadequate to reflect the gravity of the offence. These members consider that not only should DoJ apply for review of sentence if the penalty imposed is too lenient but also it should liaise with the Judiciary in respect of the need to draw up sentencing guidelines for offences on cruelty to animals.

11. The Administration has advised that in the last couple of years, the court has imposed imprisonment sentence in a number of convicted animal cruelty cases. Members are assured that the Administration will keep in view the penalties handed down by the court on convicted animal cruelty cases, and if the penalty imposed on a certain case is considered to be manifestly inadequate, DoJ will submit an application to the court for review of sentence as appropriate. According to the Administration, DoJ has invited the Court of Appeal ("CoA") to lay down guidelines for the sentencing of the offence of cruelty to animals during an appeal for review of sentence for a case in 2019. CoA held that it was inappropriate and impossible for the court to lay down any sentencing tariff for the offence, however, because of the evil nature of cruelty to animals, the court would in principle impose a deterrent sentence for the offence.

Severe negligence in taking care of the animals

12. Some members are of the view that as a number of convicted animal cruelty cases were related to severe negligence in taking care of the

⁶ SPCA operates a 24-hour hotline to gather information on animal cruelty cases from the public.

animals,⁷ consideration should be given to require prospective pet owners to attend a compulsory pet keeping course or pass a qualifying test before getting a pet with a view to ensuring that they possess the requisite knowledge on pet keeping and are fully aware of their responsibilities towards the animals concerned. Members also consider that AFCD should strengthen publicity to educate pet owners on responsible pet ownership and remind prospective pet owners to think carefully before getting a pet.

13. The Administration has advised that it has been adopting a multi-pronged approach in safeguarding animal welfare. Information on caring of different pet animals is not only available on AFCD's dedicated website on pet keeping and animal management ("AFCD's dedicated website") but can also be obtained from many animal welfare organizations ("AWOs"). That apart, AFCD will 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 has 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 to give practical guidance on how to provide for the welfare needs of animals as required by good practice. The Administration is of the view that by imposing a "duty of care" on animal keepers, prospective pet owners will be encouraged to give serious consideration to their decisions on getting pets. The Administration has pointed out that a system for licensing of pet owners is not commonly found in other jurisdictions.

Progress on amendments to the Prevention of Cruelty to Animals Ordinance (Cap. 169)

14. Some members have expressed disappointment at the slow progress on the legislative work to amend PCAO and they have urged the Administration to expedite the relevant work so as to better safeguard the welfare of animals. The Administration has advised that it has conducted a public consultation exercise in 2019 on its proposals to enhance animal welfare through amendment of PCAO, and the results of the consultation were reported to the Panel in April 2020. The Administration is pressing ahead with the drafting of the legislation and will strive to present the amendment bill in the Seventh LegCo as soon as possible.

⁷ According to the Administration, among the 25 and 9 persons convicted of animal cruelty in 2019 and the first three quarters of 2020 respectively, a total of 18 persons were involved in severe negligence in taking care of the animals.

Implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B)

Enforcement against illegal dog trading

15. The Subcommittee continued to follow up on the implementation of the Public Health (Animals and Birds) (Trading and Breeding) Regulations (Cap. 139B) which was last amended in 2016 to better regulate the breeding and trading of dogs. Members are deeply concerned that although the revised regulatory regime under Cap. 139B has already come into operation for a few years since March 2017, the sale of dogs on the Internet is still prevalent. In their view, the situation indicates that the revised regulatory regime is still not able to combat illegal dog trading effectively. The Administration is urged to step up enforcement actions in relation to Cap. 139B. There is a suggestion that AFCD should consider engaging AWOs to enhance the surveillance and intelligence gathering on illegal dog trading and breeding activities. Concern is also raised by some members that the penalties handed down by the court on convicted cases in the last couple of years, ranging from a fine of \$600 to \$20,000, are too lenient to provide sufficient deterrent effect. They consider that the Administration should liaise with the Judiciary regarding the need to draw up sentencing guidelines for the relevant offences. Some members have also suggested that more publicity should be conducted by AFCD in respect of the channel through which the public can verify the authenticity of the licences/permits of dog sellers.

16. The Administration has advised that the maximum penalty for illegal trading of dogs and breaching the licensing conditions has substantially increased when Cap. 139B was last amended and enforcement actions have also been strengthened under the revised regulatory regime. A dedicated investigation unit under AFCD will proactively look for advertisements posted on the Internet and follow up cases of dog selling without a licence or permit. The investigation unit will also conduct regular and surprise inspections of licensed premises. According to the Administration, the number of "dog for sale" advertisements on the Internet has decreased after the implementation of the revised regulatory regime while the number of successful prosecutions in relation to illegal dog breeding and trading has increased substantially at the same time.⁸ The Administration has assured members that it will keep in view the implementation of Cap. 139B and make adjustments to the

⁸ According to the Administration, there were three convictions on contravention of Cap. 139B in relation to illegal dog trading and breeding during the period from January to March 2017 and 97 convictions during the period from April 2017 to December 2020.

enforcement actions where necessary. In parallel, AFCD will enhance publicity on the revised regulatory regime and educate members of the public to buy dogs from licensed animal traders/dog breeders or holders of one-off permit only.

Licensing of cat breeding activities

17. Members in general consider that the licensing regime for the trading and breeding of dogs should be extended to cover cats. They are concerned that improper breeding of cats could lead to health problems in the cats' offspring. The Administration has advised that as the welfare of dogs that are kept for breeding purpose is compromised more frequently and to a greater extent than other types of animals, there is a strong case to put dog breeding activities under licensing control. It will monitor the situation of cat trading and breeding activities and consider enhancing the Code of Standards for cat traders as appropriate. Consideration will also be given to reviewing the need for licensing control when necessary. Members have requested the Administration to conduct the review promptly so as to better safeguard the welfare of cats.

Management of stray cats and dogs

"Trap-Neuter-Return" programme for stray dogs

18. Noting that the "Trap-Neuter-Return" ("TNR") trial programme for stray dogs has already ended in 2018, members have called on the Administration to strengthen its support for organizations in conducting further TNR programmes. Some members have suggested that the Administration should consider organizing on a regular basis a territory-wide event every few years to provide free neutering services for cats and dogs being kept by members of the public as they believe that the number of stray cats and dogs can be reduced by controlling the animals' birth rates. And the reduced number of stray animals will in turn bring down the government's expenditure in managing them in the long run. Members also consider that AFCD should collaborate with more AWOs to extend the rehoming service network to promote animal adoption and that the use of euthanasia in handling stray animals should be reduced.

19. The Administration has advised that it is open-minded about conducting further TNR programmes if AWOs or other parties are interested in running such a programme at other locations and appropriate support will be provided to these organizations. On animal adoption, AFCD has established partnerships with 17 AWOs, offering animals received by AFCD for adoption by members of the public through these

organizations and other eligible AWOs are welcome to become rehoming partners of AFCD. The Administration has also advised that AFCD has been promoting the benefits of neutering pet animals through various publicity channels and subvention is provided to AFCD's rehoming partners to provide free neutering services to animals rehomed by them. Apart from that, AFCD will be able to accommodate more stray animals upon completion of the new Animal Management and Animal Welfare Building Complex in the Kai Tak Development Area which will feature, for the first time, animal rehoming facilities that will be open to the public. According to the Administration, under the continued implementation of measures on the management of stray animals, the number of stray cats and dogs caught by AFCD has decreased by about 70% in the past five years while the rehoming ratios are on the rise at the same time.

Combating animal abandonment

20. Another area of concern of the Subcommittee is the problem of animal abandonment. Some members are of the view that the problem has remained serious in Hong Kong and the Administration should strengthen the enforcement actions to combat abandonment of animals and step up inspection of construction sites, open storage sites and container yards to enforce the licensing requirement for dogs.

21. The Administration has advised that AFCD has stepped up inspections to rural areas to enforce the licensing requirement for dogs. The Administration has also advised that AFCD will deal with all suspected animal abandonment cases seriously and will make their best effort to contact the owners concerned. That notwithstanding, the Administration has pointed out that the primary purpose of the Rabies Ordinance (Cap. 421) under which animal abandonment is made an offence is to prevent and control the spread of rabies. In addition, the Administration will propose to amend PCAO to specify that release of an animal into an unsuitable environment which has caused it to suffer to be an act of cruelty to animals.

22. Concern is also raised that some pet owners may give up or abandon their pets when they emigrate overseas and some members have requested the Administration to devise appropriate measures to deal with the problem. They are of the view that the Administration should encourage people to take their pets along with them when moving overseas. The Administration has advised that AFCD has all along been promoting to the public that pet owners' commitment for their pets is for a lifetime and they should take their pets along with them as far as possible when moving overseas. To facilitate pet owners who are moving

overseas to make the necessary arrangements for their pets, AFCD has provided information regarding the export of pet animals on its website.

Microchipping of cats

23. Members have continued to call on the Administration to 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 has advised that under the Rabies Regulation (Cap. 421A) all dogs over the age of five months old kept by any person are required to be vaccinated, microchipped and licensed. Such a requirement is based primarily on the fact that the risk of pet dogs spreading rabies is relatively high and, for public health considerations, it is necessary to prevent and control the spread of rabies by dogs. However, pet cats present 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, have not legislated on the microchipping of cats.

Handling of animals affected by the Administration's development clearance exercises in New Territories

24. Members consider that the Administration should put in place better arrangements to assist households affected by the Administration's development clearance exercises in the New Territories in resettling their pets as well as those animals which are kept in the community and not owned by any specific household in order to prevent animal abandonment. In particular, AFCD and the Development Bureau ("DEVB") should liaise with the Hong Kong Housing Authority ("HKHA") with a view to relaxing HKHA's policy on the keeping of companion dogs by tenants of public rental housing ("PRH") estates so that any affected household who is rehoused to PRH flats may keep more than one dog (including dogs which are kept in the community and not owned by any specific household) as companion dog. These members are also of the view that in order to facilitate the bureaux and departments concerned to plan ahead the resettling arrangements, particulars of the animals kept by the affected households or in the community concerned should be registered in the freezing surveys, and AFCD should take stock of the available capacity of the relevant animal shelters.

25. The Administration has advised that AFCD has been working closely with DEVB and has visited the affected households in the relevant new development areas over the past two years to promote and appeal to them to make appropriate arrangements for their pets as soon as

practicable. In addition, AFCD has partnered with seven AWOs to provide rehoming service to the affected animals. According to the Administration, a total of around 100 dogs and cats have been rehomed through these seven AWOs in 2020 and the first four months of 2021, and these seven AWOs have indicated that they still have capacity to handle the animals which may be surrendered by households affected by the forthcoming development clearance exercises.

26. The Administration has also advised that DEVB will assist affected households in their applications to HKHA for keeping their dogs as companion dogs. In addition, DEVB has assisted two AWOs in securing the use of two vacant government sites through the grant of short-term tenancies at nominal rent by the Lands Department ("LandsD") for setting up two rehoming shelters. Funding support is also provided to these two AWOs by DEVB for carrying out basic restoration work of the sites under a funding scheme which supports the use of vacant government sites by non-government organizations. According to the Administration, the two shelters can accommodate about 200 dogs/cats in total awaiting rehomed upon completion.

Management of stray cattle and handling nuisances caused by wild animals

Management of stray cattle

27. Members are concerned that traffic accidents involving stray cattle wandering on the road have continued to occur from time to time in Sai Kung. They have urged the Administration to devise measures to protect the safety of stray cattle. In this connection, some members have enquired about the progress of the suggested installation of cattle grid in the Sai Kung Country Park to prevent stray cattle from wandering on the road with a view to forestalling the recurrence of similar accidents. They have also suggested that consideration be given to fitting reflective collars onto the cattle to alert drivers of cattle wandering on the road at night.

28. According to the Administration, cattle grids are 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 is of the view that the installation of cattle grid on local public roads will pose potential safety hazards to road users and as such, the suggestion will not be pursued. That said, the Administration has implemented a number of other measures to prevent traffic accidents involving stray cattle including the deployment of "herdsmen" to station at different locations to herd the cattle that has been causing obstruction to traffic away. While the Administration has undertaken to explore the

suggestion of fitting reflective collars onto stray cattle to alert drivers of the presence of cattle on the road, it has stressed that it is imperative for drivers to drive with care in order to avoid traffic accident.

29. The Administration has further advised that it is conducting a pilot scheme to collect data about the cattle's movement patterns and places of stay for the purpose of formulating relevant measures to reduce cattle related traffic accidents. Under this pilot scheme, a global positioning system tracking collar is fitted onto a cattle to collect the relevant data. The data collected will facilitate the installation of sensors on selected lamp posts in the Sai Kung Country Park which is being contemplated to detect the presence of cattle nearby and switch on the street lights concerned automatically so that the cattle can be seen more easily by drivers at night.

Handling of nuisances caused by wild pigs

30. Concern is raised by some members about the nuisances caused by wild pigs as they wander in urban areas and scavenge for food from outdoor garbage. The Administration is requested to implement measures to address the problem more effectively. Some members have urged the Administration to put in extra effort to publicize the negative impacts of feeding wild animals and produce more banners and leaflets in English/other languages to educate foreign domestic helpers on the proper disposal of household garbage.

31. The Administration has advised that the nuisances caused by wild pigs in recent years are largely attributable to intentional feeding and outdoor garbage. To reduce scavenging for food from outdoor garbage by wild animals, newly-designed wild-pig-or-monkey-resistant litter containers will be deployed to suitable sites and especially the nuisance black spots progressively. Enforcement actions against illegal feeding of wild animals will also be taken where appropriate. Apart from that, AFCD will enhance the publicity to educate the public on the importance of no-feeding of wild animals and proper disposal of garbage. The Administration has also advised that AFCD has implemented the Capture and Contraception/Relocation Programme ("CCRP") to manage the nuisances caused by wild pigs and to control the animals' reproductive rate⁹ and these series of measures have started to yield results.

⁹ Under CCRP, AFCD will relocate wild pigs causing nuisance to remote countryside in order to provide immediate relief to the nuisance, contraception or sterilization will also be performed on those causing nuisance or rescued where conditions permit. CCRP was launched in late 2017 as a pilot programme and subsequently regularized in 2019.

Provision of animal welfare facilities and veterinary services in Hong Kong

Animal shelters operated by animal welfare organizations

32. Members are gravely concerned about the difficulties encountered by many AWOs in operating animal shelters for stray animals, especially in finding suitable premises and in shouldering the medical expenses of the animals. Although they note that AFCD has increased its subvention to AWOs in recent years, they are of the view that the amount of subvention is still insignificant as compared to the overall expenditures of these AWOs. They have called on the Administration to increase its funding support and make available suitable vacant government sites to AWOs for operating animal shelters. There is a view that some damaged agricultural land can be considered for rezoning for animal welfare use. Some members are also of the view that the Administration should play a more active role in respect of animal welfare and have suggested that a government-run one-stop animal welfare facility should be established to offer animal rehoming services, veterinary services and pet cremation services etc. to members of the public.

33. The Administration has reiterated that AFCD has been working closely with AWOs in promoting rehoming of animals and providing subventions to eligible AWOs on a project basis to financially support them in establishing and operating animal rehoming shelters and improving relevant facilities etc. It will keep under review the need to increase the relevant subvention where appropriate. That apart, AFCD will render assistance to AWOs in their applications to the LandsD and DEVB respectively for the grant of short-term tenancy to use vacant government sites and funding support for setting up animal rehoming shelters on those vacant sites.

Provision of veterinary services in Hong Kong

34. Many members have questioned why the level of charges for local veterinary services has remained high despite that, according to the information provided by the Administration, the supply of veterinary surgeons is relatively abundant in Hong Kong as compared to a number of other places.¹⁰ They consider it worthwhile for the Administration to

¹⁰ As advised by the Administration, the vet-to-pet ratio is a common indicator for assessing the overall adequacy of veterinary services in a place. The vet-to-pet ratio in Hong Kong in 2018 was 1 to 410, which is much higher than those of Singapore (1 to 2 543), the United Kingdom (1 to 2 374) and the United States of America (1 to 3 072).

conduct a study on the level of charges for veterinary services in different places and find out the factors attributable to their differences. Some members are of the view that as pet keeping is increasing popular in Hong Kong, the Administration should consider providing public veterinary services so as to make veterinary care for pets to be more affordable to the general public. Some other members also hope that more veterinary surgeons will be available to provide services for local livestock farms.

35. The Administration has advised that there are currently sufficient veterinary surgeons and clinics to provide various services in Hong Kong. The Administration believes that as more locally trained veterinary surgeons will be joining the profession in the coming years, it will help to enhance the overall price competitiveness of veterinary services.¹¹ According to the understanding of the Administration, the charges for clinic consultations and common treatment procedures for pets in Hong Kong are broadly comparable to those of other countries. That said, the Administration is of the view that as the level of charges for veterinary services will depend on a number of factors such as rent and staff cost, it is not appropriate to make a direct comparison of the charges in different places. The Administration has also advised that the provision of veterinary services by the private sector is the mainstream international practice and it has no plan to subsidize the provision of veterinary services using public coffers. According to the Administration, a number of pet insurance products are available on the market at affordable premiums to provide more options to pet owners in meeting the medical expenses of their pets in the event of unexpected illness.

36. Some members do not consider that the problem relating to the level of charges for veterinary services can be addressed simply by taking out medical insurance on pets. These members are concerned that pet owners might resort to abandoning their pets if they are not able to afford the pets' medical expenses. The Administration has advised that AFCD has all along been educating the public to think carefully before getting a pet, including whether they can afford the various costs.

37. To facilitate the planning of policies relating to animal management, some members have suggested that the Administration should consider collecting data in the population census regarding the keeping of pets by local households. The Administration has advised that AFCD has requested the Census and Statistics Department ("C & SD") to collect data on the keeping of cats and dogs by households in the Thematic Household Survey conducted in 2018. AFCD will actively liaise with

¹¹ The City University of Hong Kong has launched in 2017 Hong Kong's first local 6-year Bachelor of Veterinary Medicine programme.

C & SD regarding the collection of similar data in the census exercise but such a request has to be considered by C & SD having regard to a number of other requests from various government departments.

Provision of veterinary services for retired working dogs

38. Some members are concerned that many working dogs have developed various health problems after having worked for the government for years and yet their post-retirement medical expenses have to be shouldered by their adopters which are often their former handlers. They consider it incumbent upon the Administration to provide veterinary services to these retired working dogs. The Administration has advised that AFCD and the relevant government departments will now provide veterinary services to the retired working dogs. If complex surgical operations are involved in individual cases, the arrangements will have to be considered by the departments concerned on a case-by-case basis. While members in general welcomed the provision of veterinary services by the Administration to the retired working dogs, they hope that the services could be extended to cover surgical treatments as well.

Continuing professional development of practising veterinary surgeons

39. Some members have expressed concern about how the Veterinary Surgeons Board of Hong Kong ("VSB") could ensure that the registered veterinary surgeons will maintain currency in skills and knowledge as required in the Code of Practice for the Guidance of Registered Veterinary Surgeons promulgated by VSB given their participation in VSB's continuing professional development ("CPD") scheme is on a voluntary basis. The Administration has advised that VSB encourages all practising veterinary surgeons to comply with the CPD requirement so that their professional competency is up-to-date.¹²

Publicity and public education on promoting animal welfare and responsible pet ownership

40. Some members are of the view that public education on animal welfare is inadequate and they consider that awareness for animal protection should be built up from a young age. They have called on the

¹² According to the Administration, about 5% of the practising veterinary surgeons have applied for and were awarded a certificate by VSB in the past two years certifying that he or she has met the CPD requirement in a 2-year reporting cycle. Since practising veterinary surgeons are not obliged to apply for a certificate, the actual ratio of practising veterinary surgeons meeting the requirement would be higher than the aforementioned ratio.

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. It is suggested that more lively means of communication should be adopted to put across the messages on animal protection to students and youngsters clearly. There is also a suggestion that the Administration should draw reference from places like Austria and Taiwan and designate a single department to spearhead the compilation of teaching materials and resources on animal welfare for schools rather than having AFCD and EDB each developing their own set of resources on the subject.

41. The Administration has advised that in accordance with the division of work between departments, EDB and AFCD are mainly responsible for school education and public education respectively in respect of the promotion of animal welfare. That said, EDB and AFCD will cooperate with each other as necessary. According to the Administration, the curricula for levels from kindergarten to secondary have 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 website dedicated to animal protection has been set up by EDB to provide diversified learning and teaching resources to teachers while AFCD's dedicated website is intended to provide information on pet keeping and animal management to the general public, including teachers. The Administration will explore how to make the best use of the two websites to complement each other. On the publicity front, AFCD will explore the use of celebrity, animations and cartoon characters in the relevant public education and publicity initiatives where appropriate.

Arrangements for pet animals whose owners are subject to quarantine due to coronavirus disease 2019

42. Members have noted that if the owner of a pet is confirmed to be infected with COVID-19 or placed under quarantine at a quarantine centre pursuant to the Prevention and Control of Disease Regulation (Cap. 599A), AFCD will, subject to the consent of the pet owner, arrange to deliver the pet to a designated animal keeping facility for quarantine and veterinary surveillance. Some members are concerned about the possibility for COVID-19 to transmit from animals to humans. The Administration has advised that AFCD has been adopting a precautionary and vigilant approach for animal management related to COVID-19, there is currently no evidence that pet animals, such as cats, dogs and hamsters, are transmitting COVID-19 to humans. According to the Administration, the

World Organisation for Animal Health has also indicated that there is no evidence of pets playing an epidemiological role in the spread of COVID-19.

Recommendations

43. The Subcommittee urges the Administration to take into account the views and concerns expressed by members on various issues and recommends that the Administration should:

- (a) step up enforcement actions against animal cruelty and expedite the legislative work to amend PCAO in order to better safeguard the welfare of animals;
- (b) strengthen enforcement actions against animal abandonment and enhance the public education and publicity on responsible pet ownership and animal adoption;
- (c) take more vigorous enforcement efforts against illegal trading and breeding of dogs and promptly review the need for establishing a licensing regime for the breeding of cats;
- (d) explore the extension of the microchipping and licensing scheme to cats;
- (e) collaborate with more AWOs to extend the rehoming service network and consider providing more financial support and land support to these organizations in operating animal shelters;
- (f) ensure that appropriate arrangements will be made to assist households affected by the Administration's development clearance exercises in the New Territories in resettling their pets as well as those animals which are kept in the community and not owned by any specific household;
- (g) consider how to enhance the school education on animal protection so as to build up and enhance students' awareness for the welfare of animals from a young age;
- (h) give due consideration to the suggestion of providing public veterinary services and a government-run one-stop animal welfare facility to offer animal rehoming services, veterinary

services and pet cremation services etc. to members of the public; and

- (i) explore more effective measures to prevent traffic accidents involving stray cattle and mitigate the nuisances caused by wild pigs.

Advice sought

44. Members are invited to note the deliberations and recommendations of the Subcommittee.

Council Business Division 2
Legislative Council Secretariat
29 September 2021

Appendix I

Panel on Food Safety and Environmental Hygiene

Subcommittee to Study Issues Relating to Animal Rights

Terms of Reference

To study and follow-up on policies and measures relating to animal rights, and to put forward recommendations where necessary.

Appendix II

Subcommittee to Study Issues Relating to Animal Rights

Membership list *

Chairman	Hon CHAN Hak-kan, SBS, JP
Members	Hon Steven HO Chun-yin, BBS, JP Hon Elizabeth QUAT, BBS, JP Hon SHIU Ka-fai, JP Hon LAU Kwok-fan, MH, JP (Total : 5 members)
Clerk	Miss Connie AU
Legal Adviser	Ms Wendy KAN
Date	23 September 2021

* Changes in membership are shown in Annex to Appendix II.

Annex to Appendix II

Subcommittee to Study Issues Relating to Animal Rights

Changes in membership

Member	Relevant date
Hon Elizabeth QUAT, BBS, JP	Since 8 February 2021
Dr Hon CHENG Chung-tai	Up to 25 August 2021

For **changes in LegCo Membership**, please refer to the link below:
(<https://www.legco.gov.hk/general/english/members/yr16-20/notes.htm>)