

LEGISLATIVE COUNCIL BRIEF

Dogs and Cats Ordinance
(Chapter 167)

DANGEROUS DOGS REGULATION

INTRODUCTION

At the meeting of the Executive Council on 15 June 1999, the Council ADVISED and the Chief Executive ORDERED that the Dangerous Dogs Regulation, at the Annex, should be made under section 3 of the Dogs and Cats Ordinance, subject to the approval of the Legislative Council.

BACKGROUND AND ARGUMENT

General Background

2. In 1998, over 2 100 dog bite incidents were reported to the Police. During the same period, the Hospital Authority reported the admission of 300 patients to public hospitals for treatment of animal bites. We estimate that over 70% of these hospitalisation cases were caused by dogs.

3. The previous legislation to control dangerous dogs was regarded as inadequate. It applied to dogs in general without giving adequate consideration to the fact that particular classes of dogs might attack more often and inflict more serious injuries. To provide for improved control over dangerous dogs, an amendment bill and a draft regulation were submitted to the previous Executive Council on 30 April 1996. After considering the submission, the previous Executive Council decided that the Dogs and Cats (Amendment) Bill 1996 should be introduced into the then Legislative Council, and that the Dangerous Dogs Regulation submitted should be approved in principle, to be referred back to Members to be made after the Bill had passed into law.

4. In June 1997, the Dogs and Cats (Amendment) Ordinance was passed by the previous Legislative Council. Section 3 of the Dogs and Cats Ordinance

specifies that the Chief Executive in Council may, with the approval of the Legislative Council, by regulation provide for matters relating to the control of dogs.

5. The proposed regulation for control of dangerous dogs was also scrutinised by the relevant Bills Committee of the then Legislative Council. The draft regulation proposed classification of dangerous dogs into three categories – “fighting dogs”, “known dangerous dogs” and “potentially dangerous dogs”. It also stipulated the level of control to be applied to each of these categories, which varied depending on the perceived severity of the risk of dog bites and the risk of inflicting serious injuries.

6. After reviewing submissions and hearing the views from the public and the Administration, the Bills Committee did not raise any objection to the proposals relating to “fighting dogs” and “known dangerous dogs”, except for a requirement for third party insurance for those dogs as the insurance industry would not be able to provide such a cover.

7. The Bills Committee did not support the “potentially dangerous dogs” category, which was based on selected breeds, as it did not reflect fully the types of dogs from which the public should be protected. The Bills Committee suggested that this category should be replaced by a “large dogs” category comprising dogs of all breeds exceeding a certain body weight because the mere size of a dog was believed to be threatening to the public. They proposed graded levels of control for these dogs, depending on whether they were in indoor or outdoor public places. They also requested the Administration to consider allowing large dogs to be exercised off leash in more remote areas.

8. The Agriculture and Fisheries Department (the Department) has conducted further public consultation on these revised proposals. We have redrafted the Dangerous Dogs Regulation (the Regulation) taking into account the comments of the Bills Committee and the respondents. To better define the areas of control, we have included in the Regulation a definition of “public place”, which have taken considerable time to finalise given the complexity involved. For the purpose of this Regulation, “public place” includes any place to which the public normally have access whether on payment or otherwise, and common areas of buildings and developments, regardless of whether they are indoor or outdoor. The scope of controls covers large dogs in common areas, such as lifts and lobbies, as they represent a risk to those occupying the buildings or estates concerned.

THE PROPOSALS

9. We propose to retain in the Regulation, except the parts concerning insurance requirement, the measures for control of “fighting dogs ” and “known dangerous dogs”, which were approved in principle by the previous Executive Council and in respect of which the Bills Committee had not raised any objection.

10. These include the classification of "fighting dogs" and "known dangerous dogs" and the proposed control measures applicable to them.

11. The “fighting dogs” category will consist of the Pit Bull Terrier, as well as some lesser-known breeds of similar characteristics, and their crosses. These dogs have been bred for fighting. They are liable to attack a person without provocation or warning and inflict injuries which may well be fatal. The densely populated and congested environment of Hong Kong is unsuitable for the keeping of dogs that may attack people without provocation. For this category, it is provided that -

- (a) the keeping of “fighting dogs” should be phased out (over a period of seven to ten years) through the introduction of a prohibition on the importation and breeding of such dogs;
- (b) it will be an offence to keep a “fighting dog” for more than 120 days after commencement of the new regulation unless it is neutered; and
- (c) the owner of such a dog who does not wish to keep the dog under the Regulation after the 120-day period should be able to surrender it for destruction during the 120-day period and receive ex-gratia payment of \$3,000 for a fighting dog.

12. The “known dangerous dogs” category will consist of individual dogs classified as such by a magistrate on application to him showing that the dog has, whether on private property or in a public place -

- (a) killed or inflicted serious injury on a person without provocation;

- (b) killed or inflicted serious injury on a domestic animal without provocation; or
- (c) shown a history of repeatedly attacking people or putting people in fear without provocation;

13. It would be an offence to keep a known dangerous dog for more than 90 days after it is classified as such, unless it is neutered. In the interest of the public, it will also be an offence to allow a “fighting dog” or a “known dangerous dog” to go into or remain in a public place unless it is on a leash of not more than 1.5 metres in length and muzzled. It has also been agreed that fighting dogs and known dangerous dogs will have to wear a brightly coloured reflective collar at all times, whether on private property or in a public place so that they can be identified easily. The details of the required identification will be prescribed by the Director of Agriculture and Fisheries (the Director) and published in the Gazette by notice as separate piece of subsidiary legislation.

14. In line with the suggestion of the Bills Committee, we propose to create a new category of “large dogs” to replace the previously proposed “potentially dangerous dogs” category. The “large dogs” category will consist of dogs (except fighting dogs or known dangerous dogs) exceeding a body weight of 20 kg, which would include a high proportion of chow and mongrel dogs that are known to have caused serious injuries in the past. In the densely populated environment in Hong Kong, members of the public are often in close proximity to dogs. Their actions, especially the actions of children, in close proximity to a dog may inadvertently provoke instincts in the dog that might result in a bite. If the dog is a large one, the chance of a serious bite is greater.

15. We also propose that large dogs will be required to be kept on a leash of not more than 1.5 metres in length and muzzled when in an indoor public place, such as the common parts of a building. In outdoor public places they must be held on a leash of not more than two metres in length, except in country parks or special areas (as defined in the Country Parks Ordinance) where the dogs will be allowed to be exercised off leash but under control, as stipulated in the existing Country Parks and Special Areas Regulation.

16. The authority of the Director to grant exemptions for certain dogs or certain persons has already been provided for in the Dogs and Cats Ordinance.

Certain classes of dogs, such as police dogs or dogs in certain locations such as those in pet shops, could be exempted.

THE REGULATION

17. The principal sections of the Regulation are as follows-

- (a) **Section 2** defines the various classes of dogs as well as indoor and outdoor public places. The definition of outdoor public places specifically excludes country parks and special areas within the meaning of the Country Parks Ordinance.
- (b) **Section 3** creates an offence in relation to the removal of fighting dogs from a conveyance, and provides for liability on conviction to a fine at level five (\$50,000) or level four (\$25,000) and imprisonment for six months.
- (c) **Sections 4 to 6** create offences in relation to importation and breeding of fighting dogs and possession of a fighting dog without it being neutered, and provide for liability on conviction to a fine at level four (\$25,000) or level five (\$50,000) and imprisonment for six months.
- (d) **Section 7** creates an offence in relation to causing, suffering or permitting a fighting dog to enter or remain in public places without being securely fitted with a muzzle or being securely held on a leash, and provide, in each case, for liability on conviction to a fine at level four (\$25,000) and imprisonment for six months.
- (e) **Section 8** provides for the identification of a fighting dog.
- (f) **Section 9** creates an offence in relation to causing, suffering or permitting a large dog to enter or remain in indoor public places without being securely fitted with a muzzle or without being securely held on a leash, or to enter or remain in an outdoor public place without it being held securely on a leash. It further provides for liability on conviction to a fine at level four (\$25,000) and imprisonment for three months.

- (g) **Section 10** provides that a magistrate may by order classify a dog as a known dangerous dog on application to him showing that the dog has killed or inflicted serious injury without provocation on a person resulting in hospitalization or a domestic animal resulting in surgery or destruction, and/or that it has a history of repeatedly attacking people or putting people in fear.
- (h) **Section 11** creates an offence in relation to possession of a known dangerous dog without it being neutered. **Section 12** creates an offence in relation to causing, suffering or permitting a known dangerous dog to enter or remain in public places without being securely fitted with a muzzle or held on a leash. These two provisions provide, in each case, for liability on conviction to a fine at level four (\$25,000) and imprisonment for three months.
- (i) **Section 13** provides for the identification of a known dangerous dog.
- (j) **Sections 14 to 17** provide for miscellaneous matters including directions by an authorized officer, appeals in respect of such directions to the Administrative Appeals Board and classification of fighting dogs by authorized officers and the Dogs and Cats Classification Board.
- (k) **Section 18** states that the detention fee payable by a keeper of a dog to the Director in respect of the detention of the dog under the Ordinance or the Regulation shall be at the rate of \$120 for each day or part of a day during which the dog is detained.
- (l) **Section 19** deals with amendments of the Schedules of the Regulation.
- (m) **Section 20** provides that the Director may pay a keeper of an existing fighting dog, which is present in Hong Kong before the commencement of the Regulation and with a valid dog licence, a sum of \$3,000 if he surrenders his dog to the Director for destruction during the transitional period of 120 days.

Items (b), (d), (e), and (i) to (l) are largely the same as those provided for in the previous Regulation approved in principle by the former Executive Council and in respect of which the Bills Committee has not raised any

objection. Items (a), (c), and (h) have been amended whilst item (f) is a new provision to address the concerns of the Bills Committee and comments received during the subsequent public consultation exercise. The drafting of items (g) and (m) has been amended to better achieve their intended purposes.

LEGISLATIVE TIMETABLE

18. We intend to move a motion in the Legislative Council on 7 July 1999 resolving that the Regulation be approved.

HUMAN RIGHTS IMPLICATIONS

19. The Department of Justice has advised that the Regulation is consistent with the human rights provisions of the Basic Law.

BINDING EFFECT OF THE LEGISLATION

20. The Regulation does not bind the Government.

FINANCIAL AND STAFFING IMPLICATIONS

21. The work arising from the implementation will be taken up by existing staff through redeployment.

22. The Director anticipates that about 200 fighting dogs will be surrendered by their owners for destruction based on existing records. Ex-gratia payments amounting to \$600,000 will be paid out. The payments will be met from within the existing allocation of the Department.

23. The additional revenue arising from the proposed fee for the detention of a dog is expected to be minimal.

ECONOMIC IMPLICATIONS

24. The Regulation is expected to have no significant economic implications.

PUBLIC CONSULTATION

25. The Department has consulted the Provisional District Boards, animal welfare groups, veterinary associations and kennel clubs on the revised proposals. The Country Parks Management Board and Country Parks Users Group were also consulted on the proposal relating to large dogs in country parks. The majority of the respondents supported the introduction of the proposed Regulation. However, some respondents would like some large dogs that are not dangerous to be excluded. Others felt that the weight of the large dog category was too low and/or that the muzzling of dogs might make some dogs more aggressive to their owners. Several Provisional District Board members preferred to have all large dogs muzzled in outdoor places, including country parks.

ENQUIRY

26. Any enquiry on this brief should be directed to Mr K K LIU, Assistant Director, Agriculture and Fisheries Department on tel. no. 2733 2155 or by fax 2311 3731.

Economic Services Bureau
17 June 1999

DANGEROUS DOGS REGULATION

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DANGEROUS DOGS REGULATION

(Made by the Chief Executive in Council under section 3 of the Dogs and Cats Ordinance (Cap. 167) with the approval of the Legislative Council)

PART I PRELIMINARY

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Economic Services by notice in the Gazette.

2. Interpretation

In this Regulation, unless the context otherwise requires -
"fighting dog" (格鬥狗隻) means a dog of a type listed in Schedule 1;
"indoor public place" (戶內公眾地方) means any public place which is within a building;
"known dangerous dog" (已知危險狗隻) means a dog classified as a known dangerous dog by an order under section 10(1);
"large dog" (大型狗隻) means a dog having such body weight as is specified in Schedule 2 but does not include a fighting dog or a known dangerous dog;
"outdoor public place" (戶外公眾地方) means any public place which is not within a building but does not include any place in a country park

or a special area within the meaning of the Country Parks Ordinance (Cap. 208);
"public place" (公眾地方) means -

- (a) any place to which the public or a section of the public are entitled or permitted to have access -
 - (i) whether the place is the property of the Government or not; and
 - (ii) whether on payment or otherwise;
- (b) any part of a building, a development or an estate to which all those occupying the building, the development or the estate are entitled or permitted to have access -
 - (i) whether the building, development or estate is the property of the Government or not; and
 - (ii) whether on payment or otherwise,but does not include a building, a development or an estate which contains not more than one domestic premises;

"veterinary certificate" (獸醫證明書) means a certificate issued by a veterinary surgeon;

"veterinary surgeon" (獸醫) means a registered veterinary surgeon within the meaning of the Veterinary Surgeons Registration Ordinance (Cap. 529).

PART II CONTROL OF FIGHTING DOGS

3. Removal of fighting dogs from a conveyance arriving in Hong Kong

(1) A person who removes or causes, suffers or permits to be removed a fighting dog from any conveyance arriving in Hong Kong commits an offence and is liable on conviction to a fine at level 5 and to imprisonment for 6 months.

(2) Where subsection (1) is contravened, the owner and the operator of the conveyance from which the fighting dog is removed each commits an offence and each is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

4. Importation of fighting dogs

(1) A person who imports or causes, suffers or permits to be imported into Hong Kong a fighting dog commits an offence and is liable on conviction to a fine at level 5 and to imprisonment for 6 months.

(2) Where subsection (1) is contravened, the owner and the operator of any conveyance in or on which the fighting dog was imported into Hong Kong each commits an offence and each is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

5. Possession of fighting dogs

(1) Subject to subsection (2), a person who is the keeper of a fighting dog commits an offence and is liable on conviction to a fine at level 5 and to imprisonment for 6 months.

(2) The keeper of a fighting dog does not commit an offence under subsection (1) if he shows that there is a veterinary certificate certifying that the dog has been neutered.

6. Breeding of fighting dogs

A person who breeds or breeds from, or causes, suffers or permits to breed or breed from, a fighting dog commits an offence and is liable on conviction to a fine at level 5 and to imprisonment for 6 months.

7. Fighting dogs entering or remaining in public places

A person who causes, suffers or permits a fighting dog to enter or remain in a public place -

- (a) without the dog being securely fitted with a muzzle sufficient to prevent it from biting any person; or
- (b) without it being securely held on a leash of not more than 1.5 m in length by a person not under the age of 16 years,

commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

8. Identification of fighting dogs

(1) The Director may, by notice published in the Gazette, require that a fighting dog shall be identified in such form and manner (including but not limited to the wearing of a collar and the implanting of any device) as is specified in the notice.

(2) Where a fighting dog is not identified in accordance with a notice published under subsection (1), the keeper of the dog commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 6 months.

(3) For the avoidance of doubt, it is hereby declared that a notice under subsection (1) is subsidiary legislation.

**PART III
CONTROL OF LARGE DOGS**

9. Large dogs entering or remaining in public places

(1) A person who causes, suffers or permits a large dog to enter or remain in an indoor public place -

(a) without the dog being securely fitted with a muzzle sufficient to prevent it from biting any person; or

(b) without it being securely held on a leash of not more than 1.5 m in length by a person not under the age of 16 years,

commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 3 months.

(2) A person who causes, suffers or permits a large dog to enter or remain in an outdoor public place without the dog being securely held on a leash of not more than 2 m in length by a person not under the age of 16 years commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 3 months.

**PART IV
CONTROL OF KNOWN DANGEROUS DOGS**

10. Classification as a known dangerous dog by magistrate's orders

(1) Without prejudice to the power of a magistrate under section 5 of the Ordinance but subject to subsection (2), a magistrate may, upon an application made in that behalf, by order classify a dog as a known dangerous dog.

(2) No order shall be made under subsection (1) unless the magistrate is satisfied that -

- (a) a person has died or suffered serious bodily injury as a result of any bite or attack inflicted by the dog, whether in a public place or not, in the absence of provocation of any form;
- (b) a domestic animal has died or suffered serious bodily injury as a result of any bite or attack inflicted by the dog, whether in a public place or not, in the absence of provocation of any form; or
- (c) the dog has a history of repeatedly attacking people or otherwise putting people in fear, whether in a public place or not, in the absence of provocation of any form.

(3) For the purposes of subsection (2) -

- (a) a person suffers serious bodily injury if he suffers any bodily injury of a kind which results in his being admitted to a hospital for treatment as an in-patient;
- (b) a domestic animal suffers serious bodily injury if it suffers any bodily injury of a kind which results in -
 - (i) its being admitted to a veterinary clinic or hospital for surgery under general anaesthesia; or

(ii) its being destroyed on animal welfare grounds, by a veterinary surgeon.

11. Possession of known dangerous dogs

(1) Subject to subsection (2), a person who is the keeper of a known dangerous dog after the expiry of 90 days from the date of the order made under section 10(1) in respect of the dog commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 3 months.

(2) The keeper of a known dangerous dog does not commit an offence under subsection (1) if he shows that there is a veterinary certificate certifying that the dog has been neutered.

12. Known dangerous dogs entering or remaining in public places

A person who causes, suffers or permits a known dangerous dog to enter or remain in a public place -

- (a) without the dog being securely fitted with a muzzle sufficient to prevent it from biting any person; or
- (b) without it being securely held on a leash of not more than 1.5 m in length by a person not under the age of 16 years,

commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 3 months.

13. Identification of known dangerous dogs

(1) The Director may, by notice published in the Gazette, require that a known dangerous dog shall be identified in such form and manner

(including but not limited to the wearing of a collar and the implanting of any device) as is specified in the notice.

(2) Where a known dangerous dog is not identified in accordance with a notice published under subsection (1), the keeper of the dog commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 3 months.

(3) For the avoidance of doubt, it is hereby declared that a notice under subsection (1) is subsidiary legislation.

PART V MISCELLANEOUS

14. Power to give directions

(1) For the purposes of the Ordinance or this Regulation, an authorized officer may, by notice in writing, direct the keeper of a dog to -

- (a) present the dog for weighing or inspection or both at such place and in such manner as may be specified in the direction;
- (b) deliver the dog for detention at such place, in such manner and for such period of detention as may be specified in the direction;
- (c) confine the dog to such place, in such manner and for such period as may be specified in the direction;
- (d) control or restrain the dog while it is in a public place or in any other place from which it may reasonably be

expected to enter a public place by such measures as may be specified in the direction.

(2) The keeper of a dog who fails to comply within a reasonable time with a direction given to him under subsection (1) commits an offence and is liable on conviction to a fine at level 3 and to imprisonment for 3 months.

15. Appeal

(1) A person who is aggrieved by a direction given by an authorized officer in respect of him under section 14 may, within 28 days after receiving notice of the direction, appeal to the Administrative Appeals Board.

(2) An appeal under this section shall not affect the operation of the direction that is appealed against, unless the Director decides otherwise and the notice of the direction contains a statement to that effect.

16. Classification of fighting dogs

(1) In the absence of any previous determination in respect of a dog by the Board upon application to it under section 17, an authorized officer may at any time, by notice in writing, notify the keeper of the dog whether the dog is classified as a fighting dog for the purposes of this Regulation.

(2) (a) Subject to paragraph (b), where a dog is classified as a fighting dog pursuant to subsection (1), the dog shall

be regarded as a fighting dog for the purposes of this Regulation.

- (b) Where an application is made under section 17 for determination in respect of a dog which is classified as a fighting dog pursuant to subsection (1), the dog shall cease to be regarded as a fighting dog for the purposes of this Regulation as from the day on which the Director receives notice of the application by virtue of section 17, until the application has been disposed of, withdrawn or abandoned.

17. Certificate of classification

- (1)
 - (a) Where a dog is classified as a fighting dog pursuant to section 16(1), the keeper of the dog may within 14 days after receiving notice of the classification, by notice in writing served on the Director, apply to the Board for a determination as to whether the dog is a fighting dog.
 - (b) In the absence of any previous determination in respect of a dog by the Board upon application to it under this section, an authorized officer may at any time, by notice in writing served on the Director, apply to the Board for a determination as to whether the dog is a fighting dog.
- (2) The Director shall, within 7 days after receiving a notice of an application by virtue of subsection (1), forward the notice to the Chairman of the Board.

(3) Where any question arises in any proceedings (including proceedings before the Administrative Appeals Board) under the Ordinance or this Regulation as to whether a dog is a fighting dog, a certificate purporting to be signed by a person as the Chairman of the Board stating any fact relating to that question shall, for the purposes of those proceedings, be admissible in evidence on its production and be conclusive evidence of that fact.

18. Detention fee

The detention fee payable by the keeper of a dog to the Director in respect of the detention of the dog under the Ordinance or this Regulation shall be at the rate specified in Schedule 3.

19. Amendment of Schedules

The Secretary may, by notice published in the Gazette, amend the Schedules.

20. Transitional provisions

(1) Notwithstanding anything to the contrary in this Regulation, a person shall not be liable under section 5 solely because he is the keeper of an existing fighting dog during the transitional period.

(2) (a) Where during the transitional period the keeper of an existing fighting dog surrenders the dog to the Director for destruction under the Ordinance, the Director may, subject to paragraph (b), pay to the keeper a sum of \$3,000 in respect of the surrender of the dog.

(b) No payment shall be made pursuant to paragraph (a) in respect of an existing fighting dog unless immediately before the commencement of this Regulation -

(i) the dog is present in Hong Kong; and

(ii) the keeper holds a valid licence granted under section 19A of the Rabies Regulation (Cap. 421 sub. leg.) in respect of the dog.

(3) Any sum payable under subsection (2) shall be a charge on and payable out of the general revenue.

(4) In this section, "transitional period" (過渡期) means the period of 120 days from the commencement of this Regulation.

Consequential Amendments Administrative Appeals Board Ordinance

21. Schedule amended

The Schedule to the Administrative Appeals Board Ordinance (Cap. 442) is amended by adding -

"44. Dangerous Dogs Regulation (L.N. of 1999)	A direction by an authorized officer under section 14 of the Regulation."
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SCHEDULE 1 FIGHTING DOGS

[ss. 2 & 19]

1. Any dog of the type known as the Pit Bull Terrier.

2. Any dog of the type known as the Japanese Tosa.
3. Any dog of the type known as the Dogo Argentino.
4. Any dog of the type known as the Fila Brasileiro.
5. Any dog which is a cross involving the breed of any dog of a type set out in any of the above sections.

SCHEDULE 2
BODY WEIGHT

[ss. 2 & 19]

20kg or above.

SCHEDULE 3
DETENTION FEE

[ss. 18 & 19]

\$120 for each day or part of a day during which a dog is detained under the Ordinance or this Regulation.

COUNCIL CHAMBER

Clerk to the Executive Council

1999

Explanatory Note

This Regulation is made under the Dogs and Cats Ordinance (Cap. 167) to provide for the control and regulation of dangerous dogs.

2. Part I provides for preliminary matters including commencement of the Regulation (section 1) and definitions under the Regulation (section 2).

3. Part II (sections 3 to 8) deals with the control of fighting dogs (as defined in section 2)

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(a) section 3 creates offences in relation to the removal of fighting dogs from a conveyance;

(b) sections 4 to 6 create offences in relation to the importation and breeding of a fighting dog, and to the possession of a fighting dog without it being neutered;

(c) section 7 creates an offence in relation to causing, suffering or permitting a fighting dog to enter or remain in public places without it being muzzled and held on a leash;

(d) section 8 provides for identification of a fighting dog.

4. Part III (section 9) deals with the control of large dogs (as defined in section 2). It creates an offence in relation to causing, suffering or permitting a large dog to enter or remain in indoor public places without it being muzzled and held on a leash or to enter or remain in outdoor public places without it being held on a leash.

5. Part IV (sections 10 to 13) deals with the control of known dangerous dogs (as defined in section 2) -

- (a) section 10 provides that a magistrate may by order classify a dog as a known dangerous dog on application to him showing that the dog has killed or inflicted serious bodily injury on a person or a domestic animal without provocation or otherwise has a history of repeatedly attacking people or putting people in fear;
- (b) section 11 creates an offence in relation to the possession of a known dangerous dog without it being neutered;
- (c) section 12 creates an offence in relation to causing, suffering or permitting a known dangerous dog to enter or remain in public places without it being muzzled and held on a leash;
- (d) section 13 provides for identification of a known dangerous dog.

6. Part V (sections 14 to 21) provides for miscellaneous matters including directions by an authorized officer, appeals in respect of such directions to the Administrative Appeals Board and classification of fighting dogs by authorized officers and the Dogs and Cats Classification Board. Section 20 also provides for transitional arrangements, so that during the transitional period of 120 days from the commencement of the Regulation, possession of a fighting dog licensed before commencement of the Regulation will not be an offence, and a sum of \$3,000 may be payable by the Director of Agriculture and Fisheries in respect of the surrender of any such fighting dog. Section 21 makes a consequential amendment to the Administrative Appeals Board Ordinance (Cap. 442).

7. Schedule 1 sets out the types of dogs which under section 2 are to be classified as a fighting dog for the purposes of the Regulation, Schedule 2 specifies the body weight of large dogs, while Schedule 3 sets out the rate of detention fees payable for the detention of a dog under the Ordinance or the Regulation.