

立法會
Legislative Council

LC Paper No. CB(1)346/99-00
(These minutes have been seen
by the Administration)

Ref: CB1/SS/10/98/1

**Subcommittee on
Resolution under section 3 of the
Dogs and Cats Ordinance (Cap. 167) and
Dogs and Cats (Amendment) Ordinance 1997 (97 of 1997)
(Commencement) Notice 1999**

**Minutes of meeting
held on Tuesday, 5 October 1999, at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Dr Hon TANG Siu-tong, JP (Chairman)
Hon James TIEN Pei-chun, JP
Hon Ronald ARCULLI, JP
Hon Christine LOH
Hon CHAN Wing-chan

Members absent : Hon David CHU Yu-lin
Hon Michael HO Mun-ka
Hon Eric LI Ka-cheung, JP
Hon HUI Cheung-ching
Hon CHAN Kwok-keung
Dr Hon LEONG Che-hung, JP
Hon Emily LAU Wai-hing, JP

Public officers attending : Mr K K LIU, Assistant Director, Agriculture and Fisheries
Department

Dr L D SIMS, Senior Veterinary Officer, Agriculture and
Fisheries Department

Miss Marie SIU, Senior Government Counsel, Department
of Justice

Clerk in attendance : Ms LEUNG Siu-kum, Chief Assistant Secretary (1)2

Staff in attendance : Ms Bernice WONG, Assistant Legal Adviser 1
Miss Becky YU, Senior Assistant Secretary (1)3

I Meeting with the Administration
(LC Paper Nos. CB(1) 1988/98-99(01) and (02))

Members continued to examine the proposed Dangerous Dogs Regulation (the Regulation).

2. At the invitation of the Chairman, the Assistant Director of Agriculture and Fisheries (ADAF) briefed members on the information paper (LC Paper No. CB(1) 1988/98-99(02)) setting out the Administration's response to members' concerns raised at the last meeting on 3 September 1999.

3. ADAF advised that in response to members' request, the Administration decided to remove the age reference for the person controlling any of the three categories of dogs in public places. Ms Christine LOH enquired about how the Administration would ensure control of dogs in public places after the age reference was lifted. ADAF advised that the requirement for these dogs to be securely fitted with a muzzle and held on a leash would be retained to ensure control of the dogs.

4. On tying of large dogs in public places, ADAF replied that the Administration was prepared to amend clause 9(2) to allow tying of large dogs in outdoor public places provided that this would not endanger public safety, animal safety or welfare of the dogs. However, given the aggressive nature of fighting dogs and known dangerous dogs, the Administration considered it inappropriate to leave these dogs tied and unattended in public places.

5. The Chairman noted that only those five-month old fighting dogs with a valid licence and present in Hong Kong before the commencement of the Regulation would be eligible for the ex-gratia payment when they were surrendered to DAF for destruction during the transitional period. He asked how to ascertain that the dogs concerned were five months old. ADAF advised that this could be determined by the eruption time of their teeth. Mr CHAN Wing-chan enquired about the situation of those fighting dogs born after the enactment of the Regulation. ADAF advised that as the public should know by now that breeding of fighting dogs was prohibited under the Regulation, they should stop breeding these dogs. Moreover, the Administration would not issue licences to fighting dogs born after the commencement of the Regulation. Therefore, these dogs would not be eligible for the ex-gratia payment when they were surrendered to DAF for destruction.

6. As regards the transitional period for dog owners to familiarize with the Regulation, ADAF advised that the Administration was prepared to provide a transitional period of three months for large dogs taking into account the time required for making necessary arrangements such as the exemption tests. However, given the aggressive nature of fighting dogs and known dangerous dogs and the need to avoid profiteering under section 20(2)(a), the sections concerning these two categories of dogs would commence shortly after the enactment of the Regulation.

7. Mr James TIEN asked if the Administration would consider reviewing the weight limit of 20 kg for certain breeds of large dogs which were known to have mild and even temperament. ADAF advised that the proposal of using a breed-based classification was discussed and rejected by the relevant Bills Committee of the former Legislative Council because this would not be able to cover mongrel dogs. He stressed that the controls, including the requirements for muzzling and leashing in indoor public places, placed on large dogs had been balanced to take into account public safety and animal welfare considerations.

II Any other business

8. Ms LOH remarked that some of the deputations and members of the public who attended the meeting on 23 July 1999 had requested for another opportunity to express their views on the Regulation, particularly on the statistical information provided by the Administration. Members agreed that interested parties be invited again to make a final presentation on the Regulation at the next meeting. To facilitate future discussion, the Clerk was requested to forward the Administration's reply circulated vide LC Paper No. CB(1) 1988/98-99(02) to the parties concerned. At members' request, the Administration also undertook to provide the draft amendments reflecting the agreed changes before the next meeting.

(Post-meeting note : The revised draft Regulation was circulated vide LC Paper No. CB(1)235/99-00(05).)

9. Members agreed to hold the next meeting on Tuesday, 2 November 1999, at 10:45 am.

(Post-meeting note : The meeting was subsequently postponed to Tuesday, 16 November 1999, at 8:30 am to avoid clashing with the briefing on Disney Theme Park by the Administration on 2 November 1999.)

10. There being no other business, the meeting ended at 11:15 am.