

立法會
Legislative Council

LC Paper No. CB(1) 1040/99-00
(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 Monday, 6 December 1999, at 8:30 am
in the Chamber of the Legislative Council Building**

- Members present** : Dr Hon TANG Siu-tong, JP (Chairman)
Hon James TIEN Pei-chun, JP
Hon David CHU Yu-lin
Hon Eric LI Ka-cheung, JP
Hon HUI Cheung-ching
Hon Christine LOH
Hon CHAN Kwok-keung
Dr Hon LEONG Che-hung, JP
- Members absent** : Hon Michael HO Mun-ka
Hon Ronald ARCULLI, JP
Hon CHAN Wing-chan
Hon Emily LAU Wai-hing, JP
- Public officers attending** : Ms Maria KWAN, Deputy Secretary for Economic Services
- Miss Dora FU, Principal Assistant Secretary for Economic Services
- Mrs Lessie WEI, Director, Agriculture and Fisheries Department
- Mr K K LIU, Assistant Director, Agriculture and Fisheries Department
- Miss Marie SIU, Senior Government Counsel, Department of Justice

Clerk in attendance : Ms LEUNG Siu-kum, Chief Assistant Secretary (1)4

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

I Confirmation of minutes of previous meetings
(LC Paper Nos. CB(1) 489 and 528/99-00)

The minutes of the meetings held on 23 July and 3 September 1999 were confirmed.

II Meeting with the Administration
(LC Paper Nos. CB(1) 519/99-00(01) to (05))

2. At the Chairman's invitation, the Assistant Director of Agriculture and Fisheries (ADAF) briefed members on LC Paper No. CB(1) 519/99-00(05) setting out additional information on dog bite cases in Hong Kong and muzzling requirements for large dogs in public places in overseas cities. He also tabled the Administration's response to the three submissions circulated vide LC Paper Nos. CB(1) 519/99-00(02), (03) and (04).

Statistics on dog bites

3. Noting that 14 out of the 24 investigated serious dog bite cases between April 1997 and March 1999 were caused by large dogs, Mr James TIEN asked how many of them involved fighting dogs. ADAF advised that none of these cases were caused by fighting dogs but there had been one fatal incident in 1996/97 which involved a fighting dog. There was a serious bite case involving a fighting dog as recent as in June 1999. In view of the small number of dog bites by fighting dogs, Mr TIEN questioned the need to phase out these dogs in Hong Kong. DAF replied that while the number might seem small, the percentage of dog bites by fighting dogs was high since there were only about 100 fighting dogs in Hong Kong.

4. As regards the neutering requirement for fighting dogs, ADAF advised that as fighting dogs were bred for fighting, they were capable of attacking people without provocation. Once they attacked, they would not respond to signs of submission and might continue attacking until the victim was motionless. Given the predisposition for abnormal aggressiveness of fighting dogs, the Administration considered that the keeping of such dogs was not suitable for the densely populated and congested environment of Hong Kong. The Administration therefore proposed that the keeping of fighting dogs should be phased out through the introduction of a prohibition on the importation and breeding of such dogs. Owners of fighting dogs who did not wish to keep their fighting dogs under the proposed Dangerous Dogs Regulation could surrender the dogs for destruction. Those who wished to keep their dogs after the

commencement of the Regulation would be required to have the dogs neutered. Dr LEONG Che-hung however pointed out that neutering could not change the temperament of fighting dogs. ADAF replied that the neutering requirement would stop these dogs from passing the aggressive tendencies to their offspring.

5. Ms Christine LOH remarked that it was a serious decision to phase out certain breeds of dogs in Hong Kong. She opined that instead of requiring fighting dogs to be neutered, the Administration should apply the same proposed control measures imposed on large dogs, viz leashing and muzzling in all indoor public places, on fighting dogs if these were effective means to prevent dog attacks. ADAF explained that the proposed regulation for control of dangerous dogs was first introduced in June 1997 and had been revised taking into account views from both the Legislative Council and the public. He stressed that the different controls placed on various categories of dogs had been balanced to take account public safety as well as animal welfare considerations. In view of the perceived severity of the risk of dog bites and the risk of inflicting injuries by fighting dogs, more stringent control for this category of dogs was considered necessary.

6. Ms LOH held the view that if it was the Administration's intention to protect the public from dog bites in indoor public places, the leashing and muzzling requirements for fighting dogs should be sufficient. Dog attacks at home were the responsibility of dogs owners. ADAF did not agree with Ms LOH's remarks. He cautioned about the social cost incurred in the event of dog attacks, particularly when hospitalization was required. As to whether fighting dogs would only attack dogs rather than human beings, ADAF advised that although there were cases where fighting dogs could be stopped from attacking people, the keeping of such dogs was not suitable for the densely populated and congested environment of Hong Kong. Mr TIEN asked if fighting dogs were also required to be neutered in overseas countries. ADAF confirmed that both the United Kingdom and Singapore had specific legislation prohibiting the breeding of fighting dogs.

7. Given the numerous varieties of Pit Bull Terrier, which was categorized under "fighting dogs" in the proposed Dangerous Dogs Regulation, Ms LOH asked how the Administration could ascertain whether a dog was a Pit Bull Terrier. ADAF explained that as fighting dogs were bred for fighting, the breeders would try to strengthen their attacking ability in the course of breeding. As such, fighting dogs usually had a broader and more powerful lower jaw which was a distinctive feature for identification.

Muzzling for large dogs in overseas cities

8. Mr TIEN remarked that the muzzling requirement in Melbourne might not be relevant to Hong Kong as it applied only to large dogs travelling on certain public transport. He considered that a like to like comparison with cities like London and New York would be more useful. ADAF advised that as different cities had different muzzling requirements taking into account their own needs, it might not be possible for the Administration to collect information from each and every city.

9. In view of the strong opposition from various dog concern groups, Ms LOH asked if the Administration would consider repealing the sections pertaining to "large dog" category. The Deputy Secretary for Economic Services (DSES) advised that the high percentage of serious dog bites by large dogs had underpinned the need for the Administration to step up dog control to protect the public, particularly after the recent incident where a child was bitten by a large dog in Tai Po. Mr TIEN did not agree that the Administration should use a single incident to exacerbate the need for the proposed Regulation. DSES clarified that she had no intention to put the public in fear but any measure which could reduce the risk of dog bites was worth pursuing. Besides, the muzzling requirement for large dogs was only confined to indoor public places. They were only required to be on leash in outdoor public area and could be exercised off leash in country parks.

The way forward

10. Members present generally had reservations on the sections pertaining to fighting and large dogs, particularly on the neutering requirement for fighting dogs. Mr TIEN agreed with Ms LOH that instead of requiring fighting dogs to be neutered, the Administration should only require these dogs to be leashed and muzzled in all indoor public places. To facilitate members in ascertaining the need for the proposed control on fighting dogs, the Administration undertook to provide further information in this regard. Ms LOH remarked that the Administration should send a copy of its response to the Hong Kong and Kowloon Kennel Association Limited for consideration.

(Post-meeting note: The Administration's response was circulated vide LC Paper No. CB(1) 687/99-00.)

11. Members agreed that the date of the next meeting would be decided after receipt of the Administration's response. Meanwhile, the Clerk was requested to solicit other members' views on the proposed Regulation before the conclusion of deliberation of the Subcommittee at the next meeting.

(Post-meeting note: The summary of members' views was circulated vide LC Paper No. 822/99-00.)

12. There being no other business, the meeting ended at 9:40 am.