

香港愛護動物協會的信頭
Letterhead of Society for the Prevention of Cruelty to Animals

Ref: CH/L070/11/99

29th November, 1999

The Chairman
Subcommittee on Dangerous Dogs Regulation
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Sir,

**Re: 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**

Reference is made to the letter from Agriculture and Fisheries dated the 19th November regarding the above captioned resolution and specifically supplying additional information regarding the proposed amendments to the Dangerous Dogs regulation. This was disseminated and considered by concerned animal welfare groups and individuals.

Again, after consideration and discussion by the aforementioned parties, this additional submission is made on behalf of the SPCA and the Hong Kong Kennel Club, which represents a combined membership in Hong Kong of over 20,000 members; as well as the International Fund for Animal Welfare (IFAW), The Animals Asia Foundation, Puppywatch and individuals Mr. Nicholas Etches, Mr. Graeme Alford and Dr John Wedderburn.

We believe that the various issues regarding the proposed legislation have been discussed previously and all concerned parties have fully expressed their views, substantiated by research and analysis. It is therefore not deemed essential to repeat these here as they have all been documented and made available to all parties involved in the issue. It is however, essential to reiterate that all the concerned parties agree that there is a need for legislation to control dangerous dogs and the proposals by the Administration are a step in the right direction. However, the legislation should be reasonable and be seen to effectively address the situation. It should therefore target the dog owner, promote the concept of responsible pet ownership but **NOT** arbitrarily target and victimise certain animals.

The proposed legislative amendments as they stand are positive and the concerned groups and individuals concur with the majority of the proposals. However, they are adamant that the proposals under part III discriminating against 'Large dogs', being those over 20Kg are: -

- Arbitrary and **NOT** supported by statistics
- Unenforceable and would **NOT** reduce dog bites

Further, they would ultimately be ineffective, have a **NEGATIVE** impact on the community and **NOT** promote responsible pet ownership, the latter being an essential element in the education of the community on pet ownership. **It is agreed by all concerned parties that this Section of the proposed amendments be removed.**

The concerned parties believe that present legislation under the Dogs and Cats Ordinance Cap 167, (D and CO); Rabies Ordinance (Cap 421), (RO) and the Summary Offences Ordinance (Cap 228), (SOO), if enforced correctly would be sufficient to cause a reduction in dog bites. This will be more so after the 2nd December, when after the 3 year grace period, all animals have to and should be vaccinated against rabies, and consequently microchipped. As such, the legislation can and should be enforced more effectively regarding non-compliance.

In support of this and in order to further the effectiveness of present legislation, the concerned parties have no objection to possible amendments to RO Part III, Section 23 to include an exemption clause rather than the very broad '---otherwise under control-----'. This would facilitate enforcement, which is believed to be the crux of the matter. **Public safety is very important, but the bottom line in all this discussion is the ability to enforce legislation and not just have it on the statute books.**

Additionally, it is proposed by concerned parties that assistance can be offered by them to the Administration in the enforcement and policing the present legislation. This could be done by in the following manner:-

- Assistance by all parties, specifically the SPCA, in the identification and capture of strays;
- Assistance in the identification and prosecution of parties in breach of the present legislation;
- Assistance by all parties, more particularly the SPCA, in the identification and training of animals for homing;
- Assistance by all parties in the 'compulsory' training of all pet owners as an initial step in the drive for responsible pet ownership;
- The structuring of a dedicated 'Dog warden' type unit to ensure enforcement of the legislation.

We therefore ask the Administration to consider carefully the issues raised by the concerned groups and put the whole concept of the proposed amendments in the broader context of an initial step in the education of the community at large. The proposals regarding the 'large dog' category should be withdrawn and the Administration should concentrate on the enforcement of present legislation with a definitive course of supportive action.

This should entail a comprehensive education programme and sufficient resources have to be allocated to this and the enforcement of the ordinance and the attainment of the broad goals of companion animals being kept and maintained in an appropriate manner, basically the promulgation of responsible ownership.

Public safety is imperative, but it is firmly believe that the passing of the proposed amendments under part III of the legislation would not assist in achieving the stipulated objectives. However, the provision of resources and the proactive enforcement of present legislation would be effective.

Yours faithfully,

Chris Hanselman
Executive Director

For and behalf of:-

The Society for the Prevention of Cruelty to Animals
The Hong Kong Kennel Club
Ms. Jill Robinson MBE-The Animals Asia Foundation
The International Fund for Animal Welfare
Mr. Neil McLaughlin-Puppywatch
Mr. Nicholas Etches
Mr. Graeme Alford
Dr. John Wedderburn