

**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**

**Meeting of 5 April 2000**

**Introduction**

On 28 March 2000, the Administration received proposed amendments to the draft Dangerous Dogs Regulation (the Regulation) in respect of exemption of large dogs from leashing control. We also note that there is some further concern on neutering of fighting dogs and ex-gratia allowance for the surrender of existing fighting dogs. Our views are set out in the following paragraphs for Members' consideration.

**Neutering of Fighting Dogs**

2. We explained in detail the rationale for neutering fighting dogs in the paper issued in February 2000. We have pointed out that unless neutering of existing fighting dogs is introduced, we would not be able to prevent these animals from breeding or phase them out over a 7 to 10 year period. As Members may recall, the neutering proposal has the full support of the Society for the Prevention of Cruelty to Animals (SPCA), the Hong Kong Kennel Club, the Hong Kong Veterinary Association and the individuals interested in Animal welfare. Apart from local support, neutering is supported by overseas animal

welfare organizations (including the American SPCA and the Humane Society of the United States) as a means of preventing breeding. Neutering is also recognised by overseas veterinary authorities as the only guaranteed way of preventing breeding. For example, the Australian Veterinary Association in its Policy Compendium states that “desexing is permanent and is the only widely available effective method to prevent breeding.” Other methods of contraception either do not work or have unacceptably high levels of side effects. Furthermore, the proposal of neutering fighting dogs is also in line with international practice where neutering is mandatory for Pit Bull Terriers and other fighting dogs in Singapore, the United Kingdom, the Netherlands and some states of Australia.

3. Neutering is not cruel and has no long lasting effect on dogs. The overseas animal welfare organizations advise that the psychological well-being of animals is not affected by this procedure. We remain of the view that neutering of fighting dogs is the only effective and humane method available to prevent these dogs from breeding and we are only following the international practice. Unless these dogs are neutered and phased out, we will not be able to prevent fatal incidents such as the one happened in Wong Tai Sin in 1996.

4 The same argument applies to neutering of known dangerous dogs and the decision to classify a dog as a known dangerous dog has to be made by a magistrate.

### **Member’s Proposed Amendment to Exemption from Leashing Requirement for Large Dogs in Public Place**

5 A Member has suggested to expand the area where large dogs

would be allowed to be exercised off leash to cover “public places to which a public transport carrier has no access or is not permitted to have access”. It is noted that the intention is to exempt large dogs from leashing control in “remote countryside”.

6           The Department of Justice advises that the coverage of the proposed amendments may be wider than the original intention. In effect, it will cover places like Hong Kong Park and the shopping areas in Pacific Place as they are all public places to which a public transport carrier has no access or is not permitted to have access. Moreover, many public places “not accessible” by public transport carriers, such as public places in certain housing estates and villages, still have a sizeable population and large dogs in these areas should be leashed to ensure public safety. The proposed amendments would defeat the purpose of the proposed control on large dogs, which is to protect the public from dog bites in public places. Furthermore, it would be extremely difficult to enforce the proposed amendments because it is difficult to define exactly the scope of area such as “remote countryside” and to demarcate the exact boundaries on the ground. Such legal ambiguity would not only result in insurmountable law enforcement problems but also leads to confusion among the public. We do not recommend incorporating the proposed amendments into the Regulation.

7           Under the draft Regulation, large dogs are provided with ample opportunities to be exercised off leash when in country parks or swimming at sea. In addition, owners wishing to exercise their large dogs off leash in other public places can do so provided that their dogs demonstrate the ability to remain under control off leash through the examination. Details of the examination are attached to the paper titled “Responses to Two Submissions Received on 24 February 2000”.

## **Ex-gratia Allowance for the Surrender of Fighting Dogs**

8            In response to Members' request, we have withdrawn the ex-gratia allowance for the surrender of existing fighting dogs to the Director of Agriculture, Fisheries and Conservation for destruction. It is noted that recently a Member suggests to retain the ex-gratia allowance to provide an incentive to dog owners to surrender their fighting dogs voluntarily. We would be happy to hear the views of the Sub-committee in this regard.

## **Conclusion**

8.            As Members may notice, serious dog bites by fighting dogs and large dogs, unfortunately, continue to take place recently. In February this year, two Pit Bull Terriers bit their owner while in March, a child was bitten by a Rottweiler (a large dog) in the village area. Both cases resulted in hospitalization of the victims. Given the public safety at stake, we urge that Members support the draft Regulation for submission to the Legislative Council for approval as soon as possible.

**Environment and Food Bureau/  
Agriculture and Fisheries Department  
1 April 2000**