

**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**

**Submission on the Dangerous Dogs Regulation**

**Meeting on 6 December 1999**

On 1 and 2 December, the Administration received three further submissions from two individuals and the Society for the Prevention of Cruelty to Animals (SPCA) on behalf of the Hong Kong Kennel Club, the International Fund for Animal Welfare, the Animals Asia Foundation, Puppywatch and three individuals. It is noted that the submissions support the proposed control measures in respect of the “fighting dog” and “known dangerous dog” categories but urge that the “large dog” category be removed from the Dangerous Dogs Regulation (the Regulation). Our responses are set out in the following paragraphs for Members’ consideration.

**According to SPCA, concerned parties believe that the present legislation, if enforced correctly, would be sufficient to cause a reduction in dog bites.**

2. AFD has introduced measures, including the microchip identification scheme in 1996, to enhance enforcement of the dog licensing law. This scheme commenced full operation on 2 December 1999. Each dog with a valid licence has been implanted with a microchip. Dog owners would commit an offence if their dogs are unlicensed. AFD has stepped up random licence checks with emphasis being placed on dogs in villages.

3. As informed Members previously, the existing legislation is inadequate to control dangerous dogs because it applies to dogs in general without giving adequate consideration to the fact that particular classes of dogs might inflict more serious injuries. Current legislation does not specifically provide for the prosecution of owners when biting incidents or infringements relating to control of dogs occur in the common parts of private estates. Moreover, under the current legislation, a dog is required to be on leash or otherwise under control. But

experience has shown that AFD received complaints about dogs causing disturbance or threat to people but encountered difficulties in law enforcement in such cases as it is difficult to prove that an unleashed dog is not “otherwise under control”. This is particularly relevant in village situations where owners often claim that they are in control of their dogs even though the dogs are in a public place. The proposed control measures help to address such enforcement difficulties. It would also help to prevent dog bites.

**An individual claims that according to AFD, serious bites by licensed large dogs represent less than 0.06% of the total dog bites presented to hospitals. The legislative proposal regarding large dogs will not reduce the problem of dog bites.**

4. It is suggested by some animal welfare associations and individuals that feral, stray animals were the main cause of dog attacks. This is not supported by AFD’s data, which show that in the past two years, over 50% of the 3 075 investigated cases were caused by owned and licensed dogs, not stray dogs. Of these, 70% involved large dogs. The data also show that all the 14 serious dog bite cases occurring in public places which resulted in hospitalisation of victims were caused by large dogs. Detailed statistics are presented in the Administration’s paper issued on 3 December.

5. In the light of the above, the Administration considers that there is a case for imposing control measures on the “large dog” category to help prevent dog bites.

**An individual is of the view that there are actually very few jurisdictions that apply any leash law at all, and that in those that do, the restrictions include all dogs (both large and small) and apply only in urban areas.**

6. The Administration has reviewed the leashing requirements in other places. It is found that such requirements vary from one place to another. The leashing requirements proposed for large dogs in Hong Kong are less stringent than some other cities like Sydney and Vienna, where leashing is mandatory for all dogs in public places (except for specified areas). Moreover, some countries including Singapore and Ireland impose leashing controls on specified large dog breeds. These dogs are considered to represent a risk to the public and required to be leashed and muzzled when in a public place. In places like the United

Kingdom and Colorado in the United States of America, the leashing requirements apply to fighting dogs or dangerous dogs.

7. The Administration considers that the leashing requirement proposed for the “large dog” category, instead of all dogs, is mild and would not endanger animal welfare. It would also provide for improved control of village dogs in public places, which are a recognised hazard.

8. Taking into account the views of animal welfare organisations, the Director of Agriculture and Fisheries (DAF) is prepared to exempt well-behaved large dogs from leashing in outdoor public places if their owners can demonstrate that their dogs are docile and can be controlled off leash. In addition, large dogs can be exercised off leash in any country park, provided they are kept under control. With these measures, AFD considers that dog owners would have ample opportunity to exercise their dogs off leash.

**An individual indicates that having read the guidelines of the “test” for exemption for the Regulation, he expects a 100% failure rate and even for dogs that are under complete control.**

9. AFD advises that the proposed exemption examination is being reviewed by professional dog trainers and experienced dog handlers to ensure that it is fair and reasonable. AFD would take into account comments from submissions received when formalising the examination procedures. The frequency of examination will also be adjusted to meet public demand.

**SPCA urges that there should be a comprehensive education programme and sufficient resources should be allocated to this and the enforcement of the existing ordinance (including identification and capture of stray dogs, identification and prosecution of parties in breach of the present legislation, identification and training of animal for homing, “compulsory” training of pet owners and setting up a dedicated “Dog Warden” type unit for enforcement purposes).**

10. The Administration recognises the need to promote measures relating to responsible dog ownership. AFD will work with concerned groups through the Animal Welfare Advisory Group to develop and implement appropriate programmes. AFD works closely with SPCA in law enforcement and will consider

further the issues raised by SPCA on law enforcement.

11. AFD has recently formed an animal management division to step up actions to control stray dogs. Four regions, each headed by a veterinary officer, have been established to enhance operational efficiency, a regional and community focus for stray control and prevention operations, and to improve liaison with village representatives. Additional field officers have been deployed to investigate “stray animal black spots” (including villages and construction sites).

12. AFD will consider the other suggested measures and keep the resources requirements under review.

Economic Services Bureau /  
Agriculture and Fisheries Department

4 December 1999